

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
March 6, 2018–8:35 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Proof of Publication and Waive the Reading of the Legal Advertisement.
3. Approval of Minutes.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the February 6, 2018 Planning Board Meeting.
 - B. Planning Board Monthly Action Follow-up Report for February 2018.
 - C. Planning Board 6-Month Outlook for March 2018.
4. Acceptance of Planning Board Meeting Packet.
5. Public Hearings.
 - A. A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2018-01

That the Board review and recommend to the Board of County Commissioner (BCC) for adoption, an ordinance amending the Future Land Use (FLU) Map for a Small Scale Amendment, SSA-2018-01.
 - B. A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2018-02

That the Board review and recommend to the Board of County Commissioner (BCC) for adoption, an ordinance amending the Future Land Use (FLU) Map for a Small Scale Amendment, SSA-2018-02.

C. A Public Hearing Concerning the Review of an Ordinance Amending OBJ CIE 1.2.5 and FLU 1.5.2 in the 2030 Comprehensive Plan

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the 2030 Comprehensive Plan, to remove date and year specific references to the Florida-Alabama Transportation Improvement Program, under section OBJ CIE 1.2.5., and to delete in its entirety, section FLU 1.5.2, Compact Development and Maximum Densities and Intensities.

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

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 3, Section 3-2.10 Commercial District, to add drive-through restaurant as a conditional use.

E. A Public Hearing Concerning the Review of Ordinances Regarding Mobile Homes in MDR and HDR Zoning Districts

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, one of the following Ordinances regarding Mobile Homes in MDR and HDR zoning districts:

A. To establish criteria under which a mobile home may be authorized as a Conditional Use within MDR and HDR zoning districts;

OR

B. To include language to allow mobile homes as permitted uses within the MDR and HDR zoning districts;

OR

C. To establish a Special-Use rezoning process, including criteria for the review and process of an application, to allow for the placing of a mobile home in MDR and HDR zoning district.

F. A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapters 3, 4, and 6 Regarding Outdoor Signs

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 5, to repeal and replace development standards and revise related provisions regulating outdoor

signs.

G. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Article 7, Section 4-7.6

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, Location and Use of Regulations, Article 7, Supplemental Use Regulations, Section 4-7.6, to modify existing regulations, to include certain additional industrial operations such as concrete and asphalt recycling within the county, and to further address adverse off-site impacts caused by all such operations.

H. Cancellation of a Public Hearing Concerning the Review of an Ordinance Amending the Land Development Code Chapter 4, Article 7, to Establish Regulations Allowing Alternative Uses of Standard Industrial Shipping Containers

That the Board cancel the Public Hearing scheduled to review an Ordinance amending the Land Development Code (LDC) Chapter 4, Article 7, to establish regulations allowing alternative uses of standard industrial shipping containers.

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, April 3, 2018 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: 03/06/2018

Agenda Item:

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the February 6, 2018 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for February 2018.

C. Planning Board 6-Month Outlook for March 2018.

Attachments

Draft February 6, 2018 Planning Board Regular Meeting Minutes

Monthly Action Follow-Up

Six Month Outlook

DRAFT

MINUTES OF THE ESCAMBIA COUNTY PLANNING BOARD February 6, 2018

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(9:47 A.M. – 12:35 P.M.)

Present: Reid Rushing
Jay Ingwell
Wayne Briske, Chairman
Timothy Pyle
Patty Hightower
Alan Gray
Eric Fears
Stephen Opalenik

Absent: William Clay

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning
John Fisher, Senior Urban Planner, Planning & Zoning
Juan Lemos, Senior 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 Jay Ingwell, Seconded by Eric Fears

Motion was made to approve the proof of publication and to waive the reading of the legal advertisement.
Vote: 6 - 0 Approved

Other: William Clay (ABSENT)
3. Approval of Minutes.

- A. A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 9, 2018 Planning Board Meeting.
- B. Planning Board Monthly Action Follow-up Report for January 2018.
- C. Planning Board 6-Month Outlook for February 2018.

Motion by Alan Gray, Seconded by Eric Fears

Motion was made to approve the minutes from the January 9, 2018, Regular Planning Board Meeting.

Vote: 6 - 0 Approved

Other: William Clay (ABSENT)

- 4. Acceptance of Planning Board Meeting Packet.

Motion by Eric Fears, Seconded by Jay Ingwell

Motion was made to accept the Regular Planning Board meeting packet for February 6, 2018.

Vote: 6 - 0 Approved

Other: William Clay (ABSENT)

- 5. Public Hearings.

- A. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Article 7, Section 4-7.6

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, Location and Use of Regulations, Article 7, Supplemental Use Regulations, Section 4-7.6, to modify existing regulations, to include certain additional industrial operations such as concrete and asphalt recycling within the county, and to further address adverse off-site impacts caused by all such operations.

Motion by Timothy Pyle, Seconded by Eric Fears

Motion was made to continue this item to next month's meeting.

Vote: 6 - 0 Approved

Other: William Clay (ABSENT)

- 6. Action/Discussion/Info Items.

A. Signs Discussion.

Board Members and Staff discussed this item. Board Members decided to bring the item back next month as a public hearing.

B. Cargo Containers Discussion.

Board Members, Staff, and members of the public discussed this item. Board Members decided to bring the item back next month as a public hearing.

7. Public Forum.

Ms. Rogers spoke at Public Forum.
Ms. Blackwell spoke at 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, March 6, 2018 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: Kayla Meador, Board Clerk
DATE: February 26, 2018
RE: Monthly Action Follow-Up Report for February 2018

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

PROJECTS, PLANS, & PROGRAMS

COMMITTEES & WORKING GROUP MEETINGS

COMPREHENSIVE PLAN AMENDMENTS

• **Text Amendments:**

CIP

- 01-09-18 PB recommended approve
- 02-01-18 BCC approved

• **Map Amendments:**

LAND DEVELOPMENT CODE ORDINANCES

Residential Uses in Zoning Districts

- 09-6-16 PB recommended more review by staff
On hold – waiting for input from County Attorney’s Office

DSM PAC Changes

- 01-09-18 PB recommended approval
- 02-01-18 BCC approved

Armored Shoreline

- 01-09-18 PB recommended approval
- 02-01-18 BCC approved

Modifying Concrete/Asphalt Recycling Regulations

02-06-18 PB voted to bring ord back again for more review

03/06/18 PB meeting

REZONING CASES

1. Rezoning Case Z-2017-06
 - 08-01-17 PB recommended denial
 - 09-07-17 BCC remanded (waiting on applicant)

2. Rezoning Case Z-2017-17
 - 11-07-17 PB recommended placing case in abeyance until further actions are taken
 - 11-30-17 BCC meeting to drop
 - 01-09-18 PB recommended denial
 - 02-01-18 BCC remanded case back to PB and directed staff to draft 3 options for mobile homes in MDR/HDR zoning districts

3. Rezoning Case Z-2017-18
 - 01-09-18 PB voted to bring back to Feb PB
 - 02-06-18 PB recommended approval
 - 03-01-18 BCC meeting

4. Rezoning Case Z-2017-19
 - 02-06-18 PB recommended approval
 - 03-01-18 BCC meeting

PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR MARCH 2018

(Revised 02/26/18)

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, March 6, 2018	<ul style="list-style-type: none"> • Signs • Cargo Containers • Modifying Concrete/Asphalt Crushing Regs • CU in Commercial • Special RZ for MH • CU for MH in MDR/HDR • MH as Permitted Use in MDR/HDR 	<ul style="list-style-type: none"> • SSA-2018-01 • SSA-2018-02 • CPA-2018-01 	<ul style="list-style-type: none"> • Z-2018-01 • Z-2018-02 	
Tuesday, April 3, 2018	<ul style="list-style-type: none"> • Annual Report 		<ul style="list-style-type: none"> • Z-2018-03 	
Tuesday, May 1, 2018				
Tuesday, June 5, 2018				
Tuesday, July 3, 2018				
Tuesday, August 7, 2018				

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.

** Residential Uses Ordinance – waiting on input from the County Attorney’s Office

** CPA-2016-01 Extraction and Reclamation – on hold



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. A.

Meeting Date: 03/06/2018

Issue: A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2018-01

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2018-01

That the Board review and recommend to the Board of County Commissioner (BCC) for adoption, an ordinance amending the Future Land Use (FLU) Map for a Small Scale Amendment, SSA-2018-01.

BACKGROUND:

The small-scale amendment to the future land use (FLU) map of the county proposes to change the FLU category of a parcel on a 1.33 (+/-) acres from Commercial (C) to Public (P). The current developed (library) parcel can be accessed along approximately 245 feet of frontage on the north side of Gulf Beach Highway & 300 feet on the east side of Bauer Field Road State Road 293. Single family homes adjoin the subject parcels on the east and north side currently with a FLU of Mixed-Use Suburban (MU-S). All adjoining properties have a zoning designation of MDR.

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 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 Future Land Use Map of 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.

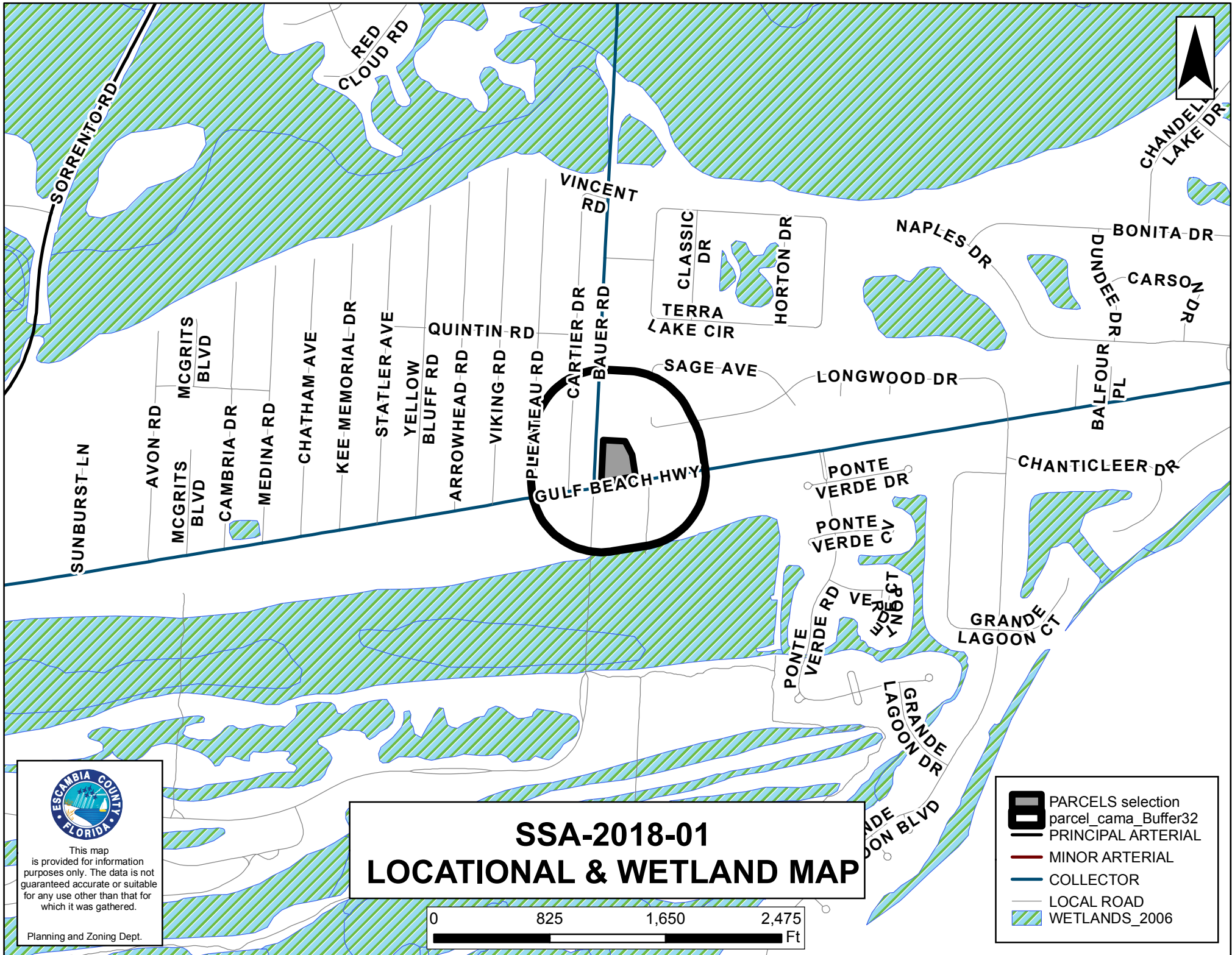
Attachments

Working Case File

Staff Analysis







Draft Ordinance


SSA-2018-01

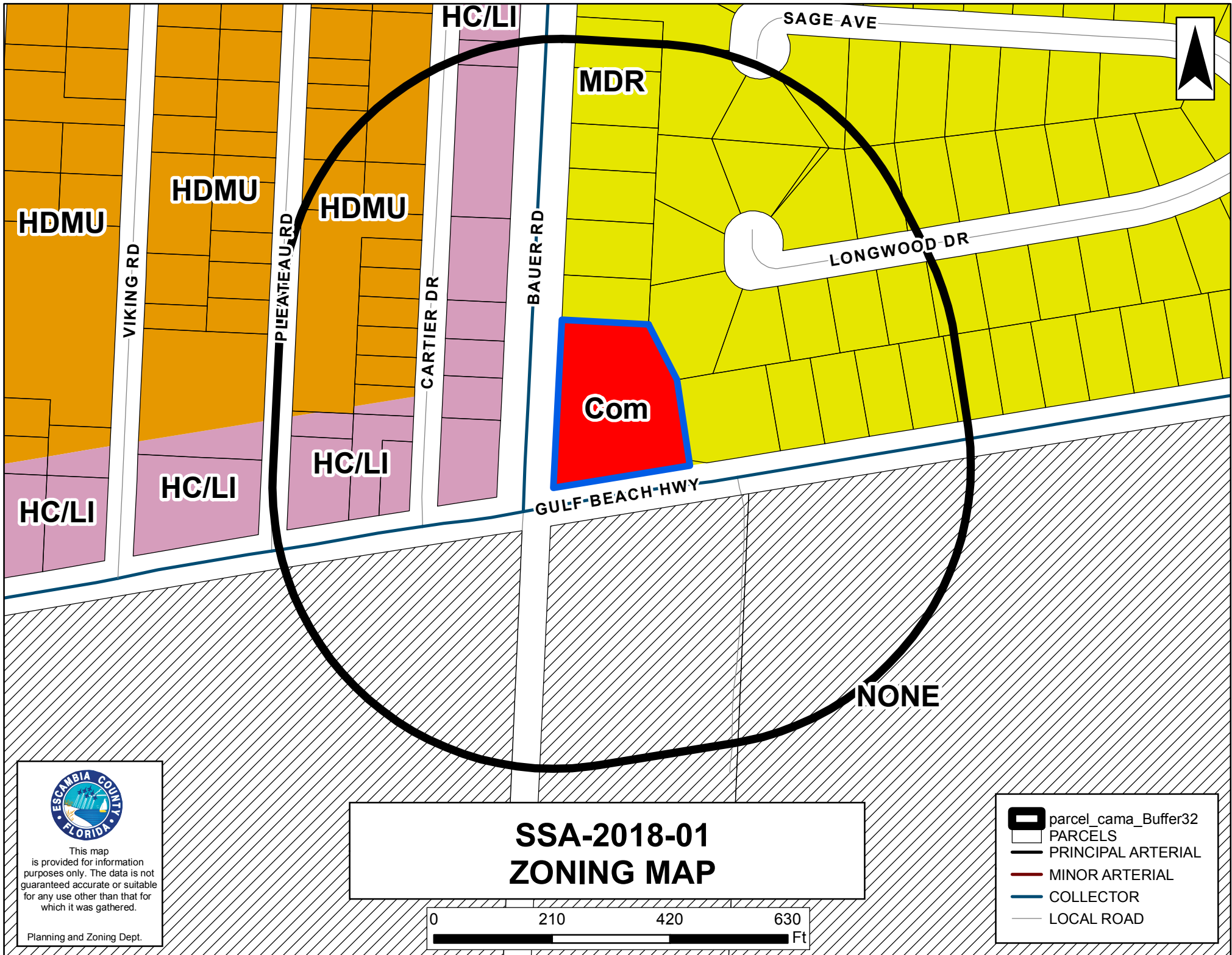


**SSA-2018-01
LOCATIONAL & WETLAND MAP**



-  PARCELS selection parcel_cama_Buffer32
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  WETLANDS_2006


 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.
 Planning and Zoning Dept.



HDMU

HDMU

HDMU

HC/LI

MDR

VIKING RD

PLEATEAU RD

CARTIER DR

BAUER RD

SAGE-AVE

LONGWOOD DR

HC/LI

HC/LI

HC/LI

Com

GULF-BEACH-HWY

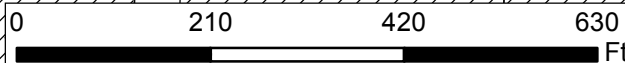
NONE



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.

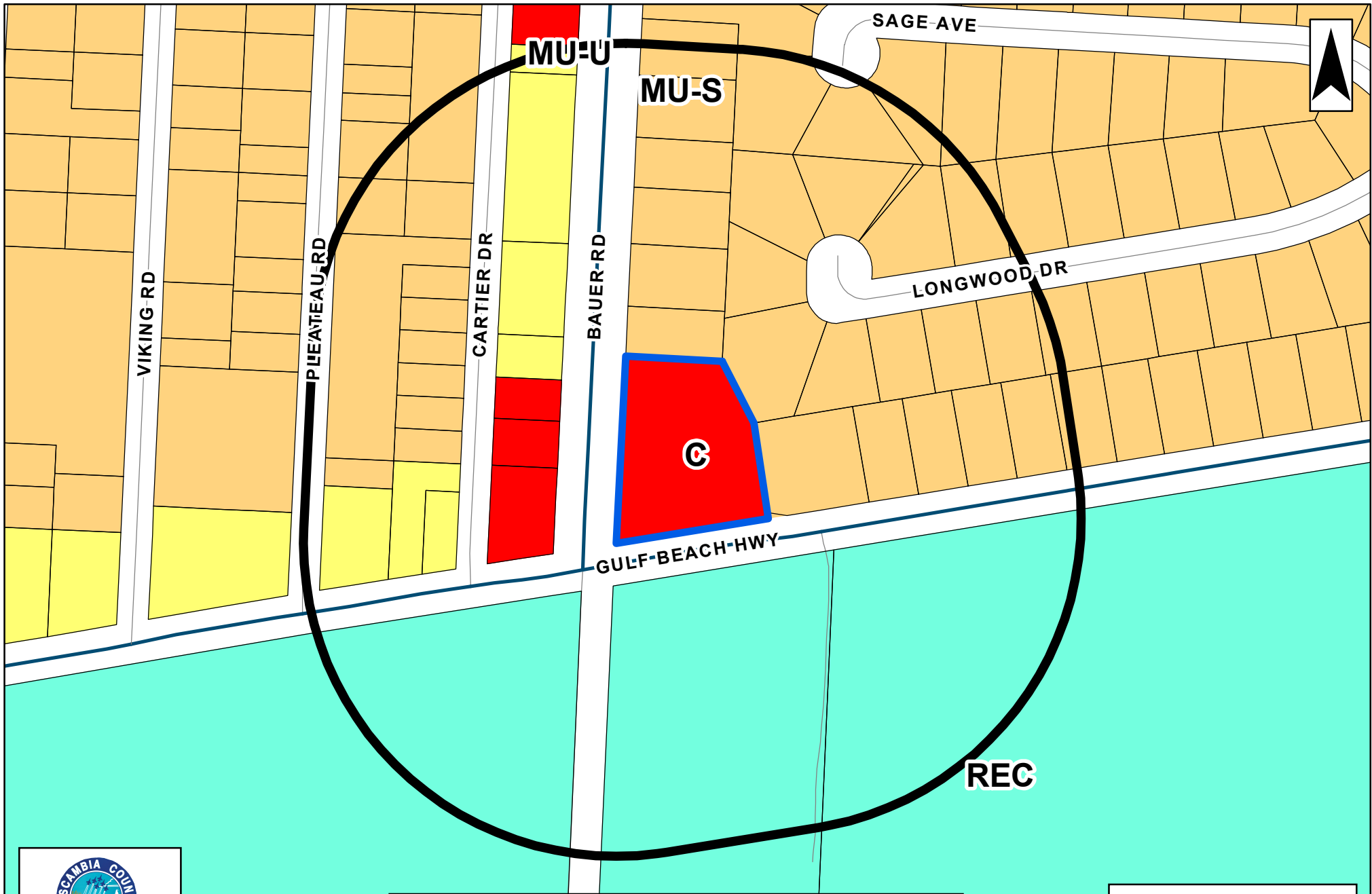
Planning and Zoning Dept.

SSA-2018-01 ZONING MAP









- parcel_cama_Buffer32
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD






**SSA-2018-01
CURRENT FLU MAP**

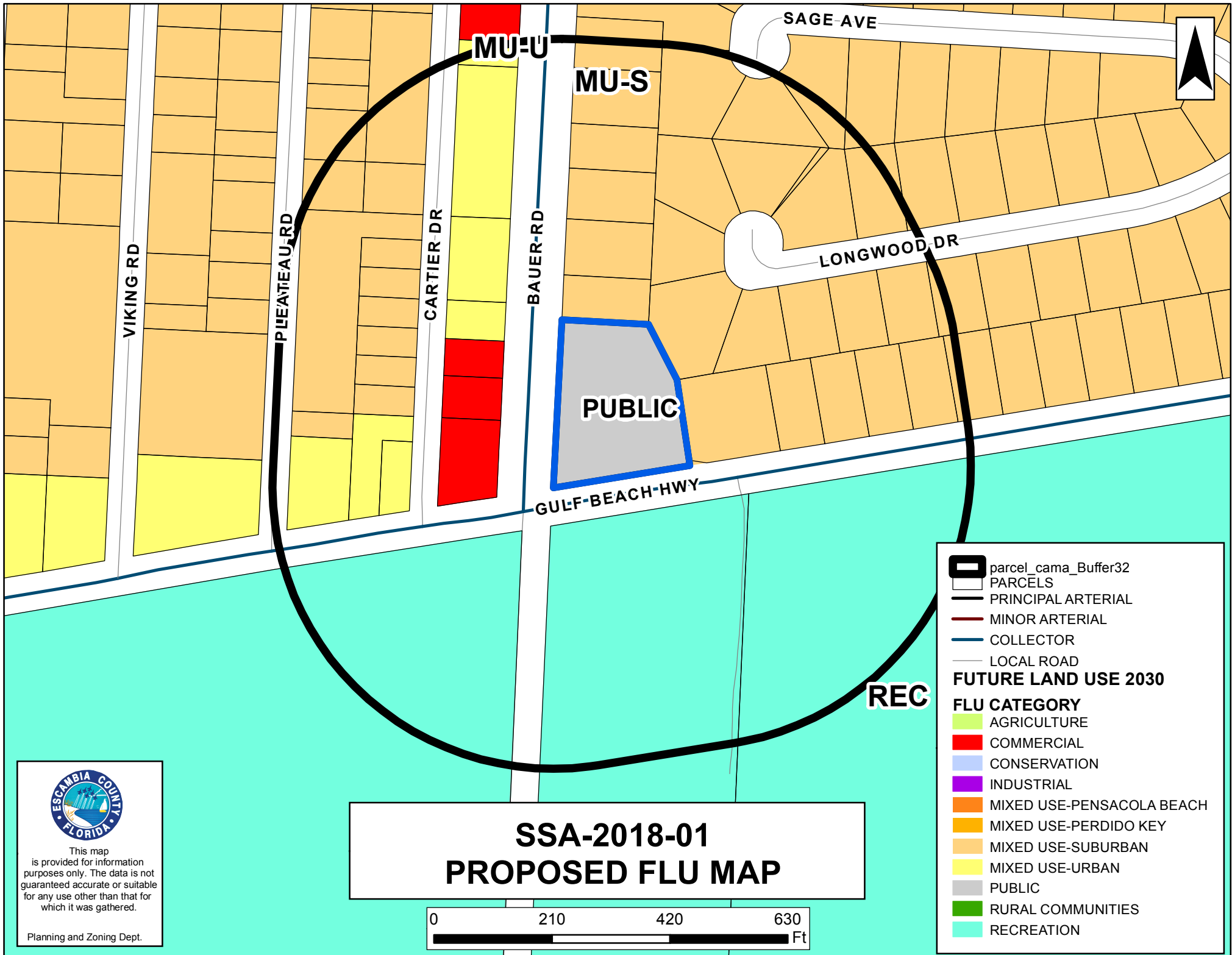


-  parcel_cama_Buffer32
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



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Planning and Zoning Dept.




**SSA-2018-01
PROPOSED FLU MAP**

parcel_cama_Buffer32
 PARCELS
 PRINCIPAL ARTERIAL
 MINOR ARTERIAL
 COLLECTOR
 LOCAL ROAD

FUTURE LAND USE 2030

FLU CATEGORY

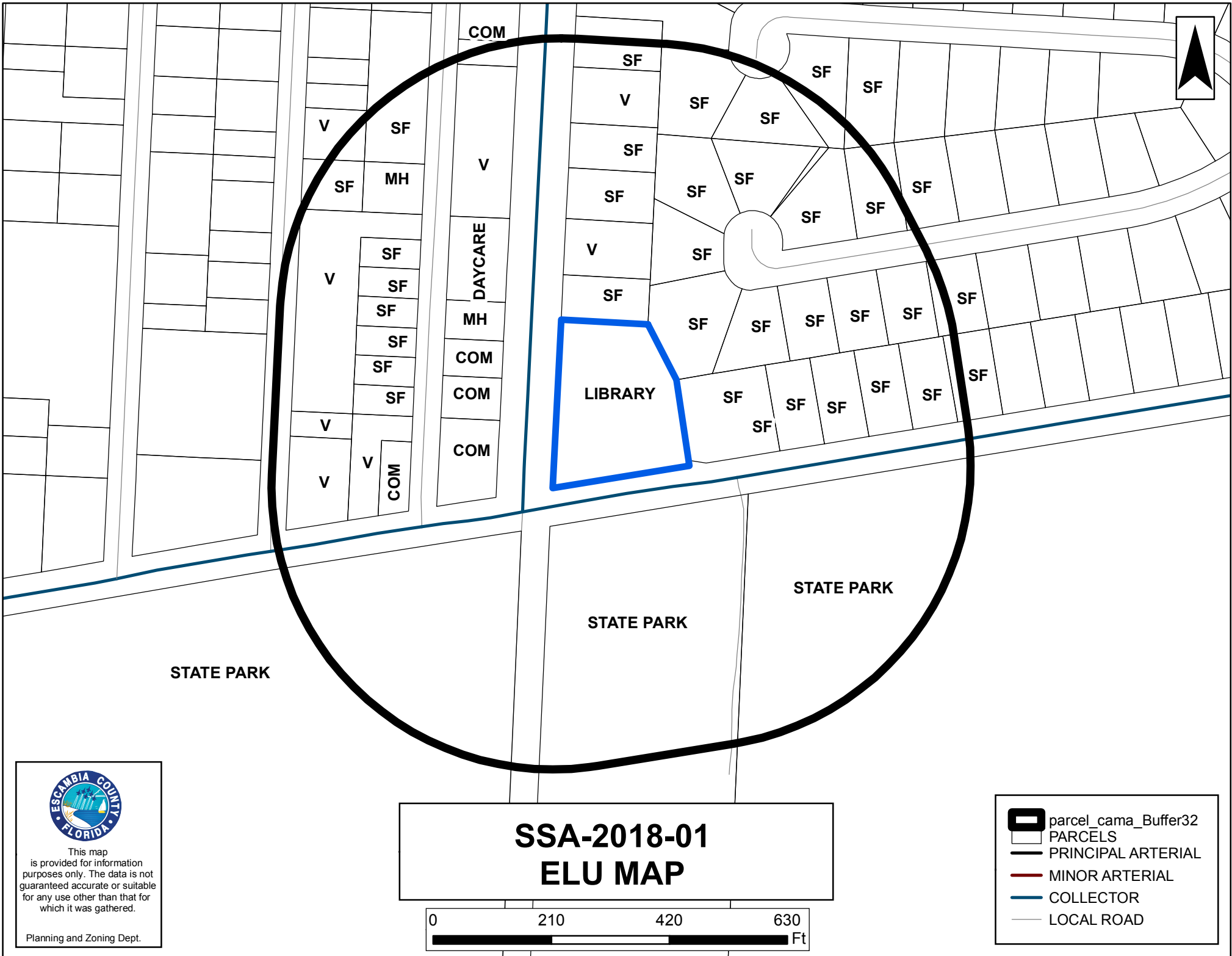
- AGRICULTURE
- COMMERCIAL
- CONSERVATION
- INDUSTRIAL
- MIXED USE-PENSACOLA BEACH
- MIXED USE-PERDIDO KEY
- MIXED USE-SUBURBAN
- MIXED USE-URBAN
- PUBLIC
- RURAL COMMUNITIES
- RECREATION



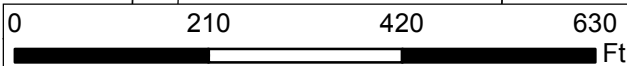
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
Planning and Zoning Dept.





**SSA-2018-01
ELU MAP**



-  parcel_cama_Buffer32
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



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

Planning and Zoning Dept.

VIKING RD

PLEATEAU RD

CARTIER DR

BAUER RD

LONGWOOD DR

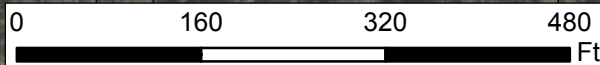
GULF BEACH HWY








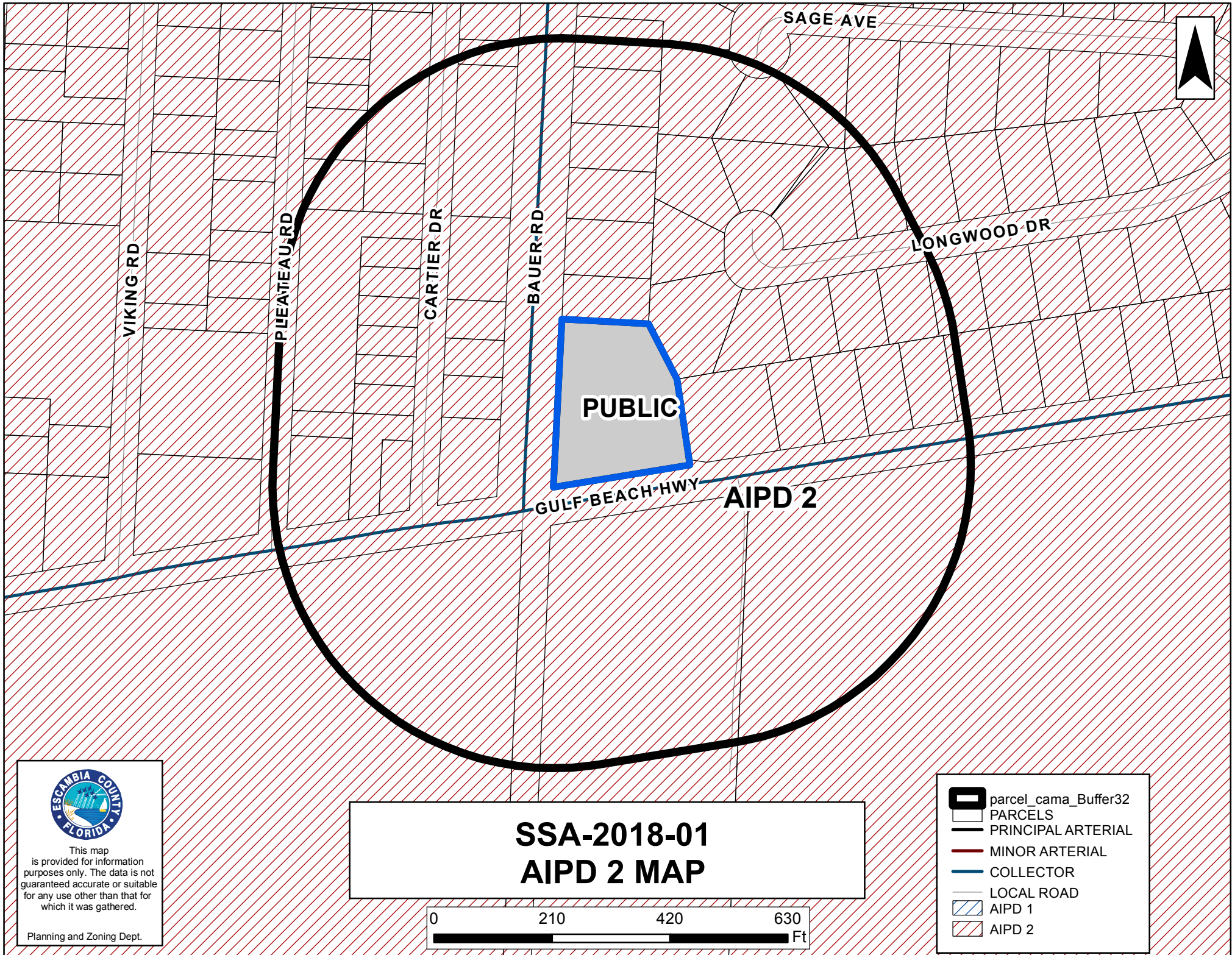
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Planning and Zoning Dept.

SSA-2018-01 AERIAL MAP



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



SAGE AVE

VIKING RD

PIQUETEAU RD

CARTIER DR

BAUER RD

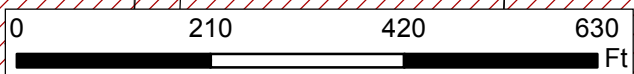
LONGWOOD DR

PUBLIC


GULF BEACH HWY

AIPD 2

**SSA-2018-01
AIPD 2 MAP**



- parcel_cama_Buffer32
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- AIPD 1
- AIPD 2



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Planning and Zoning Dept.



PALM LAKE VILLAS

PERDIDO ESTATES

CHANDELLE 3RD ADDITION

TREASURE HILL PARK

GRANDE LAGOON NORTH

GRANDE LAGOON NORTH

STATE PARK

GRANDE LAGOON WEST

GRANDE LAGOON

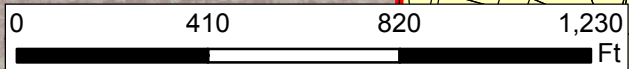
GRANDE LAGOON LAKES



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Planning and Zoning Dept.

Z-2018-01 GRANDE LAGOON NORTH SUBDIVISION



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



**NOTICE OF PUBLIC HEARING
FUTURE LAND USE CHANGE**

CASE NO.: SSA-2018-01
CURRENT FLU: COM PROPOSED FLU: Pub

PLANNING BOARD

DATE: 03/06/18 TIME: 8:35 AM

LOCATION OF HEARING
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 04/05/18 TIME: 5:45 PM

LOCATION OF HEARING
ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY



**NOTICE OF PUBLIC HEARING
REZONING**

CASE NO.: Z-2018-01
CURRENT ZONING: COM PROPOSED ZONING: Pub

PLANNING BOARD

DATE: 03/06/18 TIME: 8:30 AM

LOCATION OF HEARING
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 04/05/18 TIME: 5:46 PM

LOCATION OF HEARING
ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

Public Hearing Sign



Looking North Along Bauer Road



Looking Northeast At Subject Property



Looking East Along Gulf Beach Hwy



Looking South Across Gulf Beach Hwy



Looking West Along Gulf Beach Hwy

FUTURE LAND USE MAP AMENDMENT APPLICATION

(THIS SECTION FOR OFFICE USE ONLY):

TYPE OF REQUEST: SMALL SCALE FLU AMENDMENT SSA-2018-01
LARGE SCALE FLU AMENDMENT _____
Current FLU: "C" Desired FLU: (P) PUBLIC Zoning: Com Taken by: JCF
Planning Board Public Hearing, date(s): 3/6/18
BCC Public Hearing, proposed date(s): 4/5/18
Fees Paid _____ Receipt # _____ Date: 2/13/18

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

Name: Escambia County Board of County Commissioners
Address: 221 Palafox PL STE 420
City: Pensacola State: Florida Zip Code: 32502
Telephone: (850) 595-3475
Email: _____

DESCRIPTION OF PROPERTY:

Street address: 12248 GULF BEACH HWY
Subdivision: _____
Property reference number: Section 22 Township 3S Range 31
Parcel 5001 Lot 002 Block 001
Size of Property (acres) 1.33±

**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 placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County Staff.

Signature (Property Owner) Printed Name Date

Signature (Agent's Name (or owner if representing oneself) Printed Name Date

Address: _____

City: _____ State: _____ Zip: _____

Telephone () _____ - _____ Fax # () _____ - _____

Email: _____

STATE OF _____
COUNTY OF _____

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

Signature of Notary Public Date Printed Name of Notary
My Commission Expires _____ Commission No. _____
(Notary seal must be affixed)

AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

As owner of the property located at _____,
Pensacola, Florida, Property Reference Number(s)
_____, I hereby designate _____,
for the sole purpose of completing this application and making a presentation to the Planning Board, sitting as the Local Planning Agency, and the Board of County Commissioners, to request a change in the Future Land Use on the above referenced property.

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

Signature of Property Owner Date Printed Name of Property Owner

Signature of Agent Date Printed Name of Agent

STATE OF _____
COUNTY OF _____

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

Signature of Notary Public Date Printed Name of Notary Public

Commission Number _____ My Commission Expires _____
(Notary seal must be affixed)

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

Project name: _____

Property reference #: Section 22 Township 3S Range 31

Parcel # 22-3S-31-5001-002-001

Project Address: 12248 GULF BEACH HWY

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 _____ DAY OF _____, 20_____

ESCAMBIA COUNTY BCC

Owner's signature

Owner's name (print)

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 Florida Master Site File, Division of Historical Resources; email sitefile@doh.state.fl.us) Request form attached.
 - 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



Florida Master Site File TRS Search

Preliminary Investigation of Previously Recorded Cultural Resources

To request a search for previously recorded cultural resources, fill in the **Township** (circle North or South), **Range** (circle East or West), & **Section** number(s) of your project area.

Please include a photocopy of the appropriate USGS quad map with your project area clearly marked.

Township: _____ (North or South) **Range:** _____ (East or West)

Sections (include all affected): _____

County (include all affected): _____ **USGS Quad** (if known): _____

Township: _____ (North or South) **Range:** _____ (East or West)

Sections (include all affected): _____

County (include all affected): _____ **USGS Quad** (if known): _____

Township: _____ (North or South) **Range:** _____ (East or West)

Sections (include all affected): _____

County (include all affected): _____ **USGS Quad** (if known): _____

Township: _____ (North or South) **Range:** _____ (East or West)

Sections (include all affected): _____

County (include all affected): _____ **USGS Quad** (if known): _____

Return To: Name: _____
 Organization: _____
 Phone: _____ Fax: _____
 Address: _____

 Email: _____

Agency/Permit/Project requiring search: _____

Florida Master Site File

Division of Historical Resources / R.A. Gray Building
500 South Bronough St., Tallahassee, Florida 32399-0250
Phone 850.245.6440 / Fax 850.245.6439 / Email sitefile@dos.state.fl.us

10.50
1053.50

DEED DOC STAMPS PD @ ESC CO \$1053.50
03/05/02 EDDIE LEE MAGRAW, CLERK
By: *Sally Arnold*

This Document Was Prepared by:
Office of the County Attorney
14 West Government Street, Room 411
Pensacola, Florida 32501
(850) 595-4970

**STATE OF FLORIDA
COUNTY OF ESCAMBIA**

WARRANTY DEED

THIS DEED is made and entered into this 28th day of FEBRUARY, 2002, by and between Frances C. White, an unmarried widow, whose address is 511 New Warrington Road, Pensacola, Florida 32506 (Grantor), and Escambia County, Florida, a political subdivision of the State of Florida, acting by and through its duly authorized Board of County Commissioners, whose address is 223 Palafox Place, Pensacola, Florida 32501 (Grantee).

WITNESSETH:

GRANTOR, for and in consideration of the sum of Ten Dollars, (\$10.00), and other good and valuable consideration in hand paid by Grantee, receipt of which is acknowledged, conveys to Grantee, its successors and assigns forever, the following described land situated in Escambia County, Florida:

Commence at the Northwest Corner of the South Half of Fractional Section 22, Township 3 South, Range 31 West, run South 89°56'50" East along the North line of said South Half 50.00 feet to the East right of way line of Weekley Boulevard; thence South 00°30'06" East 740 feet along the East right of way line of Weekley Boulevard to the point of beginning; thence continue along the last course South 00°30'06" East 299.86 feet to the North right of way line of Gulf Beach Highway; thence North 77°23'16" East along the North right of way line of Gulf Beach Highway 245.53 feet; thence North 12°36'44" West 155.00 feet; thence North 29°00'32" West 110.14 feet; thence South 89°29'54" West 155 feet to the point of beginning. (Property).

Parcel Identification Number: 22-3S-31-5001-002-001

THIS CONVEYANCE IS SUBJECT TO taxes for the year 2002 and subsequent years; conditions, easements, and restrictions of record, if any, but this reference does not operate to reimpose any of them; and zoning ordinances and other restrictions and prohibitions imposed by applicable governmental authorities.

GRANTOR covenants with Grantee that at the time of delivery of this deed, Grantor was well seized of the Property; Grantor has good right and title to convey; the property is free from all encumbrances to Grantee; Grantee shall have the peaceable and quiet possession of the Property; and Grantor fully warrants the title to the Property and will defend it against the lawful claims of all persons whomsoever.

THIS PROPERTY IS NOT THE HOMESTEAD PROPERTY OF THE GRANTOR.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents on the day and year first above written.

Witness Brenda J. Dotson
Print Name BRENDA J. DOTSON

By: Frances C. White
Frances C. White
Address: 511 New Warrington Road
Pensacola, Florida 32506

Witness W. Douglas White
Print Name W. DOUGLAS WHITE

STATE OF FLORIDA
COUNTY OF ESCAMBIA COUNTY

The foregoing instrument was acknowledged before me this 20th day of FEBRUARY, 2002, by Frances C. White. She is personally known to me, produced current _____ as identification.



Andrea L. Antone
MY COMMISSION # CC737872 EXPIRES
May 30, 2002
BONDED THRU TROY FAIN INSURANCE, INC.

Andrea L. Antone
Signature of Notary Public

ANDREA L. ANTONI
Printed Name of Notary Public

(Notary Seal)

Commission Expires MAY 30, 2002
Commission Number CC 737872

RCD Mar 05, 2002 11:25 am
Escambia County, Florida
ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2002-938500

SURVEYOR'S NOTES:

- The underground utilities shown have been located from field survey information and existing drawings. The surveyor has not physically located the underground utilities. The surveyor does not certify that the underground utilities shown are in the exact location as indicated, or the underground utilities shown comprise all such utilities.
- This survey does not reflect or determine ownership.
- This survey is subject to any facts that may be disclosed by a full and accurate title search.
- This survey is subject to setbacks, easements, and restrictions of record.
- To assure the contractor is on the same vertical and horizontal datum as this survey, it is strongly recommended that vertical checks be made between two bench marks and that horizontal checks be made between three control points or property corners.
- Footings and foundations below natural ground not located.

UTILITY COMPANIES:

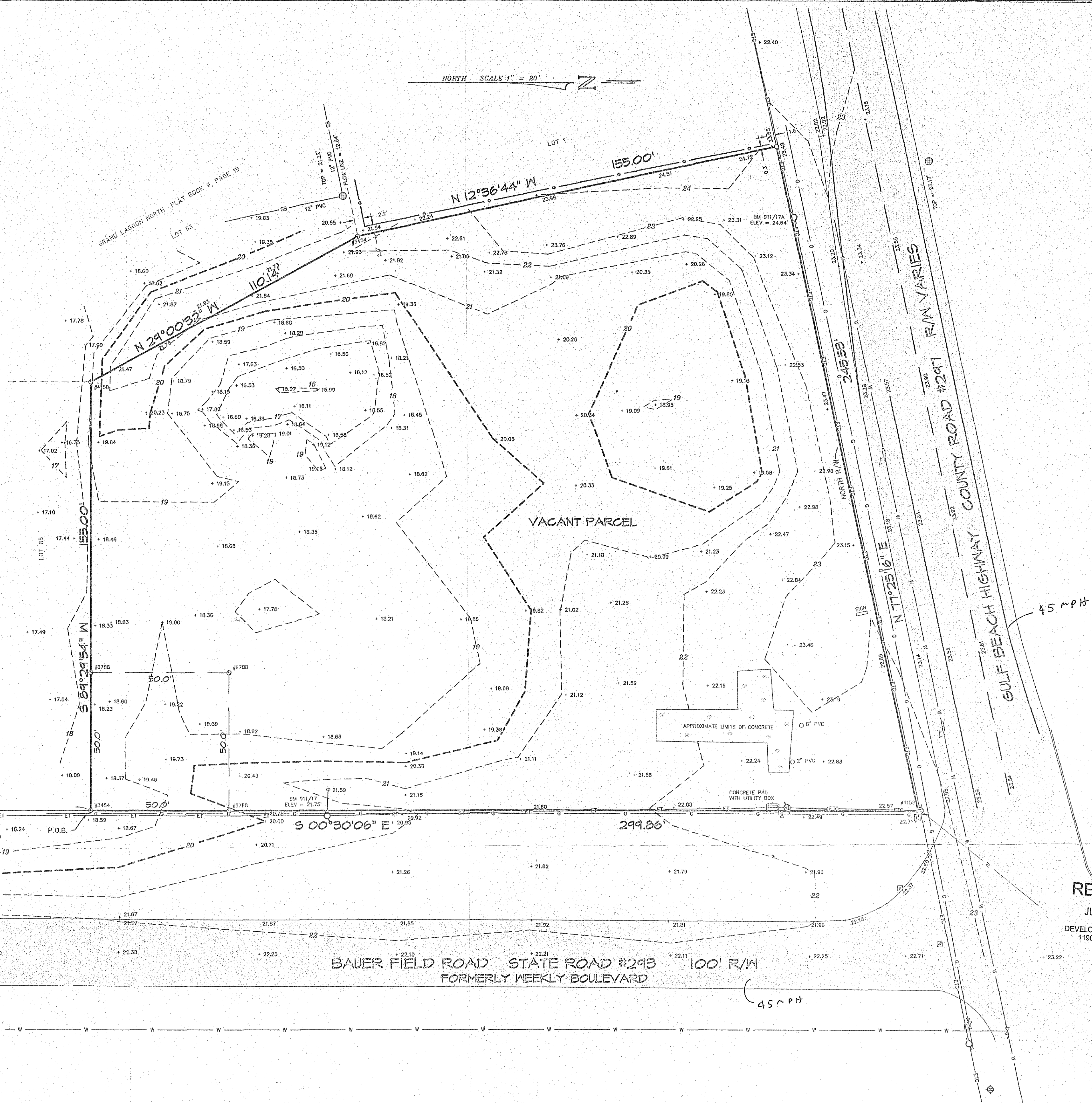
Utility information shown as per field information and information furnished by utility companies involved.
 TELEPHONE - Bell South Telecommunications, Inc., 605 West Garden Street, Pensacola, Florida 32501; (850) 456-1616
 ELECTRIC - Gulf Power Company, 4220 Pine Forest Road, Pensacola, Florida 32534; (850) 484-5110
 SANITARY SEWER/WATER - Escambia County Utility Authority, Ellyson Industrial Park, Pensacola, Florida; (850) 476-5110
 NATURAL GAS - Energy Services of Pensacola, 16 South Palafox Street, Pensacola, Florida; (850) 474-5300

BENCH MARKS:

GPS ECG #4119 - A concrete monument with disk located 20' +/- west of the centerline of Bauer Road and 180' +/- north of the centerline of Gulf Beach Highway.
 Elevation = 20.41'
 911/17 - A 6" Od nail in the east side of a power pole located 50' +/- east of the centerline of Bauer Road and 250' +/- north of the centerline of Gulf Beach Highway.
 Elevation = 21.75'
 911/17A - A cotton gin spike in the north side of a power pole located 270' +/- east of the centerline of Bauer Road and 35' +/- north of the centerline of Gulf Beach Highway.
 Elevation = 24.64'

LEGAL DESCRIPTION:

Commencing at the northwest corner of the south half of Fractional Section 22, Township 3 South, Range 31 West, run South 84 degrees 56'50" East along the north line of said south half 50.00 feet to the east right of way line of Weekly Boulevard; thence South 00 degrees 30'06" East 740 feet along the east right of way line of Weekly Boulevard to the point of beginning; thence continue along the last course South 00 degrees 30'06" East 299.86 feet to the north right of way line of Gulf Beach Highway; thence North 77 degrees 23'16" east along the north right of way line of Gulf Beach Highway 245.53 feet; thence North 12 degrees 36'44" West 155.00 feet; thence North 24 degrees 00'32" West 110.14 feet; thence South 84 degrees 29'54" West 155 feet to the point of beginning.



RECEIVED
 JUL 23 2003
 DEVELOPMENT SERVICES
 1190 W. Leonard St.

LEGEND:

- P.O.C. Point of commencement
- P.O.B. Point of beginning
- R/W Right of way
- BM Bench mark
- ELEV Elevation
- INV Invert
- 1" Iron pipe found
- ⊙ 1/2" capped iron rod found (# noted)
- ⊠ 4" x 4" Concrete monument found (Patterson & Assoc)
- ⊕ Sanitary sewer manhole
- ⊕ Gas valve
- ⊕ Water valve
- ⊕ Fire hydrant
- ⊕ Guy wire
- ⊕ Power pole
- ⊕ Power pole with underground electric
- ⊕ Fiber optic marker
- ⊕ Buried gas marker
- ⊕ Spot elevation
- - - Contour line
- Wood Fence
- Telephone line
- Electric line
- Cable line
- Water line
- Gas line
- Sanitary sewer line

Measurements made in accordance with United States Standards.

Bearing Reference NORTH BASED ON THE EAST R/W OF BAUER FIELD ROAD AS S 00°30'06" E
 Ordered By MR. KEN HORNE Elevation Reference NAVD 88
 Date of Survey 11-23-02 Date of Plat 11-25-02
 Encroachments CONCRETE PAD WITH TRANSFORMER, POWER POLE
 OVERHEAD UTILITIES, GUY WIRES
A BOUNDARY SURVEY & TOPOGRAPHIC SURVEY OF A PORTION OF SECTION 22, T-3-S, R-31-W

PITTMAN, GLAZE AND ASSOCIATES, INC.
 LAND SURVEYORS
 700 NORTH NINTH AVENUE
 PENSACOLA, FLORIDA 32501
 (850) 434-6666 FAX (850) 434-6661
 EMAIL pgsurvey@bellsouth.net

RECORDED PLAT: GRAND LAGOON NORTH (P.B. 9, P. 14); TAX MAPS; PUBLIC RECORDS;
 Source of information O.R. 2782, P. 995; SURVEYS ON FILE WITH THIS FIRM

SHEET 1 OF 1

I hereby certify that this survey was made under my responsible charge and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6, Florida Administration Code, pursuant to Section 472-027, Florida Statutes.
 David D. Glazo Walter J. Glazo Alvin R. Walkor
 PSM #5605 PSM #6190 PSM #5948

SCALE 1" = 20'
 FILE NO. C-4683
 JOB NO. 24604-02
 FB #11 PG 12-19
 DATACOLLECTOR
 Drawn By FMJ
 L.B. No. 7079
 NOT VALID UNLESS IMPRINTED WITH ENVOSSSED SEAL AND SIGNED BY SURVEYOR

NORTH LINE OF SOUTH 1/2 SECTION 22

S 00°30'06" E 740.00' DEED 739.91' EXIST EAST R/W

P.O.C. - NORTHWEST CORNER SOUTH HALF OF FRACTIONAL SECTION 22, T-3-S, R-31-W

BAUER FIELD ROAD STATE ROAD #293 100' R/W
 FORMERLY WEEKLY BOULEVARD

GULF BEACH HIGHWAY COUNTY ROAD #297 R/W VARIES

45' R/W

45' R/W

Da



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

INTEROFFICE MEMORANDUM

**TO: John C. Fisher, Senior Planner
Development Services Department**

**FROM: Terri V. Malone, AICP, Transportation Planner
Transportation & Traffic Operations Division**

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

DATE: February 20, 2018

RE: Transportation & Traffic Operations (TTO) Comments – Z-2018-01 & SSA-2018-01
TTO Staff has reviewed the Rezoning Case (Z)-2018-01 and SSA-2018-01, 12248 Gulf Beach Highway, agenda item for the Planning Board meeting scheduled for March 6, 2018. Please see the below comments.

There is an ongoing shoulder widening project on Bauer Road (CR293) between Sorrento Road and Old Gulf Beach Highway. This project is in the construction phase and is currently out for bid. There is also an ongoing intersection improvement project on Gulf Beach Highway with signalization Sunset Avenue and Patton Drive. The design is complete however, the construction is on hold until the FDOT CR292A Bridge Replacement project is complete. Both projects are funded through a cost sharing program between the County and FDOT. There are no roadway improvement projects programmed in the County's Capital Improvement Program within the vicinity of the subject parcel.

Per the Florida-Alabama TPO's Congestion Management Process Plan, Gulf Beach Highway is classified as an Urban Collector with a Maximum LOS of D with a corresponding maximum daily volume of 17,700 vehicles. Daily traffic Counts for 2016 show a daily volume on Gulf Beach Highway of 7,300 west and 5,900 east of Bauer Road.

TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on any 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

From: [Opalenik, Stephen J CIV NAVFAC SE, PWD Pensacola](#)
To: [John C. Fisher](#)
Cc: [David V. Forte](#); [Terri V. Malone](#)
Subject: RE: rezoning case and Small Scale Map Amen
Date: Friday, February 16, 2018 5:06:52 PM

John,

NASP Pensacola response:

Z/SSA-2018-01: Located in AIPD 2 and Noise Zone 1 (less than 65 db). For AIPD 2, NAS Pensacola defers to existing densities and lot sizes per the Escambia County Land Development Code. NAS Pensacola has no issues with the rezoning and small scale FLU amendment.

Z/SSA-2018-02: Located in AIPD 1 and Noise Level 3 (more than 75 db). For this property, NAS Pensacola finds limited compatible uses per the 2010 Air Installation Compatible Use Zone (AICUZ) guidance. Current zoning of "Commercial" is not only incompatible with AICUZ, but also poses concerns for Anti-Terrorism/Force Protection due to its proximity to the NAS Pensacola perimeter boundary and West Gate access area. Rezoning to "Conservation" will further restrict incompatible land use, density and security. NAS Pensacola fully supports the rezoning and small scale FLU amendment.

Please let me know if you have further questions.

Thanks, Steve
Community Planning & Liaison Officer
NAVFAC SE - NAS Pensacola
Office: 850-452-8715
Cell: 850-619-5079
DSN: 459-8715

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

From: John C. Fisher [<mailto:JCFISHER@myescambia.com>]
Sent: Wednesday, February 14, 2018 10:56 AM
To: Terri V. Malone; Opalenik, Stephen J CIV NAVFAC SE, PWD Pensacola
Cc: David V. Forte
Subject: [Non-DoD Source] rezoning case and Small Scale Map Amen

Please review and comment on

Rezoning Z-2018-01 and Z-2018-02

Small Scale FLU Change SSA-2018-01 and SSA-2018-02

The 2018-01 projects are the same location and the 2018-02 are the same project same location.

These are from D2 at last minute thing sorry for the rush.

John C Fisher

Senior Planner

Development Services Department

3363 West Park Place

Pensacola, FL 32505

850-595-4651

Florida has a very broad public records law. Under Florida's law, both the contents of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

Comprehensive Plan Small Scale Map Amendment Staff Analysis

General Data

Project Name: SSA-2018-01
Location: 12248 Gulf Beach Hwy
Parcel #: 22-3S-31-5001-002-001
Acreage: 1.33 (+/-) acres
Request: From Commercial (C) to Public (P)
Agent: Escambia County BCC, Owner
Meeting Dates: Planning Board: March 6, 2018
BCC: April 5, 2018

Summary of proposed amendment

The small-scale amendment to the future land use (FLU) map of the county proposes to change the FLU category of a parcel on a 1.33 (+/-) acres from Commercial (C) to Public (P). The current developed (library) parcel can be accessed along approximately 245 feet of frontage on the north side of Gulf Beach Highway & 300 feet on the east side of Bauer Field Road State Road 293. Single family homes adjoin the subject parcels on the east and north side currently with a FLU of Mixed-Use Suburban (MU-S). All adjoining properties have a zoning designation of MDR. A proposed rezoning Z-2018-01 is proposed from Commercial (Com) to Public (P) and is contingent of the adoption of this amendment.

The existing and proposed future land use categories are described in Comprehensive Plan policy FLU 1.3.1 and summarized as follows:

Commercial. The current Commercial FLU is intended for professional office, retail, wholesale, service, and general business trade, with residential development permitted only if secondary to a primary commercial development. The listed range of allowable uses is residential, retail and services, professional office, light industrial, recreational facilities, public and civic. Commercial FLU has a maximum residential density of 25 du/acre and a maximum floor area ratio (FAR) of 1.0.

Public. The proposed Public FLU is intended for a mix of public parks, local, regional, State or Federal facilities, public structures or lands, quasi-public facilities providing public services with no residential and non-residential uses. Provides for uses or facilities owned or managed by the Federal, State or county government or other public institutions or agencies.

Land Development Code (LDC) FLU map amendment requirements

Sec. 2-7.3 (e) Comprehensive Plan map amendments

(3) Compliance review.

- a. **General amendment conditions.** All amendments to the Comprehensive Plan shall demonstrate the following general conditions, allowing that where an amendment is imposed by a state or federal requirement it need only demonstrate the conditions to the greatest extent practicable under that requirement:

1. **Need and benefit.** There is an identified land use need particular to the scope and function of the Comprehensive Plan for which an amendment is clearly warranted.

Analysis: The owners, Escambia County BCC, currently use the property as a library called the Southwest Branch Library, and would like to protect the property as a more restricted use and a more conforming use as well, by amending the FLU category from Commercial (C) to Public (P). The FLU Public supports government properties and uses as, well not allowing any residential development.

The "Data and Analysis Response" in the application there is one subject parcel with one owner for the FLUM small scale amendment application. The application regards protecting government property that is developed and in turn making it a more conforming use per the FLU with an amendment to a FLU of Public. A library is a permitted use within the existing Commercial zoning of the subject 1.33±-acre parcels, but also allows for residential uses and other commercial type activities.

Predominantly commercial development is development for which more than two-thirds of the development parcel area and more than two-thirds of all gross floor area within the parcel is devoted to commercial use.

Community Planning & Liaison Officer, NAVFAC SE - NAS Pensacola: Located in AIPD 2 and Noise Zone 1 (less than 65 db). For AIPD 2, NAS Pensacola defers to existing densities and lot sizes per the Escambia County Land Development Code. NAS Pensacola has no issues with the rezoning and small scale FLU amendment.

2. **Professional practices.** The proposed amendment applies contemporary

planning principles, engineering standards, and other professional practices to provide an effective and efficient remedy for the identified land use problem or need.

***Analysis:** Accepting an existing library development as the identified need, the proposed amendment applies appropriate planning principles by suggesting a replacement FLU that is both consistent with the proposed use and the same as most adjoining and surrounding property. The application of other appropriate professional practices in potential public development is addressed in the remaining sections of this analysis.*

- b. FLUM amendment conditions.** In addition to the general amendment conditions, a future land use map amendment shall be based upon analyses [required] by Florida Statute.

***Analysis:** The proposed amendment complies with all four conditions established by Florida Statutes, §163.3187(1), for the adoption of any small scale comprehensive plan amendment:*

- (a) The subject 1.33± acre parcel is a use of 10 acres or fewer.*
- (b) The amendment is the first proposed small-scale amendment for calendar year 2018 and will not exceed the cumulative maximum of 120 acres in a calendar year.*
- (c) The proposed amendment does not involve a text change to the Comprehensive Plan, but only proposes a land use change to the Future Land Use Map for a site-specific small scale development activity.*
- (d) The property that is the subject of the proposed amendment is not within a designated area of critical state concern.*

Other applicable Comprehensive Plan objectives and policies

1. Housing

Policy HOU 1.1.1 **Residential Areas.** The Escambia County FLUM and zoning maps will identify areas suitable for residential development and/or redevelopment.

***Analysis:** The proposed Public FLU is a suitable replacement of the existing Commercial FLU to accommodate the local government owed property of a library, and is consistent with the FLU of the largely residential surrounding development.*

2. Future Land Use

OBJ 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:** MU-U, Com, MU-S and Rec, the applicable FLU for much of the land surrounding the subject parcel, would promote more mixed-use and compact development for the subject parcel and be more likely to discourage urban sprawl than the current Commercial FLU.*

3. Infrastructure

Policy HOU 1.1.4 **Adequate infrastructure.** To assure the sustainability of residential communities, Escambia County will require new residential development to locate where adequate infrastructure is available.

***Analysis:** The application includes documentation of the general adequacy of potable water, wastewater, and solid waste services. The site is located along a collector roadway Gulf Beach Hwy and principal arterial Bauer Road.*

GOAL CMS 1 Concurrency Management System

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

Potable Water.

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.

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.

Sanitary Sewer.

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.

Policy INF 1.1.11 **Required New Service Connection.** All new structures intended for human occupancy will connect to the ECUA wastewater system unless ECUC 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.

Solid Waste Disposal.

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.

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 Emerald Coast Utilities Authority (ECUA) provides potable water distribution and sanitary sewer collection and treatment, and solid waste collection and disposal for the subject parcel which is already developed.*

Stormwater Management.

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.

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

Transportation and Mobility.

Policy 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.

Policy 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.

***Analysis:** Any redevelopment of the subject parcel is required to comply with the current stormwater management, onsite parking, site access, and other applicable development standards of the LDC. County compliance review of any redevelopment plan would be required prior to plan approval.*

Transportation & Traffic Operations (TTO) Comments – SSA-2018-01

TTO Staff has reviewed the Rezoning Case (SSA)-2018-01, 12248 Gulf Beach Highway, agenda item for the Planning Board meeting scheduled for March 6, 2018. Please see the below comments.

There is an ongoing shoulder widening project on Bauer Road (CR293) between Sorrento Road and Old Gulf Beach Highway. This project is in the construction phase and is currently out for bid. There is also an ongoing intersection improvement project on Gulf Beach Highway with signalization Sunset Avenue and Patton Drive. The design is complete however, the construction is on hold until the FDOT CR292A Bridge Replacement project is complete. Both projects are funded through a cost sharing program between the County and FDOT. There are no roadway improvement projects programmed in the County's Capital Improvement Program within the vicinity of the subject parcel.

Per the Florida-Alabama TPO's Congestion Management Process Plan, Gulf Beach Highway is classified as an Urban Collector with a Maximum LOS of D with a corresponding maximum daily volume of 17,700 vehicles. Daily traffic Counts for 2016

show a daily volume on Gulf Beach Highway of 7,300 west and 5,900 east of Bauer Road.

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

4. Protected Resources

Wellheads.

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

***Analysis:** The subject parcel is outside of any wellhead protection area based upon Escambia County GIS.*

Historically Significant Sites.

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

***Analysis:** The applicant provided no confirmation of the presence or absence of historically significant sites as well this site is already developed as the Southwest Branch Library. Prior to any future Development Order an historical analysis must be completed.*

Wetlands and Habitat.

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.

Urban Forest.

Policy CON 1.6.4 **Urban Forest Management**. Escambia County will, through LDC provisions and other measures, sustain and promote the urban forest.

Analysis: There are no indications from the available National Wetland Inventory map that wetlands are on the subject parcel. The site is already been developed and if any protected trees are located for future new development they will be analyzed for compliance with all applicable environmental regulations prior to the issuance of development plan approval.

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Small Scale Map amendment- SSA-2018-01 Gulf Beach Hwy

Date: 02-13-2018

Date requested back by: 2-16-2018 AM

Requested by: John C Fisher

Phone Number: 850-595-4651



(LEGAL USE ONLY)

Legal Review by M Crawford

Date Received: 2/15/18

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

- approved as to form
- corresponding reasoning

ORDINANCE NUMBER 2018-___

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 22, TOWNSHIP 3S, RANGE 31W, PARCEL NUMBERS 5001-002-001, TOTALING 1.33 (+/-) ACRES, LOCATED ON GULF BEACH HIGHWAY AND BAUER ROAD, FROM COMMERCIAL (C) TO PUBLIC (P) 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 Air Station (NAS) Pensacola is an active naval air base that provides flight training within the County such that Escambia County Airfield Overlay density restrictions 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 to exercise the authority set out in, the Community Planning Act, Sections 163.3161 through 163.3215, Florida Statutes.

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Section 2. Title of Comprehensive Plan Amendment

This Comprehensive Plan amendment shall be entitled – "Small Scale Amendment 2018-01."

Section 3. Changes to the 2030 Future Land Use Map

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

A parcel within Section 22, Township 3S, Range 31W, parcel number 5001-002-001, totaling 1.33 (+/-) acres, located on Gulf Beach Highway, as more particularly described in the Boundary Survey description produced by Pittman, Glaze and Associates, INC., registered land surveyor David D. Glazo dated 11/23/2002, attached as Exhibit A, from Commercial (C) to Public (P).

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, the holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. Inclusion in the Code

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

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Section 6. Effective Date

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

DONE AND ENACTED this _____ day of _____, 2018.

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

By: _____
Jeff Bergosh, Chairman

ATTEST: PAM CHILDERS
CLERK OF THE CIRCUIT COURT

By: _____
Deputy Clerk

(SEAL)

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

SURVEYOR'S NOTES:

- The underground utilities shown have been located from field survey information and existing drawings. The surveyor has not physically located the underground utilities. The surveyor does not certify that the underground utilities shown are in the exact location as indicated, or the underground utilities shown comprise all such utilities.
- This survey does not reflect or determine ownership.
- This survey is subject to any facts that may be disclosed by a full and accurate title search.
- This survey is subject to setbacks, easements, and restrictions of record.
- To assure the contractor is on the same vertical and horizontal datum as this survey, it is strongly recommended that vertical checks be made between two bench marks and that horizontal checks be made between three control points or property corners.
- Footings and foundations below natural ground not located.

UTILITY COMPANIES:

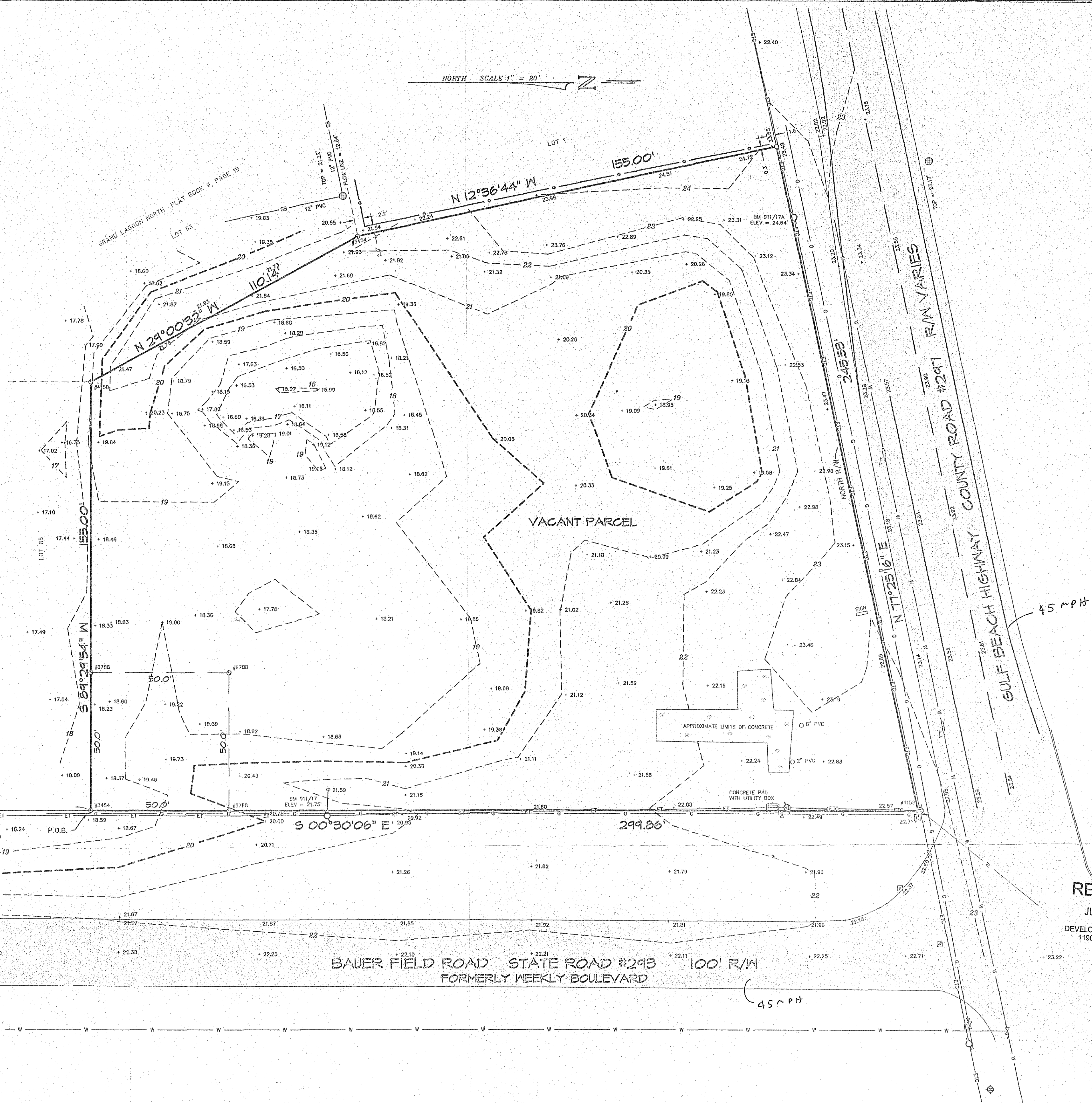
Utility information shown as per field information and information furnished by utility companies involved.
 TELEPHONE - Bell South Telecommunications, Inc., 605 West Garden Street, Pensacola, Florida 32501; (850) 456-1616
 ELECTRIC - Gulf Power Company, 4220 Pine Forest Road, Pensacola, Florida 32534; (850) 484-5110
 SANITARY SEWER/WATER - Escambia County Utility Authority, Ellyson Industrial Park, Pensacola, Florida; (850) 476-5110
 NATURAL GAS - Energy Services of Pensacola, 16 South Palafox Street, Pensacola, Florida; (850) 474-5300

BENCH MARKS:

- GPS ECG #4119 - A concrete monument with disk located 20' +/- west of the centerline of Bauer Road and 180' +/- north of the centerline of Gulf Beach Highway. Elevation = 20.41'
- 911/17 - A 60d nail in the east side of a power pole located 50' +/- east of the centerline of Bauer Road and 250' +/- north of the centerline of Gulf Beach Highway. Elevation = 21.75'
- 911/17A - A cotton gin spike in the north side of a power pole located 270' +/- east of the centerline of Bauer Road and 35' +/- north of the centerline of Gulf Beach Highway. Elevation = 24.64'

LEGAL DESCRIPTION:

Commencing at the northwest corner of the south half of Fractional Section 22, Township 3 South, Range 31 West, run South 84 degrees 56'50" East along the north line of said south half 50.00 feet to the east right of way line of Weekly Boulevard; thence South 00 degrees 30'06" East 740 feet along the east right of way line of Weekly Boulevard to the point of beginning; thence continue along the last course South 00 degrees 30'06" East 299.86 feet to the north right of way line of Gulf Beach Highway; thence North 77 degrees 23'16" east along the north right of way line of Gulf Beach Highway 245.53 feet; thence North 12 degrees 36'44" West 155.00 feet; thence North 24 degrees 00'32" West 110.14 feet; thence South 84 degrees 29'54" West 155 feet to the point of beginning.



LEGEND:

- P.O.C. Point of commencement
- P.O.B. Point of beginning
- R/W Right of way
- BM Bench mark
- ELEV Elevation
- INV Invert
- 1" Iron pipe found
- ⊙ 1/2" capped iron rod found (if noted)
- ⊠ 4" x 4" Concrete monument found (Patterson & Assoc)
- ⊕ Sanitary sewer manhole
- ⊕ Gas valve
- ⊕ Water valve
- ⊕ Fire hydrant
- ⊕ Guy wire
- ⊕ Power pole
- ⊕ Power pole with underground electric
- ⊕ Fiber optic marker
- ⊕ Buried gas marker
- ⊕ Spot elevation
- - - Contour line
- Wood Fence
- Telephone line
- Electric line
- Cable line
- Water line
- Gas line
- Sanitary sewer line

Measurements made in accordance with United States Standards.

Bearing Reference NORTH BASED ON THE EAST R/W OF BAUER FIELD ROAD AS S 00°30'06" E
 Ordered By MR. KEN HORNE Elevation Reference NAVD 88
 Date of Survey 11-23-02 Date of Plat 11-25-02
 Encroachments CONCRETE PAD WITH TRANSFORMER, POWER POLE OVERHEAD UTILITIES, GUY WIRES
A BOUNDARY SURVEY & TOPOGRAPHIC SURVEY OF A PORTION OF SECTION 22, T-3-S, R-31-W

PITTMAN, GLAZE AND ASSOCIATES, INC.
 LAND SURVEYORS
 700 NORTH NINTH AVENUE
 PENSACOLA, FLORIDA 32501
 (850) 434-6666 FAX (850) 434-6661
 EMAIL pgsurvey@bellsouth.net

RECORDED PLAT: GRAND LAGOON NORTH (P.B. 9, P. 14); TAX MAPS; PUBLIC RECORDS;
 Source of information O.R. 2782, P. 995; SURVEYS ON FILE WITH THIS FIRM

SHEET 1 OF 1

I hereby certify that this survey was made under my responsible charge and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6, Florida Administration Code, pursuant to Section 472-027, Florida Statutes.

David D. Glazo Walter J. Glazo Alvin R. Walkor
 PSM #5605 PSM #6190 PSM #5948

FILE NO. C-4683
 JOB NO. 24604-02
 FB #11 PG 12-19
 DATACOLLECTOR
 Drawn By FMJ
 L.B. No. 7079
 NOT VALID UNLESS IMPRINTED WITH ENVOSSSED SEAL AND SIGNED BY SURVEYOR

RECEIVED
 JUL 23 2003
 DEVELOPMENT SERVICES
 1190 W. Leonard St.

NORTH LINE OF SOUTH 1/2 SECTION 22

S 00°30'06" E 740.00' DEED 739.91' EXIST EAST R/W

P.O.C. - NORTHWEST CORNER SOUTH HALF OF FRACTIONAL SECTION 22, T-3-S, R-31-W

BAUER FIELD ROAD STATE ROAD #293 100' R/W
 FORMERLY WEEKLY BOULEVARD

COUNTY ROAD #297 R/W VARIES
 GULF BEACH HIGHWAY

45' R/W

45' R/W

Da



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. B.

Meeting Date: 03/06/2018

Issue: A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2018-02.

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2018-02

That the Board review and recommend to the Board of County Commissioner (BCC) for adoption, an ordinance amending the Future Land Use (FLU) Map for a Small Scale Amendment, SSA-2018-02.

BACKGROUND:

The small-scale amendment to the future land use (FLU) map of the county proposes to change the FLU category of a parcel on a 8.955± acres from Commercial (C) to Conservation (Con). The current property is undeveloped and is located on the Northwest corner, Southwest corner, and Southeast corner of Blue Angel Parkway and Gulf Beach Highway intersection. Single family homes adjoin the Northwest and Southwest corner properties with a FLU of Mixed-Use Suburban (MU-S). On the Southeast corner property, Naval Air Station Pensacola (NAS) adjoins it to the east and south with a FLU of Public (P).

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 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 Future Land Use Map of 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.

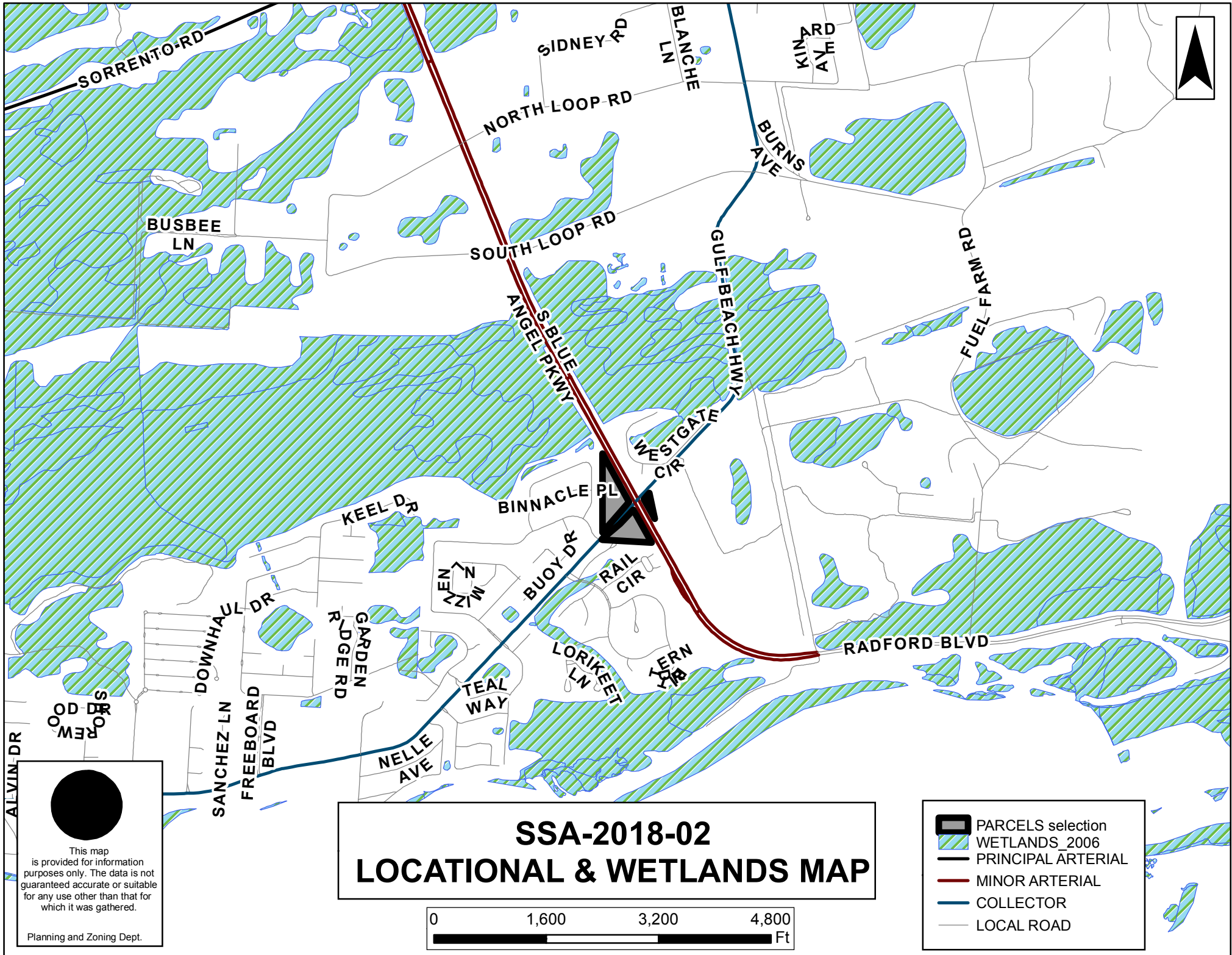
Attachments

Working Case File

Staff Analysis

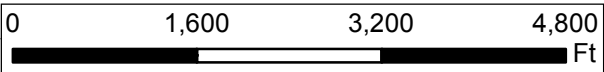
Draft Ordinance


SSA-2018-02



**SSA-2018-02
LOCATIONAL & WETLANDS MAP**

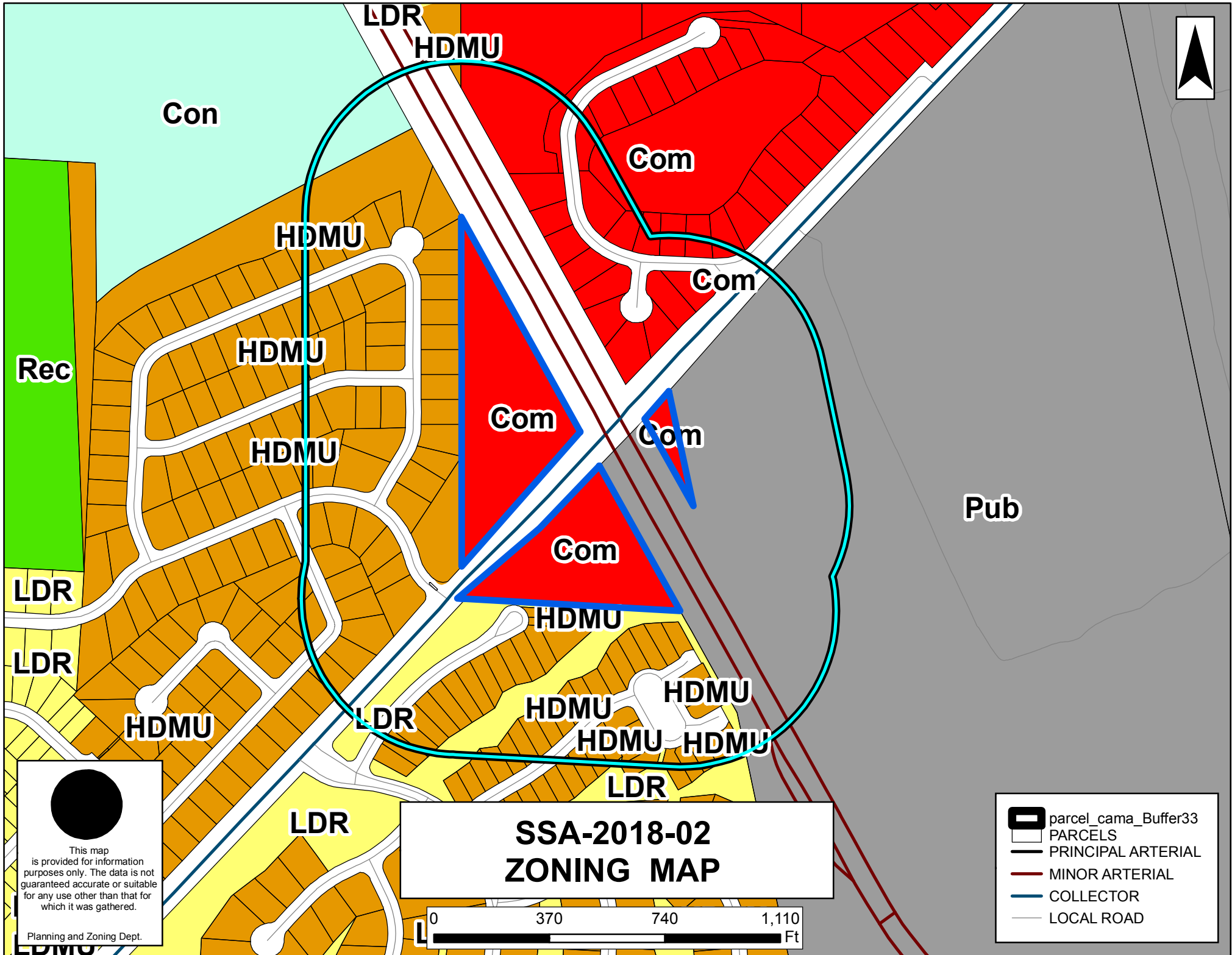
-  PARCELS selection
-  WETLANDS_2006
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD





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.

Planning and Zoning Dept.



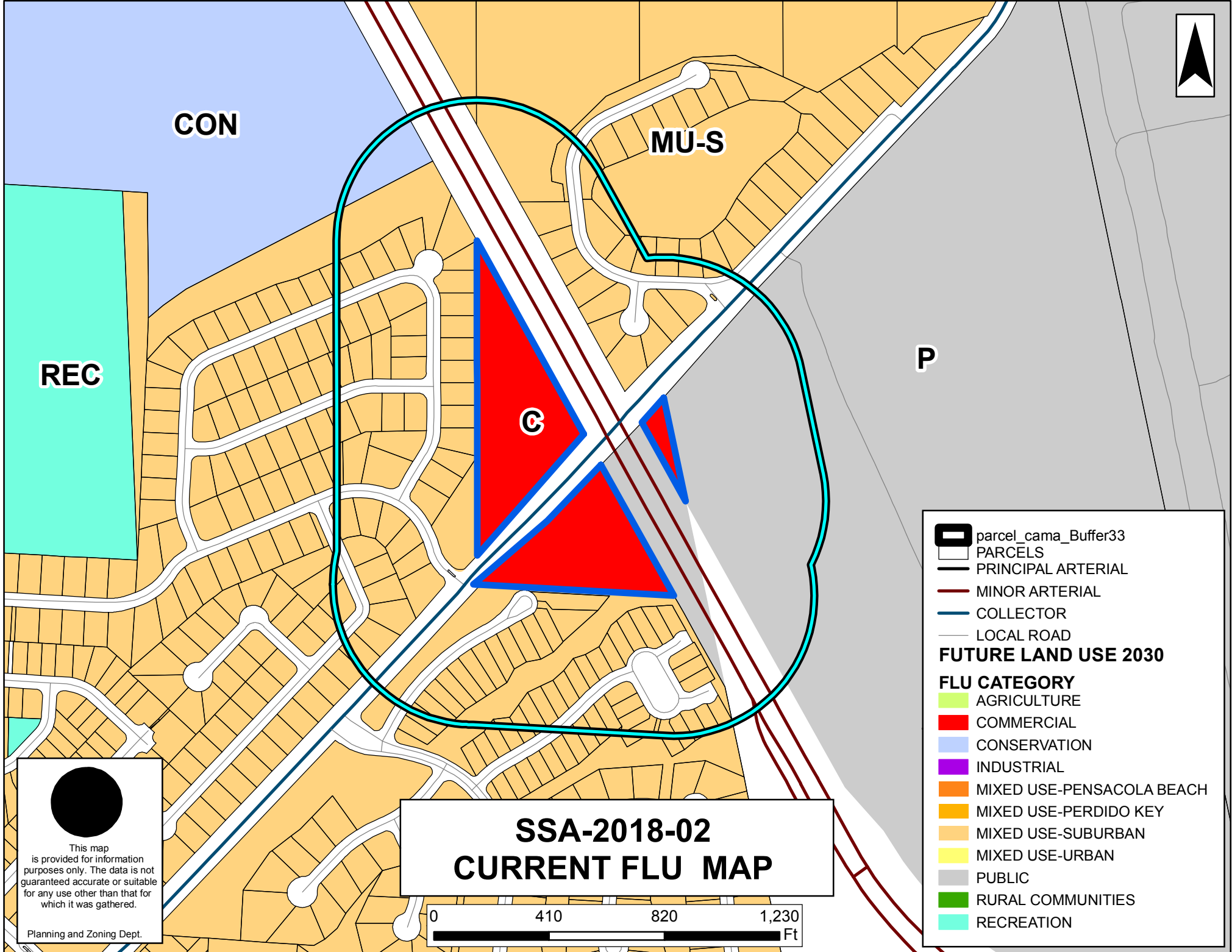
SSA-2018-02 ZONING MAP

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.

Planning and Zoning Dept.



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



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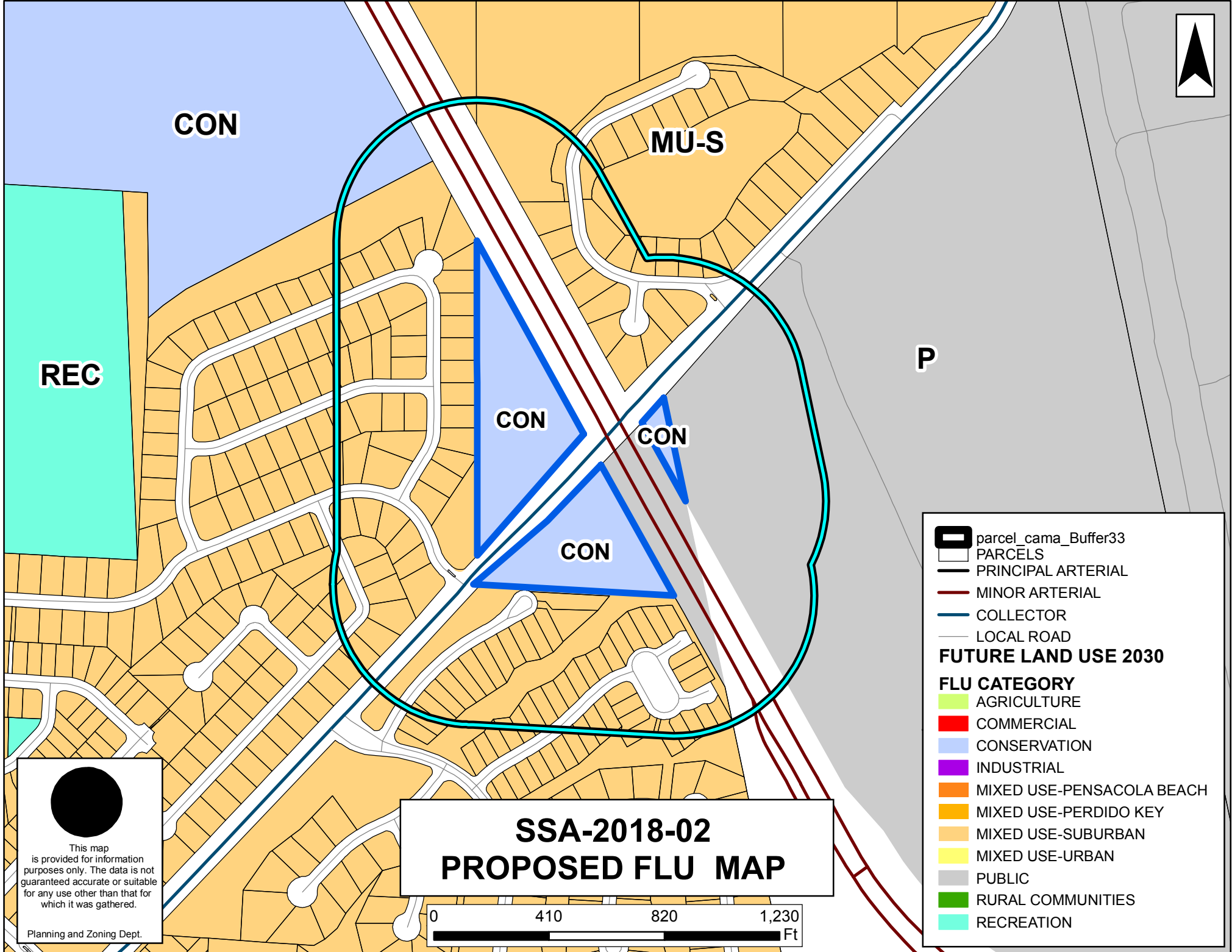
- parcel_cama_Buffer33
- PARCELS
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- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- FUTURE LAND USE 2030**
- FLU CATEGORY**
- AGRICULTURE
- COMMERCIAL
- CONSERVATION
- INDUSTRIAL
- MIXED USE-PENSACOLA BEACH
- MIXED USE-PERDIDO KEY
- MIXED USE-SUBURBAN
- MIXED USE-URBAN
- PUBLIC
- RURAL COMMUNITIES
- RECREATION

SSA-2018-02
CURRENT FLU MAP

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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.

Planning and Zoning Dept.



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










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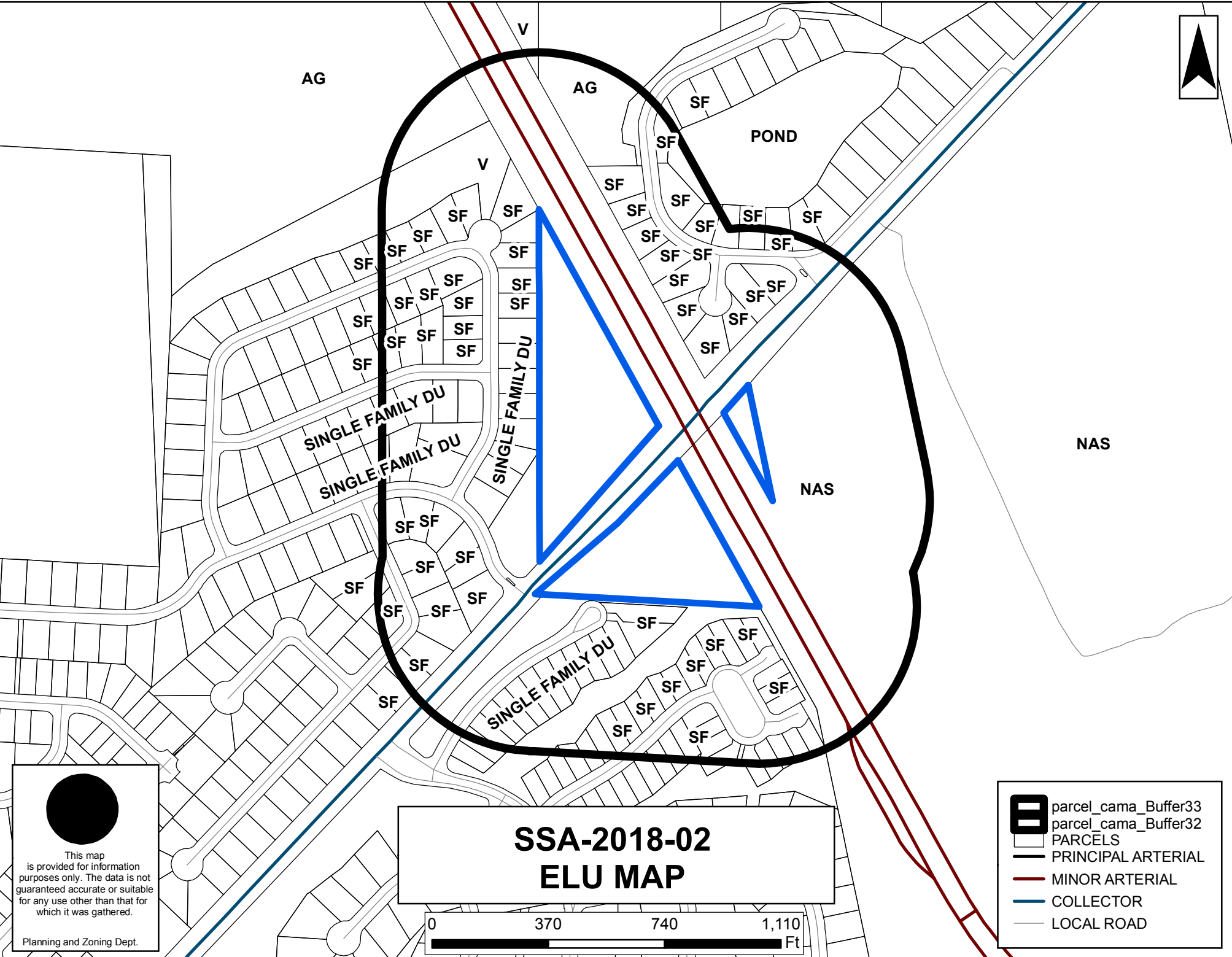
CON

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 COLLECTOR
 LOCAL ROAD
FUTURE LAND USE 2030
FLU CATEGORY
 AGRICULTURE
 COMMERCIAL
 CONSERVATION
 INDUSTRIAL
 MIXED USE-PENSACOLA BEACH
 MIXED USE-PERDIDO KEY
 MIXED USE-SUBURBAN
 MIXED USE-URBAN
 PUBLIC
 RURAL COMMUNITIES
 RECREATION


 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.
 Planning and Zoning Dept.

SSA-2018-02
PROPOSED FLU MAP





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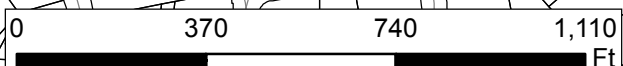
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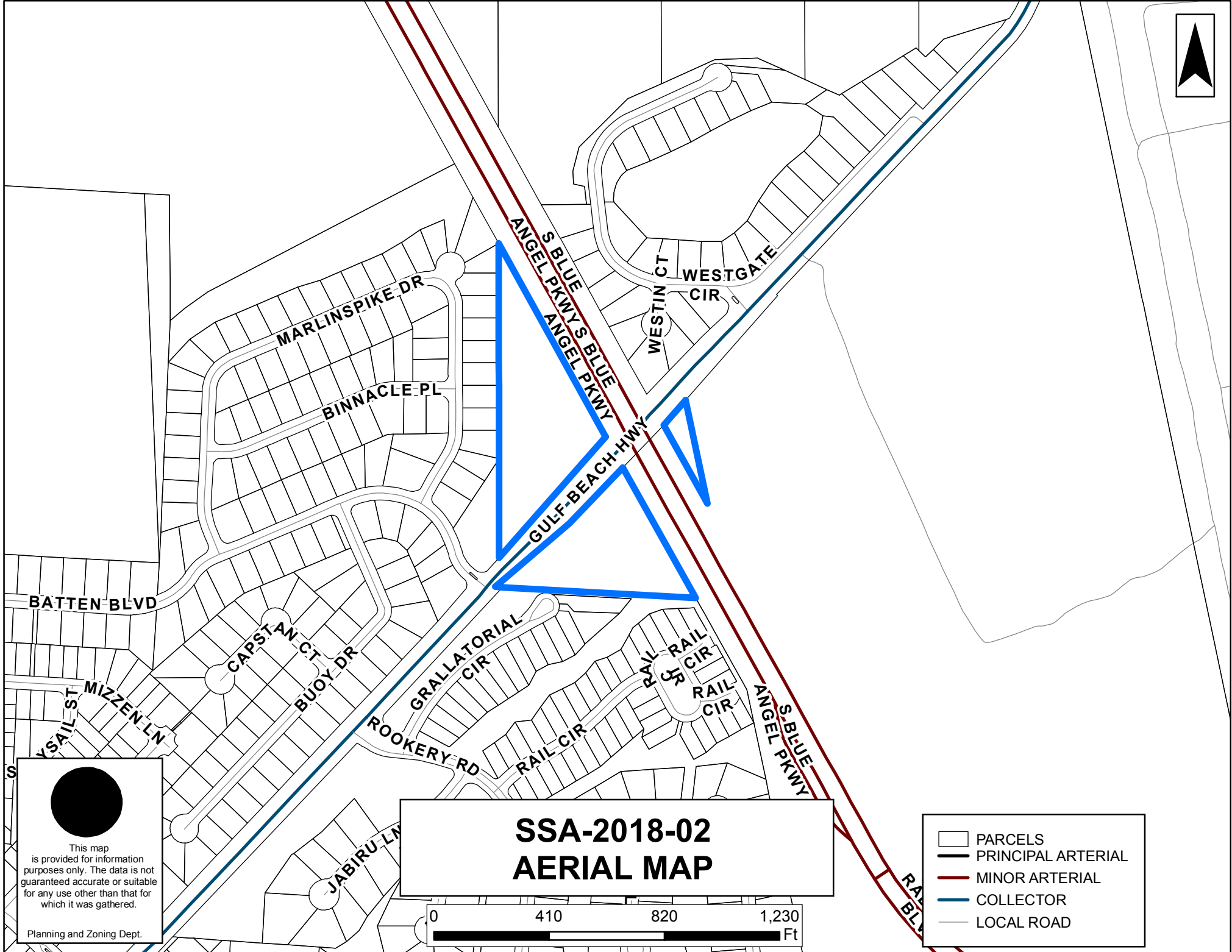
SF

SSA-2018-02 ELU MAP



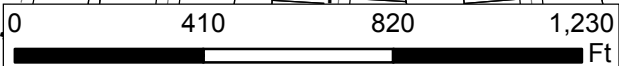

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
Planning and Zoning Dept.





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-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

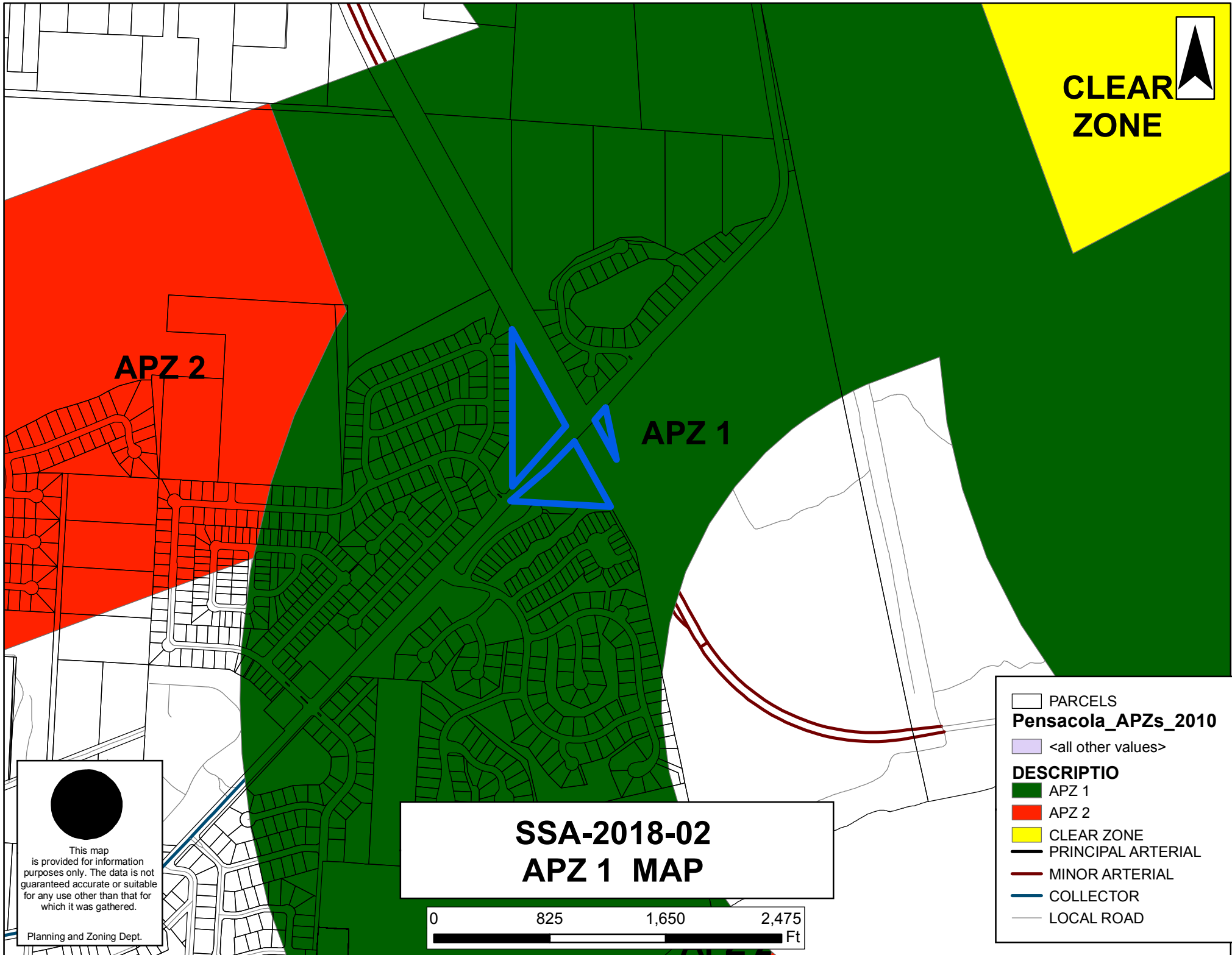


**SSA-2018-02
AERIAL MAP**


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.
Planning and Zoning Dept.



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



**CLEAR
ZONE**

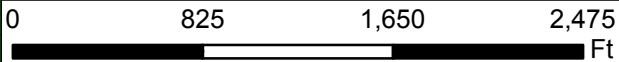


APZ 2

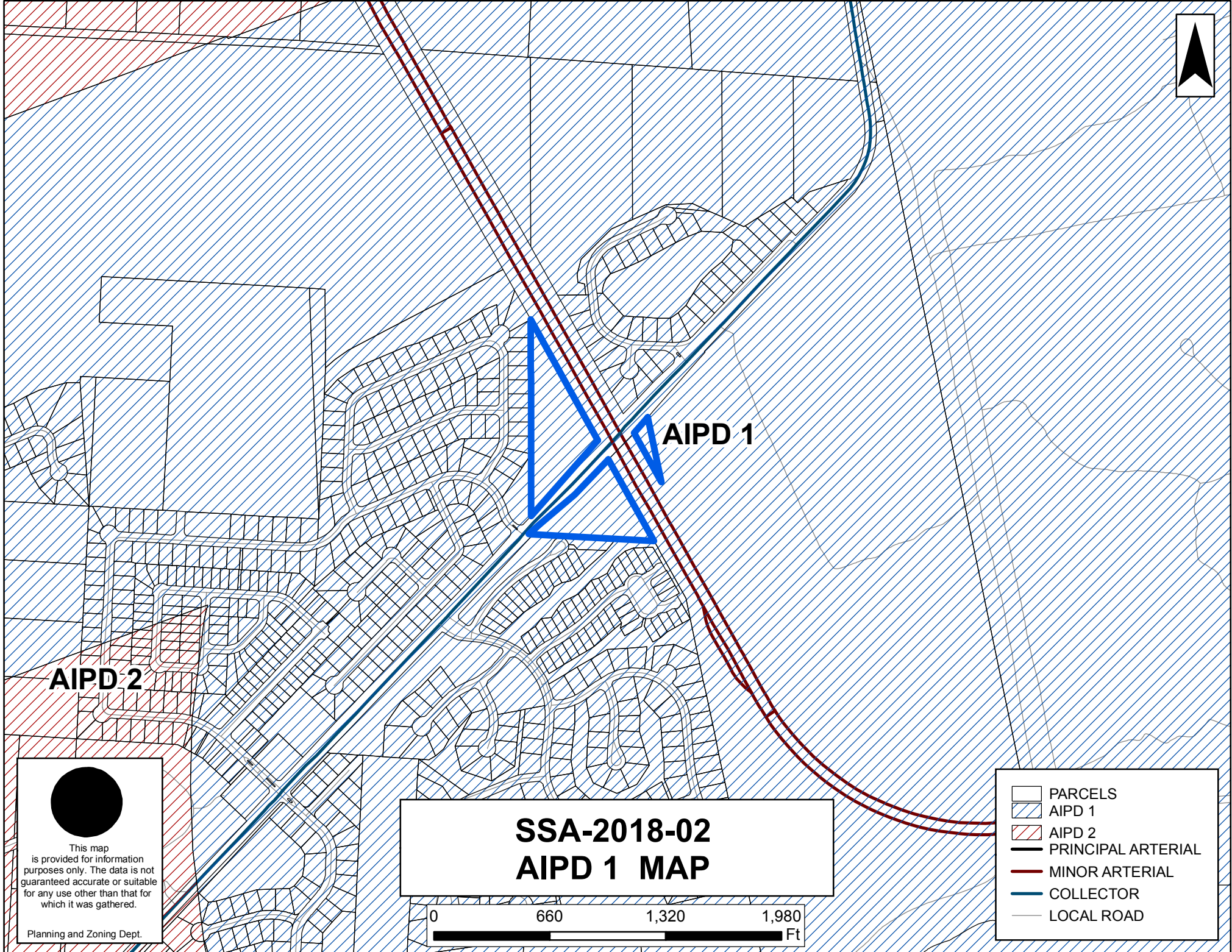
APZ 1

**SSA-2018-02
APZ 1 MAP**

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.
Planning and Zoning Dept.



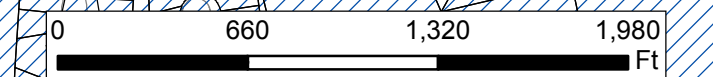
	PARCELS
Pensacola_APZs_2010	
	<all other values>
DESCRIPTIO	
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	APZ 2
	CLEAR ZONE
	PRINCIPAL ARTERIAL
	MINOR ARTERIAL
	COLLECTOR
	LOCAL ROAD



AIPD 1

AIPD 2

**SSA-2018-02
AIPD 1 MAP**



- PARCELS
- AIPD 1
- AIPD 2
- 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.
Planning and Zoning Dept.



 **NOTICE OF PUBLIC HEARING REZONING**

CASE NO.: Z-2018-02

CURRENT ZONING: COM PROPOSED ZONING: CON

PLANNING BOARD

DATE: 03/06/18 TIME: 8:30 AM

LOCATION OF HEARING
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 04/05/18 TIME: 5:48 PM

LOCATION OF HEARING
ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

 **NOTICE OF PUBLIC HEARING FUTURE LAND USE CHANGE**

CASE NO.: SSA-2018-02

CURRENT FLU: COM PROPOSED FLU: CON

PLANNING BOARD

DATE: 03/06/18 TIME: 8:35 AM

LOCATION OF HEARING
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 04/05/18 TIME: 5:47 PM

LOCATION OF HEARING
ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

Public Hearing Signs



Looking West Along Gulf Beach Hwy



Looking North Along Blue Angel Pkwy



Looking East Along Gulf Beach Hwy



Looking South Along Blue Angel Pkwy



Looking East Along Gulf Beach Hwy

<p>NOTICE OF PUBLIC HEARING REZONING</p> <p>CASE NO. 2-2018-02</p> <p>CURRENT ZONING: COM PROPOSED ZONING: CON</p> <p>PLANNING BOARD</p> <p>DATE: 03/06/18 TIME: 8:30 AM</p> <p>LOCATION OF HEARING BIRMINGHAM COUNTY CENTRAL SERVICE COMPLEX 205 WEST PARK PLACE BOARD MEETING ROOM</p> <p>BOARD OF COUNTY COMMISSIONERS</p> <p>DATE: 04/09/18 TIME: 9:00 PM</p> <p>LOCATION OF HEARING 197 FLORENCE BOULEVARD 201 PALMADA PLACE 1ST FLOOR BOARD MEETING ROOM</p> <p>FOR MORE INFORMATION CALL: DEVELOPMENT SERVICES 910-407-0111 OR VISIT: WWW.MYEECARROLL.COM</p> <p>PLEASE DO NOT REMOVE THIS SIGN. PROPERTY OF ESCAMBIA COUNTY</p>	<p>NOTICE OF PUBLIC HEARING FUTURE LAND USE CHANGE</p> <p>CASE NO. 06A-2018-07</p> <p>CURRENT ZONING: COM PROPOSED ZONING: CON</p> <p>PLANNING BOARD</p> <p>DATE: 03/06/18 TIME: 8:35 AM</p> <p>LOCATION OF HEARING BIRMINGHAM COUNTY CENTRAL SERVICE COMPLEX 205 WEST PARK PLACE BOARD MEETING ROOM</p> <p>BOARD OF COUNTY COMMISSIONERS</p> <p>DATE: 04/09/18 TIME: 9:07 PM</p> <p>LOCATION OF HEARING BIRMINGHAM COUNTY CENTRAL SERVICE COMPLEX 205 PALMADA PLACE 1ST FLOOR BOARD MEETING ROOM</p> <p>FOR MORE INFORMATION CALL: DEVELOPMENT SERVICES 910-407-0111 OR VISIT: WWW.MYEECARROLL.COM</p> <p>PLEASE DO NOT REMOVE THIS SIGN. PROPERTY OF ESCAMBIA COUNTY</p>
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Looking South Along Blue Angel Pkwy



Looking West Along Gulf Beach Hwy



Looking North Along Blue Angel Pkwy



Looking East Along Gulf Beach Hwy



Looking South Along Blue Angel Pkwy

 NOTICE OF PUBLIC HEARING REZONING	 NOTICE OF PUBLIC HEARING FUTURE LAND USE CHANGE
CASE NO: 7-2018-02	CASE NO: SSA-2018-02
CURRENT ZONING: COM PROPOSED ZONING: CON	CURRENT FLU: COM PROPOSED FLU: CON
PLANNING BOARD	PLANNING BOARD
DATE: 03/06/18 TIME: 8:30 AM	DATE: 03/06/18 TIME: 8:35 AM
LOCATION OF HEARING ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX 3363 WEST PARK PLACE BOARD MEETING ROOM	LOCATION OF HEARING ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX 3363 WEST PARK PLACE BOARD MEETING ROOM
BOARD OF COUNTY COMMISSIONERS	BOARD OF COUNTY COMMISSIONERS
DATE: 04/05/18 TIME: 5:48 PM	DATE: 04/05/18 TIME: 5:47 PM
LOCATION OF HEARING ERNE LEE MAGAHA GOVERNMENT BLDG 221 PALAFOX PLACE 1ST FLOOR BOARD MEETING ROOM	LOCATION OF HEARING ERNE LEE MAGAHA GOVERNMENT BLDG 221 PALAFOX PLACE 1ST FLOOR BOARD MEETING ROOM
FOR MORE INFORMATION CALL: DEVELOPMENT SERVICES AT 685-3475 OR VISIT WWW.MYESCAMBIA.COM	FOR MORE INFORMATION CALL: DEVELOPMENT SERVICES 685-3475 OR VISIT WWW.MYESCAMBIA.COM
PLEASE DO NOT REMOVE THIS SIGN PROPERTY OF ESCAMBIA COUNTY	PLEASE DO NOT REMOVE THIS SIGN PROPERTY OF ESCAMBIA COUNTY



Looking West Along Gulf Beach Hwy

FUTURE LAND USE MAP AMENDMENT APPLICATION

(THIS SECTION FOR OFFICE USE ONLY):

TYPE OF REQUEST: SMALL SCALE FLU AMENDMENT SSA-2018-02
LARGE SCALE FLU AMENDMENT _____
Current FLU: "C" Desired FLU: CON Zoning: Com Taken by: JCF
Planning Board Public Hearing, date(s): 3/6/18
BCC Public Hearing, proposed date(s): 4/5/18
Fees Paid _____ Receipt # _____ Date: 2/13/18

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

Name: Escambia County Board of County Commissioners
Address: 221 Palafox PL STE 420
City: : Pensacola State: Florida Zip Code: 32502
Telephone: (850) 595-3475
Email: _____

DESCRIPTION OF PROPERTY:

Street address: 4100 BLOCK SOUTH BLUE ANGEL PKWY
Subdivision: _____
Property reference number: Section 18 Township 3S Range 31
Parcel 1101 Lot 000 Block 000
Size of Property (acres) 8.955±

**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 placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County Staff.

Signature (Property Owner) Printed Name Date

Signature (Agent's Name (or owner if representing oneself) Printed Name Date

Address: _____

City: _____ State: _____ Zip: _____

Telephone () _____ - _____ Fax # () _____ - _____

Email: _____

STATE OF _____
COUNTY OF _____

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

Signature of Notary Public Date Printed Name of Notary
My Commission Expires _____ Commission No. _____
(Notary seal must be affixed)

AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

As owner of the property located at _____,
Pensacola, Florida, Property Reference Number(s)
_____, I hereby designate _____,
for the sole purpose of completing this application and making a presentation to the Planning Board, sitting as the Local Planning Agency, and the Board of County Commissioners, to request a change in the Future Land Use on the above referenced property.

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

Signature of Property Owner Date Printed Name of Property Owner

Signature of Agent Date Printed Name of Agent

STATE OF _____
COUNTY OF _____

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

Signature of Notary Public Date Printed Name of Notary Public

Commission Number _____ My Commission Expires _____
(Notary seal must be affixed)

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

Project name: _____

Property reference #: Section 18 Township 3S Range 31

Parcel # 18-3S-31-1101-000-000

Project Address: 4100 BLOCK SOUTH BLUE ANGEL PKWY

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 _____ DAY OF _____, 20_____**

ESCAMBIA COUNTY BCC

Owner's signature

Owner's name (print)

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 Florida Master Site File, Division of Historical Resources; email sitefile@doh.state.fl.us) Request form attached.
 - 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



Florida Master Site File TRS Search

Preliminary Investigation of Previously Recorded Cultural Resources

To request a search for previously recorded cultural resources, fill in the **Township** (circle North or South), **Range** (circle East or West), & **Section** number(s) of your project area.

Please include a photocopy of the appropriate USGS quad map with your project area clearly marked.

Township: _____ (North or South) **Range:** _____ (East or West)

Sections (include all affected): _____

County (include all affected): _____ **USGS Quad** (if known): _____

Township: _____ (North or South) **Range:** _____ (East or West)

Sections (include all affected): _____

County (include all affected): _____ **USGS Quad** (if known): _____

Township: _____ (North or South) **Range:** _____ (East or West)

Sections (include all affected): _____

County (include all affected): _____ **USGS Quad** (if known): _____

Township: _____ (North or South) **Range:** _____ (East or West)

Sections (include all affected): _____

County (include all affected): _____ **USGS Quad** (if known): _____

Return To: Name: _____
 Organization: _____
 Phone: _____ Fax: _____
 Address: _____

 Email: _____

Agency/Permit/Project requiring search: _____

Florida Master Site File

Division of Historical Resources / R.A. Gray Building
500 South Bronough St., Tallahassee, Florida 32399-0250
Phone 850.245.6440 / Fax 850.245.6439 / Email sitefile@dos.state.fl.us

This document was prepared by:
Stephen G. West, Senior Assistant County Attorney
Office of the County Attorney
221 Palafox Place, Suite 430
Pensacola, Florida 32502
(850) 595-4970

STATE OF FLORIDA
COUNTY OF ESCAMBIA

WARRANTY DEED

THIS DEED is made and entered into this 21st day of April, 2017, by and between Charles S. Liberis, individually and as Trustee for the Charles S. Liberis Land Trust II under a Trust Agreement dated December 21, 1977, whose address is 212 West Intendencia Street, Pensacola, FL 32502 (Grantor), and Escambia County, a political subdivision of the State of Florida, acting by and through its duly authorized Board of County Commissioners, whose address is 221 Palafox Place, Pensacola, Florida 32502 (Grantee).

WITNESSETH:

GRANTOR, for and in consideration of the sum of Three Hundred, Seventy-Four Thousand Dollars (\$374,000.00), and other good and valuable consideration in hand paid by Grantee, receipt of which is acknowledged, conveys to Grantee, its successors and assigns forever, the following described land situated in Escambia County, Florida (Property):

A part of Lot 1, Section 18, Township 3 South, Range 31 West, Escambia County, Florida, more particularly described as:

That part of said Lot 1 lying South of State Road 292 and West of Section 17 and an extension of the West boundary of said Section 17 to its intersection with the Southerly boundary of said State Road No. 292. Containing 5 acres, more or less.

Also: Commence at the Northwest corner of said Lot 1 and run in a Southerly direction along the West line of said Lot 1 a distance of 1,490.23 feet to a point which is the point of beginning. From said point of beginning continue in a Southerly direction along the West line of said Lot 1 a distance of 1,150.0 feet to a point on the Northerly boundary of State Road No. 292; thence run in a Northeasterly direction along the Northerly boundary of said State Road No. 292, a distance of 1,550.0 feet; thence run in a Westerly direction 1,059.65 feet to the Point of Beginning. Containing 14 acres, more or less.

Less and except property conveyed by Warranty Deed recorded in Official Records Book 3313, Page 70 of the public records of Escambia County, Florida.

THIS CONVEYANCE IS SUBJECT TO taxes for the year 2017 and subsequent years; conditions, easements, and restrictions of record, if any, but this reference does not operate to reimpose any of them; and zoning ordinances and other restrictions and prohibitions imposed by applicable governmental authorities.

GRANTOR covenants with Grantee that at the time of delivery of this deed, Grantor was well seized of the Property; Grantor has good right and title to convey; the property is free from all encumbrances to Grantee; Grantee shall have the peaceable and quiet possession of the Property; and Grantor fully warrants the title to the Property and will defend it against the lawful claims of all persons whomsoever.

THIS PROPERTY IS NOT THE HOMESTEAD PROPERTY OF THE GRANTOR.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents on the day and year first above written.

Witness [Signature]
Print Name Kaylan Walden

[Signature]

Charles S. Liberis, individually and as trustee for the Charles S. Liberis Land Trust II under a Trust Agreement dated December 21, 1977

Witness [Signature]
Print Name Sarah B. Villaverde

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was sworn to, subscribed and acknowledged before me this 21st day of April, 2017, by Charles S. Liberis. He is personally known to me, or produced current _____ as identification.

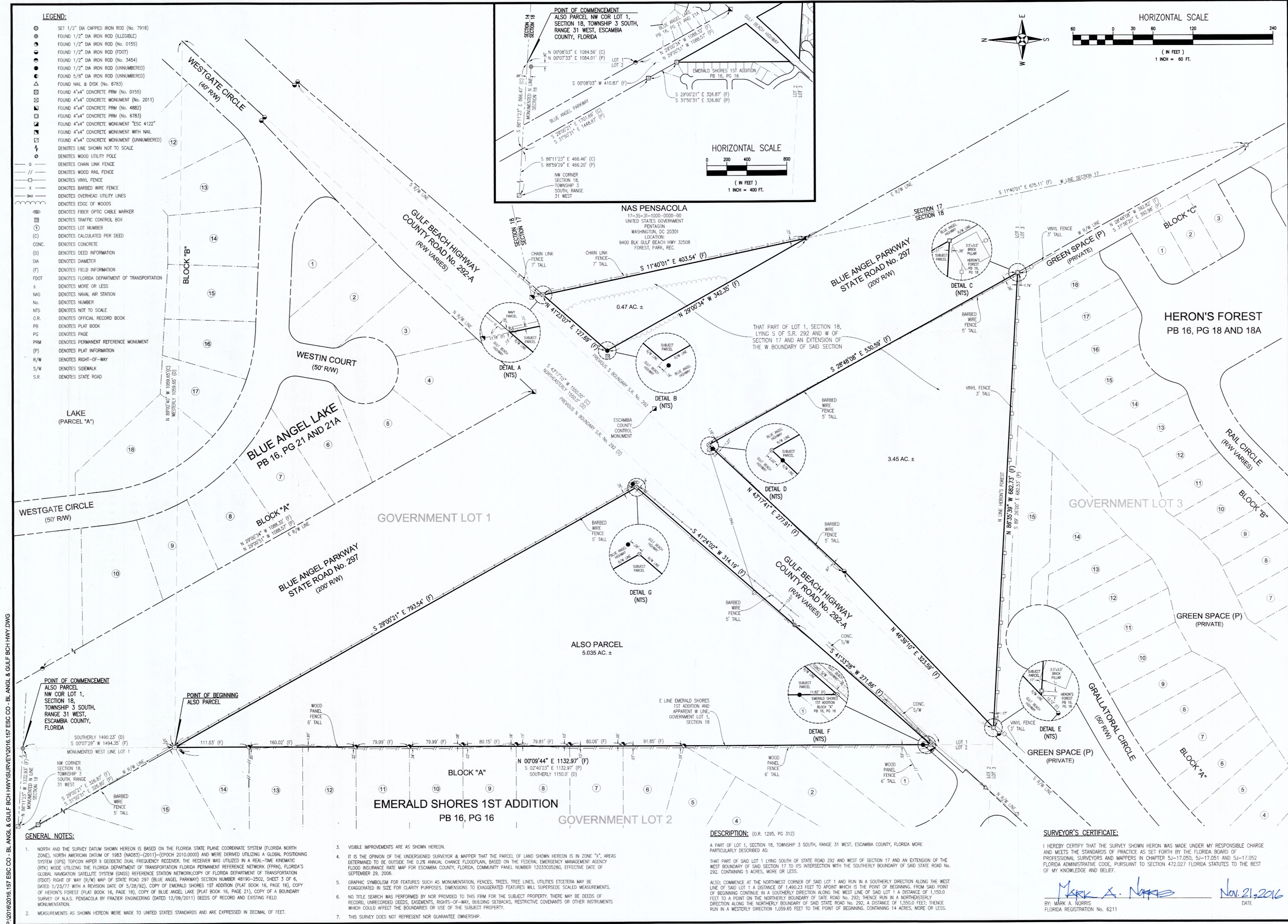
[Signature]

Signature of Notary Public

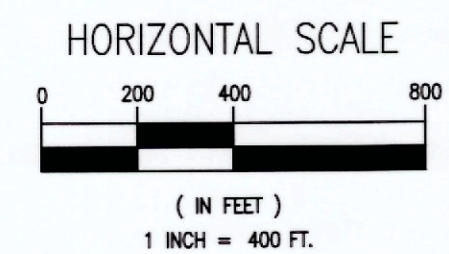
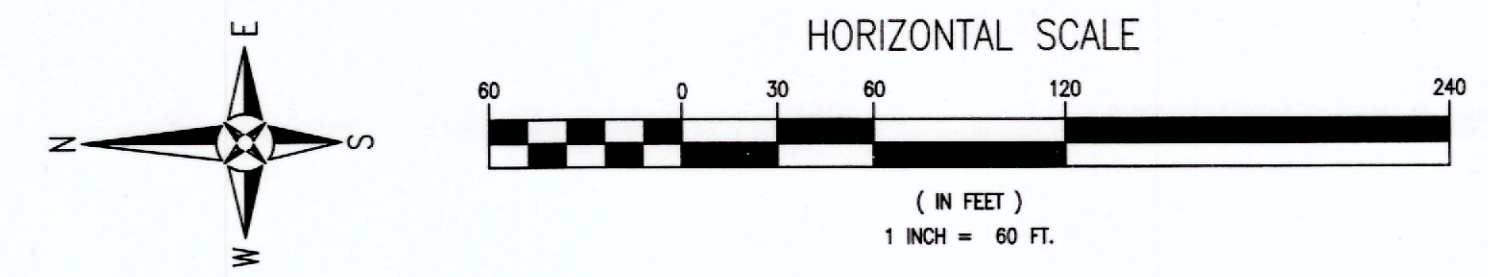
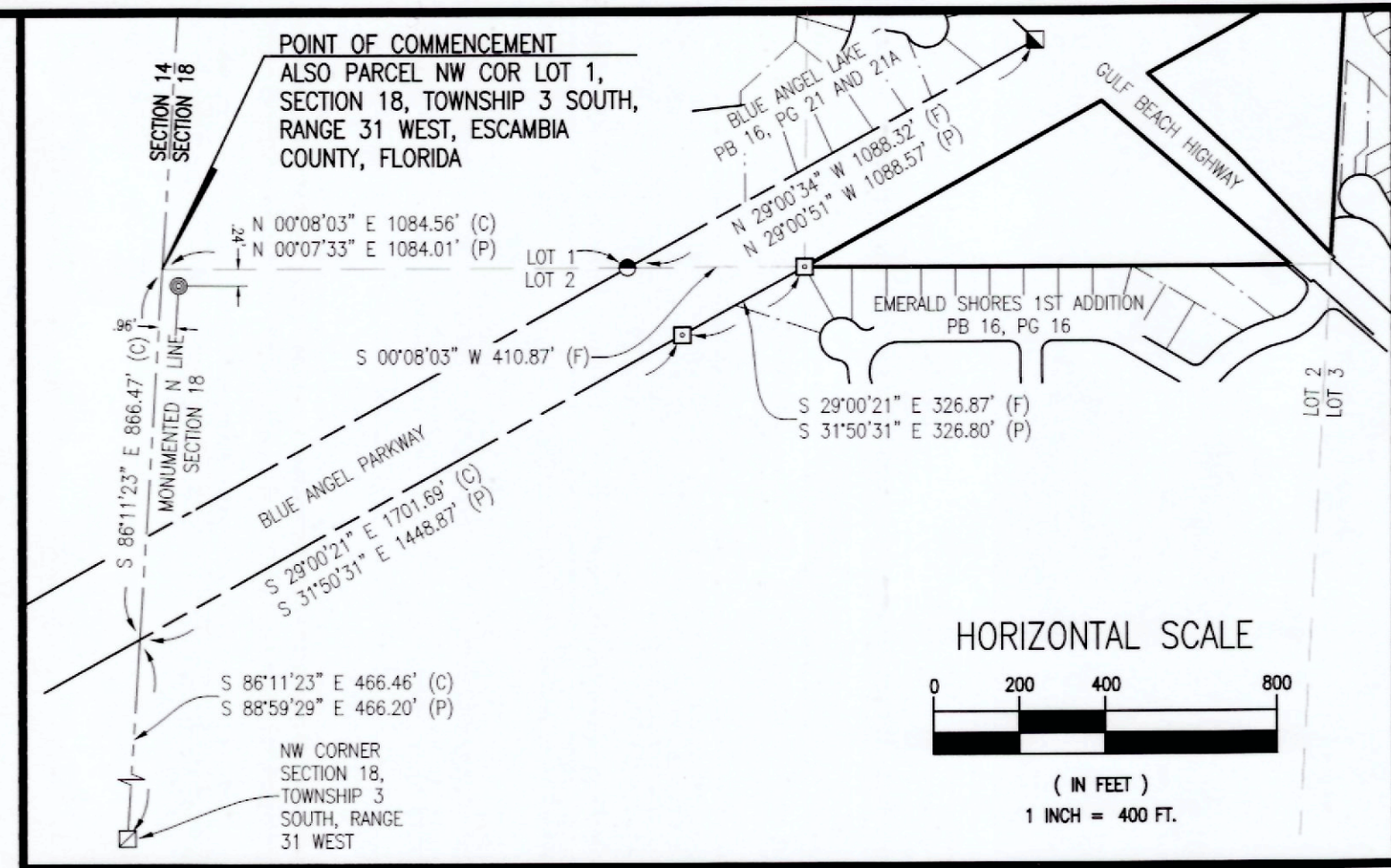
Kaylan Walden

Printed Name of Notary Public





- LEGEND:**
- SET 1/2" DIA CAPPED IRON ROD (No. 7916)
 - FOUND 1/2" DIA IRON ROD (ILLEGIBLE)
 - FOUND 1/2" DIA IRON ROD (No. 0155)
 - FOUND 1/2" DIA IRON ROD (FDOT)
 - FOUND 1/2" DIA IRON ROD (No. 3454)
 - FOUND 1/2" DIA IRON ROD (UNNUMBERED)
 - FOUND 5/8" DIA IRON ROD (UNNUMBERED)
 - FOUND NAIL & DISK (No. 6783)
 - FOUND 4"x4" CONCRETE PRM (No. 0155)
 - FOUND 4"x4" CONCRETE MONUMENT (No. 2011)
 - FOUND 4"x4" CONCRETE PRM (No. 4882)
 - FOUND 4"x4" CONCRETE PRM (No. 6783)
 - FOUND 4"x4" CONCRETE MONUMENT "ESC 4122"
 - FOUND 4"x4" CONCRETE MONUMENT (UNNUMBERED)
 - DENOTES LINE SHOWN NOT TO SCALE
 - DENOTES WOOD UTILITY POLE
 - DENOTES CHAIN LINK FENCE
 - DENOTES WOOD RAIL FENCE
 - DENOTES VINYL FENCE
 - DENOTES BARBED WIRE FENCE
 - DENOTES OVERHEAD UTILITY LINES
 - DENOTES EDGE OF WOODS
 - DENOTES FIBER OPTIC CABLE MARKER
 - DENOTES TRAFFIC CONTROL BOX
 - DENOTES LOT NUMBER
 - (C) DENOTES CALCULATED PER DEED
 - CONC. DENOTES CONCRETE
 - (D) DENOTES DEED INFORMATION
 - DIA DENOTES DIAMETER
 - (F) DENOTES FIELD INFORMATION
 - FDOT DENOTES FLORIDA DEPARTMENT OF TRANSPORTATION
 - ± DENOTES MORE OR LESS
 - NAS DENOTES NAVAL AIR STATION
 - No. DENOTES NUMBER
 - NTS DENOTES NOT TO SCALE
 - O.R. DENOTES OFFICIAL RECORD BOOK
 - PB DENOTES PLAT BOOK
 - PG DENOTES PAGE
 - PRM DENOTES PERMANENT REFERENCE MONUMENT
 - (P) DENOTES PLAT INFORMATION
 - R/W DENOTES RIGHT-OF-WAY
 - S/W DENOTES SIDEWALK
 - S.R. DENOTES STATE ROAD



- GENERAL NOTES:**
- NORTH AND THE SURVEY DATUM SHOWN HEREON IS BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (FLORIDA NORTH ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83)-(2011)-(EPOCH 2010.0000) AND WERE DERIVED UTILIZING A GLOBAL POSITIONING SYSTEM (GPS) TOPCON HIPER II GEODETIC DUAL FREQUENCY RECEIVER. THE RECEIVER WAS UTILIZED IN A REAL-TIME KINEMATIC (RTK) MODE UTILIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION FLORIDA PERMANENT REFERENCE NETWORK (FPRN), FLORIDA'S GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) REFERENCE STATION NETWORK COPY OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) RIGHT OF WAY (R/W) MAP OF STATE ROAD 297 (BLUE ANGEL PARKWAY) SECTION NUMBER 48190-2502, SHEET 3 OF 6, (DATED 5/23/77 WITH A REVISION DATE OF 5/28/92), COPY OF EMERALD SHORES 1ST ADDITION (PLAT BOOK 16, PAGE 16), COPY OF HERON'S FOREST (PLAT BOOK 16, PAGE 18), COPY OF BLUE ANGEL LAKE (PLAT BOOK 16, PAGE 21), COPY OF A BOUNDARY SURVEY OF N.A.S. PENSACOLA BY FRAZIER ENGINEERING (DATED 12/09/2011) DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
 - MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND ARE EXPRESSED IN DECIMAL FEET.
 - VISIBLE IMPROVEMENTS ARE AS SHOWN HEREON.
 - IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBIA COUNTY, FLORIDA, COMMUNITY PANEL NUMBER 12033C02086, EFFECTIVE DATE OF SEPTEMBER 29, 2006.
 - GRAPHIC SYMBOLISM FOR FEATURES SUCH AS MONUMENTATION, FENCES, TREES, TREE LINES, UTILITIES ETC/MAY BE ENLARGED IN SIZE FOR CLARITY PURPOSES. DIMENSIONS TO EXAGGERATED FEATURES WILL SUPERSEDE SCALED MEASUREMENTS.
 - NO TITLE SEARCH WAS PERFORMED BY NOR PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
 - THIS SURVEY DOES NOT REPRESENT NOR GUARANTEE OWNERSHIP.

- DESCRIPTION:** (O.R. 1295, PG 312)
- A PART OF LOT 1, SECTION 18, TOWNSHIP 3 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS:
- THAT PART OF SAID LOT 1 LYING SOUTH OF STATE ROAD 292 AND WEST OF SECTION 17 AND AN EXTENSION OF THE WEST BOUNDARY OF SAID SECTION 17 TO ITS INTERSECTION WITH THE SOUTHERLY BOUNDARY OF SAID STATE ROAD NO. 292, CONTAINING 5 ACRES, MORE OR LESS.
- ALSO; COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 1 AND RUN IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 1,490.23 FEET TO POINT WHICH IS THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 1,150.0 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID STATE ROAD NO. 292; THENCE RUN IN A NORTHEASTERLY DIRECTION ALONG THE NORTHERLY BOUNDARY OF SAID STATE ROAD NO. 292, A DISTANCE OF 1,550.0 FEET; THENCE RUN IN A WESTERLY DIRECTION 1,059.65 FEET TO THE POINT OF BEGINNING, CONTAINING 14 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 53-17.050, 53-17.051 AND 53-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: Mark A. Norris DATE: Nov. 21, 2016
 FLORIDA REGISTRATION No. 6211

RBA

REBOL-BATTLE & ASSOCIATES
Civil Engineers and Surveyors

2301 N. Ninth Avenue, Suite 300
Pensacola, Florida 32503
Telephone: 850.838.6400 Fax: 850.838.0448
E: 850.838.6400 L: 850.838.0448

840 BLUE ANGEL PARKWAY

A PORTION OF
SECTION 18, TOWNSHIP 3 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA

NO.	DATE	APPR.	REVISION/TAKEN

PROJECT NO: 2016.157
 DRAWN BY: DFS
 CHECK BY: MAN
 SCALE: 1" = 60'
 F.B.: 16-12, 16-15
 P.S.: 64-67, 71-73, 1
 DATE: 10-19-2016

BOUNDARY SURVEY

ESCAMBIA COUNTY PUBLIC WORKS

PREPARED FOR: MS. KARA JOHNSON
 REQUESTED BY: MS. KARA JOHNSON

1 of 1

P:\2016\2016.157 ESC CO - BL ANGL & GULF BCH HWY.DWG

This drawing is the property of Rebol-Battle & Associates, and may not be reproduced without written permission.

From: [Shannon D Pugh](mailto:Shannon.D.Pugh@escpa.org)
To: whoynacki@escpa.org
Cc: [John C. Fisher](mailto:John.C.Fisher@escpa.org)
Subject: Address Change Request
Date: Tuesday, February 13, 2018 4:01:21 PM

Good Afternoon,

Please change the site address of the parcel with the reference number 18-3S-31-1101-000-000 to **4100 BLK S BLUE ANGEL PKWY.**

Thanks Bill!

Shannon Pugh
GIS Analyst
GIS Division, Escambia County Florida
(850) 595-3034

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

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

INTEROFFICE MEMORANDUM



**TO: John C. Fisher, Senior Planner
Development Services Department**

**FROM: Terri V. Malone, AICP, Transportation Planner
Transportation & Traffic Operations Division**

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

DATE: February 20, 2018

RE: Transportation & Traffic Operations (TTO) Comments – Z-2018-02 & SSA-2018-02

TTO Staff has reviewed the Rezoning Case (Z)-2018-02 and SSA-2018-02 (4100 Block of South Blue Angel Parkway near the Gulf Beach Highway intersection) agenda item for the Planning Board meeting scheduled for March 6, 2018. Please see the below comments.

There is an ongoing FDOT 4-lane widening design project on Blue Angel Parkway (SR 173) between Sorrento Road and US 98. There is also an ongoing intersection improvement project on Gulf Beach Highway with signalization Sunset Avenue and Patton Drive. The design on the intersection project is complete however, the construction is on hold until the FDOT CR292A Bridge Replacement project is complete. The Blue Angel Highway project is funded by FDOT. The Gulf Beach Highway project is funded through a cost sharing program between the County and FDOT. There is also a Roadway ROW project on Blue Angel Parkway programmed in the County's FY 2018 Capital Improvement Program.

Per the Florida-Alabama TPO's Congestion Management Process Plan, Blue Angel Parkway is classified as a Minor Arterial with a Maximum LOS of D and a corresponding daily volume of 17,700 near Gulf Beach Highway. Gulf Beach Highway is classified as an Urban Collector with a Maximum LOS of D with a corresponding maximum daily volume of 17,700 vehicles. Daily traffic Counts for 2016 show a daily volume on Blue Angel Parkway of 10,600 vehicles and on Gulf Beach Highway of 5,900 vehicles.

TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on any 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**

From: [Opalenik, Stephen J CIV NAVFAC SE, PWD Pensacola](#)
To: [John C. Fisher](#)
Cc: [David V. Forte](#); [Terri V. Malone](#)
Subject: RE: rezoning case and Small Scale Map Amen
Date: Friday, February 16, 2018 5:06:52 PM

John,

NASP Pensacola response:

Z/SSA-2018-01: Located in AIPD 2 and Noise Zone 1 (less than 65 db). For AIPD 2, NAS Pensacola defers to existing densities and lot sizes per the Escambia County Land Development Code. NAS Pensacola has no issues with the rezoning and small scale FLU amendment.

Z/SSA-2018-02: Located in AIPD 1 and Noise Level 3 (more than 75 db). For this property, NAS Pensacola finds limited compatible uses per the 2010 Air Installation Compatible Use Zone (AICUZ) guidance. Current zoning of "Commercial" is not only incompatible with AICUZ, but also poses concerns for Anti-Terrorism/Force Protection due to its proximity to the NAS Pensacola perimeter boundary and West Gate access area. Rezoning to "Conservation" will further restrict incompatible land use, density and security. NAS Pensacola fully supports the rezoning and small scale FLU amendment.

Please let me know if you have further questions.

Thanks, Steve
Community Planning & Liaison Officer
NAVFAC SE - NAS Pensacola
Office: 850-452-8715
Cell: 850-619-5079
DSN: 459-8715

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

From: John C. Fisher [<mailto:JCFISHER@myescambia.com>]
Sent: Wednesday, February 14, 2018 10:56 AM
To: Terri V. Malone; Opalenik, Stephen J CIV NAVFAC SE, PWD Pensacola
Cc: David V. Forte
Subject: [Non-DoD Source] rezoning case and Small Scale Map Amen

Please review and comment on

Rezoning Z-2018-01 and Z-2018-02

Small Scale FLU Change SSA-2018-01 and SSA-2018-02

The 2018-01 projects are the same location and the 2018-02 are the same project same location.

These are from D2 at last minute thing sorry for the rush.

John C Fisher

Senior Planner

Development Services Department

3363 West Park Place

Pensacola, FL 32505

850-595-4651

Florida has a very broad public records law. Under Florida's law, both the contents of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity.

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Comprehensive Plan Small Scale Map Amendment Staff Analysis

General Data

Project Name: SSA-2018-02
Location: 4100 Block South Blue Angel Pkwy
Parcel #: 18-3S-31-1101-000-000
Acreage: 8.955 (+/-) acres
Request: From Commercial (C) to Conservation (Con)
Agent: Escambia County BCC, Owner
Meeting Dates: Planning Board: March 6, 2018
BCC: April 5, 2018

Summary of proposed amendment

The small-scale amendment to the future land use (FLU) map of the county proposes to change the FLU category of a parcel on a 8.955± acres from Commercial (C) to Conservation (Con). The current property is undeveloped and is located on the Northwest corner, Southwest corner, and Southeast corner of Blue Angel Parkway and Gulf Beach Highway intersection. Single family homes adjoin the Northwest and Southwest corner properties with a FLU of Mixed-Use Suburban (MU-S). On the Southeast corner property, Naval Air Station Pensacola (NAS) adjoins it to the east and south with a FLU of Conservation (Con). A proposed rezoning Z-2018-02 is proposed from Commercial (Com) to Conservation (Con) and is contingent of the adoption of this amendment.

The existing and proposed future land use categories are described in Comprehensive Plan policy FLU 1.3.1 and summarized as follows:

Commercial. The current Commercial FLU is intended for professional office, retail, wholesale, service, and general business trade, with residential development permitted only if secondary to a primary commercial development. The listed range of allowable uses is residential, retail and services, professional office, light industrial, recreational facilities, public and civic. Commercial FLU has a maximum residential density of 25 du/acre and a maximum floor area ratio (FAR) of 1.0.

Conservation The proposed Conservation FLU is intended for the important natural resources, such as wetlands, marshes and significant wildlife habitats. This may include passive recreational opportunities for citizens of and visitors to the County. Passive parks and trails, preservation lands, educational uses that use natural amenities for public benefit. No new residential development is allowed nor is Non-residential.

Land Development Code (LDC) FLU map amendment requirements

Sec. 2-7.3 (e) Comprehensive Plan map amendments

(3) Compliance review.

a. **General amendment conditions.** All amendments to the Comprehensive Plan shall demonstrate the following general conditions, allowing that where an amendment is imposed by a state or federal requirement it need only demonstrate the conditions to the greatest extent practicable under that requirement:

1. **Need and benefit.** There is an identified land use need particular to the scope and function of the Comprehensive Plan for which an amendment is clearly warranted.

Analysis: Escambia County BCC currently owns the vacant property and would like to protect the property as a more restricted use and a more conforming use as well, by amending the FLU category from Commercial (C) to Conservation (Con). The FLU Con supports government properties and uses as well not allowing any residential development and non-residential development.

The "Data and Analysis Response" in the application there is one subject parcel with one owner for the FLUM small scale amendment application. The application regards protecting government property that is undeveloped and in turn making it a more conforming use per the FLU with an amendment to a FLU of Con. Keeping this parcel of land undeveloped would support the NAS efforts for protection and casualties as these properties lie in the path of NAS runways.

Community Planning & Liaison Officer, NAVFAC SE - NAS Pensacola: Located in AIPD 1 and Noise Level 3 (more than 75 db). For this property, NAS Pensacola finds limited compatible uses per the 2010 Air Installation Compatible Use Zone (AICUZ) guidance. Current zoning of "Commercial" is not only incompatible with AICUZ, but also poses concerns for Anti-Terrorism/Force Protection due to its proximity to the NAS Pensacola perimeter boundary and West Gate access area. Rezoning to "Conservation" will further restrict incompatible land use, density and security. NAS Pensacola fully supports the rezoning and small scale FLU amendment.

2. **Professional practices.** The proposed amendment applies contemporary planning principles, engineering standards, and other professional practices to provide an effective and efficient remedy for the identified land use problem or need.

Analysis: Accepting an undeveloped parcel of land identifies the need, the proposed amendment applies appropriate planning principles by suggesting a replacement FLU that is both consistent with the vacant property and to protect most adjoining and surrounding property. The application of other appropriate professional practices in potential public development is addressed in the remaining sections of this analysis.

- b. **FLUM amendment conditions.** In addition to the general amendment conditions, a future land use map amendment shall be based upon analyses [required] by Florida Statute.

Analysis: The proposed amendment complies with all four conditions established by Florida Statutes, §163.3187(1), for the adoption of any small scale comprehensive plan amendment:

- (a) *The subject 8.955± acre parcel is a use of 10 acres or fewer.*
- (b) *The amendment is the second proposed small-scale amendment for calendar year 2018 and will not exceed the cumulative maximum of 120 acres in a calendar year.*
- (c) *The proposed amendment does not involve a text change to the Comprehensive Plan, but only proposes a land use change to the Future Land Use Map for a site-specific small scale development activity.*
- (d) *The property that is the subject of the proposed amendment is not within a designated area of critical state concern.*

Other applicable Comprehensive Plan objectives and policies

1. Housing

Policy HOU 1.1.1 **Residential Areas.** The Escambia County FLUM and zoning maps will identify areas suitable for residential development and/or redevelopment.

***Analysis:** The proposed Conservation FLU is a suitable replacement of the existing Commercial FLU to accommodate the local government owned property of a vacant parcel, and is consistent with the FLU of the largely residential surrounding development.*

2. Future Land Use

OBJ 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:** Con, Pub, MU-S and Rec, the applicable FLU for much of the land surrounding the subject parcel, would promote more mixed-use and compact development for the subject parcel and be more likely to discourage urban sprawl than the current Commercial FLU.*

3. Infrastructure

Policy HOU 1.1.4 **Adequate infrastructure.** To assure the sustainability of residential communities, Escambia County will require new residential development to locate where adequate infrastructure is available.

***Analysis:** The application includes documentation of the general adequacy of potable water, wastewater, and solid waste services. The site is located along a collector road Gulf Beach Hwy and principal arterial road Blue Angel Parkway.*

GOAL CMS 1 Concurrency Management System

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

Potable Water.

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.

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.

Sanitary Sewer.

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.

Policy INF 1.1.11 **Required New Service Connection.** All new structures intended for human occupancy will connect to the ECUA wastewater system unless ECUC 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.

Solid Waste Disposal.

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.

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 Emerald Coast Utilities Authority (ECUA) provides potable water distribution and sanitary sewer collection and treatment, and solid waste collection and disposal for the subject parcel if this parcel would ever be developed.

Stormwater Management.

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.

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

Transportation and Mobility.

Policy 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.

Policy 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.

***Analysis:** No development of any kind would be allowed on this subject parcel if the Conservation FLU amendment is approved. Conservation FLU would protect the land from any development.*

Transportation & Traffic Operations (TTO) Comments – SSA-2018-02

TTO Staff has reviewed the Rezoning Case SSA-2018-02 (4100 Block of South Blue Angel Parkway near the Gulf Beach Highway intersection) agenda item for the Planning Board meeting scheduled for March 6, 2018. Please see the below comments.

There is an ongoing FDOT 4-lane widening design project on Blue Angel Parkway (SR 173) between Sorrento Road and US 98. There is also an ongoing intersection improvement project on Gulf Beach Highway with signalization Sunset Avenue and Patton Drive. The design on the intersection project is complete however, the construction is on hold until the FDOT CR292A Bridge Replacement project is complete. The Blue Angel Highway project is funded by FDOT. The Gulf Beach Highway project is funded through a cost sharing program between the County and FDOT. There is also a Roadway ROW project on Blue Angel Parkway programmed in the County's FY 2018 Capital Improvement Program.

Per the Florida-Alabama TPO's Congestion Management Process Plan, Blue Angel Parkway is classified as a Minor Arterial with a Maximum LOS of D and a corresponding daily volume of 17,700 near Gulf Beach Highway. Gulf Beach Highway is classified as an Urban Collector with a Maximum LOS of D with a corresponding maximum daily

volume of 17,700 vehicles. Daily traffic Counts for 2016 show a daily volume on Blue Angel Parkway of 10,600 vehicles and on Gulf Beach Highway of 5,900 vehicles.

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

4. Protected Resources

Wellheads.

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

***Analysis:** The subject parcel is outside of any wellhead protection area based upon Escambia County GIS.*

Historically Significant Sites.

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

***Analysis:** The applicant provided no confirmation of the presence or absence of historically significant sites as the proposed amendment would protect the site from ever being developed.*

Wetlands and Habitat.

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.

Urban Forest.

Policy CON 1.6.4 **Urban Forest Management.** Escambia County will, through LDC provisions and other measures, sustain and promote the urban forest.

***Analysis:** There are no indications from the available National Wetland Inventory map that wetlands are on the subject parcel. The site is vacant with a proposed FLU of Conservation to help protect any such tress on the property.*

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Small Scale Map amendment- SSA-2018-02 South Blue Angel PKWY

Date: 02-13-2018

Date requested back by: *[Signature]* 11-16-2018 AM

Requested by: John C Fisher

Phone Number: 850-595-4651

.....
(LEGAL USE ONLY)

Legal Review by *M Cramford*

Date Received: *2/15/18*

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

*- approved as to form
- corresponding rezoning*

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ORDINANCE NUMBER 2018-___

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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 18, TOWNSHIP 3S, RANGE 31W, PARCEL NUMBERS 1101-000-000, TOTALING 8.955 (+/-) ACRES, LOCATED ON SOUTH BLUE ANGEL PARKWAY AND GULF BEACH HIGHWAY, FROM COMMERCIAL (C) TO CONSERVATION (CON) PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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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

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WHEREAS, the Navy Air Station (NAS) Pensacola is an active naval air base that provides flight training within the County such that Escambia County Airfield Overlay density restrictions apply; and

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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

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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;

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

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Section 1. Purpose and Intent

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

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Section 2. Title of Comprehensive Plan Amendment

This Comprehensive Plan amendment shall be entitled – "Small Scale Amendment 2018-02."

Section 3. Changes to the 2030 Future Land Use Map

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

A parcel within Section 18, Township 3S, Range 31W, parcel number 1101-000-000, totaling 8.955 (+/-) acres, located on South Blue Angel Parkway, as more particularly described in the Boundary Survey description produced by Rebol-Battle & Associates, INC., registered land surveyor Mark A Norris dated 11/21/2016, attached as Exhibit A, from Commercial (C) to Conservation (Con).

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, the holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. Inclusion in the Code

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

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Section 6. Effective Date

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

DONE AND ENACTED this _____ day of _____, 2018.

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

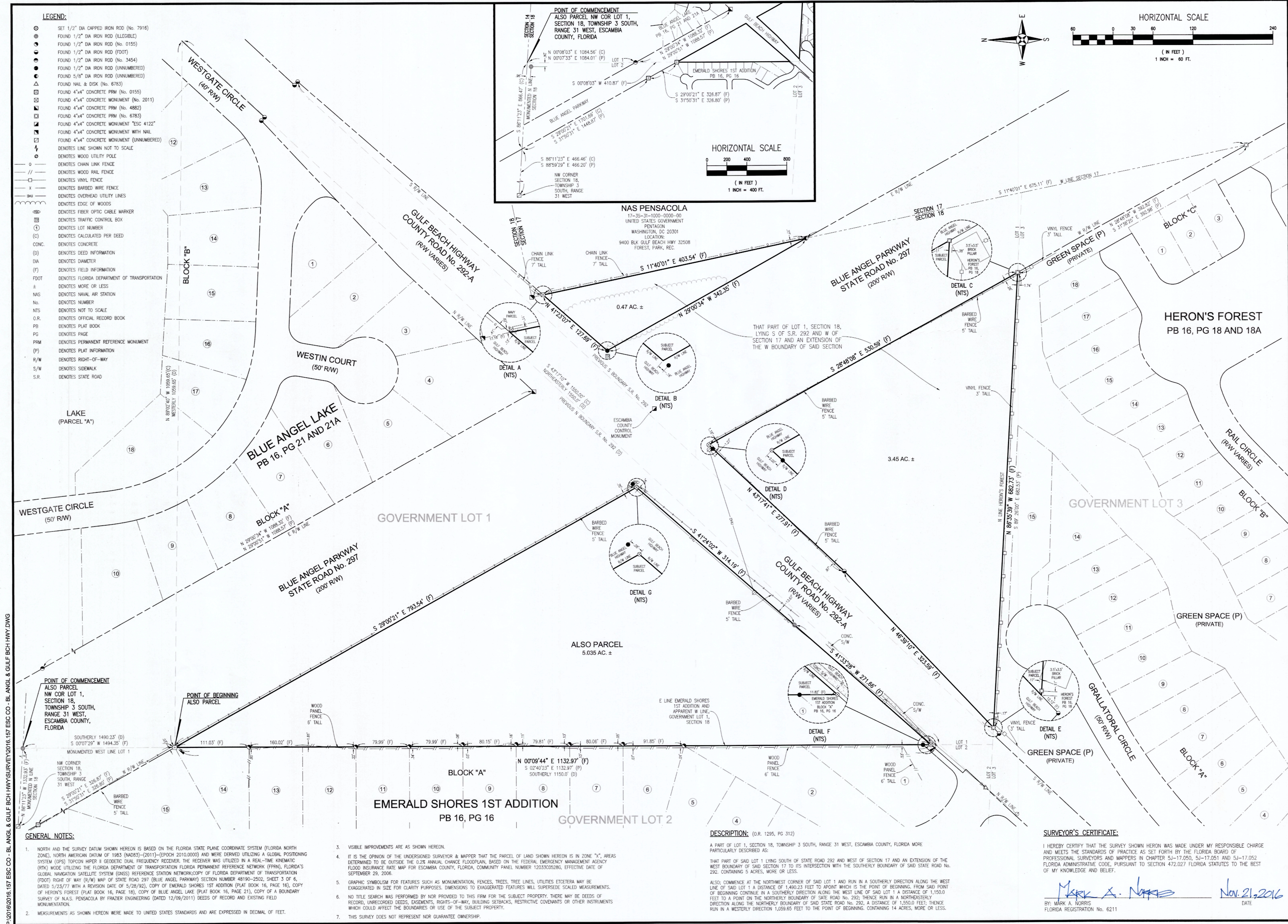
By: _____
Jeff Bergosh, Chairman

ATTEST: PAM CHILDERS
CLERK OF THE CIRCUIT COURT

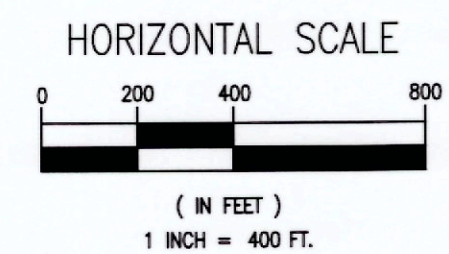
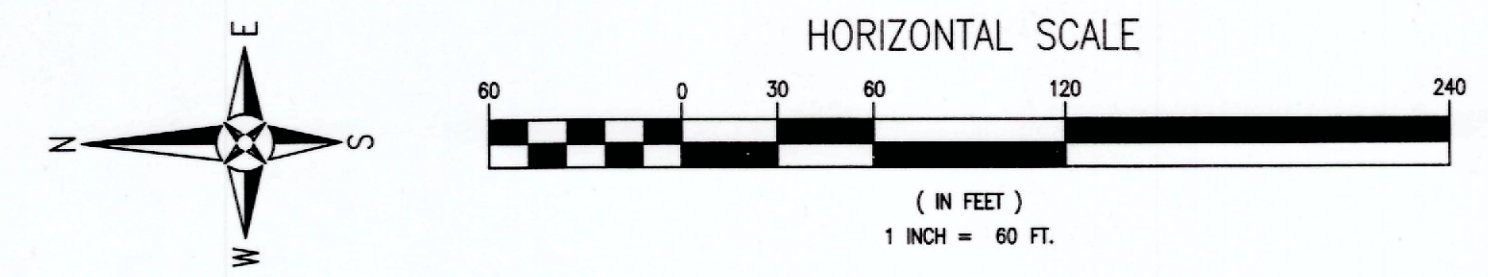
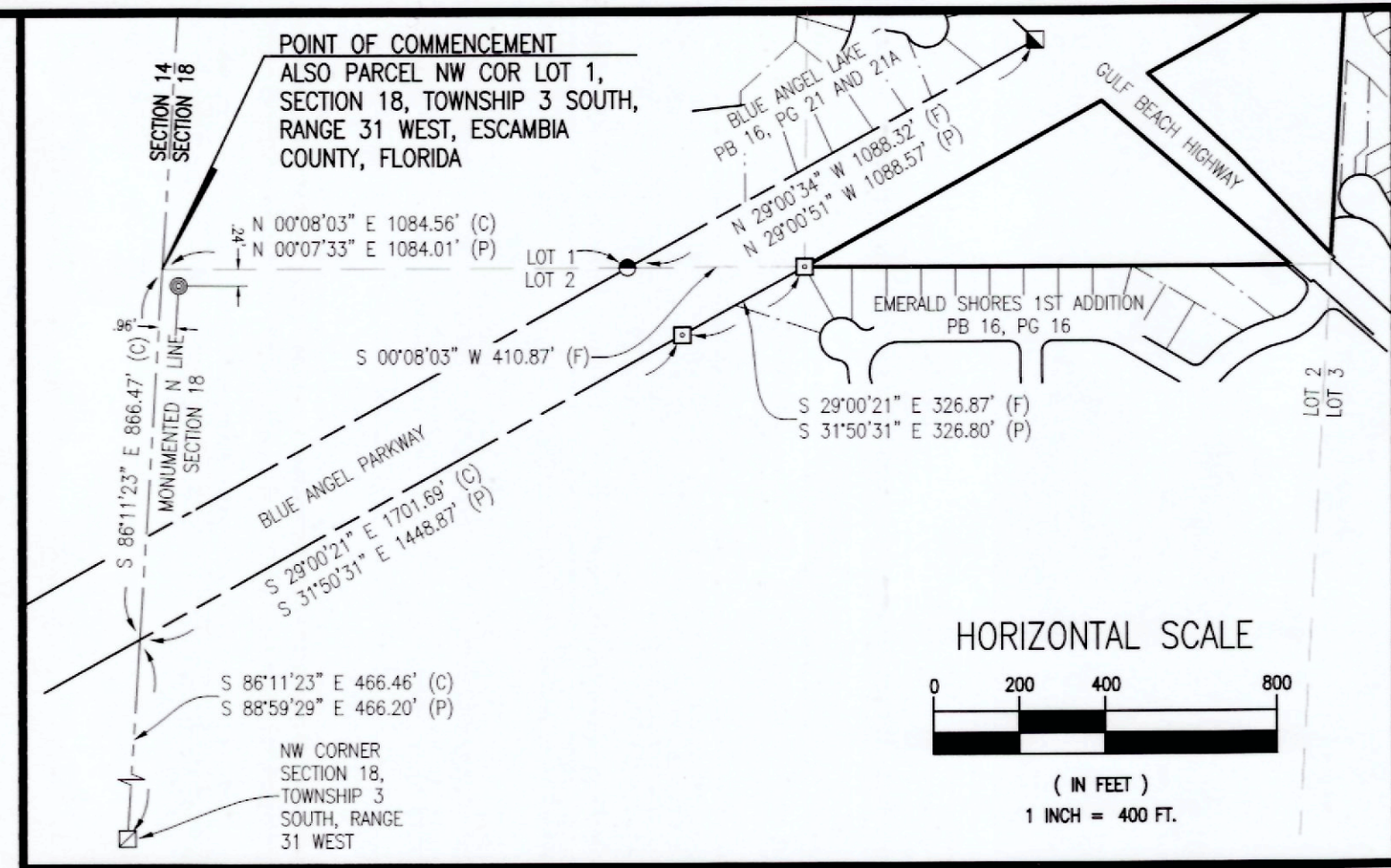
By: _____
Deputy Clerk

(SEAL)

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



- LEGEND:**
- SET 1/2" DIA CAPPED IRON ROD (No. 7916)
 - FOUND 1/2" DIA IRON ROD (ILLEGIBLE)
 - FOUND 1/2" DIA IRON ROD (No. 0155)
 - FOUND 1/2" DIA IRON ROD (FDOT)
 - FOUND 1/2" DIA IRON ROD (No. 3454)
 - FOUND 1/2" DIA IRON ROD (UNNUMBERED)
 - FOUND 5/8" DIA IRON ROD (UNNUMBERED)
 - FOUND NAIL & DISK (No. 6783)
 - FOUND 4"x4" CONCRETE PRM (No. 0155)
 - FOUND 4"x4" CONCRETE MONUMENT (No. 2011)
 - FOUND 4"x4" CONCRETE PRM (No. 4882)
 - FOUND 4"x4" CONCRETE PRM (No. 6783)
 - FOUND 4"x4" CONCRETE MONUMENT "ESC 4122"
 - FOUND 4"x4" CONCRETE MONUMENT (UNNUMBERED)
 - DENOTES LINE SHOWN NOT TO SCALE
 - DENOTES WOOD UTILITY POLE
 - DENOTES CHAIN LINK FENCE
 - DENOTES WOOD RAIL FENCE
 - DENOTES VINYL FENCE
 - DENOTES BARBED WIRE FENCE
 - DENOTES OVERHEAD UTILITY LINES
 - DENOTES EDGE OF WOODS
 - DENOTES FIBER OPTIC CABLE MARKER
 - DENOTES TRAFFIC CONTROL BOX
 - DENOTES LOT NUMBER
 - (C) DENOTES CALCULATED PER DEED
 - CONC. DENOTES CONCRETE
 - (D) DENOTES DEED INFORMATION
 - DIA DENOTES DIAMETER
 - (F) DENOTES FIELD INFORMATION
 - FDOT DENOTES FLORIDA DEPARTMENT OF TRANSPORTATION
 - ± DENOTES MORE OR LESS
 - NAS DENOTES NAVAL AIR STATION
 - No. DENOTES NUMBER
 - NTS DENOTES NOT TO SCALE
 - O.R. DENOTES OFFICIAL RECORD BOOK
 - PB DENOTES PLAT BOOK
 - PG DENOTES PAGE
 - PRM DENOTES PERMANENT REFERENCE MONUMENT
 - (P) DENOTES PLAT INFORMATION
 - R/W DENOTES RIGHT-OF-WAY
 - S/W DENOTES SIDEWALK
 - S.R. DENOTES STATE ROAD



- GENERAL NOTES:**
- NORTH AND THE SURVEY DATUM SHOWN HEREON IS BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (FLORIDA NORTH ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83)-(2011)-(EPOCH 2010.0000) AND WERE DERIVED UTILIZING A GLOBAL POSITIONING SYSTEM (GPS) TOPCON HIPER II GEODETIC DUAL FREQUENCY RECEIVER. THE RECEIVER WAS UTILIZED IN A REAL-TIME KINEMATIC (RTK) MODE UTILIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION FLORIDA PERMANENT REFERENCE NETWORK (FPRN), FLORIDA'S GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) REFERENCE STATION NETWORK COPY OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) RIGHT OF WAY (R/W) MAP OF STATE ROAD 297 (BLUE ANGEL PARKWAY) SECTION NUMBER 48190-2502, SHEET 3 OF 6, (DATED 5/23/77 WITH A REVISION DATE OF 5/28/92), COPY OF EMERALD SHORES 1ST ADDITION (PLAT BOOK 16, PAGE 16), COPY OF HERON'S FOREST (PLAT BOOK 16, PAGE 18), COPY OF BLUE ANGEL LAKE (PLAT BOOK 16, PAGE 21), COPY OF A BOUNDARY SURVEY OF N.A.S. PENSACOLA BY FRAZIER ENGINEERING (DATED 12/09/2011) DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
 - MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND ARE EXPRESSED IN DECIMAL FEET.
 - VISIBLE IMPROVEMENTS ARE AS SHOWN HEREON.
 - IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBIA COUNTY, FLORIDA, COMMUNITY PANEL NUMBER 1203302526, EFFECTIVE DATE OF SEPTEMBER 29, 2006.
 - GRAPHIC SYMBOLISM FOR FEATURES SUCH AS MONUMENTATION, FENCES, TREES, TREE LINES, UTILITIES ETC. MAY BE ENLARGED IN SIZE FOR CLARITY PURPOSES. DIMENSIONS TO EXAGGERATED FEATURES WILL SUPERSEDE SCALED MEASUREMENTS.
 - NO TITLE SEARCH WAS PERFORMED BY NOR PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
 - THIS SURVEY DOES NOT REPRESENT NOR GUARANTEE OWNERSHIP.

- DESCRIPTION:** (O.R. 1295, PG 312)
- A PART OF LOT 1, SECTION 18, TOWNSHIP 3 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS:
- THAT PART OF SAID LOT 1 LYING SOUTH OF STATE ROAD 292 AND WEST OF SECTION 17 AND AN EXTENSION OF THE WEST BOUNDARY OF SAID SECTION 17 TO ITS INTERSECTION WITH THE SOUTHERLY BOUNDARY OF SAID STATE ROAD NO. 292, CONTAINING 5 ACRES, MORE OR LESS.
- ALSO; COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 1 AND RUN IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 1,490.23 FEET TO POINT WHICH IS THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 1,150.0 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID STATE ROAD NO. 292; THENCE RUN IN A NORTHEASTERLY DIRECTION ALONG THE NORTHERLY BOUNDARY OF SAID STATE ROAD NO. 292, A DISTANCE OF 1,059.65 FEET; THENCE RUN IN A WESTERLY DIRECTION 1,059.65 FEET TO THE POINT OF BEGINNING, CONTAINING 14 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 53-17.050, 53-17.051 AND 53-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: Mark A. Norris DATE: Nov. 21, 2016
 FLORIDA REGISTRATION No. 6211

RBA

REBOL-BATTLE & ASSOCIATES
Civil Engineers and Surveyors

2301 N. Ninth Avenue, Suite 300
Pensacola, Florida 32503
Telephone: 850.438.6400 Fax: 850.438.0448
E: 850.438.6400 F: 850.438.0448

840 BLUE ANGEL PARKWAY

A PORTION OF
SECTION 18, TOWNSHIP 3 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA

NO.	DATE	APPR.	REVISION/TAKEN

PROJECT NO: 2016.157
 DRAWN BY: DFS
 CHECK BY: MAN
 SCALE: 1" = 60'
 F.B.: 16-12, 16-15
 P.S.: 64-67, 71-73, 1
 DATE: 10-19-2016

BOUNDARY SURVEY

ESCAMBIA COUNTY PUBLIC WORKS

PREPARED FOR: MS. KARA JOHNSON
 REQUESTED BY: MS. KARA JOHNSON

1 of 1

P:\2016\2016.157 ESC CO - BL ANGL & GULF BCH HWY SURVEY\2016.157 ESC CO - BL ANGL & GULF BCH HWY.DWG

This drawing is the property of Rebol-Battle & Associates, and may not be reproduced without written permission.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. C.

Meeting Date: 03/06/2018

Issue: A Public hearing Concerning the Review of an Ordinance Amending OBJ CII 1.2.5 and FLU 1.5.2 in the 2030 Comprehensive Plan

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending OBJ CIE 1.2.5 and FLU 1.5.2 in the 2030 Comprehensive Plan

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the 2030 Comprehensive Plan, to remove date and year specific references to the Florida-Alabama Transportation Improvement Program, under section OBJ CIE 1.2.5., and to delete in its entirety, section FLU 1.5.2, Compact Development and Maximum Densities and Intensities.

BACKGROUND:

Pursuant to Section 125.68(1)(b), Florida Statutes, the BCC has determined that due to the frequency of the updates incorporation of the Florida-Alabama Transportation Planning Organization 5-Year Transportation Improvement Program codification and publication of the updates is not reasonable. Adoption of the TIP and School District Work Plan documents occurs annually. Removing the adoption and date specific information of the document, from the Comprehensive Plan, will continue to fulfill the goals and objectives of the Comprehensive Plan, the intent of the Land Development Code and will negate the requirement for an annual Comprehensive Plan Text Amendment to update that specific data.

The Board of County Commissioners had previously adopted Ordinance 2015-45, on 15 October 2015, removing the minimum residential densities from all Future Land Use categories. Once the ordinance was adopted, the intent of FLU 1.5.2, no longer applies, as the FLU categories of MU-S and MU-U have the same density allowances.

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 2018-01

Date: 1-29-2018

Date requested back by: _____

Requested by: Juan Lemos

Phone Number: 850-595-4651



(LEGAL USE ONLY)

Legal Review by CM Crangford

Date Received: 2/14/18

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

1 **ORDINANCE NUMBER 2018-_____**
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3 **AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING THE**
4 **ESCAMBIA COUNTY 2030 COMPREHENSIVE PLAN, AS AMENDED;**
5 **AMENDING OBJ CIE 1.2.5, INCORPORATION OF FLORIDA-**
6 **ALABAMA TRANSPORTATION PLANNING ORGANIZATION 5-YEAR**
7 **TRANSPORTATION IMPROVEMENT PROGRAM, TO REMOVE**
8 **REFERENCE TO FISCAL YEAR 2016-2020 AND TO REMOVE**
9 **REFERENCE TO JUNE 10, 2015; DELETING FLU 1.2.5, COMPACT**
10 **DEVELOPMENT AND MAXIMUM DENSITIES AND INTENSITIES, IN**
11 **ITS ENTIRETY; PROVIDING FOR SEVERABILITY; PROVIDING FOR**
12 **INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE**
13 **DATE.**

14
15 **WHEREAS,** pursuant to Chapter 163, Part II, Florida Statutes, Escambia County
16 adopted its Comprehensive Plan on April 29, 2014; and
17

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

22 **WHEREAS,** pursuant to Section 125.68(1)(b), Florida Statutes, the Board of
23 County Commissioners has determined that due to the frequency of the updates
24 incorporation of the Florida-Alabama Transportation Planning Organization 5-Year
25 Transportation Improvement Program codification and publication of the updates is not
26 reasonable; and
27

28 **WHEREAS,** the Board of County Commissioners had previously adopted
29 Ordinance 2015-45, on 15 October 2015 removing the minimum residential densities
30 from all Future Land Use categories;
31

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

34 **Section 1. Purpose and Intent**

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

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

39 This Comprehensive Plan Amendment shall be entitled- "CPA 2018-01."

1 **Section 3. Amendment to OBJ CIE 1.2.5**

2 OBJ CIE 1.2.5 is hereby amended as follows: (deletions shown as ~~strike-thru~~; additions
3 are underlined)

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

16 **Section 4. Amendment to FLU 1.5.2**

17 FLU 1.5.2 is hereby amended as follows: (deletions shown as ~~strike-thru~~; additions are
18 underlined)

19
20 ~~FLU 1.5.2 Compact Development and Maximum Densities and Intensities.~~ To
21 ensure that developments are designed to be compact and to accommodate travel
22 mode choice especially for short, local trips the County will require minimum densities in
23 the MU-S Future Land Use category and encourage the maximum densities and
24 intensities in the MU-U Future Land Use category.

25
26
27 **INTENTIONALLY LEFT BLANK**
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35

1 **Section 5. Effective Date.**

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

3

4 **DONE AND ENACTED** this _____ day of _____, 2018.

5

6

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

7

8

9

By: _____

10

Jeff Bergosh, Chairman

11

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

14

15 **By:** _____

16 **Deputy Clerk**

17 **(SEAL)**

18

19 **ENACTED:**
20 **FILED WITH THE DEPARTMENT OF STATE:**

21 **EFFECTIVE DATE:**

22



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. D.

Meeting Date: 03/06/2018

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

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

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

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 3, Section 3-2.10 Commercial District, to add drive-through restaurant as a conditional use.

BACKGROUND:

Upon review of the previous LDC, staff found that under the old C-1 zoning designation, restaurants with drive-through services located within 200 feet of any low density residential district, could request a conditional use to operate. This ordinance will provide the same allowance under the current Commercial zoning designation.

BUDGETARY IMPACT:

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

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance has been reviewed and approved for legal sufficiency by 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 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

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: DRIVE-THROUGH Commercial CU

Date: 2/5/18

Date requested back by: 2/5/18

Requested by: JC Lemos

Phone Number: 595-3467



(LEGAL USE ONLY)

Legal Review by M. Crawford

Date Received: 2/5/18

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:
legally sufficient

1 **ORDINANCE NUMBER 2018-_____**

2 **AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING**
3 **PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE**
4 **LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS**
5 **AMENDED; AMENDING CHAPTER 3, ZONING REGULATIONS,**
6 **SECTION 3-2.10 COMMERCIAL DISTRICT (COM), TO ESTABLISH**
7 **RESTAURANTS NOT OTHERWISE AMONG THE PERMITTED USES OF**
8 **THE DISTRICT AS A CONDITIONAL USE IN THE COMMERCIAL**
9 **ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING**
10 **FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE**
11 **DATE.**

12
13 **WHEREAS**, the Legislature of the State of Florida has, in Chapter 125, Florida
14 Statutes, conferred upon local governments the authority to adopt regulations designed
15 to promote the public health, safety, and general welfare of its citizenry; and
16

17 **WHEREAS**, the Board further finds that, since the April 16, 2015, adoption of the
18 Code with its consolidated mainland zoning districts, amendments to the authorized
19 residential uses of those districts and related Code provisions are necessary and
20 beneficial;
21

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

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

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

29
30 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2, the
31 BOA may conditionally allow the following uses within the Commercial district:
32

33 **(1) Residential.**

- 34 **a.** Group living not among the permitted uses of the district.
 - 35 **b.** Home occupations with non-resident employees.
- 36

37 **(2) Retail sales.**

- 38 **a.** Boat sales, new and used.
- 39 **b.** Automobile sales, used autos only, excluding parcels fronting on any of the
40 following streets: Sorrento Road/Gulf Beach Highway/Barrancas Avenue (SR
41 292); Blue Angel Parkway (SR 173); Pine Forest Road, south from Interstate 10
42 to State Road 173; Navy Boulevard (SR 295 and US 98); and Scenic Highway

1 (SR 10A and US 90). Additionally, the parcel shall be no larger than one acre
2 and provided with a permanent fence, wall, or other structural barrier of sufficient
3 height and mass along all road frontage to prevent encroachment into the right-of
4 way other than through approved site access.

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

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

9
10 **(3) Retail services.**

11 a. Restaurants not among the permitted uses of the district.

12 b. Service and repair of motor vehicles, small scale (gross floor area 6000 sq. ft.
13 or less per lot), excluding painting and body work and outdoor work and storage.

14
15 **(4) Public and civic.**

16 a. Cemeteries, including family cemeteries.

17 b. Clubs, civic and fraternal.

18 c. Cinerators.

19 d. Homeless shelters.

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

22 a. Bars and nightclubs.

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

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

26
27 **(6) Industrial and related.**

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

33 **(b)** Microbreweries, microdistilleries, microwineries.

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

38
39 **(8) Other uses.**

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

41 b. Outdoor storage not among the permitted uses of the district, including
42 outdoor storage of trailered boats and operable recreational vehicles, but no

1 repair, overhaul, or salvage activities. All such storage shall be screened from
2 residential uses and maintained to avoid nuisance conditions.

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

4 d. Structures of permitted uses exceeding the district structure height limit.
5

6 **Section 2. Severability.**

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

10 **Section 3. Inclusion in Code.** It is the intention of the Board of County
11 Commissioners that the provisions of this Ordinance shall be codified as required by
12 F.S. § 125.68 (2016); and that the sections, subsections and other provisions of this
13 Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed
14 to "section," "chapter," or such other appropriate word or phrase in order to accomplish
15 such intentions.

16 **Section 4. Effective Date.**

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

18 **DONE AND ENACTED** this _____ day of _____, 2018.

19
20 **BOARD OF COUNTY COMMISSIONERS**
21 **ESCAMBIA COUNTY, FLORIDA**

22
23 **By:** _____

24 **Jeff Bergosh, Chairman**

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

27
28 **By:** _____

29 **Deputy Clerk**

30 **(SEAL)**

31 **ENACTED:**

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

33 **EFFECTIVE DATE:**
34



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. E.

Meeting Date: 03/06/2018

Issue: A Public Hearing Concerning the Review of Ordinances Regarding Mobile Homes in MDR and HDR Zoning Districts

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of Ordinances Regarding Mobile Homes in MDR and HDR Zoning Districts

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, one of the following Ordinances regarding Mobile Homes in MDR and HDR zoning districts:

A. To establish criteria under which a mobile home may be authorized as a Conditional Use within MDR and HDR zoning districts;

OR

B. To include language to allow mobile homes as permitted uses within the MDR and HDR zoning districts;

OR

C. To establish a Special-Use rezoning process, including criteria for the review and process of an application, to allow for the placing of a mobile home in MDR and HDR zoning district.

BACKGROUND:

On February 1, 2018, the BCC made a motion to remand a rezoning case to the Planning Board and provided further guidance, for the Planning Board, to consider three options for mobile homes in MDR and HDR zoning districts.

BUDGETARY IMPACT:

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

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinances 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 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

02/01/18 BCC Minutes

Draft Ordinance - Option 1

Draft Ordinance - Option 2

Draft Ordinance - Option 3

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Horace Jones, Director,
Development Services Department

I. PUBLIC HEARINGS

1. Rezoning Cases 

Motion made by Commissioner May, seconded by Commissioner Barry, and carried unanimously, approving to remand Rezoning Case Z-2017-17 to the Planning Board for the following reasons:

A. This application was filed prior to the adoption of the new zoning criteria and should go back to the Planning Board for review under the new criteria:

- (1) Unlike the old criteria, the new criteria address the allowance of spot zoning if it will result in orderly development; and
- (2) This would create a spot-zoned parcel; however, there are existing mobile homes in the area; and

B. The Planning Board should address the use mobile homes within the Land Development Code, as follows:

- (1) Planning Board may add mobile homes to zoning districts that currently allow for single-family residences (this is currently MDR);
- (2) Planning Board may create a process for conditional rezoning based on use; the zoning would revert if the approved use is discontinued; and
- (3) Planning Board may add the use of a mobile home as a conditional use in residential districts for the BOA [Board of Adjustment] to determine.

Speaker(s):

Larry Downs, Jr.

(Continued on Page 30)

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Ordinance- MH Conditional Uses - Option One

Date: 2/7/18

Date requested back by: 2/13/18- for 3/6/18 PB

Requested by: Allyson Cain

Phone Number: _____



(LEGAL USE ONLY)

Legal Review by CM Crumbord

Date Received: 2/27/18

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

option 1 of 3 - only one should be enacted

1 Residential uses within the MDR district are limited to single-family and two-family
2 dwellings. The district allows non-residential uses that -are compatible with
3 suburban and urban residential neighborhoods.

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

5 **(1) Residential.**

6 a. Manufactured (mobile) homes only within manufactured home parks or
7 subdivisions. No new or expanded manufactured home parks, and new or
8 expanded manufactured home subdivisions only on land zoned V-4 prior to
9 adoption of MDR zoning.

10 b. Single-family dwellings (other than manufactured homes), detached and only
11 one per lot, excluding accessory dwellings. Accessory dwellings only on lots
12 one acre or larger. Attached single-family dwellings and zero lot line
13 subdivisions only on land zoned R-3 or V-4 prior to adoption of MDR zoning.

14 c. Two-family dwellings only on land zoned R-3 or V-4 prior to adoption of MDR
15 zoning, and multi-family dwellings up to four units per dwelling (quadruplex)
16 only on land zoned V-4 prior to MDR zoning.

17 See also conditional uses in this district.

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

19 **(3) Retail services.** No retail services. See conditional uses in this district.

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

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

23 a. Marinas, private.

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

25 See also conditional uses in this district.

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

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

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

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

33 **(1) Residential.**

34 a. Accessory dwellings on lots less than one acre.

35 b. Manufactured (mobile) homes shall meet all of the following criteria

36 1. Use must be located on a conforming lot or lot of record.

- 1 2. Minimum parcel size is one acre.
- 2 3. Only one mobile home allowed per parcel.
- 3 4. Parcel may not be subdivided.
- 4 5. Parcel may not be located within a platted subdivision.
- 5 6. Parcel may not be located within the Mid-West Escambia County Sector
- 6 Plan.
- 7 7. Use may not otherwise be prohibited by any overlay district.
- 8 8. Use must compatible with existing uses in the surrounding area and result
- 9 in a logical and orderly development pattern.
- 10 9. Use may not be located in a FEMA designated Special Flood Hazard
- 11 Area.

- 12
- 13 c. Group living, excluding residential facilities providing substance abuse
- 14 treatment, post-incarceration reentry, or similar services.
- 15 d. Home occupations with non-resident employees.
- 16 e. Townhouses not among the permitted uses of the district.

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

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

- 19 a. Clubs, civic and fraternal.
- 20 b. Educational facilities, excluding preschools or kindergartens independent of
- 21 other elementary grades.
- 22 c. Emergency service facilities, including law enforcement, firefighting, and
- 23 medical assistance.
- 24 d. Offices for government agencies or public utilities, small scale (gross floor
- 25 area 6,000 square feet or less per lot).
- 26 e. Places of worship.
- 27 f. Public utility structures exceeding the district structure height limit, excluding
- 28 telecommunications towers.

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

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

33 **(5) Agricultural and related.** Horses or other domesticated equines kept on site, and

34 stables for such animals, only as a private residential accessory with a minimum

35 lot area of two acres and a maximum of one animal per acre.

36 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development

37 Code of Escambia County, Chapter 3, Zoning Regulations, Article 2, Mainland districts,

1 Section 3-2.8, High Density Residential, is hereby amended as follows (words
2 underlined are additions and words ~~stricken~~ are deletions):

3 **(a) Purpose.** The high density residential (HDR) district establishes appropriate areas
4 and land use regulations for residential uses at high densities within urban areas. The
5 primary intent of the district is to provide for residential neighborhood development in
6 an efficient urban pattern of well-connected streets and at greater dwelling unit
7 density and diversity than the medium density residential district. Residential uses
8 within the HDR district include most forms of single-family, two-family and multifamily
9 dwellings. Nonresidential uses within the district are limited to those that are
10 compatible with urban residential neighborhoods.

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

12 **(1) Residential.**

- 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 b. Manufactured (mobile) homes only within existing manufactured home parks
17 or subdivisions. No new or expanded manufactured home parks or
18 subdivisions.
- 19 c. Single-family dwellings (other than manufactured homes), attached or
20 detached, including townhouses and zero lot line subdivisions.
- 21 d. Two-family and multifamily dwellings. See also conditional uses in this district.

22
23 **(2) Retail sales.** No retail sales, except as conditional uses in this district.

24 **(3) Retail services.**

- 25 a. Boarding and rooming houses.
 - 26 b. Child care facilities.
- 27 See also conditional uses in this district.

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

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

- 31 a. Marina, private.
 - 32 b. Parks without permanent restrooms or outdoor event lighting.
- 33 See also conditional uses in this district.

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

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

38 **(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 HDR district:

3 **(1) Residential.**

- 4 a. Dormitories.
- 5 b. Fraternity or sorority houses.
- 6 c. Home occupations with nonresident employees.
- 7 d. Manufactured (mobile)homes shall meet all of the following criteria:
 - 8 1.Use must be located on a conforming lot or lot of record.
 - 9 2.Minimum parcel size is one acre.
 - 10 3.Only one mobile home is allowed per parcel.
 - 11 4.Parcel may not be subdivided.
 - 12 5.Parcel may not be located within a platted subdivision.
 - 13 6.Parcel may not be located within the Mid-West Escambia County Sector
14 Plan.
 - 15 7.Use may not otherwise be prohibited by any overlay district.
 - 16 8.Use must compatible with existing uses in the surrounding area and
17 result in a logical and orderly development pattern.
 - 18 9.Use may not be located in a FEMA designated Special Flood Hazard
19 Area.

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

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

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

- 25 a. Clubs, civic and fraternal.
- 26 b. Educational facilities, excluding preschools or kindergartens
27 independent of other elementary grades.
- 28 c. Emergency service facilities, including law enforcement, firefighting,
29 and medical assistance.
- 30 d. Hospitals.
- 31 e. Offices for government agencies or public utilities, small scale (gross
32 floor area 6,000 square feet or less per lot).
- 33 f. Places of worship.
- 34 g. Public utility structures exceeding the district structure height limit,
35 excluding telecommunications towers.

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

- 37 a. Golf courses, tennis centers, swimming pools and similar active
38 outdoor recreational facilities, including associated country clubs.
 - 39 b. Parks with permanent restrooms or outdoor event lighting.
- 40

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

4 **Section 3. Severability.**

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

8 **Section 4. Inclusion in Code.**

9 It is the intention of the Board of County Commissioners that the provisions of this
10 Ordinance shall be codified as required by F.S. § 125.68 (2017); and that the sections,
11 subsections and other provisions of this Ordinance may be renumbered or re-lettered and
12 the word "ordinance" may be changed to "section," "chapter," or such other appropriate
13 word or phrase in order to accomplish such intentions.

14 **Section 5. Effective Date.**

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

16
17 **DONE AND ENACTED** this _____ day of _____, 2018.

18
19 **BOARD OF COUNTY COMMISSIONERS**
20 **ESCAMBIA COUNTY, FLORIDA**

21
22 **By: _____**
23 **Jeff Bergosh, Chairman**

24
25 **ATTEST: PAM CHILDERS**
26 **Clerk of the Circuit Court**

27
28 **By: _____**
29 **Deputy Clerk**

30 **(SEAL)**

31
32 **ENACTED:**
33 **FILED WITH THE DEPARTMENT OF STATE:**

34 **EFFECTIVE DATE:**

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Ordinance- MH Permitted Uses - Option two

Date: 2/7/18

Date requested back by: 2/13/18- for 3/6/18 PB

Requested by: Allyson Cain

Phone Number: _____



(LEGAL USE ONLY)

Legal Review by CY Crangford

Date Received: 2/27/18

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:
option 2 of 3 - only one should be enacted -

1 dwellings. The district allows non-residential uses that -are compatible with
2 suburban and urban residential neighborhoods.

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

4 **(1) Residential.**

5 a. ~~Manufactured (mobile) homes only within manufactured home parks or~~
6 ~~subdivisions. No new or expanded manufactured home parks, and new or~~
7 ~~expanded manufactured home subdivisions only on land zoned V-4 prior to~~
8 ~~adoption of MDR zoning. Manufactured (mobile) homes complying with all the~~
9 ~~following criteria:~~

10 1. Use must be located on a conforming lot or lot of record.

11 2. Minimum parcel size is one acre.

12 3. Only one mobile home allowed per parcel.

13 4. Parcel may not be subdivided.

14 5. Parcel may not be located within a platted subdivision.

15 6. Parcel may not be located within the Mid-West Escambia County
16 Sector Plan.

17 7. Use may not otherwise be prohibited by any overlay district.

18 8. Use may not be located in a FEMA designated Special Flood Hazard
19 Area.

20
21 b. Single-family dwellings (other than manufactured homes), detached and only
22 one per lot, excluding accessory dwellings. Accessory dwellings only on lots
23 one acre or larger. Attached single-family dwellings and zero lot line
24 subdivisions only on land zoned R-3 or V-4 prior to adoption of MDR zoning.

25 c. Two-family dwellings only on land zoned R-3 or V-4 prior to adoption of MDR
26 zoning, and multi-family dwellings up to four units per dwelling (quadruplex)
27 only on land zoned V-4 prior to MDR zoning.

28 See also conditional uses in this district.

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

30 **(3) Retail services.** No retail services. See conditional uses in this district.

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

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

34 a. Marinas, private.

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

36 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
- 7 **(d) Site and building requirements.** The following site and building requirements
8 apply to uses within the MDR district:
- 9 **(1) Density.** A maximum density of 10 dwelling units per acre regardless of the
10 future land use category.
- 11 **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the MU-S future land
12 use category and 2.0 within MU-U.
- 13 **(3) Structure height.** A maximum structure height of 45 feet. See height definition.
- 14 **(4) Lot area.** No minimum lot area unless prescribed by use.
- 15 **(5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of
16 20 feet at the street right-of-way, the following minimum lot widths are required:
- 17 a. **Single-family detached.** Fifty feet at the street right-of-way for single-family
18 detached dwellings.
- 19 b. **Two-family.** Eighty feet at the street right-of-way or two-family dwellings.
- 20 c. **Multi-family and other.** Eighty feet at the street right-of-way for townhouse
21 groups and boarding or rooming houses. No minimum lot width required by
22 zoning for other uses.
- 23 **(6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent
24 maximum semi-impervious and impervious cover) for all uses.
- 25 **(7) Structure setbacks.** For all principal structures, minimum setbacks are:
- 26 a. **Front and rear.** Twenty feet in the front and rear. Manufactured (mobile)
27 homes must have forty feet in the front.
- 28 b. **Sides.** Ten feet on each side of a group of attached townhouses. On each
29 side of all other structures, five feet or 10 percent of the lot width at the street
30 right-of-way, whichever is greater, but not required to exceed 15 feet.
- 31 c. **Corner lots.** Will have one front setback and one side setback.
- 32 **(8) Other requirements.**
- 33 a. **Stables.** Stables shall be at least 50 feet from any property line and at least
34 130 feet from any residential dwelling on the property of another landowner.
- 35 b. **Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development
36 regulations and standards.

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 Section 3-2.8, High Density Residential, is hereby amended as follows (words
4 underlined are additions and words ~~stricken~~ are deletions):

5
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 multifamily dwellings. Nonresidential 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 b. ~~Manufactured (mobile) homes only within existing manufactured home parks~~
20 ~~or subdivisions. No new or expanded manufactured home parks or~~
21 ~~subdivisions. Manufactured (mobile) homes shall meet all of the following~~
22 ~~criteria~~

23 1. Use must be located on a conforming lot or lot of record.

24 2. Minimum parcel size is one acre.

25 3. Only one mobile home allowed per parcel.

26 4. Parcel may not be subdivided.

27 5. Parcel may not be located within a platted subdivision.

28 6. Parcel may not be located within the Mid-West Escambia County
29 Sector Plan.

30 7. Use may not otherwise be prohibited by any overlay district.

31 8. Use may not be located in a FEMA designated Special Flood Hazard
32 Area.

34 c. Single-family dwellings (other than manufactured homes), attached or
35 detached, including townhouses and zero lot line subdivisions.

36 d. Two-family and multi-family dwellings.

37 See also conditional uses in this district.

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

2 **(3) Retail services.**

3 a. Boarding and rooming houses.

4 b. Child care facilities.

5 See also conditional uses in this district.

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

7 See also conditional uses in this district.

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

9 a. Marina, private.

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

11 See also conditional uses in this district.

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

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

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

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

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

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

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

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

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

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

29 b. **Two-family.** Eighty feet at the street right-of-way for two-family dwellings.

30 c. **Multi-family and other.** Eighty feet at the street right-of-way for multi-family
31 dwellings, boarding or rooming houses, and townhouse groups. No minimum
32 lot width required by zoning for other uses.

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

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

2 a. **Front and rear.** Twenty feet in the front and 15 feet in the rear. Manufactured
3 (mobile) homes must have forty feet in the front.

4 b. **Sides.** Ten feet on each side of a group of attached townhouses. On each
5 side of all other structures, 10 feet or 10 percent of the lot width at the street
6 right-of-way, whichever is less, but at least five feet. For structures exceeding
7 35 feet above highest adjacent grade, an additional two feet for each
8 additional 10 feet in height, but not required to exceed 15 feet.

9 c. **Corner lots.** Will have one front setback and one side setback.

10 **Section 4. Severability.**

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, then said holding shall in no way
13 affect the validity of the remaining portions of this Ordinance.

14 **Section 5. Inclusion in Code.**

15 It is the intention of the Board of County Commissioners that the provisions of this
16 Ordinance shall be codified as required by F.S. § 125.68 (2017); and that the sections,
17 subsections and other provisions of this Ordinance may be renumbered or re-lettered and
18 the word "ordinance" may be changed to "section," "chapter," or such other appropriate
19 word or phrase in order to accomplish such intentions.

20
21 **Section 6. Effective Date.**

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

23
24 **DONE AND ENACTED** this _____ day of _____, 2018.

25
26 **BOARD OF COUNTY COMMISSIONERS**
27 **ESCAMBIA COUNTY, FLORIDA**

28
29 **By:** _____

30 **Jeff Bergosh, Chairman**

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

33
34 **By:** _____

1
2
3
4
5
6

Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:

DRAFT

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Ordinance- MH Special Uses - ~~Ordinance 1850~~ *special uses - OK mdc - option three*

Date: 2/7/18

Date requested back by: 2/13/18- for 3/6/18 PB

Requested by: Allyson Cain

Phone Number: _____

.....
(LEGAL USE ONLY)

Legal Review by CY Crawford

Date Received: 2/27/18

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:
option 3 of 3- only one should be enacted

1
2 **ORDINANCE NUMBER 2018 - _____**
3

4 **AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING**
5 **PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE**
6 **LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS**
7 **AMENDED; AMENDING CHAPTER 2, DEVELOPMENT AND**
8 **COMPLIANCE REVIEW, ARTICLE 7, LDC AND COMPREHENSIVE**
9 **PLAN AMENDMENT, SECTION 2-7.2 LDC ZONING MAP AND TEXT**
10 **AMENDMENTS; ESTABLISHING SPECIAL-USE REZONING FOR THE**
11 **PLACEMENT OF A MOBILE HOME FOR USE AS A SINGLE FAMILY**
12 **DWELLING IN ZONING DISTRICTS MEDIUM DENSITY RESIDENTIAL**
13 **DISTRICT (MDR) AND HIGH DENSITY RESIDENTIAL DISTRICT (HDR);**
14 **TO ESTABLISH CRITERIA FOR SPECIAL USE REZONING FOR**
15 **MOBILE HOMES; PROVIDING FOR SEVERABILITY; PROVIDING FOR**
16 **INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE**
17 **DATE.**

18
19 **WHEREAS**, the Legislature of the State of Florida has, in Chapter the
20 Legislature of the State of Florida has, in Chapter 125, Florida Statutes, conferred upon
21 local governments the authority to adopt regulations designed to promote the public
22 health, safety, and general welfare of its citizenry; and
23

24 **WHEREAS**, the Escambia County Board of County Commissioners further finds
25 that including the Special-Use Rezoning for mobile homes in specific residential districts
26 promotes the efficient regulation of land use; and
27

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

30 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land
31 Development Code of Escambia County, Chapter 2, Development and Compliance
32 Review, Article 7, LDC and Comprehensive Plan Amendments, Section 2-7.2 LDC
33 zoning map and text amendments is hereby amended as follows (words underlined are
34 additions and words ~~stricken~~ are deletions):

35 **Article 7 LDC and Comprehensive Plan Amendment**
36

37 **Sec. 2-7.1 Purpose of article.**
38

39 This article establishes the review necessary to consider and authorize both map and
40 text amendments to the Land Development Code (LDC) and Comprehensive Plan.
41 These LDC and Comprehensive Plan amendment reviews are defined by the general
42 provisions of Article 1 and the specific provisions of this article. The reviews are

1 predominantly discretionary and provide opportunities to modify county land
2 development goals, objectives, policies, and regulations within the limits prescribed by
3 Florida Statutes. More specifically, this article includes review for amendment of the
4 LDC zoning map (rezoning and special-use rezoning), the Comprehensive Plan future
5 land use map (FLUM), and text amendments to the provisions of both the LDC and
6 Comprehensive Plan.

7
8 **Sec. 2-7.2 LDC zoning map and text amendments.**
9

10 **(a) General.** All provisions of the LDC are established, modified, or repealed by
11 ordinance of the Board of County Commissioners (BCC). Zoning map and text
12 amendments may be proposed by the county or others according to the ordinance
13 enactment procedures prescribed by Florida Statutes and the provisions of this
14 section. Since any LDC amendment is a change to implementing the land use
15 regulations of the county and can modify the requirements for subsequent
16 authorizations of land uses and development activities, significant opportunities for
17 public participation are provided. These map and text amendment processes are
18 established for the county to authorize appropriate changes to its land development
19 regulations.

20 **(b) Zoning map amendment (rezoning) and (special-use rezoning)** County-initiated
21 comprehensive changes to the zoning map that set policy require enactment through
22 the legislative procedures of the BCC. In compliance with the following process, an
23 owner-initiated zoning map amendment (rezoning or a special-use rezoning) that
24 affects a limited number of identifiable parties and interests is evaluated first through
25 quasi-judicial public hearings by the Planning Board, or the Santa Rosa Island
26 Authority (SRIA) for property on Pensacola Beach, and then by the BCC:
27

28 **(1) Application.** Application for a rezoning or a special-use rezoning through the
29 quasi-judicial process shall be submitted to the clerk of the reviewing board within
30 the time required by the adopted rezoning procedures of the board prior to the
31 scheduled board meeting at which the applicant requests to be heard. The
32 application shall provide the information required by the rezoning procedures. A pre-
33 application meeting of the applicant with the staff for the reviewing board is
34 recommended to discuss the process and to review county, board, and applicant
35 responsibilities.

36
37 **(2) Public participation.** Hearings to consider a rezoning application shall be open
38 to the public. Prior to any such hearing, the clerk of the reviewing board shall provide
39 reasonable notice to the public as required by Florida Statutes and the
40 Comprehensive Plan. Public notification shall include the following, each identifying
41 the purpose, subject, reviewing authorities, case number, dates, times and locations
42 of the hearings; the current and proposed zoning; and county contacts for additional
43 information:

1
2 **a. Publication.** At least ten days prior to the hearing, notice shall be published in
3 a newspaper of general circulation in Escambia County.

4 **b. Site sign.** At least 15 days prior to the hearing, a sign no smaller than 24
5 inches by 48 inches shall be prominently posted on, or as near as practicable to,
6 the subject property and shall be clearly readable from the nearest public right-of-
7 way.

8 **c. Notification.** At least 15 days prior to the hearing, notification shall be sent via
9 U.S. mail to the address registered with the property appraiser for each owner of
10 real property with any portion of the property located south of Nine Mile Rd within
11 500 feet of the subject property. For property located north of Nine Mile Rd,
12 notification will be sent to properties within 2500 feet of the subject property. The
13 cost of the mailing is to be borne by the applicant.

14
15 **(3) Compliance review.** A quasi-judicial public hearing shall be conducted by the
16 appropriate reviewing board to consider a requested rezoning according to the
17 provisions of this article. At the conclusion of the hearing, based on the record
18 evidence, the reviewing board shall submit a recommendation to the BCC for
19 rezoning approval, denial, or if appropriate and acceptable to the applicant, approval
20 of a district with less intensive uses than the requested zoning.

21
22 **(4) Approval conditions.** ~~The applicant has the burden of presenting competent
23 substantial evidence to the reviewing board establishing that the requested zoning
24 district would contribute to or result in a logical and orderly development pattern. The
25 appropriate surrounding area within which uses and conditions must be considered
26 may vary with those uses and conditions and is not necessarily the same area
27 required for mailed notification. A logical and orderly pattern shall require
28 demonstration of each of the following conditions:~~

29 **a. Rezoning.** The applicant has the burden of presenting competent substantial
30 evidence to the reviewing board establishing that the requested zoning district
31 would contribute to or result in a logical and orderly development pattern. The
32 appropriate surrounding area within which uses and conditions must be
33 considered may vary with those uses and conditions and is not necessarily the
34 same area required for mailed notification. A logical and orderly pattern shall
35 require demonstration of each of the following conditions:

36 **a. 1. Consistent with Comprehensive Plan.** The proposed zoning is
37 consistent with the future land use (FLU) category as prescribed in LDC
38 Chapter 3, and with all other applicable goals, objectives, and policies of the
39 Comprehensive Plan. If the rezoning is required to properly enact a proposed
40 FLU map amendment transmitted for state agency review, the proposed
41 zoning is consistent with the proposed FLU and conditional to its adoption.

1 **b. 2. Consistent with zoning district provisions.** The proposed zoning is
2 consistent with the purpose and intent and with any other zoning
3 establishment provisions prescribed by the proposed district in Chapter 3.

4 **c. 3. Compatible with surroundings.** All of the permitted uses of the
5 proposed zoning, not just those anticipated by the rezoning applicant, are
6 compatible, as defined in Chapter 6, with the surrounding uses. The uses of
7 any surrounding undeveloped land shall be considered the permitted uses of
8 the applicable district. Compatibility is not considered with potential conditional
9 uses or with any nonconforming or unapproved uses. Also, in establishing the
10 compatibility of a residential use, there is no additional burden to demonstrate
11 the compatibility of specific residents or activities protected by fair housing law.

12 **d. 4. Appropriate if spot zoning.** Where the proposed zoning would establish
13 or reinforce a condition of spot zoning as defined in Chapter 6, the isolated
14 district would nevertheless be transitional in character between the adjoining
15 districts, or the differences with those districts would be minor or sufficiently
16 limited. The extent of these mitigating characteristics or conditions
17 demonstrates an appropriate site specific balancing of interests between the
18 isolated district and adjoining lands.

19 **e. 5. Appropriate with changed or changing conditions.** If the land uses or
20 development conditions within the area surrounding the property of the
21 proposed rezoning have changed or are changing, the changes are to such a
22 degree and character that it is in the public interest to allow new uses, density,
23 or intensity in the area through rezoning; and, the permitted uses of the
24 proposed district are appropriate and not premature for the area or likely to
25 create or contribute to sprawl.

26
27 **b. Special-Use rezoning criteria for use of mobile homes:**

28 1. Notwithstanding the rezoning criteria enumerated above, a request for a
29 special-use rezoning may be permitted in zoning districts Medium Density
30 Residential district (MDR) and High Density Residential district (HDR) for the
31 use and placement of a mobile home as a single-family dwelling. The
32 applicant has the burden of presenting competent substantial evidence to the
33 reviewing board establishing that the site, use and proposed structure would
34 meet the following criteria:

35 a. Must be on a conforming lot or lot of record.

36 b. Minimum lot size of one acre.

37 c. Front setback must be a minimum of 40 feet.

38 d. Only one mobile home allowed per lot.

39 e. Lot may not be subdivided.

40 f. Lot may not be located within a platted subdivision.

41 g. Use may not otherwise be prohibited by any overlay district.

42 h. The use of a mobile home is compatible with the surrounding area.

1 i. Structure may not be located in a FEMA designated Special Flood
2 Hazard Area.

3 j. No other permitted or conditional use contained within the special use
4 zoning, except for use of a mobile home as a single-family residence shall
5 be allowed.

6 k. Upon notice to the County and confirmation that the property is no
7 longer being used for placement of a mobile home as a single-family
8 residence, the property owner or agent may request reversion to the prior
9 zoning category pursuant the rezoning criteria contained herein.

10
11 **(5) Board Action.** If the reviewing board finds from the record of the hearing that the
12 applicant has presented competent substantial evidence establishing the required
13 conditions, the board shall then consider whether maintaining the current zoning will
14 serve a greater public interest. The board shall recommend approval of the rezoning
15 request to the BCC if the board finds that no new uses, density, or intensity of use of
16 the proposed zoning will likely diminish quality of life, reduce property values, confer
17 a special benefit on the subject property to the detriment of the community as a
18 whole or create other adverse impacts upon surrounding properties, more than the
19 uses, density, or intensity of the current zoning. unless the board determines that
20 maintaining the current zoning.

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

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

34 (Ord. No. 2015-35, § 1, 9-3-2015; Ord. No. 2017-15 § 3, 3-16-2017; Ord. No. 2017-61, § 1, 10-05-
35 2017)

36
37 **(c) LDC Text amendment provisions.**

38 Changes to the text of the LDC set policy and are legislative in nature. The
39 requirements to approve a text amendment are established for the Planning Board
40 to make recommendations to the BCC regarding whether requested changes to LDC
41 text are necessary and appropriate and for the BCC to consider and act on those
42 recommendations. The text amendment process does not amend the content of

1 zoning district maps, technical standards, and other maps or documents adopted by
2 reference within the LDC.

3
4 **(1) Application.** Where a text amendment is requested by petition to the Planning
5 Board, application shall be submitted for compliance review to the clerk of the
6 Planning Board at least 30 business days prior to the scheduled board meeting.
7 A pre-application meeting of the petitioner with staff for the board is
8 recommended to discuss the process and review county and petitioner
9 responsibilities.

10 **(2) Public participation.** Prior to any meeting to consider a text amendment, the
11 clerk of the Planning Board shall ensure public notice consistent with Florida
12 Statutes and the Comprehensive Plan. At least ten days prior to the hearing,
13 notice shall be published in a newspaper of general circulation in Escambia
14 County.

15 **(3) Compliance review.** The Planning Board shall consider a requested text
16 amendment during the noticed meeting of the board and determine any
17 subsequent action. If the text is to be evaluated as an amending ordinance, the
18 board shall conduct a public hearing. At the conclusion of the hearing the
19 Planning Board shall adopt a recommendation to the BCC for adoption, adoption
20 with modification, or rejection of the amendment.

21 **a. Planning Official's evaluation.** For any amending ordinance, or as may be
22 requested by the Planning Board for any other text amendment proposal, the
23 Planning Official shall review and evaluate the proposal according to the required
24 amendment conditions. The evaluation shall be provided to the Planning Board
25 for consideration with the proposed text amendment.

26 **b. Recommendation to BCC.** For any amending ordinance, the clerk of the
27 Planning Board shall forward the board's recommendation to the BCC for
28 consideration in a public hearing at the next available scheduled meeting of the
29 BCC. The clerk of the Planning Board shall ensure public notice of the BCC
30 hearing consistent with Florida Statutes and the notice required for hearings of
31 the Planning Board.

32 **(4) Final determination.** The BCC shall consider the amending ordinance at a
33 public hearing as noticed and adopt, modify, or reject the recommendation of the
34 Planning Board. At its discretion, the BCC may return the amending ordinance to
35 the board with instructions for modifications. If the amending ordinance is
36 returned for modifications, the Planning Board shall hold another public hearing
37 for the purpose of considering any revisions. The hearing shall be at a scheduled
38 meeting of the Planning Board, with public notice the same as that provided for
39 the initial hearing. Within the time requested by the BCC, the Planning Board
40 shall resubmit the amending ordinance with any revisions it may propose for
41 BCC consideration. The clerk of the Planning Board shall again ensure proper
42 public notice of the hearing at the next available scheduled meeting of the BCC.
43 In the hearing, the BCC shall again consider the amending ordinance for
44 adoption, modification, or rejection.

1 **(d) Consistency with Comprehensive Plan.** A challenge by a substantially affected
2 person of any LDC regulation on the basis that it is inconsistent with the
3 Comprehensive Plan shall be made according to the administrative review
4 provisions of Florida Statutes.

5 Ord. No. 2015-18, § 2, 6-25-15; Ord. No. 2017-15 § 2, 3-16-2017)

6 **Section 2. Severability.**

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

10 **Section 3. Inclusion in Code.**

11 It is the intention of the Board of County Commissioners that the provisions of this
12 Ordinance shall be codified as required by F.S. § 125.68 (2017); and that the sections,
13 subsections and other provisions of this Ordinance may be renumbered or re-lettered
14 and the word "ordinance" may be changed to "section," "chapter," or such other
15 appropriate word or phrase in order to accomplish such intentions.

16 **Section 4. Effective Date.**

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

18 **DONE AND ENACTED** this _____ day of _____, 2018.

19 **BOARD OF COUNTY**
20 **COMMISSIONERS**
21 **ESCAMBIA COUNTY, FLORIDA**

22
23 **By:** _____

24 **Jeff Bergosh, Chairman**

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

27 **By:** _____

28 **Deputy Clerk**

29 **(SEAL)**

30 **ENACTED:**

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

32 **EFFECTIVE DATE:**



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. F.

Meeting Date: 03/06/2018

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

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

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

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 5, to repeal and replace development standards and revise related provisions regulating outdoor signs.

BACKGROUND:

There are deficiencies in the LDC's outdoor sign regulations that were not corrected as part of the large-scale LDC revisions adopted April 16, 2015. They remained unchanged largely because the adoption schedule did not allow adequate involvement of all interested and affected parties. Later in 2015, the findings of the U.S. Supreme Court in *Reed vs. Town of Gilbert, Arizona* confirmed that the County's sign regulations were not sufficiently content neutral. Replacement of the current sign standards and related provisions is necessary to provide the required neutrality and to remedy deficiencies, especially in response to the increased legal scrutiny of all sign regulations.

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 recommendations or legal sufficiency comments made in that review are also 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 staff and interested citizens.

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

Draft Exhibit A

Draft Exhibit A - With Annotation

ORDINANCE NUMBER 2018-_____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING CHAPTER 3, ZONING REGULATIONS, ARTICLE 3, OVERLAY DISTRICTS, TO REMOVE INDIVIDUAL TENANT WALL SIGN AREA LIMITS; AMENDING CHAPTER 4, LOCATION AND USE REGULATIONS, ARTICLE 7, SUPPLEMENTAL USE REGULATIONS, TO REMOVE A CONTENT-BASED SIGN REFERENCE; REPEALING AND REPLACING CHAPTER 5, GENERAL DEVELOPMENT STANDARDS, ARTICLE 8, SIGNS, IN ITS ENTIRETY, ADOPTING A NEW ARTICLE 8, OUTDOOR SIGNS; AND AMENDING CHAPTER 6, DEFINITIONS, TO REPEAL AND MODIFY TERMS AND DEFINITIONS RELATED TO OUTDOOR SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Escambia County Board of County Commissioners recognizes the value of outdoor signs in promoting commerce, identifying places, and directing and informing the public when those signs are established in compliance with regulations that protect the public and enhance the county as a place to live and work; and

WHEREAS, the Escambia County Board of County Commissioners recognizes the need to establish a set of standards for the fabrication, erection, use, maintenance and alteration of outdoor signs within the County; and

WHEREAS, these standards are designed to protect and promote the health, safety, and welfare of persons within the County by providing regulations which allow creativity, effectiveness, and flexibility in the design and use of signs while promoting traffic safety and avoiding visual blight; and

WHEREAS, the provisions of a sign code that impose more stringent restrictions on signs conveying certain messages than on signs conveying other messages based on the message are content-based regulations of speech that cannot survive strict legal scrutiny; and

WHEREAS, it is not the purpose of this ordinance to regulate or control the message or the content of signs, or to afford greater protection to either commercial or noncommercial speech; and

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 3, Zoning Regulations, Article 3,
9 Overlay Districts, is hereby amended as follows (words underlined are additions and
10 words ~~stricken~~ are deletions):

11 **Sec. 3-3.3 Barrancas Overlay (Barr-OL).**

12 **(f) Site and building requirements.** Site and building requirements vary by location
13 within the Barr-OL district.

14 **(4) Within WMU area.** The following requirements apply within the waterfront
15 mixed-use (WMU) area:

16 **a. Structure height.** A maximum structure height of 100 feet above highest
17 adjacent grade.

18 **b. Structure setbacks.** For all principal structures, minimum setbacks of ten
19 feet on each side, including any group of attached townhouses. For
20 structures exceeding 35 feet above highest adjacent grade, an additional two
21 feet for each additional 10 feet in height.

22 Front porches, stoops, and balconies that extend beyond the primary building
23 plane may encroach to within five feet of the property line. Steps leading to a
24 front porch or stoop may encroach further, but not beyond the property line or
25 onto public sidewalks.

26 Front and side setback lines should be consistent with adjacent structures.

27 Where setback lines are not clearly established, buildings shall be built to
28 within 10 feet of property lines.

29 **c. Building orientation.** Buildings shall be oriented so that the principal facade
30 is parallel or nearly parallel to the streets they face. On corner sites, buildings
31 shall occupy the corner.

32 **d. Entry.** Walkways separate from driveways shall lead to front doors where
33 practical.

34 **e. Parking.** Parking and other non-habitable areas may comprise the first two
35 floors of a mixed-use structure. Off-street parking areas shall be connected
36 by walkways to the buildings they serve and comply with the following:

37 **1. Residential.** Parking for residential uses shall be located in the rear yard
38 or within a garage. Any front facing attached garage shall be set back at

1 least 10 feet from the primary front facade and not exceed 25 percent of
2 that façade if the lot width is greater than 40 feet.

3 **2. Parking structures.** Access to parking structures shall be limited to the
4 side or rear of the structures and their street facades shall be concealed
5 by liner buildings or be screened so as to provide the appearance of being
6 an occupied use; i.e., with articulated building fronts, windows, etc.

7 **f. Screening.** All service and loading areas and outdoor storage shall be
8 entirely screened from off-site view by opaque fencing consisting of chain link
9 fence with slats or privacy fence of wood, PVC, or vinyl, or by concrete or
10 stucco walls.

11 **g. Signs.** Site signage is limited to one freestanding monument sign per
12 development parcel, scaled primarily for pedestrians, and not to exceed 100
13 square feet in area and 12 feet in height, except for multi-tenant development
14 where the sign may be up to 300 square feet. Sign colors, materials, and
15 lighting shall avoid adverse visual impacts on surrounding properties. Wall
16 signs shall not obstruct design details, windows, or cornices of the buildings
17 to which they are attached. ~~For individual tenants in a multi-tenant~~
18 ~~development, wall signs shall not exceed 20 square feet per sign.~~

19 **h. Resource protection.**

20 **1. Natural features.** Natural features shall be protected and integrated into
21 site design and development where possible.

22 **2. Shorelines.** Natural vegetated shoreline erosion control solutions shall be
23 implemented where there is a high likelihood of success and
24 effectiveness. County evaluation of shoreline protection shall consider
25 bathymetry, wave climate, sediment quality, and adjacent and surrounding
26 shorelines.

27 **3. Septic tanks.** If septic tanks are permitted they shall be located at least
28 100 feet from the mean high water line (MHWL) of the bayou.

29 **i. Dock materials.** All docks, bulkheads, and seawalls constructed of treated
30 wood products should use products registered for marine use by the U.S.
31 Environmental Protection Agency or the Florida Department of Agriculture
32 and Consumer Services. Other recommended materials include concrete,
33 coated steel, recycled plastic, PVC, vinyl, and fiberglass.

34 **Sec. 3-3.4 Brownsville Overlay (Brn-OL).**

35 **(e) Site and building requirements.** The following site and building requirements
36 apply only to non-residential uses within the Brn-OL district:

37 **(1) Structure height.** No structure height shall exceed 45 feet above highest
38 adjacent grade. Any lower height required by use or underlying zoning district
39 shall govern.

1 **(2) Materials and detailing.** New structures, additions, and renovations shall use
2 materials and detailing that maintain the distinct character and harmony of the
3 redevelopment district. Vinyl or metal siding is prohibited on the primary facades
4 of buildings adjacent to public rights-of-way. Accessory structures shall use the
5 same or similar materials, color, and style of the primary structure's façade if
6 visible from a public way.

7 **(3) Setbacks.** New construction along Mobile Highway or Cervantes Street shall be
8 set back a distance similar to that of adjacent buildings unless customer parking
9 is provided adjacent to the street in support of CPTED principles. Exceptions
10 may be granted if the setback is pedestrian oriented and contributes to the
11 quality and character of the streetscape.

12 **(4) Facades.**

13 **a. Front facades.** Front building facades more than 80 feet in width shall be
14 divided into increments by changes in materials, bay windows, wall offsets, or
15 similar methods.

16 **b. Rear façade.** A minimum of 15 feet of a building's rear façade facing a public
17 right of way, parking area, or open space shall consist of transparent
18 materials, not including reflective glass.

19 **(5) Natural features.** Natural features shall be protected and integrated into site
20 design and development where possible.

21 **(6) Signs.** Site signage is limited to one freestanding monument sign per
22 development parcel, scaled primarily for pedestrians, and not to exceed 100
23 square feet in area and 12 feet in height, except for multi-tenant development
24 where the sign may be up to 300 square feet. Sign colors, materials, and lighting
25 shall avoid adverse visual impacts on surrounding properties. Wall signs shall
26 not obstruct design details, windows, or cornices of the buildings to which they
27 are attached. ~~For individual tenants in a multi-tenant development, wall signs~~
28 ~~shall not exceed 20 square feet per sign.~~

29 **(7) Lighting.** Lighting should serve to illuminate facades, entrances, and signage to
30 provide an adequate level of personal safety while enhancing the aesthetic
31 appeal of the buildings. Building and signage lighting must be indirect, with the
32 light source hidden from direct pedestrian and motorist view.

33 **(8) Parking.** Off-street parking shall be located in the rear. If the lot orientation
34 cannot accommodate adequate rear parking, parking may be located on the side.

35 **(9) Buffers and screening of outdoor storage.** All outside storage shall be
36 screened from public view. The screening shall use the same materials, color,
37 and style as the primary building for architectural compatibility with the primary
38 building. If the outside storage area is separate from the building it serves the
39 following shall apply:

40 **a. Type.** Only fences constructed of legitimate fencing materials (may or may
41 not be opaque) or masonry, concrete or stucco walls may supplement buffers.

1 Specifically, garage doors and sheets of roofing material do not qualify for
2 fencing or wall materials.

- 3 **b. Screening of outdoor storage.** Opaque fencing shall mean chain link fence
4 with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot
5 concrete or stucco wall may also be used to screen outdoor storage.

6 **Sec. 3-3.5 Englewood Overlay (Eng-OL).**

7 **(e) Non-residential site and building requirements.** The following non-residential
8 site and building requirements apply within the Eng-OL district.

9 **(1) Structure height.** New or redeveloped buildings, or building additions, shall
10 complement the existing pattern of building heights. No structure shall exceed
11 45 feet in height and any lower height required by the underlying zoning district
12 shall govern.

13 **(2) Materials and detailing.** New structures, additions and renovations shall be
14 constructed to be long-lasting and use materials and detailing that maintain the
15 distinct character and harmony of the Englewood Community Redevelopment
16 District. Vinyl or metal siding is prohibited on the primary facades of buildings
17 adjacent to public rights-of-way. All accessory structures shall use the same
18 materials, color, and/or style of the primary façade if visible from a public way.

19 **(3) Setbacks.** New construction shall be set back a distance similar to that of
20 adjacent buildings unless customer parking is provided adjacent to the street in
21 support of CPTED principles. Exceptions may be granted if the setback is
22 pedestrian oriented and contributes to the quality and character of the
23 streetscape.

24 **(4) Facades.**

25 **a. Front facades.** A front building facade more than 80 feet in width shall be
26 divided into increments by changes in materials, bay windows, wall offsets, or
27 similar methods.

28 **b. Rear façades.** A minimum of 15 feet of a building's rear façade facing a
29 public right of way, parking area, or open space shall consist of transparent
30 materials, not including reflective glass.

31 **(5) Natural features.** Natural features shall be protected and integrated into site
32 design and development where possible. The applicant shall demonstrate how
33 the development protects and incorporates existing vegetation.

34 **(6) Landscaping.** Water conservation is encouraged through proper landscape
35 plant selection, installation and maintenance practices. Native plant species are
36 required. All non-residential development applications shall include a landscape
37 plan as part of compliance review. The plan shall include the areas of natural
38 vegetation to be protected, location and species of all plants to be installed, and
39 an irrigation plan

1 (7) **Signs.** Site signage is limited to one freestanding monument sign per
2 development parcel, scaled primarily for pedestrians, and not to exceed 100
3 square feet in area and 12 feet in height, except for multi-tenant development
4 where the sign may be up to 300 square feet. Sign colors, materials, and lighting
5 shall avoid adverse visual impacts on surrounding properties. Wall signs shall
6 not obstruct design details, windows, or cornices of the buildings to which they
7 are attached. ~~For individual tenants in a multi-tenant development, wall signs~~
8 ~~shall not exceed 20 square feet per sign.~~

9 (8) **Lighting.** Lighting in the overlay district should serve to illuminate facades,
10 entrances and signage to provide an adequate level of personal safety while
11 enhancing the aesthetic appeal of the buildings. Building and signage lighting
12 must be indirect, with the light source hidden from direct pedestrian and motorist
13 view.

14 (9) **Parking.** Parking in the overlay district must adequately serve the users without
15 detracting from the compact design that makes it a successful commercial
16 center. Off-street parking must be located in the rear. If the lot orientation
17 cannot accommodate adequate rear parking, parking on the side may be
18 permitted.

19 (10) **Buffers and screening of outdoor storage.** All outside storage must be
20 screened from public view. The screening must use the same materials, color,
21 and/or style as the primary building for architectural compatibility with the primary
22 building and the building it is adjacent to. If the outside storage area is separate
23 from the building it serves the following shall apply:

24 a. **Type.** Only fences constructed of legitimate fencing materials (may or may
25 not be opaque) or masonry, concrete or stucco walls may supplement buffers.
26 Specifically, garage doors and sheets of roofing material do not qualify for
27 fencing or wall materials.

28 b. **Screening of outdoor storage.** Opaque fencing shall mean chain link fence
29 with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot
30 concrete or stucco wall may also be used to screen outdoor storage.

31 **Sec. 3-3.6 Palafox Overlay (Pfox-OL).**

32 (e) **Non-residential site and building requirements.** The following non-residential
33 site and building requirements apply within the Pfox-OL district

34 (1) **Structure height.** New or redeveloped buildings, or building additions, shall
35 complement the existing pattern of building heights. No structure shall exceed
36 45 feet in height and any lower height required by the underlying zoning district
37 shall govern.

38 (2) **Materials and detailing.** New structures, additions and renovations shall be
39 constructed to be long-lasting and use materials and detailing that maintain the
40 distinct character and harmony of the Palafox Community Redevelopment
41 District. Vinyl or metal siding is prohibited on the primary facades of buildings

1 adjacent to public rights-of-way. All accessory structures shall use the same
2 materials, color, and/or style of the primary façade if visible from a public way.

3 **(3) Setbacks.** New construction shall be set back a distance similar to that of
4 adjacent buildings unless customer parking is provided adjacent to the street in
5 support of CPTED principles. Exceptions may be granted if the setback is
6 pedestrian oriented and contributes to the quality and character of the
7 streetscape.

8 **(4) Facades.**

9 **a. Front facades.** A front building facade more than 80 feet in width shall be
10 divided into increments by changes in materials, bay windows, wall offsets, or
11 similar methods.

12 **b. Rear façade.** A minimum of 15 feet of a building's rear façade facing a public
13 right of way, parking area, or open space shall consist of transparent
14 materials, not including reflective glass.

15 **(5) Natural features.** Natural features shall be protected and integrated into site
16 design and development where possible. The applicant shall demonstrate how
17 the development protects and incorporates existing vegetation.

18 **(6) Landscaping.** Water conservation is encouraged through proper landscape
19 plant selection, installation and maintenance practices. Native plant species are
20 required. All non-residential development applications shall include a landscape
21 plan as part of compliance review. The plan shall include the areas of natural
22 vegetation to be protected, location and species of all plants to be installed, and
23 an irrigation plan.

24 **(7) Signs.** Site signage is limited to one freestanding monument sign per
25 development parcel, scaled primarily for pedestrians, and not to exceed 100
26 square feet in area and 12 feet in height, except for multi-tenant development
27 where the sign may be up to 300 square feet. Sign colors, materials, and lighting
28 shall avoid adverse visual impacts on surrounding properties. Wall signs shall
29 not obstruct design details, windows, or cornices of the buildings to which they
30 are attached. ~~For individual tenants in a multi-tenant development, wall signs~~
31 ~~shall not exceed 20 square feet per sign.~~

32 **(8) Lighting.** Lighting in the overlay district should serve to illuminate facades,
33 entrances and signage to provide an adequate level of personal safety while
34 enhancing the aesthetic appeal of the buildings. Building and signage lighting
35 must be indirect, with the light source hidden from direct pedestrian and motorist
36 view.

37 **(9) Parking.** Parking in the overlay district must adequately serve the users without
38 detracting from the compact design that makes it a successful commercial
39 center. Off-street parking must be located in the rear. If the lot orientation
40 cannot accommodate adequate rear parking, parking on the side would then be
41 permitted.

1 **(10) Buffers and screening of outdoor storage.** All outside storage must be
2 screened from public view. The screening must use the same materials, color,
3 and/or style as the primary building for architectural compatibility with the primary
4 building and the building it is adjacent to. If the outside storage area is separate
5 from the building it serves the following shall apply:

6 **a. Type.** Only fences constructed of legitimate fencing materials (may or may
7 not be opaque) or masonry, concrete or stucco walls may supplement buffers.
8 Specifically, garage doors and sheets of roofing material do not qualify for
9 fencing or wall materials.

10 **b. Screening of outdoor storage.** Opaque fencing shall mean chain link fence
11 with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot
12 concrete or stucco wall may also be used to screen outdoor storage.

13 **Sec. 3-3.8 Warrington Overlay (Warr-OL).**

14 **(e) Non-residential site and building requirements.** The site and building
15 requirements of non-residential uses within the Warr-OL are modified as follows:

16 **(1) Structure height.** New buildings, additions and redeveloped buildings shall
17 complement the existing pattern of building heights. No structure shall exceed
18 45 feet in height and any lower height required by the underlying zoning district
19 shall govern.

20 **(2) Setbacks.** New construction must maintain the existing alignment of facades
21 along the street front. Exceptions may be granted if the setback is pedestrian
22 oriented and contributes to the quality and character of the streetscape.

23 **(3) Materials and detailing.** New structures, additions and renovations shall be
24 constructed to be long-lasting and use materials and detailing that maintain the
25 distinct character and harmony of the Warrington Community Redevelopment
26 District. Vinyl or metal siding is prohibited on the primary facades of buildings
27 adjacent to public rights-of-way. All accessory structures shall use the same
28 materials, color, and/or style of the primary façade if visible from a public way.

29 **(4) Facades.**

30 **a. Front façade.** A front building facade more than 80 feet in width shall be
31 divided into increments by changes in materials, bay windows, wall offsets, or
32 similar methods.

33 **b. Rear façades.** A minimum of 15 feet of a building's rear façade facing a
34 public right of way, parking area, or open space shall consist of transparent
35 materials, not including reflective glass.

36 **(5) Awnings.** Awnings are encouraged to enhance the character of Warrington while
37 providing sun protection for display windows, shelter for pedestrians, and a sign
38 panel for businesses.

- 1 **(6) Natural features.** Natural features shall be protected and integrated into site
2 design/development where possible. The applicant shall demonstrate how the
3 development protects and incorporates existing vegetation.
- 4 **(7) Landscaping.** Water conservation is encouraged through proper landscape
5 plant selection, installation and maintenance practices. Native plant species are
6 required. All non-residential development applications shall include a landscape
7 plan as part of compliance review. The plan shall include the areas of natural
8 vegetation to be protected, location and species of all plants to be installed, and
9 an irrigation plan.
- 10 **(8) Buffers and screening of outdoor storage.** All outside storage must be
11 screened from public view. The screening must use the same materials, color,
12 and/or style as the primary building for architectural compatibility with the primary
13 building and the building it is adjacent to. If the outside storage area is separate
14 from the building it serves the following shall apply:
- 15 1. **Type.** Only fences constructed of legitimate fencing materials (may or may
16 not be opaque) or masonry, concrete or stucco walls may supplement buffers.
17 Specifically, garage doors and sheets of roofing material do not qualify for
18 fencing or wall materials.
- 19 2. **Screening of outdoor storage.** Opaque fencing shall mean chain link fence
20 with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot
21 concrete or stucco wall may also be used to screen outdoor storage.
- 22 **(9) Signs.** Site signage is limited to one freestanding monument sign per
23 development parcel, scaled primarily for pedestrians, and not to exceed 100
24 square feet in area and 12 feet in height, except for multi-tenant development
25 where the sign may be up to 300 square feet. Sign colors, materials, and lighting
26 shall avoid adverse visual impacts on surrounding properties. Wall signs shall
27 not obstruct design details, windows, or cornices of the buildings to which they
28 are attached. ~~For individual tenants in a multi-tenant development, wall signs~~
29 ~~shall not exceed 20 square feet per sign.~~
- 30 **(10) Lighting.** Lighting in the overlay district should serve to illuminate facades
31 entrances and signage to provide an adequate level of personal safety while
32 enhancing the aesthetic appeal of the buildings. Building and signage lighting
33 must be indirect, with the light source(s) hidden from direct pedestrian and
34 motorist view.
- 35 **(11) Parking.** Parking in the overlay district must adequately serve the users without
36 detracting from the compact design that makes it a successful commercial
37 center. Off-street parking must be located in the rear. If the lot orientation cannot
38 accommodate adequate rear parking, parking on the side will be permitted.
- 39 **(12) If within HC/LI zoning.** Development within the HC/LI zoning district is subject to
40 the following design standards.

- 1 **a. Landscaping.** A minimum 10-foot wide landscaped strip is required on all
2 roadway frontages. The strip shall contain one tree and 10 shrubs for every
3 35 linear feet of frontage. Preservation of existing plants within the required
4 landscaped areas can be used to satisfy this requirement. Buffers required
5 adjacent to residential districts shall include a minimum of two trees and 15
6 shrubs for every 35 linear feet of required buffer length.
- 7 **b. Vehicular use areas.** Areas other than public rights-of-way, designed to be
8 used for parking, storage of vehicles for rent or sales, or movement of
9 vehicular traffic, shall be separated by a minimum five-foot wide landscaped
10 strip from any boundary of the property on which the vehicular use area is
11 located. The strip shall contain shrubs or ground covers with a minimum
12 mature height of 24 inches and a maximum height of 30 inches. Plant
13 material shall be spaced 18 inches to 24 inches apart, depending on mature
14 size.
- 15 **c. Parking lots.** Interior parking areas shall have one landscape island
16 containing at least one tree and shrubs or ground covers as per the above
17 specifications, for every eight contiguous spaces.
- 18 **d. Irrigation system.** An irrigation system shall be installed for all landscaped
19 areas of the site. All systems shall include rain sensors and all system
20 materials used shall be ASTM approved.
- 21 **e. Existing development.** Any change of use to a HC/LI use within the overlay
22 district must meet the above standards.

23
24 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land
25 Development Code of Escambia County, Chapter 4, Location and Use Regulations,
26 Article 7, Supplemental Use Regulations, is hereby amended as follows (words
27 underlined are additions and words ~~stricken~~ are deletions):

28 **Article 7 Supplemental Use Regulations.**

29 **Sec. 4-7.3 Accessory uses and structures.**

30 **(b) Specific uses and structures.**

- 31 **(7) Home occupations and home-based businesses.** Home occupations and
32 home-based businesses are limited to the residents of a dwelling unit other than
33 a manufactured (mobile) home, and allowed only as ~~an~~ accessory uses to the
34 residential uses. A home occupation, or employment at home, is allowed
35 wherever the host dwelling unit is allowed, but shall generally be unnoticeable to
36 adjoining land uses. A home-based business, which is at a greater scale or
37 intensity than a home occupation, is limited to the rural zoning districts (Agr, RR,
38 RMU) and only allowed if impacts to adjoining land uses are minimal. Home
39 occupations and home-based businesses shall comply with each of the following
40 requirements:

- 1 **a. Licenses.** All required business, professional, or occupational licenses are
2 obtained prior to commencement of the occupation or business and are
3 maintained for the duration of the activity.
- 4 **b. Exterior evidence.** For home occupations, there is no evidence visible from
5 outside of the dwelling or accessory building that any part of a building is
6 utilized for an occupation. For home-based businesses, any evidence visible
7 from outside of the dwelling or accessory building that any part of a building is
8 utilized for a business is minimal. Such exterior evidence includes any
9 storage, or display, or signage associated with the occupation or business.
10 ~~Signage is~~ are limited for both uses ~~according to~~ as prescribed by the
11 outdoor signage provisions in Article 8 of Chapter 5.
- 12 **c. Off-site impacts.** Occupations or business activities shall not create
13 nuisances or adverse off-site impacts, including but not limited to noise,
14 vibration, smoke, dust or other particulates, odors, heat, light or glare, or
15 electromagnetic interference. In a residential neighborhood, no activities are
16 allowed to alter the character of the neighborhood.
- 17 **d. Structural alterations.** No structural alterations are made that would be
18 inconsistent with the use of the dwelling exclusively as a residence or that
19 would not customarily be associated with dwellings or their accessory
20 buildings.
- 21 **e. Employees.** Employment in a home occupation is limited to residents of the
22 dwelling unit unless the applicable zoning district allows BOA conditional use
23 approval of non-resident employees. Employment in a home-based business
24 may include no more than two non-resident employees.
- 25 **f. Customers.** No customers shall visit the house and there shall not be any
26 additional traffic or an increase in demand for parking due to trucks or other
27 service vehicles coming to the house.
- 28 **g. Motor vehicles.** The manufacture or repair of motor vehicles or other
29 transportation equipment is prohibited.

30

31 **Section 3.** Part III of the Escambia County Code of Ordinances, the Land
32 Development Code of Escambia County, Chapter 5, General Development Standards,
33 Article 8, Signs, is hereby repealed in its entirety and replaced as shown in the attached
34 Exhibit A.

35

36 **Section 4.** Part III of the Escambia County Code of Ordinances, the Land
37 Development Code of Escambia County, Chapter 6, Definitions, is hereby amended as
38 follows (words underlined are additions and words ~~stricken~~ are deletions):

1 **Sec. 6-0.3 Terms defined.**

2 As used within the LDC, the following terms have the meanings established here:

3 **-A-**

4 ~~*Abandoned sign.* Any sign face which advertises a business no longer conducted or~~
5 ~~product no longer sold. In making the determination that a sign advertises a business no~~
6 ~~longer being conducted, the enforcement official shall consider the existence or~~
7 ~~absence of a current occupational license, utility service deposit or account, use of the~~
8 ~~premises and relocation of the business. An abandoned sign is prohibited and shall be~~
9 ~~removed by the owner of the premises when there is a lack of maintenance or sign~~
10 ~~faces are missing, or as otherwise provided for in this article.~~

11 ~~Any sign structure which has not been used for business purposes for over 90 days,~~
12 ~~and is nonconforming as to existing codes regarding height, setback or maintenance.~~

13 ~~Any previously permitted portable or temporary sign for which the permit has expired.~~

14 ~~*Awning, canopy or marquee sign.* A sign that is mounted or painted on, or attached to,~~
15 ~~an awning, canopy, or marquee that is otherwise permitted by county ordinance. The~~
16 ~~sign shall not project above, below or beyond the awning, canopy or marquee.~~

17 **-B-**

18 ~~*Banner sign.* Any sign with characters, letters, illustrations or ornamentation applied to~~
19 ~~cloth, paper, flexible plastic or fabric of any kind that is not permanently attached to a~~
20 ~~solid backing of wood, plastic, metal, masonry, or similar rigid material. Maximum size~~
21 ~~allowed is 60 square feet.~~

22 ~~*Billboard.* See "Off-premises sign."~~

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

27 **-C-**

28 ~~*Changeable copy sign.* A sign that is designed so that characters, letters, or~~
29 ~~illustrations can be manually changed or rearranged without altering the face or surface~~
30 ~~of the sign.~~

31 ~~*Community Redevelopment Area (CRA) Gateway Sign.* A sign located within the right-~~
32 ~~of-way providing the name, location, and direction of the CRA.~~

33 ~~*Construction sign.* A temporary sign erected on the premises on which construction is~~
34 ~~taking place, during the period of such construction, indicating the names of the~~
35 ~~architects, engineers, landscape architects, contractors or similar artisans, and the~~
36 ~~owners, financial supporters, sponsors, and similar individuals or firms having a role or~~
37 ~~interest with respect to the structure or project.~~

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~~-D-~~

~~Directional sign. See "Informational sign."~~

~~-E-~~

~~Electronic message center sign. A sign that is a computerized, programmable electronic visual communications device capable of storing and displaying multiple messages in various formats at varying intervals for periods lasting at least five seconds.~~

~~-F-~~

~~Facade sign. See "Wall sign."~~

~~Fence. A physical structural barrier constructed as a boundary for separation, confinement, protection, screening, access control, or similar purposes, but not including hedges, shrubs, or other natural growth.~~

~~Flashing sign. A sign exhibiting sudden or marked changes in lighting intensity lasting in duration for periods of less than five seconds.~~

~~Freestanding pole sign. A freestanding sign that is mounted on a free-standing pole or other similar support so that the bottom edge of the sign face is 9 1/2 feet or more above grade.~~

~~Freestanding sign. Any nonmovable sign not affixed to a building. May be either a ground sign or a pole sign. Any sign that stands on its own, not attached to a building or a fence, including pole signs, monument signs, and portable signs.~~

~~-G-~~

~~Governmental sign. A sign erected and maintained pursuant to and in discharge of any governmental function, or required by law, ordinance or other governmental regulation.~~

~~Ground sign. Any freestanding sign, other than a pole sign, placed upon or supported by the ground independent of any other structure; a monument sign.~~

~~-H-~~

~~Historic sign. Any sign officially designated historic by the appropriate federal, state or local historic entity or otherwise considered to be a local landmark by the board of adjustment.~~

~~Holiday decorations. Temporary signs and decorations, clearly incidental to, and customarily and commonly associated with, any national, local or religious holiday.~~

~~-I-~~

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

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

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

5 ~~-M-~~

6 ~~*Moving or animated sign.* Any sign or part of a sign which changes physical position by~~
7 ~~any movement or rotation.~~

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

12 ~~*Mural.* A painting or other graphic art displayed on the façade of a building generally for~~
13 ~~the purposes of decoration or artistic expression.~~

14 ~~-N-~~

15 ~~*Name plate sign.* See "Identification sign."~~

16 ~~*Nonconforming sign.* A sign which is lawfully erected but which does not comply with~~
17 ~~the land use, setback, size, spacing, and lighting provisions of this article or a sign~~
18 ~~which was lawfully erected but which now fails to comply with this article due to~~
19 ~~changed conditions.~~

20 ~~-O-~~

21 ~~*Off-premises sign or billboard.* A sign which directs attention to a business, commodity,~~
22 ~~service or entertainment conducted, sold or offered at a location other than the~~
23 ~~premises on which the sign is located.~~

24 ~~*On-premises sign.* A sign that identifies only goods, services, facilities, events or~~
25 ~~attractions available on the premises where the sign is located.~~

26 ~~-P-~~

27 ~~*Political sign.* A temporary sign announcing or supporting political candidates or issues~~
28 ~~in connection with any national, state, or local election.~~

29 ~~*Portable sign.* Any sign not permanently attached to the ground or other permanent~~
30 ~~structure, or a sign designed to be transported, including, but not limited to, signs~~
31 ~~designed to be transported by means of wheels; including such signs even though the~~
32 ~~wheels may be removed and the remaining chassis or support structure converted to A-~~
33 ~~frames or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas~~
34 ~~used for advertising unless part of an outdoor restaurant; and signs attached to or~~
35 ~~painted on vehicles parked and visible from the public right-of-way, unless said vehicle~~
36 ~~is used in the normal day-to-day operations of business, the sign area is less than two~~
37 ~~square feet per side and there is no reasonable alternative storage space.~~

38 ~~*Projecting sign.* A sign that is wholly or partly dependent upon a building for support~~
39 ~~and which projects more than 24 inches from such building.~~

1 -Q & R-

2 ~~*Real estate sign.* A sign pertaining to the sale or lease of the premises, or a portion of~~
3 ~~the premises, in which the sign is located.~~

4 ~~*Roof sign.* A sign that is mounted on the roof of a building or which is wholly dependent~~
5 ~~upon a building for support and which projects above the point of a building with a flat~~
6 ~~roof, the eave line of a building with a gambrel, gable or hip roof of the deck line of a~~
7 ~~building with a mansard roof.~~

8 -S-

9 *Sign.* Any object, device, display, or structure, or part thereof, which is positioned and
10 used to advertise, identify, announce, direct or attract attention, or otherwise visually
11 communicate a message outdoors using words, letters, numbers numerals, emblems,
12 figures, symbols, pictures, or other images message elements. Signs are more
13 specifically defined by type and character form and use in the outdoor signage
14 standards of Chapter 5.

15 ~~*Sign area.* The surface area of a sign shall be computed as including the entire area~~
16 ~~within the smallest rectangle, triangle, circle or other regular geometric form, or~~
17 ~~aggregates thereof, encompassing all of the display area of the sign and including all of~~
18 ~~the elements of the matter displayed. Base, apron, supports and other structural~~
19 ~~members not bearing advertising matter shall not be included in computation of surface~~
20 ~~area. Border or trim shall be included in computation of surface area. One side only of a~~
21 ~~double-sided sign shall be used in computing sign area where they are placed back to~~
22 ~~back on a single sign structure and are at no point more than three feet apart.~~

23 ~~*Sign face.* The area or display surface used for the message.~~

24 ~~*Sign triangle.* See visual clearance section of landscaping provisions.~~

25 -W-

26 ~~*Wall sign.* A sign fastened to or painted on the wall of a building or structure in such a~~
27 ~~manner that the wall becomes the supporting structure for, or forms the background~~
28 ~~surface of the sign and which does not project more than 24 inches from such building~~
29 ~~or structure. Also, a sign mounted on the fascia or sloped roof surface which does not~~
30 ~~extend above the elevation of the ridge or roof line nor project more than 48 inches from~~
31 ~~the roof or fascia surface. A sign that is attached to or painted on the exterior wall of a~~
32 ~~building in such a manner that the wall is the supporting structure for the sign or forms~~
33 ~~the background surface of the sign. For the allocation of sign area and other purposes~~
34 ~~of the LDC, wall signs include awning, canopy, fascia, marquee, roof, and window~~
35 ~~signs, but do not include fence signs.~~

36 ~~*Wayfinding Signs.* A sign located within the right-of-way providing the name, location,~~
37 ~~and direction to a public or private place.~~

38 ~~*Window sign.* A sign that is applied or attached to the exterior or interior of a window or~~
39 ~~located in such manner within a building that it can be seen from the exterior of the~~
40 ~~structure through a window.~~

1 **-X, Y & Z-**

2 ~~Zone lot. A parcel of land in single ownership, or parcel of contiguous properties,~~
3 ~~existing as a unified or coordinated project, that is of sufficient size to meet minimum~~
4 ~~zoning requirements for area, coverage, and uses, and that can provide such yards and~~
5 ~~other open spaces as required by the land development code.~~

6
7 **Section 5. Severability.**

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

11
12 **Section 6. Inclusion in Code.**

13 It is the intention of the Board of County Commissioners that the provisions of this
14 Ordinance shall be codified as required by F.S. § 125.68 (2016); and that the sections,
15 subsections and other provisions of this Ordinance may be renumbered or re-lettered
16 and the word "ordinance" may be changed to "section," "chapter," or such other
17 appropriate word or phrase in order to accomplish such intentions.

18
19
20
21
22
23 **INTENTIONALLY LEFT BLANK**

1 **Section 7. Effective Date.**

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

3

4 **DONE AND ENACTED** this _____ day of _____, 2018.

5

6

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

7

8

9

By: _____

10

Jeff Bergosh, Chairman

11

12

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

13

14

15

By: _____

16

Deputy Clerk

17

(SEAL)

18

19

ENACTED:

20

FILED WITH THE DEPARTMENT OF STATE:

21

EFFECTIVE DATE:

22

1 **Article 8 Outdoor Signs.**

2 **Sec. 5-8.1 Purpose of article.**

3 This article establishes land development standards for outdoor signs as required by the
4 Comprehensive Plan. The purpose is to provide reasonable, content-neutral,
5 nondiscriminatory sign regulation through time, place, and manner of use. It is the
6 intent of these standards to protect and enhance the economic vitality and physical
7 appearance of the county as a place to live, vacation, and conduct business. More
8 specifically, this article is intended to:

- 9 (1) Enable the proper scale, quantity, period, and placement of signs to effectively
10 promote commerce, to identify places of residence and business, and to orient,
11 direct, and inform the public.
- 12 (2) Require that signs be adequately designed and constructed, and be removed
13 when unauthorized or inadequately maintained, to protect the public from
14 conditions of blight and the dangers of unsafe signs.
- 15 (3) Lessen visual confusion and hazards caused by improper height, placement,
16 illumination, or animation of signs, and assure that signs do not obstruct the view
17 of vehicles and pedestrians traveling public streets or create nuisance conditions.
- 18 (4) Preserve and protect the unique natural and scenic character of Pensacola
19 Beach, Perdido Key, and other designated scenic areas of the county.
- 20 (5) Protect the interests of sign owners in continuing to use lawfully established and
21 maintained signs while providing the community with a gradual remedy for
22 existing undesirable conditions resulting from nonconforming signs.
- 23 (6) Identify the established processes for compliance review, approval and
24 permitting of signs, the exemptions from that permitting, and the available
25 processes to request variances to sign standards.

26 **Sec. 5-8.2 General provisions.**

27 **(a) Sign and sign face defined.** For the purposes of this article, a sign is any object,
28 device, display, or structure, or part thereof, which is positioned and used to
29 advertise, identify, announce, direct or attract attention, or otherwise visually
30 communicate a message outdoors using words, letters, numbers, emblems, figures,
31 symbols, pictures, or other message elements. Any surface which displays such
32 elements is a sign face.

33 **(b) Permits required.**

34 **1. General requirement.** Unless specifically authorized in this article by an
35 exemption from permitting, no person shall place, post, display, construct, alter,
36 or relocate any sign without having first obtained all necessary permits through
37 county review and approval for compliance with the standards of this article and
38 other applicable code provisions. The review and approval process shall be as
39 prescribed in Chapter 2. Regardless of any exemption from county permitting, all

1 signs remain subject to article standards of design, construction, placement, and
2 maintenance.

3 **2. Pensacola Beach requirements.** As prescribed within the established written
4 procedures of the Santa Rosa Island Authority (SRIA), signs located on
5 Pensacola Beach may require the authorization of SRIA staff, the Architectural
6 and Environmental Committee (AEC) of the SRIA, or the SRIA board prior to
7 county approval.

8 **(c) Nonconforming signs.** Lawfully established and maintained signs that no longer
9 comply with one or more current requirements of the LDC may continue as
10 nonconforming signs in use as prescribed in this section and Article 2 of Chapter 1,
11 but the expansion of any nonconformance is prohibited.

12 **(1) Relocation.** If a nonconforming sign is relocated for any reason, the sign shall
13 be brought fully into compliance with the standards of this article, regardless of
14 any estimated cost to replace the sign at its former location.

15 **(2) Substantial expenses.** When the restoration of any removed, destroyed, or
16 damaged nonconforming sign would constitute an expense of more than 50
17 percent of the replacement cost of the sign as documented by a licensed sign
18 contractor, the restored sign shall fully comply with the standards of this article.
19 Similarly, within a calendar year, when any alteration to or maintenance on a
20 nonconforming sign would constitute an expense of more than 50 percent of the
21 sign's replacement cost, the sign shall be brought fully into compliance with
22 article standards.

23 **(3) Non-substantial expenses.** Any alteration, repair, or maintenance to a
24 nonconforming sign within a calendar year that would constitute an expense of
25 50 percent or less of the replacement cost of the sign shall comply with the
26 following conditions for continuing sign nonconformance:

27 **a. Repairs and maintenance.** Repairs and maintenance shall be performed as
28 necessary to maintain all nonconforming signs in good repair and safe
29 condition, as they were originally authorized and without modifying their
30 nonconformance. Any such work is exempt from sign permits, but may
31 require building permits to ensure compliance with the *Florida Building Code*.

32 **b. Alterations.** Generally, no alterations other than sign face replacement shall
33 be made to a nonconforming sign if any nonconformance of the sign or
34 supporting structure would remain. However, alterations to sign area,
35 including necessary modifications to supporting cabinets and frames, may be
36 authorized by permit for a freestanding sign of nonconforming height if the
37 alterations comply with all the following conditions:

38 **1.** The quantity of freestanding signs on the same parcel is, or is made to be,
39 conforming.

40 **2.** The resulting sign height is no greater.

1 **3.** The new sign area is no greater than the old sign area or the current
2 standard's maximum area, whichever is less.

3 **(d) Variances.** Variances to the strict application of the sign quantity, area, height, and
4 sign-to-sign separation standards of this article are available, but only for signs that
5 require county permitting (non-exempt signs). Variances may be granted according
6 to the applicable variance conditions and review processes prescribed in Article 6 of
7 Chapter 2. All such modifications shall maintain the stated purposes of this article
8 and demonstrate the following additional technical conditions:

9 **(1) Impairment.** The effectiveness of signage that complies with the standards of
10 this article is materially impaired and cannot be sufficiently corrected with
11 reasonable and complying changes in sign luminance (brightness), contrast,
12 placement, or orientation.

13 **(2) Legibility.** The sign letter weight is adequate (height to stroke width ratio no
14 more than 5:1) and the message is limited to a reasonable number of elements
15 to comprehend; nevertheless, signage that complies with the standards of this
16 article cannot provide its primary audience (e.g., passing vehicles) with 30 feet or
17 less of viewing distance per inch of letter height (legibility index of 30 ft./in. or
18 less).

19 **(e) Owner responsibility.** All property owners, and leaseholders of property on
20 Pensacola Beach, are responsible for the proper permitting, placement,
21 construction, and maintenance of any signs on their property. These responsibilities
22 include compliance with all applicable provisions of the LDC and the *Florida Building*
23 *Code*, any required Florida Department of Transportation permitting for signs along
24 state maintained roads, and the timely elimination of temporary or inadequately
25 maintained signs.

26 **(f) Overlay districts.** In addition to the provisions of this article, signs shall comply with
27 any prohibitions, limitations, or other sign standards of applicable overlay zoning
28 districts as established in Article 3 of Chapter 3.

29 **(g) Message substitution.** Except for messages required by law or ordinance, any
30 message on an authorized sign may be substituted in whole or part for any other
31 message. This substitution allowance is intended to prevent any inadvertent
32 regulatory favoring of messages, but it does not create a right to increase signage or
33 modify any other provisions of this article.

34 **(h) Enforcement.** The standards of this article shall be enforced by county code
35 enforcement officers as authorized in Chapter 30, *Code Enforcement*, Part I,
36 Escambia County Code of Ordinances. Signs located on Pensacola Beach may
37 also be subject to compliance inspection by the SRIA, which is authorized to
38 summarily remove any unauthorized signs on lands under its jurisdiction. Any party
39 or parties in violation of these standards shall be subject to notices of violation,
40 citations, and civil penalties as prescribed in Chapter 30.

41 **(1) Signs on public lands.** Signs of any type placed on public lands, including
42 public rights-of-way, in violation of the provisions of this article are subject to

1 removal and disposal by code enforcement officers or other county-authorized
2 personnel without notice or compensation. Such removal does not preclude
3 citations or imposition of penalties for the violation.

4 **(2) Unsafe signs.** If the condition of any authorized sign becomes unsafe in the
5 opinion of those authorized to enforce the provisions of this article, the owner
6 shall remove the sign or secure it in a manner complying with this article and
7 applicable building codes within 10 days after receiving written notice from the
8 county. Where the danger is immediate, the condition shall be corrected without
9 delay. If the unsafe condition is not corrected within 10 days, the county shall be
10 authorized to correct the condition at the owner's expense, including removal of
11 the sign.

12 **Sec. 5-8.3 Signs defined by type and character.**

13 For the purposes of this article, signs are defined and identified as follows and may be
14 further characterized within the standards of the article:

15 **(1) Freestanding signs.** A freestanding sign is any sign that stands on its own, not
16 attached to a building or a fence, including pole signs, monument signs, and
17 portable signs.

18 **a. Pole signs.** A pole or pylon sign is any freestanding sign that is elevated
19 above the adjacent grade and mounted on one or more poles, pylons, or
20 similar vertical supports from the ground.

21 **b. Monument signs.** A monument or ground sign is any freestanding sign with
22 its entire base placed directly on the ground.

23 **c. Portable signs.** A portable sign is any freestanding sign that is not
24 permanently attached to the ground or a permanent structure, or a sign that is
25 designed to be transported.

26 **d. Vehicle and trailer signs.** A vehicle or trailer sign is any sign that is made
27 portable by permanent or temporary attached to or placement in any manner
28 on a motor vehicle or trailer.

29 **(2) Wall signs.** A wall sign is any sign that is attached to or painted on the exterior
30 wall of a building in such a manner that the wall is the supporting structure for the
31 sign or forms the background surface of the sign. For the allocation of sign area
32 and other purposes of this article, wall signs include awning, canopy, fascia,
33 marquee, roof, and window signs, and murals, but do not include fence signs.

34 **a. Awning, canopy, fascia, and marquee signs.** An awning, canopy, fascia,
35 or marquee sign is any sign that is mounted or painted on, or attached to an
36 awning, canopy, fascia, or marquee respectively, but not projecting above,
37 below, or beyond the awning, canopy, fascia, or marquee.

38 **b. Roof signs.** A roof sign is any sign that is mounted on the roof of a building,
39 or wholly dependent on a building for support, and extending above the top of

- 1 the wall of a flat-roofed building, above the eave line of a building with a hip,
2 gambrel, or gable roof, or the deck line of a building with a mansard roof.
- 3 **c. Window signs.** A window sign is any sign that is placed in or on a window or
4 placed within a building in such a manner that it can be viewed through a
5 window from the outside.
- 6 **d. Projecting signs.** A projecting sign is any sign supported by a building wall
7 and extending outward from the wall with the sign display surface
8 perpendicular to the wall.
- 9 **e. Murals.** A mural is any sign that is an original, one-of-a-kind work of visual
10 art tiled or painted by hand directly upon the façade of a building.
- 11 **(3) Fence signs.** A fence sign is any sign that is attached to or painted on a fence
12 in such a manner that the fence is the supporting structure for the sign. For the
13 allocation of sign area and other purposes of this article, fence signs are neither
14 freestanding signs nor wall signs.
- 15 **(4) Changeable message signs.** A changeable message sign is any sign that is
16 designed to allow frequent changes in its displayed message. Messages may be
17 changed through any of the following means, but a change in message does not
18 constitute a different sign:
- 19 **a. Manual.** A periodic manual change on the sign face, typically by
20 rearrangement of letters along horizontal tracks, by replacement of printed
21 substrates, or by redrawing, all without otherwise altering the sign.
- 22 **b. Mechanical.** Different messages automatically displayed intermittently on the
23 same sign face by mechanical means, as on the slatted face of a “tri-vision”
24 sign that allows three different messages to revolve and appear at recurring
25 intervals.
- 26 **c. Electronic.** An electronic message display made up of internally illuminated
27 components (e.g., LEDs) of the sign face controlled by a programmable
28 electronic device allowing remote or automatic display of multiple messages
29 in various formats and at varying intervals.
- 30 **d. Projection.** A message display created by the projection of an image onto a
31 building wall or other display surface from a distant device.
- 32 **(5) Temporary signs.** A temporary sign is any sign that is authorized to be placed
33 in view for a limited period of time and required to be removed from view upon
34 expiration of the authorized time. Temporary signs include balloon, air-activated,
35 and banner signs.
- 36 **a. Balloon signs.** A balloon sign is any temporary sign that is gas-inflated.
- 37 **b. Air-activated signs.** An air-activated sign is any temporary sign with one or
38 more parts given form or animation by mechanically forced air.
- 39 **c. Banners.** A banner is any temporary sign that is made of lightweight, non-
40 rigid, and typically non-durable material such as cloth, paper, or plastic, and

1 that is designed to be secured to a structure along two or more sides or at all
2 corners by cords or similar means, or to be supported by stakes in the
3 ground. A banner is not a wind sign.

4 **(6) Flags and other wind signs.** A wind sign is any sign that is designed and
5 fashioned to move when subjected to winds, including wind socks, wind spinners,
6 whirligigs, and flags. A flag is any wind sign made of a continuous sheet of fabric
7 or other flexible material, designed to be supported along one edge and typically
8 flown from a pole or staff.

9 **(7) On-premises and off-premises signs.** An on-premises sign is any sign that is
10 accessory to the authorized principal use or structure on the same parcel as the
11 sign. On-premises signs are, therefore, subordinate in extent and purpose and
12 customarily incidental to the principal use or structure as prescribed by the
13 supplemental use regulations in Article 7 of Chapter 4. Any sign that is not an
14 on-premises sign is an off-premises sign.

15 **(8) Exempt and non-exempt signs.** An exempt sign is any sign that is relieved by
16 the provisions of this article from the requirement to obtain a county sign permit.
17 Any sign that is not an exempt sign is a non-exempt sign requiring authorization
18 by permit, but exemption does not modify the availability of non-exempt signage.

19 **Sec. 5-8.4 Design, construction, and maintenance of signs.**

20 Every sign, including those exempt from county permitting, shall be designed,
21 constructed, placed, and maintained in compliance with the standards of this article and
22 applicable provisions of the *Florida Building Code*. In addition to the provisions of this
23 section, specific area, height, and quantity limits are prescribed in the subsequent
24 sections of this article for both exempt and non-exempt, on-premises and off-premises
25 signs.

26 **(1) Sign area.** For the purposes of this article, the area of a sign is the area of the
27 smallest regular geometric shape (rectangle, triangle, circle, etc.), or simple
28 combination of such shapes, that forms or approximates the perimeter of all sign
29 message elements and comprises the sign face. When a background to the
30 message elements is defined by a frame, outline, panel, or other border, the area
31 of the background defined by that border is the sign area. In the calculation of
32 sign area, the Planning Official may exclude minor appendages beyond the
33 regular shape of the sign area perimeter.

34 **a. Freestanding sign area.** The area of a freestanding sign authorized by this
35 article shall be the sum of the areas of the largest faces visible from any
36 single direction, except as modified by the following:

37 **1. Exclusions.** In the calculation of sign area, the base, apron, supports,
38 and other structural members not displaying elements of a sign message
39 are not included.

40 **2. Special conditions.** For signs located on Pensacola Beach, and for any
41 non-exempt off-premises signs (billboards), when two identical sign faces

1 on the same sign structure are placed back-to-back or in a “V”
2 configuration with an internal angle behind the faces of no more than 90
3 degrees, the sign area is calculated as the area of only one face.

4 **3. Separate signs.** Sign faces having no shared support from the same
5 structure constitute separate signs and are subject to area (and other)
6 standards accordingly.

7 **b. Wall sign area.** Except as provided in this article for on-premises signs
8 located on Pensacola Beach, non-exempt wall sign area shall be authorized
9 in proportion to the length of the exterior building wall to which the signs are
10 attached. Similarly, wall sign area for any individual tenant space within a
11 multi-tenant building shall be in proportion to the exterior wall length of that
12 space.

13 **1. Multiple signs.** Each building, or each tenant space of a multi-tenant
14 building, may have multiple wall signs, but the total wall sign area on a
15 building or tenant wall shall not exceed the allowance for that wall.
16 Unused sign area on one building or tenant wall is not available to any
17 other building or tenant wall.

18 **2. Sign background.** The architectural features of a wall do not by
19 themselves define the background area that must be included in the
20 calculation of wall sign area.

21 **3. Window signs.** The placement of window signs shall not obscure more
22 than 30 percent of the area of the window in or on which they are placed
23 or through which they are viewed. Additionally, window signs located on
24 Pensacola Beach must be incorporated as part of a display of
25 merchandise or services offered and may not be affixed to a window.

26 **(2) Sign height.** Unless otherwise noted, freestanding sign height shall be
27 measured from the highest adjacent grade at the base of the sign.

28 **(3) Sign placement.** In addition to the following placement standards, signs shall
29 maintain industry standard clearances and otherwise avoid interference with
30 utility lines and equipment:

31 **a. Prior authorization.** No signs shall be placed on any property without prior
32 authorization of the property owner. Signs shall not be placed on public
33 property, including public rights-of-way, or placed on private property in any
34 manner that projects or extends a sign over public property, without
35 applicable public agency authorizations and permits.

36 **b. Spacing.** Where spacing or separation standards apply, the distance shall
37 be measured in a straight line to the center of each sign unless otherwise
38 noted.

39 **c. Conflicts.** No part of any sign, exempt or non-exempt, on-premises or off-
40 premises, temporary or permanent, shall obstruct vision on private property
41 along a street right-of-way between three feet and nine feet above grade

1 within 10 feet of the right-of-way. Sign placement shall also comply with sight
2 visibility standards for driveway and street intersections and avoid conflicts
3 with protected trees, both existing and those planted to comply with county
4 standards.

5 **d. Wall sign projection.** Wall signs shall not project more than 24 inches from
6 the supporting wall, or if mounted on a sloped roof surface, shall not extend
7 above the roof line or project more than 48 inches from the roof surface.

8 **(4) Sign illumination.** Where authorized, signs may be illuminated by internal or
9 external artificial light sources that comply with the following standards:

10 **a. Luminance.** Sign luminance, the light emitted by a sign or reflected from its
11 surface, shall not be greater than necessary to reasonably allow the sign to
12 be viewed by its primary audience (e.g., passing vehicles). Additionally, from
13 dusk until dawn no sign may exceed a maximum luminance level of 500
14 candelas per square meter (cd/m²), regardless of the source of illumination.

15 **b. Source and direction.** External light sources shall be directed onto sign
16 faces and effectively shielded to prevent the direct illumination of any
17 adjacent buildings or street rights-of-way. All externally illuminated signs
18 located on Pensacola Beach shall be either face-lighted by spotlights or
19 similar fixtures directing light only downward onto the sign surface, or
20 shadow-lighted by indirect concealed light sources behind opaque sign
21 elements, and shall make no use of exposed neon.

22 **c. Glare.** Lighting shall not create excessive glare for pedestrians, motorists or
23 adjacent uses, or obstruct the view of traffic control devices or signs.

24 **d. Marine shorelines.** Along any marine shoreline, illuminated signs shall not
25 be located on the seaward or shore-perpendicular sides of any structures,
26 and sign lighting shall not directly, indirectly, or cumulatively illuminate the
27 beach. Lighting along any marine shoreline is additionally limited for natural
28 habitats as prescribed in the natural resources regulations of Chapter 4.

29 **(5) Electronic signs.** Electronic display and projected image signs shall comply
30 with the following additional standards:

31 **a. Movement.** Only as authorized within this article may displays and projected
32 images include dynamic messages that appear or disappear through
33 dissolve, fade, travel, or scroll modes, or similar transitions and frame effects;
34 or have text, animated graphics, or images that appear to move or change in
35 size, or are revealed sequentially. None shall flash or pulsate.

36 **b. Display times.** Each message shall be displayed or projected a minimum of
37 six consecutive seconds.

38 **c. Controls.** Each sign shall include an automatic control regulating display or
39 projection brightness in compliance with the luminance standards of this
40 article. Additionally, ambient light monitors shall automatically adjust the
41 brightness to ambient light conditions, and a default control shall turn off the

1 sign or freeze the message in one position if a malfunction of normal
2 operation occurs.

3 **(6) Multi-tenant signage plans.** Development plans for any shopping center, office
4 park, or other multi-tenant non-residential development shall include a master
5 plan for the development’s freestanding signage. The signage plan shall
6 establish an adequate distribution among tenants of the total non-exempt
7 freestanding site sign area and locations available to the development, including
8 any assignment of electronic message area.

9 **a. Plan authority.** Upon county approval of the signage plan, non-exempt
10 freestanding signage for the entire development and its tenants shall be as
11 prescribed by the plan, regardless of subsequent changes in property
12 ownership or tenancy, unless a revised signage plan for the entire
13 development is resubmitted by the property owner(s) and approved by the
14 county.

15 **b. Plan variances.** A variance to the total freestanding signage available for
16 distribution by a signage master plan may be requested under the provisions
17 of Chapter 2, but no variance is available individually to any tenant subject to
18 an approved plan.

19 **(7) General construction and maintenance.** Outdoor signs and their supporting
20 structures shall comply with the following construction and maintenance
21 requirements:

22 **a. Weather resistance.** Signs shall be constructed of weather resistant
23 materials.

24 **b. Use of wood.** Bare wood is prohibited as part of any sign face, and wood
25 embedded in the soil as structural support for permanent signs shall be
26 pressure treated for in-ground use.

27 **c. Painting.** All painted signs and metal parts prone to corrosion shall be kept
28 neatly painted.

29 **d. Wind hazard.** Signs exempt from wind load requirements of the *Florida*
30 *Building Code* shall, nevertheless, be sufficiently constructed and anchored to
31 avoid the hazard of contributing to windborne debris during severe weather.

32 **e. Condition.** All signs and sign structures, together with their supports,
33 anchors, and electrical components, shall be maintained in good repair and
34 safe condition to ensure sign messages are clearly legible and to avoid the
35 blight and hazards of deteriorated signs.

36

1 **Sec. 5-8.5 Prohibited signs and conditions.**

2 The following signs, sign locations, and sign characteristics are prohibited:

3 **(1) Motion, light, and sound.** Any sign that moves or changes, that contains
4 mirrors or other reflective surfaces, that produces glare, flashes or exhibits other
5 noticeable changes in lighting intensity, or that emits visible vapors, particulates,
6 sounds, or odors, except as specifically authorized in this article for changeable
7 message signs.

8 **(2) Obscenity.** Any sign displaying words, pictures, or messages that are obscene
9 as defined by Chapter 847, Florida Statutes, and in application of contemporary
10 community standards of the county.

11 **(3) Obstruction and interference.** Any sign constructed or maintained in any
12 manner that endangers or obstructs any firefighting equipment or any fire
13 escape, window, door, or other means of egress. Also, any sign that interferes
14 with any opening required for ventilation, prevents free passage from one part of
15 a roof to any other part, or blocks a public sidewalk or required pedestrian
16 walkway.

17 **(4) On Pensacola Beach.** The following additional signs or characteristics of signs
18 located on Pensacola Beach, unless specifically authorized by the SRIA:
19 searchlights, balloons, air-activated signs, wind signs, and similar devices or
20 ornamentation designed for the purposes of attracting attention, promotion, or
21 advertising; bare bulb illumination around a sign perimeter; back-lighted or plastic
22 signs; projected image signs; signs on benches; banners; murals or other signs
23 painted directly on fences, walls, or any exterior parts of a building; and roof
24 signs.

25 **(5) Traffic hazards.** Any sign that creates a traffic hazard or a detriment to
26 pedestrian safety. Such hazards include any sign that projects into the line of
27 sight of a traffic signal and disrupts the minimum required sight distance; any
28 sign that obstructs vision between pedestrians and vehicles using public rights-
29 of-way; and any sign that imitates, resembles, or interferes with the effectiveness
30 of an official traffic sign, signal, or other traffic control device.

31 **(6) Unauthorized.** Any sign not authorized by the provisions of this article, including
32 handbills, posters, and notices attached to trees, utility poles, park benches, or
33 other objects and structures not designed or authorized for the attachment of
34 signs.

35 **Sec. 5-8.6 Exempt signs and activities.**

36 **(a) General sign exemption.** Signs not visible from a public right-of-way or other
37 public land are exempt from the requirement to obtain county sign permits. This
38 general exemption does not apply to signs that are simply illegible. As further
39 established in this section, additional exemptions are authorized specific to work
40 done on signs, sign type, parcel use, and zoning. The following conditions apply to
41 all authorized exemptions:

- 1 **(1) Remaining standards.** Exempt signs shall be designed, constructed, placed,
2 and maintained in compliance with the provisions of this article, other applicable
3 provisions of the LDC, and the *Florida Building Code*.
- 4 **(2) Prevailing limits.** No sign exemption supersedes or cancels any prohibitions or
5 restrictions on the display of signs established in this article, any restrictive
6 covenants adopted for a development, or any executed lease agreements,
7 including those for Pensacola Beach properties requiring written authorization
8 from the SRIA before displaying signs.
- 9 **(3) Relation to non-exempt signs.** Exempt signage does not modify or limit the
10 availability of non-exempt signage authorized in this article. Additionally, the
11 allocations for exempt signs are separate from those for non-exempt signs, and
12 neither shall be used to supplement the other in the authorization of an individual
13 sign.
- 14 **(b) Sign face replacement exemption.** The face of a conforming or nonconforming
15 sign may be replaced without a permit if no other alterations are made to the sign,
16 including modifications to the size or configuration of supporting cabinets or frames.
- 17 **(c) Sign repair and maintenance exemption.** Repairs and maintenance performed as
18 necessary to maintain conforming or nonconforming signs in good and safe
19 condition as originally authorized is exempt from sign permits.
- 20 **(d) Sign-specific exemptions.** In addition to the general and parcel-specific
21 exemptions established in this section, the following specific signs are exempt from
22 county sign permits with the conditions noted:
- 23 **(1) Accessory device signs.** Signs manufactured as standard, permanent, and
24 integral parts of mass-produced devices accessory to authorized non-residential
25 uses, including vending machines, fuel pumps, and similar devices customarily
26 used outdoors. However, outdoor vending machines on Pensacola Beach shall
27 be effectively screened from view from public rights-of-way.
- 28 **(2) Bus stop signs.** Signs located on bus stop shelters and benches if complying
29 with county traffic safety placement requirements and limited to locations and
30 signs approved by the Escambia County Area Transit (ECAT) for bus stops along
31 ECAT system routes.
- 32 **(3) Cemetery monuments.** Permanent monuments placed within cemeteries.
- 33 **(4) Drive-through signs.** Except on Pensacola Beach, drive-through service signs,
34 one per development parcel, a maximum 40 square feet in area and eight feet in
35 height. Such signs shall be single-sided, located on the parcel providing the
36 service, and adjacent to and oriented for view from the drive-through lane.
- 37 **(5) Entry and exit signs.** For any parcel of an authorized multi-family or non-
38 residential use, one freestanding on-premises sign immediately adjacent to each
39 authorized paved vehicular access to a public street, each sign a maximum six
40 square feet in area, three feet in height, and not a changeable message sign.

- 1 **(6) Fence signs.** Signs mounted for pedestrian view on authorized fences, each
2 sign a maximum three square feet in area (e.g., 18 in. x 24 in.) and a minimum
3 50 feet separating any two such signs on the same fence.

- 4 **(7) Government or public signs.** Signs placed or required to be placed by
5 agencies of county, state, or federal government, including but not limited to:
6 traffic control signs, street address numbers, building permits, flags, notices of
7 any court or law enforcement officer, redevelopment area gateway signs, public
8 monuments, hazard warnings, and public information signs. These signs may
9 deviate from the type, quantity, duration, area, color, height, placement,
10 illumination, or other standards of this article as necessary to comply with the
11 law, rule, ordinance, or other governmental authorization by which the signs are
12 placed.

- 13 **(8) Integral building signs.** Signs cut into masonry surfaces, inlaid, or otherwise
14 constructed as integral and permanent parts of buildings, each sign a maximum
15 six square feet in area; and stained-glass windows of any size.

- 16 **(9) Murals.** Except on Pensacola Beach, murals on walls of authorized non-
17 residential buildings, excluding the walls of a building's primary façade, and
18 provided each mural is a maximum 200 square feet in area and contains no text.
19 Murals authorized within the applicable allocation of non-exempt wall signage are
20 not subject to these limits. Additionally, murals exceeding these size and manner
21 of use restrictions may be approved as conditional uses by the Board of
22 Adjustment according to the applicable conditions and review process prescribed
23 in Article 6 of Chapter 2.

- 24 **(10) Recreational facility signs.** Signs accessory to and within outdoor
25 recreational facilities, only if oriented for view from within the facilities. Such
26 signs include scoreboards, sponsor signs attached to the field side of playing
27 field fences, and concession stand signs.

- 28 **(11) Temporary decorations.** Temporary decorations accessory to the authorized
29 land use and customarily associated with a short-term event, such as a holiday
30 or a special event as defined in the temporary use provisions in Article 7 of
31 Chapter 4. Except on Pensacola Beach, such decorations may include balloon
32 and air-activated signs a maximum 10 feet in height.

- 33 **(12) Vehicle and trailer signs.** Signs on any motor vehicles or trailers actively in
34 transit along public streets, and any of the following signs attached to or placed
35 on registered, operable, and lawfully parked motor vehicles or trailers, but not
36 including manufactured (mobile) homes or changeable message signs:
 - 37 **a. Parked.** Signs on a vehicle at the residence of the principal driver of the
38 vehicle, or on a vehicle or trailer at the residence of the individual to whom the
39 unit is registered, or signs on a vehicle or trailer parked a maximum 24 hours
40 at any site.

 - 41 **b. Maximum area.** Signs a maximum six square feet in total area per vehicle or
42 trailer side.

1 **c. In service.** Signs on a vehicle or trailer in the service of a licensed or
2 otherwise bonified enterprise, and on the authorized site of that enterprise or
3 on any site where the enterprise is actively providing its goods or services.

4 **d. In storage.** Signs on vehicles or trailers stored within parcel areas authorized
5 for such outdoor storage, including parcels authorized for the sale, lease, or
6 rental of vehicles or trailers.

7 **(13) Wall signs.** Signs mounted for pedestrian view on the walls of authorized
8 principal and accessory buildings, each sign a maximum three square feet in
9 area (e.g., 18 in. x 24 in.).

10 **(14) Wind signs.**

11 **a. Flags.** Flags accessory to the authorized land use of the parcel, and not
12 otherwise exempt as temporary decorations, allowed in any combination of
13 the following types with applicable limits:

14 **1. String flagging.** Except on Pensacola Beach, string flagging accessory
15 to an authorized multi-family or non-residential use. Each flag or pennant
16 a maximum one square foot in area, suspended from one side along a
17 stringer line, and in combination on the line with any number of other such
18 flags or pennants.

19 **2. Blade or feather flags.** Except on Pensacola Beach, pole-supported
20 “blade” or “feather” type flags accessory to an authorized multi-family or
21 non-residential use. Each flag a maximum three feet in width and 12 feet
22 in height. A maximum one flag per 50 feet of parcel street frontage and
23 three flags per frontage with any flag spacing.

24 **3. Other flags.** Other typically pole-supported flags (e.g., U.S. flag)
25 accessory to the authorized use and no more than two per parcel. If flown
26 from a pole, each flag shall be proportional to its flagpole such that the
27 hoist side is no greater than 25 percent of the height of a supporting
28 vertical pole, or 50 percent of the length of a supporting pole projecting
29 from a building wall. Vertical flagpoles within residential zoning districts or
30 for single-family dwellings are limited to 25 feet in height and one per lot.

31 **b. Other wind signs.** Wind signs, other than flags or exempt temporary
32 decorations, accessory to any authorized single-family or two-family
33 residence, including wind socks, wind spinners, and whirligigs.

34 **(e) Parcel-specific exemptions.** In addition to the general and sign-specific
35 exemptions established in this section, a separate allocation of non-illuminated
36 freestanding signage for each development parcel is exempt from county sign
37 permits. This parcel-specific exemption is established primarily to accommodate
38 temporary signs of varying periods of display. Any changeable message signs as
39 parcel-specific exemptions are limited to manually rewritable forms.

40 **(1) One- and two-family parcels.** Each parcel whose authorized principal use or
41 development is single-family or two-family residential, or whose zoning district is

1 residential (RR, LDR, MDR, HDR, LDR-PK, MDR-PK, HDR-PK, LDR-PB, MDR-
2 PB, or HDR-PB), is authorized to display freestanding signage without county
3 sign permits, subject to the following:

- 4 **a. Quantity, area, and height.** A maximum of two signs for each parcel, each
5 sign a maximum six square feet in area (e.g., 24 in. x 36 in.) and six feet in
6 height.
- 7 **b. Additional quantity.** A third sign within the same area and height limits of
8 the initial signs is authorized for each parcel within the Agricultural, RMU,
9 LDMU, HDMU, Commercial, HC/LI, Industrial, or Public zoning district.
10 Alternatively, except on Pensacola Beach, a third sign is authorized for
11 placement along the secondary street frontage of any corner lot.
- 12 **c. Additional area.** Where the parcel is within a mainland zoning district and
13 fronts on a street having a posted speed limit of 40 mph or greater, the
14 maximum authorized area of each sign along that frontage is doubled to 12
15 square feet.
- 16 **d. Portability.** The sign may be portable only if accessory to an occupied
17 residential structure on the parcel.

18 **(2) Multi-family and non-residential parcels.** Each parcel whose authorized
19 principal use or development is not single-family or two-family residential, and
20 whose zoning is not residential (not RR, LDR, MDR, HDR, LDR-PK, MDR-PK,
21 HDR-PK, LDR-PB, MDR-PB, or HDR-PB), is authorized to display freestanding
22 signage without county sign permits, subject to the following:

- 23 **a. Quantity, area, and height.** A maximum of one sign per parcel street
24 frontage, each sign a maximum 32 square feet in area (e.g., 4 ft. x 8 ft.) and
25 10 feet in height, except on Pensacola Beach where the sign area may not
26 exceed 12 square feet.
- 27 **b. Additional quantity.** Within the same area and height limits of the initial
28 sign, a second sign is authorized for any individual street frontage greater
29 than 200 feet, and a third sign for any frontage greater than 600 feet.
- 30 **c. Additional area.** Where the parcel is within the Agricultural, RMU, LDMU,
31 HDMU, Commercial, HC/LI, Industrial, or Public zoning district, the maximum
32 authorized area of a sign is increased to 50 square feet.
- 33 **d. Portability.** The sign may be portable only if accessory to an occupied
34 principal structure on the parcel.
- 35 **e. Banners.** Except on Pensacola Beach, each authorized sign may be
36 displayed as a banner of the same maximum area if accessory to an
37 authorized use. However, no banner shall be attached to a fence, exceed
38 four feet in height if ground-mounted, or be displayed above the roof line if
39 attached to a building.

1 **Sec. 5-8.7 Temporary signs by permit.**

2 Temporary signs not otherwise prohibited or exempt from county permits as prescribed
3 in the preceding sections of this article may be authorized by permits under the
4 conditions of this section. Temporary sign permits shall specify the authorized period of
5 use. All temporary signs remain subject to the design, construction and maintenance
6 standards of this article. Temporary signage by permit does not modify or limit the
7 availability of permanent signage authorized in this article unless specifically noted. The
8 following temporary signs are subject to the permit conditions noted:

9 **(1) Balloon and air-activated signs.** Except on Pensacola Beach, balloon signs
10 and air-activated signs not eligible as exempt temporary decorations may be
11 temporarily authorized by county permit for a single display period of no more
12 than 14 days when accessory to the authorized land use. Each sign is limited to
13 a setback of no less than the height of the sign from all rights-of-way, parcel
14 lines, and overhead utility lines. All signs shall be adequately secured to the
15 ground to prevent horizontal movement. Relocation for use on a different parcel
16 shall require a new temporary permit, regardless of any remaining period of the
17 prior authorization.

18 **(2) Banners.** Banners not eligible as multi-family or non-residential parcel-specific
19 exemptions may be temporarily authorized by county permit for grand openings
20 and other short-term events. However, no banner may be attached to a fence,
21 no ground-mounted banner shall exceed four feet in height, and no banner
22 attached to a building shall be displayed above the roof line. Permitted banners
23 shall be conspicuously marked with the permit number and dates of permitted
24 use. Temporary banners are further limited by the following:

25 **a. On Pensacola Beach.** Banners may be authorized on Pensacola Beach
26 according to the established written policies of the SRIA only if application is
27 made to SRIA staff a minimum of 10 business days prior to the date of use.
28 Unless otherwise authorized by the AEC for a maximum 30 days, the display
29 of a banner is limited to a maximum 14 days.

30 **b. On mainland and Perdido Key.** Banners may be permitted when accessory
31 to authorized multi-family or non-residential uses within mainland or Perdido
32 Key zoning districts, each banner a maximum 60 square feet in area. For the
33 lot of any such use, a single permit may authorize only one banner for a
34 maximum 30 days. Additionally, no more than two permits shall be issued for
35 the same lot during any calendar year, but the times of authorization may
36 coincide or differ in whole or part. A banner may also be authorized by permit
37 to exceed the limits on area and period of use when used to temporarily cover
38 the permanent sign of a previous tenant.

39 **(3) Flags on Pensacola Beach.** Temporary flags on Pensacola Beach may be
40 authorized for special events under the same conditions as banners.

41 **(4) Projected image signs.** Except on Perdido Key and Pensacola Beach,
42 projected image signs may be temporarily authorized for a period of up to 30
43 days by county permit as on-premises signs accessory to an authorized non-

1 residential land use. Projected images shall comply with all sign illumination
2 standards of this article.

3 **(5) Vehicle and trailer signs.** Except on Pensacola Beach, the parking or
4 placement of a non-exempt vehicle or trailer sign may be temporarily authorized
5 by county permit on the parcel of an authorized non-residential use for a
6 maximum 60 days. The sign is limited to a maximum 100 square feet in area
7 and 10 feet in height, and shall be conspicuously marked with the permit number
8 and dates of permitted use. Relocation for use on a different parcel shall require
9 a new temporary permit, regardless of any remaining period of the prior
10 authorization.

11 **Sec. 5-8.8 On-premises permanent signs.**

12 **(a) Generally.** Unless authorized in this article as temporary or exempt, on-premises
13 signs shall comply with the provisions of this section as determined by the applicable
14 zoning district and authorized land use.

15 **(b) Mainland residential, recreation, and conservation districts.** On-premises non-
16 exempt signs within mainland residential, recreation, and conservation zoning
17 districts (RR, LDR, MDR, HDR, Rec, Con) shall comply with the following additional
18 standards:

19 **(1) Residential uses.** Residential subdivisions and multi-family developments are
20 allowed up to two signs at each development entrance. Each sign is limited to a
21 maximum 32 square feet in area and six feet in height. A multi-family
22 development may substitute one development entrance sign for one wall sign
23 limited to the same 32 square feet.

24 **(2) Non-residential uses.** The principal non-residential structure on a development
25 parcel is allowed either one freestanding sign a maximum 32 square feet in area
26 and six feet in height, or a maximum 2.00 square feet of wall sign area per lineal
27 foot of building frontage at grade with a minimum 20 square feet for any
28 individual tenant frontage of a multi-tenant building.

29 **(3) Changeable message.** Manual and mechanical changeable message signs are
30 allowed for both residential and non-residential uses, but projected image signs
31 are prohibited and electronic message signs are limited to static message display
32 with instantaneous change of message. These allowed forms of changeable
33 message may be utilized for any portion of authorized sign area.

34 **(c) Mainland agricultural and mixed-use districts.** On-premises non-exempt signs
35 within mainland agricultural and mixed-use zoning districts (Agr, RMU, LDMU,
36 HDMU) shall comply with the following additional standards:

37 **(1) Residential uses.** Residential uses are allowed the same signage as residential
38 uses in the mainland residential districts.

39 **(2) Non-residential uses.** Commercial subdivisions are allowed the same
40 development entrance signage as residential subdivisions. Non-residential uses
41 and structures within the HDMU district are allowed the same signage as those

1 within the mainland commercial and industrial districts. Other principal non-
2 residential structures on a development parcel are allowed the following signage:

3 **a. General sign allowance.** Within the Agr, RMU, and LDMU districts, either
4 one freestanding sign a maximum 32 square feet in area and six feet in
5 height, or a maximum 2.00 square feet of wall sign area per lineal foot of
6 building frontage at grade with a minimum 20 square feet for any individual
7 tenant frontage of a multi-tenant building.

8 **b. Increased area and height.** For properties fronting a collector or arterial
9 street, the maximum area and height of a freestanding sign is increased to 50
10 square feet and 10 feet respectively if the sign is at least 100 feet from any
11 single-family or two-family dwelling. Maximum wall sign area is increased to
12 2.50 square feet per lineal foot of building frontage if the building is more than
13 200 feet from the public right-of-way.

14 **(3) Changeable message.** Manual and mechanical changeable message signs are
15 allowed for both residential and non-residential uses, but projected image signs
16 are prohibited. For residential uses, electronic message signs are limited to
17 static message display with instantaneous change of message. Non-residential
18 use electronic signs are also limited to static message display, but the transition
19 from one message to the next may occur by scroll, travel, fade, or dissolve
20 effects completed within a maximum two seconds. These allowed forms of
21 changeable message may be utilized for any portion of authorized sign area.

22 **(d) Mainland commercial, industrial, and public districts.** On-premises non-exempt
23 signs within mainland commercial, industrial, and public zoning districts (Com,
24 HC/LI, Ind, Public) shall comply with the following additional standards:

25 **(1) Residential uses.** Residential uses are allowed the same signage as residential
26 uses in the mainland residential districts.

27 **(2) Non-residential uses.** Commercial subdivisions are allowed the same
28 development entrance signage as residential subdivisions. Other principal non-
29 residential structures on a development parcel are allowed the following signage:

30 **a. Freestanding signs.** Freestanding signs are limited by characteristics of the
31 development parcel as follows:

32 **1. Quantity and spacing.** One freestanding sign structure is allowed per
33 individual parcel street frontage and one additional structure for each full
34 acre in development parcel size above two acres, but a maximum four
35 sign structures are allowed regardless of frontage or acreage. The
36 structures shall be placed no less than 200 feet from any other non-
37 exempt sign structures on the same development parcel, excluding
38 billboards.

39 **2. Area and height.** A maximum 1.00 square foot of freestanding sign area
40 is allowed per lineal foot of parcel street frontage, and a minimum total of
41 50 square feet is allowed for any development parcel regardless of street
42 frontage. If the on-premises freestanding signage for an entire parcel is

1 limited to one sign structure, the total sign area from all parcel street
 2 frontage is available to that structure, subject to area limits applicable to its
 3 location. Regardless of street frontage or number of sign structures, the
 4 maximum sign area and height for all individual freestanding signs is
 5 additionally limited by the size of the parcel and the classification of the
 6 street to which the sign structure is closest 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.	20 ft.

7 **b. Wall signs.** A maximum 2.25 square feet of wall sign area is allowed per
 8 lineal foot of building frontage at grade. The maximum wall sign area is
 9 increased to 2.50 square feet per lineal foot for any building frontage facing
 10 an arterial or four-lane street, and is increased to 2.75 square feet per lineal
 11 foot for any building frontage more than 200 feet from the public street right-
 12 of-way. A minimum 20 square feet is allowed for any individual tenant
 13 frontage of a multi-tenant building.

14 **(3) Changeable message.** The following forms of changeable message may be
 15 utilized for any portion of authorized sign area, except that electronic message
 16 area is limited to 50 percent of the total sign area on a single structure and to one
 17 sign on that structure:

- 18 **a. Residential and non-residential.** For both residential and non-residential
 19 uses, manual and mechanical changeable message signs are allowed.
- 20 **b. Residential.** For residential uses, projected image signs are prohibited and
 21 electronic message signs are limited to static message display with
 22 instantaneous change of message.
- 23 **c. Non-residential.** For non-residential uses, projected image signs are
 24 allowed and electronic message signs may employ all display features and
 25 functions except flashing, pulsating, or full motion video display.

26 **(e) Perdido Key districts.** On-premises non-exempt signs within Perdido Key zoning
 27 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 non-exempt freestanding signs on the
9 same development parcel is 300 feet.

10 **(3) Changeable message.** Changeable message signs, excluding projected image
11 signs, are authorized for both residential and non-residential uses, but each sign
12 is limited to 32 square feet in area.

13 **(f) Pensacola Beach districts.** On-premises non-exempt signs for any establishment
14 within Pensacola Beach zoning districts may be wall signs, freestanding signs, or
15 both and shall comply with the following additional standards:

16 **(1) Sign construction.**

17 **a. Colors and logo.** The colors of the main lettering and background of all
18 signs shall be limited to the color options adopted by the SRIA, except up to
19 one-third of a sign’s area may include an establishment’s logo, which may
20 include the name or special color scheme of that establishment. Any exterior
21 portion of a structure that deviates in color from the main part of the structure
22 and represents the establishment’s color scheme or logo is considered to be
23 signage.

24 **b. Attached lettering.** All permanent signs shall incorporate the use of
25 attached lettering. The use of plywood with painted-on lettering is not
26 permitted.

27 **(2) Single-family uses.** Residential subdivisions for single-family detached or
28 attached (townhouse) dwellings are allowed up to two signs at each development
29 entrance. Each sign is limited to a maximum 32 square feet in area and six feet
30 in height.

31 **(3) Multi-family and non-residential uses.** Multi-family residential developments
32 and non-residential establishments are allowed the following signage:

33 **a. Freestanding signs.**

34 **1. Quantity.** One freestanding sign is allowed per master lease agreement
35 or multi-tenant development.

36 **2. Area and height.** Total freestanding sign area on a single structure shall
37 not exceed 65 square feet. Signs are encouraged to be low and
38 horizontal in character. The top and bottom of a freestanding sign shall
39 not exceed 14 feet and six feet, respectively, above the crown of the
40 nearest street. However, establishments whose principal structures are

1 750 feet or more from the street right-of-way may have freestanding signs
2 up to 18 feet high.

3 **3. Placement.** Freestanding signs shall be placed within or directly adjacent
4 to a landscaped area which shall not be smaller than the face area of the
5 sign itself.

6 **4. Portable signs.** Portable signs are limited to temporary A-frame or
7 sandwich board signs, which shall be permitted subject to the established
8 written policies of the SRIA.

9 **b. Wall signs.**

10 **1. Area and quantity.** The maximum area allocated to all wall signs on a
11 building shall not exceed 10 percent of the building wall surface area
12 facing the addressed street, except that buildings with more than one
13 street front may have wall sign area up to 15 percent of the wall surface
14 facing the addressed street. The wall surface area from which sign area is
15 determined may include the roof surface when its slope is steeper than 45
16 degrees. The available wall sign area may be allocated to one or more
17 wall signs mounted on a vertical wall surface, but no individual wall sign
18 shall exceed 200 square feet, and within any multi-tenant development,
19 each tenant is limited to 16 square feet regardless of the building total.

20 **2. Lighted canopies.** Lighted canopies displaying the name of the
21 establishment require a color rendering of the proposed canopy, including
22 dimensions of the canopy and the building to which it will be attached, to
23 be presented for approval according to the established written policies of
24 the SRIA.

25 **3. Window signs.** Interior electric signs used as window signs are limited to
26 a total of six square feet per establishment.

27 **c. Changeable message.** Changeable message signs, excluding projected
28 image signs, are allowed if incorporated into the main sign and limited to no
29 more than one-third of its area.

30 **Sec. 5-8.9 Off-premises permanent signs (billboards).**

31 Unless authorized in this article as temporary or exempt, an off-premises sign shall be
32 regulated as a billboard and comply with the additional provisions of this section. The
33 placement of a billboard does not require a minimum lot area or the presence of a
34 principal structure on the site, but shall be subject to the following limitations:

35 **(1) Maximum number.** The maximum number of permitted billboard structures
36 within the county is limited to the number existing or having received county
37 approval as of December 12, 2001, and those additional structures allowed for
38 replacement of billboard structures removed along scenic highways as provided
39 in this section.

1 **(2) New billboards.** A building permit for the construction of a new billboard
 2 structure may only be issued after the removal of an existing billboard structure is
 3 confirmed. Confirmation may be in the form of a photograph submitted by the
 4 applicant or a site inspection by county personnel. Upon removal confirmation a
 5 certificate shall be issued to the owner of the removed structure who may
 6 redeem the certificate for a building permit to construct a new billboard structure,
 7 hold it for future redemption, or convey it to a third party for redemption.

8 **(3) Removal along scenic highways.** Notwithstanding the maximum number of
 9 permitted billboards, the removal of an existing billboard structure along an
 10 officially designated scenic highway will entitle the owner of the removed
 11 billboard to purchase building permits for construction of two new billboard
 12 structures at other locations complying with the provisions of this article.

13 **(4) Area and height.** The maximum sign area and height for an individual billboard
 14 structure is limited by the classification of the street to which the sign structure is
 15 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.

16 **(5) Placement.**

17 **a. Zoning.** Billboards are prohibited within all residential, Perdido Key, and
 18 Pensacola Beach zoning districts, and within all areas zoned Gateway
 19 Business District (GBD), Gateway Mixed Use District (GMD), Gateway
 20 Industrial District (GID), or Industrial Commerce Park District (ID-CP) prior to
 21 adoption of any mainland Commercial (C), Heavy Commercial and Light
 22 Industrial (HC/LI), or Industrial (I) zoning.

23 **b. Proximity to residential.** In addition to the prohibition within residential
 24 zoning districts, no billboard shall be located within 100 feet of any
 25 residentially zoned (RR, LDR, MDR, HDR) property as measured along a
 26 right-of-way. The distance shall be measured from a point where a horizontal
 27 line extending from the billboard is perpendicular to the right-of-way, to the
 28 point of intersection of the residential district boundary with the right-of-way.

29 **c. Right-of-way setback.** The minimum setback of a billboard from a public
 30 street right-of-way is 15 feet to the nearest edge of the sign.

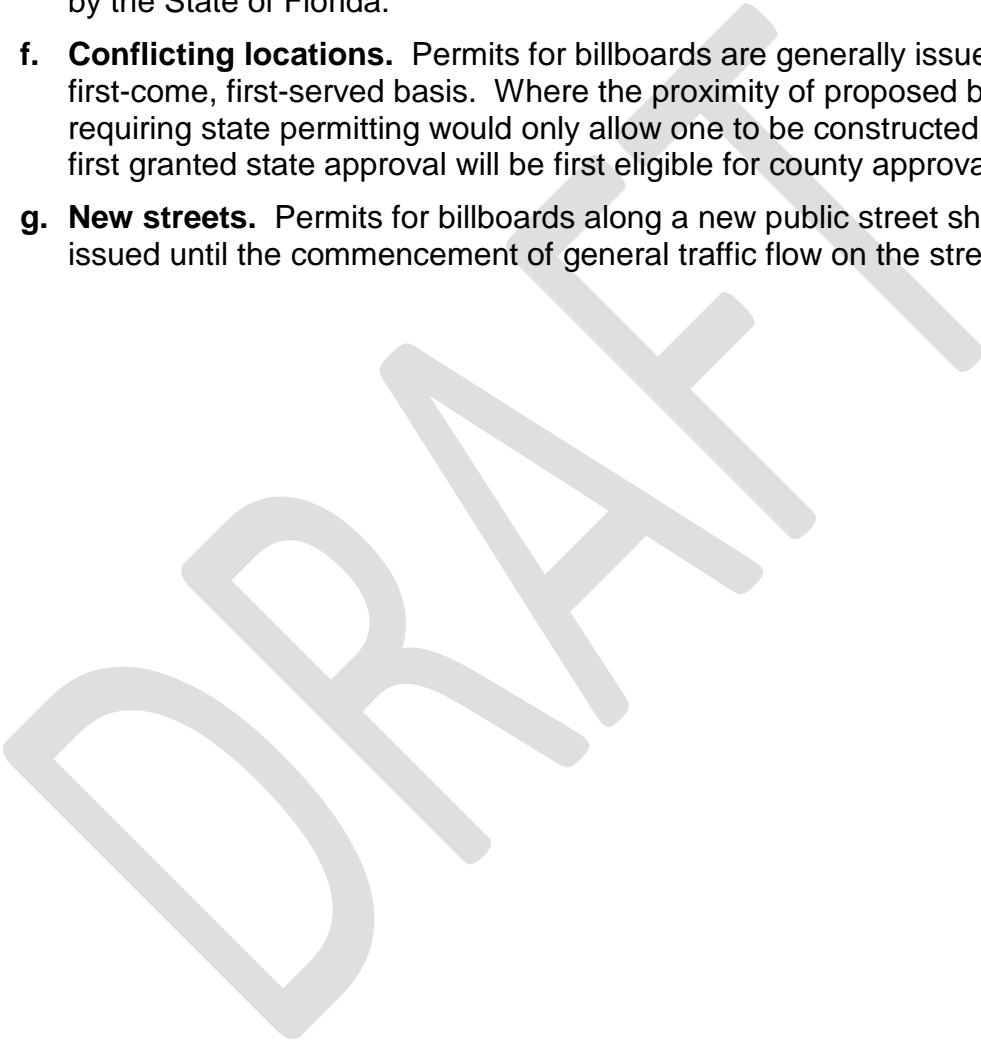
31 **d. Spacing.** The distance between billboard structures on the same side of any
 32 street other than an interstate shall be no less than 1000 feet. The distance
 33 for billboards adjacent to and facing the same side of an interstate highway

1 shall be no less than 2000 feet. Additionally, no billboard structure may be
2 located adjacent to or within 500 feet of an interchange or rest area as
3 measured along the interstate from the beginning or ending of pavement
4 widening at the exit from or entrance to the main travel way.

5 **e. Scenic roadways.** No part of a billboard shall be visible from or located
6 within 500 feet of the right-of-way of any scenic roadway designated in the
7 Escambia County Comprehensive Plan, specifically including Scenic Highway
8 (SR 10A), Perdido Key Drive (SR 292), and any scenic highway designated
9 by the State of Florida.

10 **f. Conflicting locations.** Permits for billboards are generally issued on a
11 first-come, first-served basis. Where the proximity of proposed billboards
12 requiring state permitting would only allow one to be constructed, the location
13 first granted state approval will be first eligible for county approval.

14 **g. New streets.** Permits for billboards along a new public street shall not be
15 issued until the commencement of general traffic flow on the street.



Annotated Draft of Outdoor Signs Ordinance “Exhibit A” Text

The following draft text identifies changes in red to the 2-6-18 Planning Board discussion draft of proposed replacement outdoor sign regulations. The changes to the draft are in response to Board comment and the ongoing review of its provisions. Explanations have been included [in green] for most changes to aid in review of the separate and complete ordinance, with Exhibit A, proposed for LDC amendment.

Article 8 Outdoor Signs.

Sec. 5-8.1 Purpose of article.

This article establishes land development standards for outdoor signs as required by the Comprehensive Plan. ~~that~~ The purpose is to provide reasonable, content-neutral, nondiscriminatory sign regulation through time, place, and manner of use. It is the intent of these standards to protect and enhance the economic vitality and physical appearance of the county as a place to live, vacation, and conduct business. More specifically, this article is intended to: [Note: Modified to include directive of Comprehensive Plan and specific purpose of content neutrality.]

- (1) Enable the proper scale, quantity, period, and placement of signs to effectively promote commerce, to identify places of residence and business, and to orient, direct, and inform the public.
- (2) Require that signs be adequately designed and constructed, and be removed when unauthorized or inadequately maintained, to protect the public from conditions of blight and the dangers of unsafe signs.
- (3) Lessen visual confusion and hazards caused by improper height, placement, illumination, or animation of signs, and assure that signs do not obstruct the view of vehicles and pedestrians traveling public streets or create nuisance conditions.
- (4) Preserve and protect the unique natural and scenic character of Pensacola Beach, Perdido Key, and other designated scenic areas of the county.
- (5) Protect the interests of sign owners in continuing to use lawfully established and maintained signs while providing the community with a gradual remedy for existing undesirable conditions resulting from nonconforming signs.
- (6) Identify the established processes for compliance review, approval and permitting of signs, the exemptions from that permitting, and the available processes to request variances to sign standards.

Sec. 5-8.2 General provisions.

(a) Sign and sign face defined. For the purposes of this article, a sign is any object, device, display, or structure, or part thereof, which is positioned and used to advertise, identify, announce, direct or attract attention, or otherwise visually

1 communicate a message outdoors using words, letters, numbers, emblems, figures,
2 symbols, pictures, or other message elements. Any surface which displays such
3 elements is a sign face.

4 [Note: The definition of “sign” was not modified from the previous draft. Definitions from
5 multiple valid sources also contain the subjective “used to,” “intended to,” “designed to,”
6 etc. Several are listed below.]

- 7 • A device or representation for visual communication which is used for the purpose of bringing the
8 subject thereof to the attention of others. [Guidepost to Municipal Sign Regulation]
- 9 • Any name, figure, character, outline, display, announcement, or device, or structure supporting
10 the same, or any other device of similar nature designed to attract attention outdoors. [A
11 Framework for On-premise Sign Regulations]
- 12 • Any device, structure, fixture, painting, or visual image using words, graphics, symbols, numbers,
13 or letters designed and used for the purpose of communicating a message or attracting attention.
14 [An Evidenced Based Model Sign Code]
- 15 • Any device visible from a public place whose essential purpose and design is to convey either
16 commercial or non-commercial messages by means of graphic presentation of alphabetic or
17 pictorial symbols or representations. [Model on-premise Sign Code]
- 18 • Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors,
19 illumination, symbols, numbers, or letters for the purpose of communicating a message. [Model
20 Ordinance]
- 21 • Florida Statutes 479.01(19) “Sign” means any combination of structure and message in the form
22 of an outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard,
23 advertising structure, advertisement, logo, symbol, or other form, whether placed individually or
24 on a V-type, back-to-back, side-to-side, stacked, or double-faced display or automatic changeable
25 facing, designed, intended, or used to advertise or inform, any part of the advertising message or
26 informative contents of which is visible from any place on the main-traveled way. The term does
27 not include an official traffic control sign, official marker, or specific information panel erected,
28 caused to be erected, or approved by the department.
- 29 • Any outdoor visual communication device or system designed to be seen from an outdoor
30 location and used for the purpose of conveying a message, or for advertising or identifying any
31 establishment, product, good or service. [The Signage Sourcebook]

32
33 **(b) Permits required.**

34 **1. General requirement.** Unless specifically authorized in this article by an
35 exemption from permitting, no person shall place, post, display, construct, alter,
36 or relocate any sign without having first obtained all necessary permits through
37 county review and approval for compliance with the standards of this article and
38 other applicable code provisions. The review and approval process shall be as
39 prescribed in Chapter 2. Regardless of any exemption from county permitting, all
40 signs remain subject to article standards of design, construction, placement, and
41 maintenance.

1 **2. Pensacola Beach requirements.** As prescribed within the established written
2 procedures of the Santa Rosa Island Authority (SRIA), signs located on
3 Pensacola Beach may require the authorization of SRIA staff, the Architectural
4 and Environmental Committee (AEC) of the SRIA, or the SRIA board prior to
5 county approval.

6 **(c) Nonconforming signs.** Lawfully established and maintained signs that no longer
7 comply with one or more current requirements of the LDC may continue as
8 nonconforming signs in use as prescribed in this section and Article 2 of Chapter 1,
9 but the expansion of any nonconformance is prohibited.

10 **(1) Relocation.** If a nonconforming sign is relocated for any reason, the sign shall
11 be brought fully into compliance with the standards of this article, regardless of
12 any estimated cost to replace the sign at its former location.

13 **(2) Substantial expenses.** When the restoration of any removed, destroyed, or
14 damaged nonconforming sign would constitute an expense of more than 50
15 percent of the replacement cost of the sign as documented by a licensed sign
16 contractor, the restored sign shall fully comply with the standards of this article.
17 Similarly, within a calendar year, when any alteration to or maintenance on a
18 nonconforming sign would constitute an expense of more than 50 percent of the
19 sign's replacement cost, the sign shall be brought fully into compliance with
20 article standards. [Note: Source of cost estimate identified.]

21 **(3) Non-substantial expenses.** Any alteration, repair, or maintenance to a
22 nonconforming sign within a calendar year that would constitute an expense of
23 50 percent or less of the replacement cost of the sign shall comply with the
24 following conditions for continuing sign nonconformance:

25 **a. Repairs and maintenance.** Repairs and maintenance shall be performed as
26 necessary to maintain all nonconforming signs in good repair and safe
27 condition, as they were originally authorized and without modifying their
28 nonconformance. Any such work is exempt from sign permits, but may
29 require building permits to ensure compliance with the *Florida Building Code*.

30 **b. Alterations.** Generally, no ~~No~~ alterations other than sign face replacement
31 shall be made to a nonconforming sign, including added or enlarged
32 electronic message area, if any nonconformance of the sign or supporting
33 structure would remain, except for the following: However, alterations to sign
34 area, including necessary modifications to supporting cabinets and frames,
35 may be authorized by permit for a freestanding sign of nonconforming height
36 if the alterations comply with all the following conditions:

37 1. The quantity of freestanding signs on the same parcel is, or is made to be,
38 conforming.

39 2. The resulting sign height is no greater.

40 3. The new sign area is no greater than the old sign area or the current
41 standard's maximum area, whichever is less.

1 ~~1. **Sign face.** The face of a nonconforming sign may be replaced without a~~
2 ~~permit if no other alterations are made to the sign, including modifications~~
3 ~~to the size or configuration of supporting cabinets or frames.~~

4 ~~2. **Sign area.** Alterations to sign area, including necessary modifications to~~
5 ~~supporting cabinets and frames, may be authorized by permit for a~~
6 ~~freestanding sign of nonconforming height if the quantity of freestanding~~
7 ~~signs on the same parcel is (or is made to be) conforming, if the resulting~~
8 ~~sign height is no greater, and if the new sign area is no greater than the~~
9 ~~old sign area or the current area standard, whichever is less.~~

10 [Note: Sign face replacement without a permit is applicable to both conforming and non-
11 conforming signs, so the provision was moved to the exemption section. Remaining
12 conditions for sign area alteration are enumerated for clarity.]

13 **(d) Variances.** Variances to the strict application of the sign quantity, area, height, and
14 sign-to-sign separation standards of this article are available, but only for signs that
15 require county permitting (non-exempt signs). Variances may be granted according
16 to the applicable variance conditions and review processes prescribed in Article 6 of
17 Chapter 2. All such modifications shall maintain the stated purposes of this article
18 and demonstrate the following additional technical conditions:

19 **(1) Impairment.** The effectiveness of signage that complies with the standards of
20 this article is materially impaired and cannot be sufficiently corrected with
21 reasonable and complying changes in sign luminance (brightness), contrast,
22 placement, or orientation.

23 **(2) Legibility.** The sign letter weight is adequate (height to stroke width ratio no
24 more than 5:1) and the message is limited to a reasonable number of elements
25 to comprehend; nevertheless, signage that complies with the standards of this
26 article cannot provide its primary audience (e.g., passing vehicles) with 30 feet or
27 less of viewing distance per inch of letter height (legibility index of 30 ft./in. or
28 less).

29 **(e) Owner responsibility.** All property owners, and leaseholders of property on
30 Pensacola Beach, are responsible for the proper permitting, placement,
31 construction, and maintenance of any signs on their property. These responsibilities
32 include compliance with all applicable provisions of the LDC and the *Florida Building*
33 *Code*, any required Florida Department of Transportation permitting for signs along
34 state maintained roads, and the timely elimination of temporary or inadequately
35 maintained signs.

36 **(f) Overlay districts.** In addition to the provisions of this article, signs shall comply with
37 any prohibitions, limitations, or other sign standards of applicable overlay zoning
38 districts as established in Article 3 of Chapter 3.

39 **(g) Message substitution.** Except for messages required by law or ordinance, any
40 message on an authorized sign may be substituted in whole or part for any other
41 message. This substitution allowance is intended to prevent any inadvertent
42 regulatory favoring of messages, but it does not create a right to increase signage or

1 modify any other provisions of this article. [Note: A substitution statement is
2 recommended by post-Reed analyses, particularly to avoid any unconstitutional
3 preferences.]

4 ~~(g)~~**(h) Enforcement.** The standards of this article shall be enforced by county code
5 enforcement officers as authorized in Chapter 30, *Code Enforcement*, Part I,
6 Escambia County Code of Ordinances. Signs located on Pensacola Beach may
7 also be subject to compliance inspection by the SRIA, which is authorized to
8 summarily remove any unauthorized signs on lands under its jurisdiction. Any party
9 or parties in violation of these standards shall be subject to notices of violation,
10 citations, and civil penalties as prescribed in Chapter 30.

11 **(1) Signs on public lands.** Signs of any type placed on public lands, including
12 public rights-of-way, in violation of the provisions of this article are subject to
13 removal and disposal by code enforcement officers or other county-authorized
14 personnel without notice or compensation. Such removal does not preclude
15 citations or imposition of penalties for the violation.

16 **(2) Unsafe signs.** If the condition of any authorized sign becomes unsafe in the
17 opinion of those authorized to enforce the provisions of this article, the owner
18 shall remove the sign or secure it in a manner complying with this article and
19 applicable building codes within 10 days after receiving written notice from the
20 county. Where the danger is immediate, the condition shall be corrected without
21 delay. If the unsafe condition is not corrected within 10 days, the county shall be
22 authorized to correct the condition at the owner's expense, including removal of
23 the sign.

24 **Sec. 5-8.3 Signs defined by type and character.**

25 For the purposes of this article, signs are defined and identified as follows and may be
26 further characterized within the standards of the article:

27 **(1) Freestanding signs.** A freestanding sign is any sign that stands on its own, not
28 attached to a building or a fence, including pole signs, monument signs, and
29 portable signs.

30 **a. Pole signs.** A pole or pylon sign is any freestanding sign that is elevated
31 above the adjacent grade and mounted on one or more poles, pylons, or
32 similar vertical supports from the ground.

33 **b. Monument signs.** A monument or ground sign is any freestanding sign with
34 its entire base placed directly on the ground.

35 **c. Portable signs.** A portable sign is any freestanding sign that is not
36 permanently attached to the ground or a permanent structure, or a sign that is
37 designed to be transported.

38 **d. Vehicle and trailer signs.** A vehicle or trailer sign is any sign that is made
39 portable by permanent or temporary attached to or placement in any manner
40 on a motor vehicle or trailer.

1 **(2) Wall signs.** A wall sign is any sign that is attached to or painted on the exterior
2 wall of a building in such a manner that the wall is the supporting structure for the
3 sign or forms the background surface of the sign. For the allocation of sign area
4 and other purposes of this article, wall signs include awning, canopy, fascia,
5 marquee, roof, and window signs, and murals, but do not include fence signs.

6 **a. Awning, canopy, fascia, and marquee signs.** An awning, canopy, fascia,
7 or marquee sign is any sign that is mounted or painted on, or attached to an
8 awning, canopy, fascia, or marquee respectively, but not projecting above,
9 below, or beyond the awning, canopy, fascia, or marquee.

10 **b. Roof signs.** A roof sign is any sign that is mounted on the roof of a building,
11 or wholly dependent on a building for support, and extending above the top of
12 the wall of a flat-roofed building, above the eave line of a building with a hip,
13 gambrel, or gable roof, or the deck line of a building with a mansard roof.

14 **c. Window signs.** A window sign is any sign that is placed in or on a window or
15 placed within a building in such a manner that it can be viewed through a
16 window from the outside.

17 **d. Projecting signs.** A projecting sign is any sign supported by a building wall
18 and extending outward from the wall with the sign display surface
19 perpendicular to the wall.

20 **e. Murals.** A mural is any sign that is an original, one-of-a-kind work of visual
21 art tiled or painted by hand directly upon the façade of a building. [Note: The
22 term is added here and modified from the current definition to eliminate
23 subjectivity: “A painting or other graphic art displayed on the façade of a
24 building generally for the purposes of decoration or artistic expression”.]

25 **(3) Fence signs.** A fence sign is any sign that is attached to or painted on a fence
26 in such a manner that the fence is the supporting structure for the sign. For the
27 allocation of sign area and other purposes of this article, fence signs are neither
28 freestanding signs nor wall signs.

29 **(4) Changeable message signs.** A changeable message sign is any sign that is
30 designed to allow frequent changes in its displayed message. Messages may be
31 changed through any of the following means, but a change in message does not
32 constitute a different sign:

33 **a. Manual.** A periodic manual change on the sign face, typically by
34 rearrangement of letters along horizontal tracks, by replacement of printed
35 substrates, or by redrawing, all without otherwise altering the sign.

36 **b. Mechanical.** Different messages automatically displayed intermittently on the
37 same sign face by mechanical means, as on the slatted face of a “tri-vision”
38 sign that allows three different messages to revolve and appear at recurring
39 intervals.

40 **c. Electronic.** An electronic message display made up of internally illuminated
41 components (e.g., LEDs) of the sign face controlled by a programmable

1 electronic device allowing remote or automatic display of multiple messages
2 in various formats and at varying intervals.

3 **d. Projection.** A message display created by the projection of an image onto a
4 building wall or other display surface from a distant device.

5 **(5) Temporary signs.** A temporary sign is any sign that is authorized to be placed
6 in view for a limited period of time and required to be removed from view upon
7 expiration of the authorized time. Temporary signs include balloon, air-activated,
8 and banner signs.

9 **a. Balloon signs.** A balloon sign is any temporary sign that is gas-inflated.

10 **b. Air-activated signs.** An air-activated sign is any temporary sign with one or
11 more parts given form or animation by mechanically forced air.

12 **c. Banners.** A banner is any temporary sign that is made of lightweight, non-
13 rigid, and typically non-durable material such as cloth, paper, or plastic, and
14 that is designed to be secured to a structure along two or more sides or at all
15 corners by cords or similar means, or to be supported by stakes in the
16 ground. A banner is not a wind sign.

17 **(6) Flags and other wind signs.** A wind sign is any sign that is designed and
18 fashioned to move when subjected to winds, including wind socks, wind spinners,
19 whirlygigs, and flags. A flag is any wind sign made of a continuous sheet of fabric
20 or other flexible material, designed to be supported along one edge and typically
21 flown from a pole or staff.

22 **(7) On-premises and off-premises signs.** An on-premises sign is any sign that is
23 accessory to the authorized principal use or structure on the same parcel as the
24 sign. On-premises signs are, therefore, subordinate in extent and purpose and
25 customarily incidental to the principal use or structure as prescribed by the
26 supplemental use regulations in Article 7 of Chapter 4. Any sign that is not an
27 on-premises sign is an off-premises sign.

28 **(8) Exempt and non-exempt signs.** An exempt sign is any sign that is relieved by
29 the provisions of this article from the requirement to obtain a county sign permit.
30 Any sign that is not an exempt sign is a non-exempt sign requiring authorization
31 by permit, but exemption does not modify the availability of non-exempt signage.

32 **Sec. 5-8.4 Design, construction, and maintenance of signs.**

33 Every sign, including those exempt from county permitting, shall be designed,
34 constructed, placed, and maintained in compliance with the standards of this article and
35 applicable provisions of the *Florida Building Code*. In addition to the provisions of this
36 section, specific area, height, and quantity limits are prescribed in the subsequent
37 sections of this article for both exempt and non-exempt, on-premises and off-premises
38 signs.

39 **(1) Sign area.** For the purposes of this article, the area of a sign is the area of the
40 smallest regular geometric shape (rectangle, triangle, circle, etc.), or simple

1 combination of such shapes, that forms or approximates the perimeter of all sign
2 message elements and comprises the sign face. When a background to the
3 message elements is defined by a frame, outline, panel, or other border, the area
4 of the background defined by that border is the sign area. In the calculation of
5 sign area, the Planning Official may exclude minor appendages beyond the
6 regular shape of the sign area perimeter.

7 **a. Freestanding sign area.** The area of a freestanding sign authorized by this
8 article shall be the sum of the areas of the largest faces visible from any
9 single direction, except as modified by the following:

- 10 **1. Exclusions.** In the calculation of sign area, the base, apron, supports,
11 and other structural members not displaying elements of a sign message
12 are not included.
- 13 **2. Special conditions.** For signs located on Pensacola Beach, and for any
14 non-exempt off-premises signs (billboards), when two identical sign faces
15 on the same sign structure are placed back-to-back or in a “V”
16 configuration with an internal angle behind the faces of no more than 90
17 degrees, the sign area is calculated as the area of only one face.
- 18 **3. Separate signs.** Sign faces having no shared support from the same
19 structure constitute separate signs and are subject to area (and other)
20 standards accordingly.

21 **b. Wall sign area.** Except as provided in this article for on-premises signs
22 located on Pensacola Beach, non-exempt wall sign area shall be authorized
23 in proportion to the length of the exterior building wall to which the signs are
24 attached. Similarly, wall sign area for any individual tenant space within a
25 multi-tenant building shall be in proportion to the exterior wall length of that
26 space.

- 27 **1. Multiple signs.** Each building, or each tenant space of a multi-tenant
28 building, may have multiple wall signs, but the total wall sign area on a
29 building or tenant wall shall not exceed the allowance for that wall.
30 Unused sign area on one building or tenant wall is not available to any
31 other building or tenant wall.
- 32 **2. Sign background.** The architectural features of a wall do not by
33 themselves define the background area that must be included in the
34 calculation of wall sign area.
- 35 **3. Window signs.** The placement of window signs shall not obscure more
36 than 30 percent of the area of the window in or on which they are placed
37 or through which they are viewed. Additionally, window signs located on
38 Pensacola Beach must be incorporated as part of a display of
39 merchandise or services offered and may not be affixed to a window.

40 **(2) Sign height.** Unless otherwise noted, freestanding sign height shall be
41 measured from the highest adjacent grade at the base of the sign.

1 **(3) Sign placement.** In addition to the following placement standards, signs shall
2 maintain industry standard clearances and otherwise avoid interference with
3 utility lines and equipment:

4 **a. Prior authorization.** No signs shall be placed on any property without prior
5 authorization of the property owner. Signs shall not be placed on public
6 property, including public rights-of-way, or placed on private property in any
7 manner that projects or extends a sign over public property, without
8 applicable public agency authorizations and permits.

9 **b. Spacing.** Where spacing or separation standards apply, the distance shall
10 be measured in a straight line to the center of each sign unless otherwise
11 noted.

12 **c. Conflicts.** No part of any sign, exempt or non-exempt, on-premises or off-
13 premises, temporary or permanent, shall obstruct vision on private property
14 along a street right-of-way between three feet and nine feet above grade
15 within 10 feet of the right-of-way. Sign placement shall also comply with sight
16 visibility standards for driveway and street intersections and avoid conflicts
17 with protected trees, both existing and those planted to comply with county
18 standards.

19 **d. Wall sign projection.** Wall signs shall not project more than 24 inches from
20 the supporting wall, or if mounted on a sloped roof surface, shall not extend
21 above the roof line or project more than 48 inches from the roof surface.

22 **(4) Sign illumination.** Where authorized, signs may be illuminated by internal or
23 external artificial light sources that comply with the following standards:

24 **a. Luminance.** Sign luminance, the light emitted by a sign or reflected from its
25 surface, shall not be greater than necessary to reasonably allow the sign to
26 be viewed by its primary audience (e.g., passing vehicles). Additionally, from
27 dusk until dawn no sign may exceed a maximum luminance level of 500
28 candelas per square meter (cd/m²), regardless of the source of illumination.

29 **b. Source and direction.** External light sources shall be directed onto sign
30 faces and effectively shielded to prevent the direct illumination of any
31 adjacent buildings or street rights-of-way. All externally illuminated signs
32 located on Pensacola Beach shall be either face-lighted by spotlights or
33 similar fixtures directing light only downward onto the sign surface, or
34 shadow-lighted by indirect concealed light sources behind opaque sign
35 elements, and shall make no use of exposed neon.

36 **c. Glare.** Lighting shall not create excessive glare for pedestrians, motorists or
37 adjacent uses, or obstruct the view of traffic control devices or signs.

38 **d. Marine shorelines.** Along any marine shoreline, illuminated signs shall not
39 be located on the seaward or shore-perpendicular sides of any structures,
40 and sign lighting shall not directly, indirectly, or cumulatively illuminate the
41 beach. Lighting along any marine shoreline is additionally limited for natural
42 habitats as prescribed in the natural resources regulations of Chapter 4.

1 **(5) Electronic signs.** Electronic display and projected image signs shall comply
2 with the following additional standards:

3 **a. Movement.** Only as authorized within this article may displays and projected
4 images include dynamic messages that appear or disappear through
5 dissolve, fade, travel, or scroll modes, or similar transitions and frame effects;
6 or have text, animated graphics, or images that appear to move or change in
7 size, or are revealed sequentially. None shall flash or pulsate.

8 **b. Display times.** Each message shall be displayed or projected a minimum of
9 six consecutive seconds.

10 **c. Controls.** Each sign shall include an automatic control regulating display or
11 projection brightness in compliance with the luminance standards of this
12 article. Additionally, ambient light monitors shall automatically adjust the
13 brightness to ambient light conditions, and a default control shall turn off the
14 sign or freeze the message in one position if a malfunction of normal
15 operation occurs.

16 **(6) Multi-tenant signage plans.** Development plans for any shopping center, office
17 park, or other multi-tenant non-residential development shall include a master
18 plan for the development's freestanding signage. The signage plan shall
19 establish an adequate distribution among tenants of the total non-exempt
20 freestanding site sign area and locations available to the development, including
21 any assignment of electronic message area.

22 **a. Plan authority.** Upon county approval of the signage plan, non-exempt
23 freestanding signage for the entire development and its tenants shall be as
24 prescribed by the plan, regardless of subsequent changes in property
25 ownership or tenancy, unless a revised signage plan for the entire
26 development is resubmitted by the property owner(s) and approved by the
27 county.

28 **b. Plan variances.** A variance to the total freestanding signage available for
29 distribution by a signage master plan may be requested under the provisions
30 of Chapter 2, but no variance is available individually to any tenant subject to
31 an approved plan.

32 **(7) General construction and maintenance.** Outdoor signs and their supporting
33 structures shall comply with the following construction and maintenance
34 requirements:

35 **a. Weather resistance.** Signs shall be constructed of weather resistant
36 materials.

37 **b. Use of wood.** Bare wood is prohibited as part of any sign face, and wood
38 embedded in the soil as structural support for permanent signs shall be
39 pressure treated for in-ground use.

40 **c. Painting.** All painted signs and metal parts prone to corrosion shall be kept
41 neatly painted.

- 1 **d. Wind hazard.** Signs exempt from wind load requirements of the *Florida*
2 *Building Code* shall, nevertheless, be sufficiently constructed and anchored to
3 avoid the hazard of contributing to windborne debris during severe weather.
- 4 **e. Condition.** All signs and sign structures, together with their supports,
5 anchors, and electrical components, shall be maintained in good repair and
6 safe condition to ensure sign messages are clearly legible and to avoid the
7 blight and hazards of deteriorated signs.

8 **Sec. 5-8.5 Prohibited signs and conditions.**

9 The following signs, sign locations, and sign characteristics are prohibited:

- 10 **(1) 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, except as specifically authorized in this article for changeable
14 message signs.
- 15 **(2) Obscenity.** Any sign displaying words, pictures, or messages that are obscene
16 as defined by Chapter 847, Florida Statutes, and in application of contemporary
17 community standards of the county.
- 18 **(3) Obstruction and interference.** Any sign constructed or maintained in any
19 manner that endangers or obstructs any firefighting equipment or any fire
20 escape, window, door, or other means of egress. Also, any sign that interferes
21 with any opening required for ventilation, prevents free passage from one part of
22 a roof to any other part, or blocks a public sidewalk or required pedestrian
23 walkway.
- 24 **(4) On Pensacola Beach.** The following additional signs or characteristics of signs
25 located on Pensacola Beach, unless specifically authorized by the SRIA:
26 searchlights, balloons, air-activated signs, wind signs, and similar devices or
27 ornamentation designed for the purposes of attracting attention, promotion, or
28 advertising; bare bulb illumination around a sign perimeter; back-lighted or plastic
29 signs; projected image signs; signs on benches; banners; murals or other signs
30 painted directly on fences, walls, or any exterior parts of a building; and roof
31 signs.
- 32 **(5) Traffic hazards.** Any sign that creates a traffic hazard or a detriment to
33 pedestrian safety. Such hazards include any sign that projects into the line of
34 sight of a traffic signal and disrupts the minimum required sight distance; any
35 sign that obstructs vision between pedestrians and vehicles using public rights-
36 of-way; and any sign that imitates, resembles, or interferes with the effectiveness
37 of an official traffic sign, signal, or other traffic control device.
- 38 **(6) Unauthorized.** Any sign not authorized by the provisions of this article, including
39 handbills, posters, and notices attached to trees, utility poles, park benches, or
40 other objects and structures not designed or authorized for the attachment of
41 signs.

1 **Sec. 5-8.6 ~~Signs exempt from permits~~Exempt signs and activities.**

2 **(a) General sign exemption.** Signs not visible from a public right-of-way or other
3 public land are exempt from the requirement to obtain county sign permits. This
4 general exemption does not apply to signs that are simply illegible. ~~However, as~~As
5 further established in this section, additional exemptions are authorized specific to
6 work done on signs, sign type, parcel use, and zoning. The following conditions
7 apply to all authorized exemptions:

8 **(1) Remaining standards.** Exempt signs shall be designed, constructed, placed,
9 and maintained in compliance with the provisions of this article, other applicable
10 provisions of the LDC, and the *Florida Building Code*.

11 **(2) Prevailing limits.** No sign exemption supersedes or cancels any prohibitions or
12 restrictions on the display of signs established in this article, any restrictive
13 covenants ~~of~~adopted for a development, or any executed lease agreements,
14 including those for Pensacola Beach properties requiring written authorization
15 from the SRIA before displaying signs.

16 **(3) Relation to non-exempt signs.** Exempt signage does not modify or limit the
17 availability of non-exempt signage authorized in this article. Additionally, the
18 allocations for exempt signs are separate from those for non-exempt signs, and
19 neither shall be used to supplement the other in the authorization of an individual
20 sign. [Note: Added to avoid the mixing of exempt and non-exempt signage,
21 particularly area, in any one sign.]

22 ~~**(4) Changeable message.** Only manually rewritable forms of changeable message~~
23 ~~signs are eligible for exemption.~~ [Note: This limitation does not apply to all
24 exemptions, but is individually identified with those to which it does apply.]

25 **(b) Sign face replacement exemption.** The face of a conforming or nonconforming
26 sign may be replaced without a permit if no other alterations are made to the sign,
27 including modifications to the size or configuration of supporting cabinets or frames.
28 [Note: This exemption relocated here to clarify that it applies to conforming as well
29 as nonconforming signs]

30 **(c) Sign repair and maintenance exemption.** Repairs and maintenance performed as
31 necessary to maintain conforming or nonconforming signs in good and safe
32 condition as originally authorized is exempt from sign permits. [Note: This exemption
33 added to clarify application to all signs]

34 ~~(b)~~**(d) Sign-specific exemptions.** In addition to the general and parcel-specific
35 exemptions established in this section, the following specific signs are exempt from
36 county sign permits with the conditions noted:

37 **(1) Accessory device signs.** Signs manufactured as standard, permanent, and
38 integral parts of mass-produced devices accessory to authorized non-residential
39 uses, including vending machines, fuel pumps, ~~automated tellers~~, and similar
40 devices customarily used outdoors. However, outdoor vending machines on
41 Pensacola Beach shall be effectively screened from view from public rights-of-

1 way. [Note: This modification made to avoid potential confusion of kiosks or
2 similar structures with the intended exempt devices that have integral signage.]

3 **(2) Bus stop signs.** Signs located on bus stop shelters and benches if complying
4 with county traffic safety placement requirements and limited to locations and
5 signs approved by the Escambia County Area Transit (ECAT) for bus stops along
6 ECAT system routes.

7 **(3) Cemetery monuments.** Permanent monuments placed within cemeteries.

8 **(4) Drive-through signs.** Except on Pensacola Beach, drive-through service signs,
9 one per development parcel, a maximum 40 square feet in area and eight feet in
10 height. Such signs shall be single-sided, located on the parcel providing the
11 service, and adjacent to and oriented for view from the drive-through lane.

12 **(5) Entry and exit signs.** For any parcel of an authorized multi-family or non-
13 residential use, one freestanding on-premises sign immediately adjacent to each
14 authorized paved vehicular access to a public street, each sign a maximum six
15 square feet in area, ~~and~~ three feet in height, and not a changeable message
16 sign.

17 **(6) Fence signs.** Signs mounted for pedestrian view on authorized fences, each
18 sign a maximum three square feet in area (e.g., 18 in. x 24 in.) and a minimum
19 50 feet separating any two such signs on the same fence.

20 **(7) Government or public signs.** Signs placed or required to be placed by
21 agencies of county, state, or federal government, including but not limited to:
22 traffic control signs, street address numbers, building permits, flags, notices of
23 any court or law enforcement officer, redevelopment area gateway signs, public
24 monuments, hazard warnings, and public information signs. These signs may
25 deviate from the type, quantity, duration, area, color, height, placement,
26 illumination, or other standards of this article as necessary to comply with the
27 law, rule, ordinance, or other governmental authorization by which the signs are
28 placed.

29 **(8) Integral building signs.** Signs cut into masonry surfaces, inlaid, or otherwise
30 constructed as integral and permanent parts of buildings, each sign a maximum
31 six square feet in area; and stained-glass windows of any size.

32 **(9) Murals.** Except on Pensacola Beach, murals on walls of authorized non-
33 residential buildings, excluding the walls of a building's primary façade, and
34 provided each mural is a maximum 200 square feet in area and contains no text.
35 Murals authorized within the applicable allocation of non-exempt wall signage are
36 not subject to these limits. Additionally, murals exceeding these size and manner
37 of use restrictions may be approved as conditional uses by the Board of
38 Adjustment according to the applicable conditions and review process prescribed
39 in Article 6 of Chapter 2. [Note: Exemption with suggested content-neutral limits
40 added to allow for this type of wall sign without permits, but restating the existing
41 prohibition on Pensacola Beach.]

1 ~~(9) Projecting and under-canopy signs. Projecting and under-canopy signs, a~~
2 ~~maximum one sign per non-residential tenant per building frontage, each a~~
3 ~~maximum four square feet in area, oriented for pedestrian view from a walkway~~
4 ~~along the supporting wall or canopy, and a minimum eight feet above the~~
5 ~~walkway. [Note: Exemption removed as unnecessary within overall allocation of~~
6 ~~wall signage.]~~

7 **(10) Recreational facility signs.** Signs accessory to and within outdoor
8 recreational facilities, only if oriented for view from within the facilities. Such
9 signs include scoreboards, sponsor signs attached to the field side of playing
10 field fences, and concession stand signs.

11 **(11) Temporary decorations.** Temporary decorations accessory to the authorized
12 land use and customarily associated with a short-term event, such as a holiday
13 or ~~with~~ a special event as defined in the temporary use provisions in Article 7 of
14 Chapter 4. Except on Pensacola Beach, such decorations may include balloon
15 and air-activated signs a maximum 10 feet in height. [Note: Modified to avoid any
16 regulatory favoring issues with holidays.]

17 **(12) Vehicle and trailer signs.** Signs on any motor vehicles or trailers actively in
18 transit along public streets, and any of the following signs attached to or placed
19 on registered, operable, and lawfully parked motor vehicles or trailers, but not
20 including manufactured (mobile) homes or changeable message signs:

21 **a. Parked.** Signs on a vehicle at the residence of the principal driver of the
22 vehicle, or on a vehicle or trailer at the residence of the individual to whom the
23 unit is registered, or signs on a vehicle or trailer parked a maximum 24 hours
24 at any site.

25 **b. Maximum area.** Signs a maximum six square feet in total area per vehicle or
26 trailer side.

27 **c. In service.** Signs on a vehicle or trailer in the service of a licensed or
28 otherwise bonified enterprise, and on the authorized site of that enterprise or
29 on any site where the enterprise is actively providing its goods or services.

30 **d. In storage.** Signs on vehicles or trailers stored within parcel areas authorized
31 for such outdoor storage, including parcels authorized for the sale, lease, or
32 rental of vehicles or trailers.

33 **(13) Wall signs.** Signs mounted for pedestrian view on the walls of authorized
34 principal and accessory buildings, each sign a maximum three square feet in
35 area (e.g., 18 in. x 24 in.).

36 **(14) Wind signs.**

37 **a. Flags.** Flags accessory to the authorized land use of the parcel, and not
38 otherwise exempt as temporary decorations, allowed in any combination of
39 the following types with applicable limits:

40 **1. String flagging.** Except on Pensacola Beach, string flagging accessory
41 to an authorized multi-family or non-residential use. Each flag or pennant

1 a maximum one square foot in area, suspended from one side along a
2 stringer line, and in combination on the line with any number of other such
3 flags or pennants.

4 **2. Blade or feather flags.** Except on Pensacola Beach, pole-supported
5 “blade” or “feather” type flags accessory to an authorized multi-family or
6 non-residential use. Each flag a maximum three feet in width and 12 feet
7 in height. A maximum one flag per 50 feet of parcel street frontage and
8 three flags per frontage with any flag spacing.

9 **3. Other flags.** Other typically pole-supported flags (e.g., U.S. flag)
10 accessory to the authorized use and no more than two per parcel. If flown
11 from a pole, each flag shall be proportional to its flagpole such that the
12 hoist side is no greater than 25 percent of the height of a supporting
13 vertical pole, or 50 percent of the length of a supporting pole projecting
14 from a building wall. Vertical flagpoles within residential zoning districts or
15 for single-family dwellings are limited to 25 feet in height and one per lot.

16 **b. Other wind signs.** Wind signs, other than flags or exempt temporary
17 decorations, accessory to any authorized single-family or two-family
18 residence, including wind socks, wind spinners, and whirligigs.

19 **(e)(e) Parcel-specific exemptions.** In addition to the general and sign-specific
20 exemptions established in this section, a separate allocation of non-illuminated
21 freestanding signage for each development parcel is exempt from county sign
22 permits. This parcel-specific exemption is established primarily to accommodate
23 temporary signs of varying periods of display. Any changeable message signs as
24 parcel-specific exemptions are limited to manually rewritable forms.

25 **(1) One- and two-family parcels.** Each parcel whose authorized principal use or
26 development is single-family or two-family residential, or whose zoning district is
27 residential (RR, LDR, MDR, HDR, LDR-PK, MDR-PK, HDR-PK, LDR-PB, MDR-
28 PB, or HDR-PB), is authorized to display freestanding signage without county
29 sign permits, subject to the following:

30 **a. Quantity, area, and height.** A maximum of two signs for each parcel, each
31 sign a maximum six square feet in area (e.g., 24 in. x 36 in.) and six feet in
32 height.

33 **b. Additional quantity.** A third sign within the same area and height limits of
34 the initial signs is authorized for each parcel within the Agricultural, RMU,
35 LDMU, HDMU, Commercial, HC/LI, Industrial, or Public zoning district.
36 Alternatively, except on Pensacola Beach, a third sign is authorized for
37 placement along the secondary street frontage of any corner lot.

38 **c. Additional area.** Where the parcel is within a mainland zoning district and
39 fronts on a street having a posted speed limit of 40 mph or greater, the
40 maximum authorized area of each sign along that frontage is doubled to 12
41 square feet.

1 **d. Portability.** The sign may be portable only if accessory to an occupied
2 residential structure on the parcel.

3 **(2) Multi-family and non-residential parcels.** Each parcel whose authorized
4 principal use or development is not single-family or two-family residential, and
5 whose zoning is not residential (not RR, LDR, MDR, HDR, LDR-PK, MDR-PK,
6 HDR-PK, LDR-PB, MDR-PB, or HDR-PB), is authorized to display freestanding
7 signage without county sign permits, subject to the following:

8 **a. Quantity, area, and height.** A maximum of one sign per parcel street
9 frontage, each sign a maximum 32 square feet in area (e.g., 4 ft. x 8 ft.) and
10 10 feet in height, except on Pensacola Beach where the sign area may not
11 exceed 12 square feet.

12 **b. Additional quantity.** Within the same area and height limits of the initial
13 sign, a second sign is authorized for any individual street frontage greater
14 than 200 feet, and a third sign for any frontage greater than 600 feet.

15 **c. Additional area.** Where the parcel is within the Agricultural, RMU, LDMU,
16 HDMU, Commercial, HC/LI, Industrial, or Public zoning district, the maximum
17 authorized area of a sign is increased to 50 square feet.

18 **d. Portability.** The sign may be portable only if accessory to an occupied
19 principal structure on the parcel.

20 **e. Banners.** Except on Pensacola Beach, each authorized sign may be
21 displayed as a banner of the same maximum area if accessory to an
22 authorized use. However, no banner shall be attached to a fence, exceed
23 four feet in height if ground-mounted, or be displayed above the roof line if
24 attached to a building.

25 **Sec. 5-8.7 Temporary signs by permit.**

26 Temporary signs not otherwise prohibited or exempt from county permits as prescribed
27 in the preceding sections of this article may be authorized by permits under the
28 conditions of this section. Temporary sign permits shall specify the authorized period of
29 use. All temporary signs remain subject to the design, construction and maintenance
30 standards of this article. Temporary signage by permit does not modify or limit the
31 availability of permanent signage authorized in this article unless specifically noted. The
32 following temporary signs are subject to the permit conditions noted:

33 **(1) Balloon and air-activated signs.** Except on Pensacola Beach, balloon signs
34 and air-activated signs not eligible as exempt temporary decorations may be
35 temporarily authorized by county permit for a single display period of no more
36 than 14 days when accessory to the authorized land use. Each sign is limited to
37 a setback of no less than the height of the sign from all rights-of-way, parcel
38 lines, and overhead utility lines. All signs shall be adequately secured to the
39 ground to prevent horizontal movement. Relocation for use on a different parcel
40 shall require a new temporary permit, regardless of any remaining period of the
41 prior authorization.

1 **(2) Banners.** Banners not eligible as multi-family or non-residential parcel-specific
2 exemptions may be temporarily authorized by county permit for grand openings
3 and other short-term events. However, no banner may be attached to a fence,
4 no ground-mounted banner shall exceed four feet in height, and no banner
5 attached to a building shall be displayed above the roof line. Permitted banners
6 shall be conspicuously marked with the permit number and dates of permitted
7 use. Temporary banners are further limited by the following:

8 **a. On Pensacola Beach.** Banners may be authorized on Pensacola Beach
9 according to the established written policies of the SRIA only if application is
10 made to SRIA staff a minimum of 10 business days prior to the date of use.
11 Unless otherwise authorized by the AEC for a maximum 30 days, the display
12 of a banner is limited to a maximum 14 days.

13 **b. On mainland and Perdido Key.** Banners may be permitted when accessory
14 to authorized multi-family or non-residential uses within mainland or Perdido
15 Key zoning districts, each banner a maximum 60 square feet in area. For the
16 lot of any such use, a single permit may authorize only one banner for a
17 maximum 30 days. Additionally, no more than two permits shall be issued for
18 the same lot during any calendar year, but the times of authorization may
19 coincide or differ in whole or part. A banner may also be authorized by permit
20 to exceed the limits on area and period of use when used to temporarily cover
21 the permanent sign of a previous tenant.

22 **(3) Flags on Pensacola Beach.** Temporary flags on Pensacola Beach may be
23 authorized for special events under the same conditions as banners.

24 **(4) Projected image signs.** Except on Perdido Key and Pensacola Beach,
25 projected image signs may be temporarily authorized for a period of up to 30
26 days by county permit as on-premises signs accessory to an authorized non-
27 residential land use. Projected images shall comply with all sign illumination
28 standards of this article.

29 **(5) Vehicle and trailer signs.** Except on Pensacola Beach, the parking or
30 placement of a non-exempt vehicle or trailer sign may be temporarily authorized
31 by county permit on the parcel of an authorized non-residential use for a
32 maximum 60 days. The sign is limited to a maximum 100 square feet in area
33 and 10 feet in height, and shall be conspicuously marked with the permit number
34 and dates of permitted use. Relocation for use on a different parcel shall require
35 a new temporary permit, regardless of any remaining period of the prior
36 authorization.

37 **Sec. 5-8.8 On-premises permanent signs.**

38 **(a) Generally.** Unless authorized in this article as temporary or exempt, on-premises
39 signs shall comply with the provisions of this section as determined by the applicable
40 zoning district and authorized land use.

41 **(b) Mainland residential, recreation, and conservation districts.** On-premises non-
42 exempt signs within mainland residential, recreation, and conservation zoning

1 districts (RR, LDR, MDR, HDR, Rec, Con) shall comply with the following additional
2 standards:

3 **(1) Residential uses.** Residential subdivisions and multi-family developments are
4 allowed up to two signs at each development entrance. Each sign is limited to a
5 maximum 32 square feet in area and six feet in height. A multi-family
6 development may substitute one development entrance sign for one wall sign
7 limited to the same 32 square feet.

8 **(2) Non-residential uses.** The principal non-residential structure on a development
9 parcel is allowed either one freestanding sign a maximum 32 square feet in area
10 and six feet in height, or a maximum 2.00 square feet of wall sign area per lineal
11 foot of building frontage at grade with a minimum ~~of~~ 20 square feet for any
12 individual tenant frontage of a multi-tenant building frontage.

13 **(3) Changeable message.** Manual and mechanical changeable message signs are
14 allowed for both residential and non-residential uses, but projected image signs
15 are prohibited and electronic message signs are limited to static message display
16 with instantaneous change of message. These allowed forms of changeable
17 message may be utilized for any portion of authorized sign area.

18 **(c) Mainland agricultural and mixed-use districts.** On-premises non-exempt signs
19 within mainland agricultural and mixed-use zoning districts (Agr, RMU, LDMU,
20 HDMU) shall comply with the following additional standards:

21 **(1) Residential uses.** Residential uses are allowed the same signage as residential
22 uses in the mainland residential districts.

23 **(2) Non-residential uses.** Commercial subdivisions are allowed the same
24 development entrance signage as residential subdivisions. Non-residential uses
25 and structures within the HDMU district are allowed the same signage as those
26 within the mainland commercial and industrial districts. Other principal non-
27 residential structures on a development parcel are allowed the following signage:

28 **a. General sign allowance.** Within the Agr, RMU, and LDMU districts, either
29 one freestanding sign a maximum 32 square feet in area and six feet in
30 height, or a maximum 2.00 square feet of wall sign area per lineal foot of
31 building frontage at grade with a minimum ~~of~~ 20 square feet for any individual
32 tenant frontage of a multi-tenant building frontage. ~~Non-residential uses and~~
33 ~~structures within the HDMU district are allowed the same signage as those~~
34 ~~within the mainland commercial and industrial districts.~~

35 **b. Increased area and height.** For properties fronting a collector or arterial
36 street, the maximum area and height of a freestanding sign is increased to 50
37 square feet and 10 feet respectively if the sign is at least 100 feet from any
38 single-family or two-family dwelling. Maximum wall sign area is increased to
39 2.50 square feet per lineal foot of building frontage if the building is more than
40 200 feet from the public right-of-way.

41 **(3) Changeable message.** Manual and mechanical changeable message signs are
42 allowed for both residential and non-residential uses, but projected image signs

are prohibited. For residential uses, electronic message signs are limited to static message display with instantaneous change of message. Non-residential use electronic signs are also limited to static message display, but the transition from one message to the next may occur by scroll, travel, fade, or dissolve effects completed within a maximum two seconds. These allowed forms of changeable message may be utilized for any portion of authorized sign area.

(d) Mainland commercial, industrial, and public districts. On-premises non-exempt signs within mainland commercial, industrial, and public zoning districts (Com, HC/LI, Ind, Public) shall comply with the following additional standards:

(1) Residential uses. Residential uses are allowed the same signage as residential uses in the mainland residential districts.

(2) Non-residential uses. Commercial subdivisions are allowed the same development entrance signage as residential subdivisions. Other principal non-residential structures on a development parcel are allowed the following signage:

a. Freestanding signs. Freestanding signs are limited by characteristics of the development parcel as follows:

1. Quantity and spacing. One freestanding sign structure is allowed per individual parcel street frontage and one additional structure for each full acre in development parcel size above two acres, but a maximum four sign structures are allowed regardless of frontage or acreage. The structures shall be placed no less than 200 feet from any other non-exempt sign structures on the same development parcel, excluding billboards.

2. Area and height. A maximum 1.00 square foot of freestanding sign area is allowed per lineal foot of parcel street frontage, and a minimum total of 50 square feet is allowed for any development parcel regardless of street frontage. If the on-premises freestanding signage for an entire parcel is limited to one sign structure, the total sign area from all parcel street frontage is available to that structure, subject to area limits applicable to its location. Regardless of street frontage or number of sign structures, the maximum sign area and height for all individual freestanding signs is additionally limited by the size of the parcel and the classification of the street to which the sign structure is closest 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.	20 ft.

b. Wall signs. A maximum 2.25 square feet of wall sign area is allowed per lineal foot of building frontage at grade. The maximum wall sign area is increased to 2.50 square feet per lineal foot for any building frontage facing an arterial or four-lane street, and is increased to 2.75 square feet per lineal foot for any building frontage more than 200 feet from the public street right-of-way. A minimum 20 square feet is allowed for any individual ~~unit~~ tenant frontage of a multi-tenant building.

(3) Changeable message. ~~These allowed~~ The following forms of changeable message may be utilized for any portion of authorized sign area, except that electronic message area is limited to 50 percent of the total sign area on a single structure and to one sign on that structure. [Note: Paragraph divided to more clearly identify allowed forms of changeable message.]

a. Residential and non-residential. For both residential and non-residential uses, ~~M~~ manual and mechanical changeable message signs are allowed ~~for both residential and non-residential uses.~~

b. Residential. For residential uses, projected image signs are prohibited and electronic message signs are limited to static message display with instantaneous change of message.

c. Non-residential. For non-residential uses, projected image signs are allowed and electronic message signs may employ all display features and functions except flashing, pulsating, or full motion video display. ~~These allowed forms of changeable message may be utilized for any portion of authorized sign area, except that electronic message area is limited to 50 percent of the total sign area on a single structure and to one sign on that structure.~~

(e) Perdido Key districts. On-premises non-exempt signs within Perdido Key zoning districts shall comply with the following additional standards:

(1) Residential districts. Uses in the Perdido Key residential zoning districts (LDR-PK, MDR-PK, HDR-PK) are allowed the same signage as uses in the mainland residential districts.

(2) Commercial districts. Uses in the Perdido Key commercial zoning districts (Com-PK, CC-PK, CG-PK, PR-PK) are allowed the same wall signage allowed for mainland commercial zoning districts, but only 50 percent of the freestanding sign area. The maximum area of any individual freestanding sign is 100 square feet and the minimum spacing between all non-exempt freestanding signs on the same development parcel is 300 feet ~~measured center-to-center of the sign~~

1 structures. [Note: Modified to add intended exclusion of exempt signs and delete
2 already stated standard of measure.]

3 **(3) Changeable message.** Changeable message signs, excluding projected image
4 signs, are authorized for both residential and non-residential uses, but each sign
5 is limited to 32 square feet in area.

6 **(f) Pensacola Beach districts.** On-premises non-exempt signs for any establishment
7 within Pensacola Beach zoning districts may be wall signs, freestanding signs, or
8 both and shall comply with the following additional standards:

9 **(1) Sign construction.**

10 a. **Colors and logo.** The colors of the main lettering and background of all
11 signs shall be limited to the color options adopted by the SRIA, except up to
12 one-third of a sign's area may include an establishment's logo, which may
13 include the name or special color scheme of that establishment. Any exterior
14 portion of a structure that deviates in color from the main part of the structure
15 and represents the establishment's color scheme or logo is considered to be
16 signage.

17 b. **Attached lettering.** All permanent signs shall incorporate the use of
18 attached lettering. The use of plywood with painted-on lettering is not
19 permitted.

20 **(2) Single-family uses.** Residential subdivisions for single-family detached or
21 attached (townhouse) dwellings are allowed up to two signs at each development
22 entrance. Each sign is limited to a maximum 32 square feet in area and six feet
23 in height.

24 **(3) Multi-family and non-residential uses.** Multi-family residential developments
25 and non-residential establishments are allowed the following signage:

26 a. **Freestanding signs.**

27 1. **Quantity.** One freestanding sign is allowed per master lease agreement
28 or multi-tenant development.

29 2. **Area and height.** Total freestanding sign area on a single structure shall
30 not exceed 65 square feet. Signs are encouraged to be low and
31 horizontal in character. The top and bottom of a freestanding sign shall
32 not exceed 14 feet and six feet, respectively, above the crown of the
33 nearest street. However, establishments whose principal structures are
34 750 feet or more from the street right-of-way may have freestanding signs
35 up to 18 feet high.

36 3. **Placement.** Freestanding signs shall be placed within or directly adjacent
37 to a landscaped area which shall not be smaller than the face area of the
38 sign itself.

1 **4. Portable signs.** Portable signs are limited to temporary A-frame or
2 sandwich board signs, which shall be permitted subject to the established
3 written policies of the SRIA.

4 **b. Wall signs.**

5 **1. Area and quantity.** The maximum area allocated to all wall signs on a
6 building shall not exceed 10 percent of the building wall surface area
7 facing the addressed street, except that buildings with more than one
8 street front may have wall sign area up to 15 percent of the wall surface
9 facing the addressed street. The wall surface area from which sign area is
10 determined may include the roof surface when its slope is steeper than 45
11 degrees. The available wall sign area may be allocated to one or more
12 wall signs mounted on a vertical wall surface, but no individual wall sign
13 shall exceed 200 square feet, and within any multi-tenant development,
14 each tenant is limited to 16 square feet regardless of the building total.

15 **2. Lighted canopies.** Lighted canopies displaying the name of the
16 establishment require a color rendering of the proposed canopy, including
17 dimensions of the canopy and the building to which it will be attached, to
18 be presented for approval according to the established written policies of
19 the SRIA.

20 **3. Window signs.** Interior electric signs used as window signs are limited to
21 a total of six square feet per establishment.

22 **c. Changeable message.** Changeable message signs, excluding projected
23 image signs, are allowed if incorporated into the main sign and limited to no
24 more than one-third of its area.

25 **Sec. 5-8.9 Off-premises permanent signs (billboards).**

26 Unless authorized in this article as temporary or exempt, an off-premises sign shall be
27 regulated as a billboard and comply with the additional provisions of this section. The
28 placement of a billboard does not require a minimum lot area or the presence of a
29 principal structure on the site, but shall be subject to the following limitations:

30 **(1) Maximum number.** The maximum number of permitted billboard structures
31 within the county is limited to the number existing or having received county
32 approval as of December 12, 2001, and those additional structures allowed for
33 replacement of billboard structures removed along scenic highways as provided
34 in this section.

35 **(2) New billboards.** A building permit for the construction of a new billboard
36 structure may only be issued after the removal of an existing billboard structure is
37 confirmed. Confirmation may be in the form of a photograph submitted by the
38 applicant or a site inspection by county personnel. Upon removal confirmation a
39 certificate shall be issued to the owner of the removed structure who may
40 redeem the certificate for a building permit to construct a new billboard structure,
41 hold it for future redemption, or convey it to a third party for redemption.

1 **(3) Removal along scenic highways.** Notwithstanding the maximum number of
 2 permitted billboards, the removal of an existing billboard structure along an
 3 officially designated scenic highway will entitle the owner of the removed
 4 billboard to purchase building permits for construction of two new billboard
 5 structures at other locations complying with the provisions of this article.

6 **(4) Area and height.** The maximum sign area and height for an individual billboard
 7 structure is limited by the classification of the street to which the sign structure is
 8 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.

9 **(5) Placement.**

10 **a. Zoning.** Billboards are prohibited within all residential, Perdido Key, and
 11 Pensacola Beach zoning districts, and within all areas zoned Gateway
 12 Business District (GBD), Gateway Mixed Use District (GMD), Gateway
 13 Industrial District (GID), or Industrial Commerce Park District (ID-CP) prior to
 14 adoption of any mainland Commercial (C), Heavy Commercial and Light
 15 Industrial (HC/LI), or Industrial (I) zoning.

16 **b. Proximity to residential.** In addition to the prohibition within residential
 17 zoning districts, no billboard shall be located within 100 feet of any
 18 residentially zoned (RR, LDR, MDR, HDR) property as measured along a
 19 right-of-way. The distance shall be measured from a point where a horizontal
 20 line extending from the billboard is perpendicular to the right-of-way, to the
 21 point of intersection of the residential district boundary with the right-of-way.

22 **c. Right-of-way setback.** The minimum setback of a billboard from a public
 23 street right-of-way is 15 feet to the nearest edge of the sign.

24 **d. Spacing.** The distance between billboard structures on the same side of any
 25 street other than an interstate shall be no less than 1000 feet. The distance
 26 for billboards adjacent to and facing the same side of an interstate highway
 27 shall be no less than 2000 feet. Additionally, no billboard structure may be
 28 located adjacent to or within 500 feet of an interchange or rest area as
 29 measured along the interstate from the beginning or ending of pavement
 30 widening at the exit from or entrance to the main travel way.

31 **e. Scenic roadways.** No part of a billboard shall be visible from or located
 32 within 500 feet of the right-of-way of any scenic roadway designated in the
 33 Escambia County Comprehensive Plan, specifically including Scenic Highway

1 (SR 10A), Perdido Key Drive (SR 292), and any scenic highway designated
2 by the State of Florida.

3 **f. Conflicting locations.** Permits for billboards are generally issued on a
4 first-come, first-served basis. Where the proximity of proposed billboards
5 requiring state permitting would only allow one to be constructed, the location
6 first granted state approval will be first eligible for county approval.

7 **g. New streets.** Permits for billboards along a new public street shall not be
8 issued until the commencement of general traffic flow on the street.

DRAFT



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. G.

Meeting Date: 03/06/2018

Issue: A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Article 7, Section 4-7.6

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Article 7, Section 4-7.6

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, Location and Use of Regulations, Article 7, Supplemental Use Regulations, Section 4-7.6, to modify existing regulations, to include certain additional industrial operations such as concrete and asphalt recycling within the county, and to further address adverse off-site impacts caused by all such operations.

BACKGROUND:

Since 2015, Escambia County has adopted more stringent regulations on certain industrial operations as mentioned above for better protection of the public's health, safety and welfare of the citizens of Escambia County. From recent observations and concerns conveyed by neighbors and concerned citizens, there is yet a need to modify existing regulations on these type of operations and to further address adverse off-site impacts caused by such operations.

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 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

1
2 **ORDINANCE NUMBER 2018 - _____**
3

4 **AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III**
5 **OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND**
6 **DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED;**
7 **AMENDING CHAPTER 4, LOCATION AND USE REGULATIONS, ARTICLE 7,**
8 **SUPPLEMENTAL USE REGULATIONS, SECTION 4-7.6 TO MODIFY**
9 **EXISTING REGULATIONS, TO INCLUDE CERTAIN ADDITIONAL**
10 **INDUSTRIAL OPERATIONS SUCH AS CONCRETE AND ASPHALT**
11 **RECYCLING WITHIN THE COUNTY, AND TO FURTHER ADDRESS**
12 **ADVERSE OFF-SITE IMPACTS CAUSED BY ALL SUCH OPERATIONS;**
13 **PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE**
14 **CODE AND PROVIDING FOR AN EFFECTIVE DATE.**
15

16 **WHEREAS**, the Legislature of the State of Florida has, in Chapter 163, Florida Statutes,
17 directed local governments to regulate land uses to provide the principles, guidelines,
18 standards, and strategies for orderly and balanced future development within their jurisdictions,
19 and that provides meaningful guidelines for the content of more detailed land development and
20 use regulations; and

21 **WHEREAS**, Pursuant to Article VIII, Section 1(f) of the Florida Constitution, and F.S. §
22 125.01, the board has all powers of local self-government to perform county functions and to
23 render services in a manner not inconsistent with general law and such power may be exercised
24 by the enactment of county ordinances; and

25 **WHEREAS**, impacts of hurricanes, increased development and construction, and an
26 increased volume of public works projects within Escambia County have resulted in an ever-
27 mounting increase in the operation of concrete and asphalt recycling, processing and disposal
28 facilities within the County; and

29 **WHEREAS**, problems created by the operation of concrete and asphalt recycling,
30 processing and disposal facilities become countywide in scope and necessitate local action to
31 protect county citizens from the possible adverse effects of such debris; and

32 **WHEREAS**, supplemental regulation of the operation of concrete and asphalt recycling,
33 processing and disposal facilities within the unincorporated areas of the county serves a public
34 purpose and promotes the health, safety and welfare of the citizens of the county.

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

37 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development
38 Code of Escambia County, Chapter 4, Location and Use Regulations, Article 7, Supplemental
39 Use Regulations, Section 4-7.6, is hereby amended as follows (words underlined are additions
40 and words ~~stricken~~ are deletions):

41 **Sec. 4-7.6 - Borrow pits and, reclamation, concrete and asphalt recycling.**

1 (a) *Approvals.* The extraction, removal and transportation of material excavated from borrow
2 pits, ~~and~~ the filling or other reclamation of such pits after removal of usable materials, and
3 the operation of concrete and asphalt recycling facilities requires site development approval
4 coordinated with the borrow pit and reclamation, concrete and asphalt recycling provisions
5 of chapters 42 and 82, Escambia County Code of Ordinances. Borrow pits, ~~and their~~
6 reclamation, and concrete and asphalt recycling remain subject to the additional
7 requirements of applicable federal, state, and regional regulatory authorities.

8 (1) *Application.* An application to consider any borrow pit, ~~or~~ reclamation, or concrete and
9 asphalt recycling activity shall be submitted to the clerk of the board at least 30
10 business days prior to the scheduled board meeting. A pre-application meeting of the
11 petitioner with county staff is recommended to discuss the process and review county
12 and petitioner responsibilities.

13 (2) *Public participation.* Prior to any hearing to consider any borrow pit, ~~or~~ reclamation, or
14 concrete and asphalt recycling activity, the clerk of the board shall ensure public notice
15 consistent with Florida Statutes, Code of Ordinances and the comprehensive plan.

16 a. *Publication.* At least ten days prior to the hearing, notice shall be published in a
17 newspaper of general circulation in Escambia County.

18 b. *Site sign.* At least 15 days prior to the hearing, a sign no smaller than 24 inches by
19 48 inches shall be prominently posted on, or as near as practicable to, the subject
20 property and shall be clearly readable from the nearest public right-of-way.

21 c. *Notification.* At least 15 days prior to the hearing, notification shall be sent via U.S.
22 mail to the address registered with the property appraiser for each owner of real
23 property with any portion of the property located within 2,500 feet of the subject
24 property. The cost of the mailing is to be borne by the applicant.

25 (b) *Standards regulating conditional uses.* In addition to the general provisions regulating
26 conditional uses, a conditional use may be permitted by the BOA or BCC, as required,
27 provided the proposed conditional use complies with the standards of this code and the
28 following requirements:

29 (1) *Borrow pits and land clearing debris disposal sites.*

30 a. Sites shall require access from adequately wide paved roads where trucks hauling
31 excavated materials or debris to/from the site do not require access on local
32 residential roads.

33 b. The scale, intensity and operation of use shall not generate unreasonable noise,
34 traffic, odors, dust, or other potential nuisances or hazards to contiguous
35 residential properties.

36 c. The applicant shall submit a boundary survey and description of anticipated
37 excavation phases for a borrow pit as well as a reclamation plan for affected lands.
38 The same requirements shall apply to a development plan explaining:

39 1. Proposed practices to protect adjacent land and water resources, minimize
40 erosion, and treat stormwater runoff.

41 2. Safety features of the development plan.

- 1 3. Landscaped areas, particularly treatment of property lines in the proximity of
2 residential uses.
- 3 4. The applicant's reclamation plan.
- 4 5. Time schedule that meets the requirements of the permitting agency.
- 5 6. Method, manner, and type of revegetation of affected areas.
- 6 d. Minimum parcel size is 20 acres.
- 7 e. Conditional use approval pursuant to this subsection does not waive an applicant's
8 duty to meet any other county, state, or federal permitting requirements or
9 performance standards.
- 10 f. Notwithstanding the uses listed for any zoning district, the conditional use approval
11 process shall be waived for any borrow pit or reclamation activity that is located
12 1,000 feet on all sides from any residential use or zoning district and is serviced by
13 an adjacent arterial or collector road.

14 (2) Concrete and asphalt recycling facilities.

- 15 a. Sites shall require access from adequately wide paved roads where trucks hauling
16 materials or debris to/from the site do not require access on local residential roads.
- 17 b. The scale, intensity and operation of use shall not generate unreasonable noise,
18 traffic, odors, dust, or other potential nuisances or hazards to contiguous
19 residential properties.
- 20 c. The applicant shall submit a boundary survey and description of anticipated
21 operation. The same requirements shall apply to a development plan explaining:
- 22 1. Proposed practices to protect adjacent land and water resources, minimize
23 erosion, minimize adverse off-site impacts such as dust, noise, and treatment
24 of stormwater runoff.
- 25 2. Safety features of the development plan.
- 26 3. Landscaped areas, particularly treatment of property lines in the proximity of
27 residential uses.
- 28 d. Conditional use approval pursuant to this subsection does not waive an applicant's
29 duty to meet any other county, state, or federal permitting requirements or
30 performance standards.
- 31 e. Notwithstanding the uses listed for any zoning district, the conditional use
32 approval process shall be waived for any concrete and asphalt recycling activity
33 that is located 1,000 feet on all sides from any residential use or zoning district and
34 is serviced by an adjacent arterial or collector road.

35 (c) Standards regulating adverse off-site impacts.

36 (1) Noise.

- 37 a. Prohibitions. It shall be unlawful, except as expressly permitted herein, to make,
38 cause, or allow the making of any noise or sound which exceeds the limits set forth

in this article or in any county ordinance regulating noise. The Escambia County Code of Ordinances contains the principal noise regulations; the following provisions deal with development issues only.

- b. *Measurement of sound.* The measurement of sound or noise shall be made with a calibrated sound or noise level meter. A calibration check shall be made at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. A windscreen for the sound level meter microphone shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements except where such background noise interferes with the primary noise being measured. All measurements shall be made at the property line of the subject property and such measurements shall be taken at least five feet above grade and for a period of not less than two minutes.
- c. *Maximum permissible sound levels.* No manufacturing or commercial use shall operate or cause to be operated any source of sound in such a manner as to create a sound level which exceeds the limits set forth below at the time of land use certificate/site plan review, the applicant may be asked to certify the intent to meet the specified standard:

Sound Level Limits

Use Occupancy	Time <u>Applicable Timeframe for Sound Level Limits</u>	Sound Level Limit dB
Commercial/tourist	7:00 a.m.—10:00 p.m. 10:00 p.m.—7:00 a.m.	75 70
Manufacturing ID-P <u>HC/LI and IND</u>	At all times <u>7:00 a.m. – 7:00 p.m</u>	60
ID-1 or ID-2 <u>Borrow Pit, Reclamation, and Recycling Activities</u> <u>HC/LI and IND</u>	6:00 a.m.—10:00 p.m. <u>7:00 a.m. – 7:00 p.m</u> 10:00 p.m.—6:00 a.m.	95 85

1 (2) *Hours of operation.*

2 a. Mining, borrow pit, resource extraction, reclamation activities, including land
3 clearing debris and construction and demolition debris disposal that require trucks
4 and heavy equipment to traverse through residential areas as their only access
5 path to pit operations are limited to the hours between 6:00 a.m. and 6:00 p.m.
6 Monday through Friday and between 8:00 a.m. and 2:00 p.m. on Saturday.
7 Operations that occur entirely on-site and do not require traffic or access to
8 roadways are permitted on Sunday during daylight hours.

9 b. Mining, borrow pit, resource extraction, and reclamation activities, including land
10 clearing debris and construction and demolition debris disposal or that access their
11 operations without traversing through residential areas are limited to the hours
12 between 6:00 a.m. and 6:00 p.m. Monday through Saturday. Operations that occur
13 entirely on-site and do not require traffic or access to roadways are permitted on
14 Sunday during daylight hours.

15 c. Concrete and asphalt recycling facilities are limited to the hours between 6:00 a.m.
16 and 6:00 p.m. Monday through Saturday

17 1. If the concrete and asphalt recycling facility is within 500 feet of a
18 residential use or zoning category, the hours of operation are limited to the
19 hours between 7:00 a.m. to 5:00 p.m. Monday – Friday and 8:00 a.m. – 2 p.m.
20 on Saturday

21 (3) ~~{Exceptions to operating hours.}~~ Exceptions to the above noted operating hours may be
22 authorized by federal, state, and/or county authorities in cases of emergency or when
23 determined by such authorities to best serve the public interest. Any exceptions require
24 written approval by the county administrator, or his/her appointed designee, specifying
25 the reason and allowed timeframe(s) for the exception.

26 a. *Exemptions.* The following uses or activities are exempt from the noise level
27 regulations as noted above and in chapter 1-20.3:

28 1. Construction operations for which building permits have been issued,
29 provided that such operations are limited to the hours between 5:00 a.m. and
30 one hour after sunset, except that on Pensacola Beach:

31 A. No outside construction may begin before 6:30 a.m., if within 200 feet of
32 an occupied residence; and

33 B. Owner-occupied single-family detached houses are exempt from the
34 above restriction.

35 2. Safety signals, warning devices, bells and chimes of churches;

36 3. Noise from emergency vehicles, or noises resulting from emergency works;

37 4. All noises coming from the normal operation of trains, aircraft (not including
38 scale model aircraft), motor vehicles governed by F.S. § 316.293, or vessels
39 operated upon the waters within or adjacent to Escambia County;

40 5. Activities at Five Flags Speedway and/or other legally constructed and
41 operated tracks or courses for competitive motor vehicles.

1 (d) *Borrow pits (includes mining and resource extraction) and reclamation activities thereof:*

2 (1) *Setbacks for excavation.* Borrow pit slope commencement (i.e., the outermost edge of
3 excavation) shall be located a minimum of 25 feet from the adjoining owner's property
4 boundary and/or adjacent right-of-way (ROW); however, minimum excavation setbacks
5 shall be consistent with the setbacks to be applied in the applicant's reclamation plan.
6 Setback provisions established herein include the required width for landscape
7 screening and buffers subsequently noted herein. The following exceptions may apply:

8 a. *Back to back pits.* The setback for slope commencement excludes property
9 boundary lines between active pits using the same excavation area.

10 b. *Site specific requirements.* Increased setbacks may be required per the terms of
11 the mandatory county development order to protect wellheads, environmental
12 areas, and/or adjacent properties from adverse impacts.



14 (2) *Excavation slope requirements.* The angle of repose for borrow pit/mining slopes shall
15 be no greater than 2:1 (i.e., two feet horizontal for each one foot vertical) unless a
16 professional engineer (P.E.) or professional geologist (P.G.) certifies that an angle of
17 repose exceeding this ratio will prohibit any potential erosion or slumping, factoring into
18 account the type of soil (i.e., clay, sand, etc.) and pertinent environmental conditions of
19 the area.

20 (3) *Traffic requirements.* See section 7.11.09 [DSM section 2-2.6]. Pit access shall be
21 limited to routes having the least impact on residential areas, and the use shall be
22 subject to all traffic concurrency requirements.

23 (4) *Permits.* See Escambia County Code of Ordinances, part I, chapter 42, article VIII,
24 section 42-323. A county resource extraction permit is required for extraction, removal
25 and transportation of material excavated from the site. Permits for filling and/or
26 reclamation of pits after removal of usable materials are subject to additional federal,
27 state and/or local regulations as governed by the applicable regulatory authority.

28 (5) *Hours of operation.* Limited for pits and reclamation activities as indicated above.

- 1 (6) *Fences and gates.* A security fence with appropriate gates for access, not less than
2 six feet above grade, is required along the outer perimeter of the excavated area, with
3 exception of the pit access point(s). Additional security features, such as barbed wire
4 above the fence top, are permitted. Gates for access shall be locked at all times during
5 non-operating hours. Fences and gates shall be maintained in a reasonable condition
6 to remain an effective barrier.
- 7 (7) *Screening.* Portions of the pit visible from the public right-of-way or nearest residential
8 use shall be screened with dense landscaping to achieve at least 75 percent opacity.
9 The landscape buffer shall be no less than ten feet in width at any given point and may
10 be placed either inside or outside the required fence perimeter to achieve maximum
11 dust and noise reduction and visible shielding. Earthen berms with a minimum height of
12 three feet can be placed within this buffer area.
- 13 (8) *Buffers.* In addition to the landscape screening noted above, a minimum ten-foot wide
14 buffer is required parallel to, and inside, the required fence. Excavation, pit operations,
15 parking, storage and disposal of debris are not permitted within the screening or buffer
16 areas. The setback area may not be used for truck or equipment traffic, except as
17 necessary to maintain the setback area and perimeter fence. Pit access point(s) shall
18 be designed perpendicular to the buffer/screening width with the least disturbance to
19 the buffer/screening zone that allows safe vehicle and equipment access to the
20 operating site.
- 21 (9) *Signs.* "No Trespassing" signs are required at each pit access point(s), every 250
22 linear feet on the boundary fence, and at each corner, in letters not less than two
23 inches in height. "No Trespassing" signs shall be maintained in legible condition.
- 24 (10) *Reclamation activities.* Active reclamation activities shall be governed by any
25 performance standards applicable to the reclamation occurring on site, in accordance
26 with all federal, state, and local regulations and as approved pursuant to the Escambia
27 County Code of Ordinances. Reclamation involving land clearing debris disposal shall
28 only be permitted to the minimum height above ground level that allows for
29 environmental safety and stormwater runoff consistent with the surrounding
30 environment and intended post-mining land use not to exceed six feet. Groundwater
31 monitoring wells may be required for specific types of debris disposal per the
32 applicable federal and state regulations and the terms of the required county-approved
33 reclamation plan.
- 34 (11) *Existing permitted and unpermitted activities.* Borrow pits, and resource extraction
35 activities existing and in operation prior to August 22, 2014, or permitted prior to that
36 date shall be grandfathering (or vested) in accordance with the following regulations:
- 37 a. *Lawful nonconforming activities existing prior to June 2, 2005.* Ordinance 2005-18
38 was adopted on June 2, 2005. Borrow pits and resource extraction activities
39 existing and in operation prior to June 2, 2005, became lawful nonconforming land
40 uses on June 2, 2005. Such land use activities were and are subject to the
41 provisions of chapter 1, article 2 of the Land Development Code. Local permits are
42 required and to the extent these facilities and land use activities are not
43 grandfathered and do not already comply with applicable regulations, they shall
44 have 180 days from the date this ordinance is approved to comply. Extensions for

1 extenuating circumstances may be approved by the county administrator or the
2 county administrator's designee on a case-by-case basis.

- 3 b. *Unpermitted existing activities.* Borrow pit and resource extraction activities
4 created on or after June 2, 2005, that were otherwise in a zoning district that
5 authorized the land use activity as either a permitted or conditional use, and which
6 made application for either permitting or a development order prior to August 22,
7 2014, shall obtain and will be considered for a local permit to operate consistent
8 with their current and historical use of the property. The technical conditions of the
9 permit shall be addressed on a case-by-case basis, which will include
10 consideration of the nature and history of the activity to be permitted and the
11 length of time the activity has been ongoing; however, the permit conditions will
12 include compliance with this article to the extent feasible. Facilities qualifying to
13 request treatment pursuant to either (11)a. or (11)b. may choose either.
- 14 c. *Permitted existing activities.* The grandfathered status and vested rights of
15 operators and owners of borrow pits and resource extraction activities that held a
16 current and active development order or other permit issued by the county prior to
17 August 22, 2014, are to obtain local permits upon approval of this section and are
18 to be addressed on a case-by-case basis that will include consideration of the
19 specific wording of the previously approved development order, permit and any
20 other land use approval issued by the county relating to the operation of the
21 borrow pit or resource extraction activity. Previously permitted or approved
22 performance standards remain in effect, except where the County determines the
23 public health, safety and welfare dictates the current standard apply.
- 24 d. *Inordinate burden.* In no event shall the application of any revision to the land
25 development code relating to an activity that falls within the coverage of (11) be so
26 severe as to make the permitted activity either economically infeasible or to
27 impose an inordinate burden on the land use activity, as such inordinate burden is
28 defined in F.S. § 70.001.

29 (e) Concrete and asphalt recycling:

30 (1) Setbacks for operation. Concrete and asphalt recycling facilities shall be located a
31 minimum of 50 feet from the adjoining owner's property. Setback provisions
32 established herein include the required width for landscape screening and buffers
33 subsequently noted herein. The following exceptions may apply:

34 a. Site specific requirements. Increased setbacks may be required per the terms of the
35 mandatory county development order to protect wellheads, environmental areas,
36 and/or adjacent properties from adverse impacts.

37 (2) Traffic requirements. Access shall be limited to routes having the least impact on
38 residential areas, and the use shall be subject to all traffic concurrency requirements.

39 (3) Permits. See Escambia County Code of Ordinances, part I, chapter 42 and chapter 82.
40 A county permit is required for the operation of concrete and asphalt recycling facilities
41 within the County. Operations may be subject to additional federal, state and/or local
42 regulations as governed by the applicable regulatory authority.

- 1 (4) Hours of operation. Limited for the operation of concrete and asphalt recycling facilities
2 as indicated above.
- 3 (5) Fences and gates. A security fence with appropriate gates for access, not less than six
4 feet above grade, is required along the outer perimeter of the operation with exception
5 of the access point(s). Additional security features, such as barbed wire above the
6 fence top, are permitted. Gates for access shall be locked at all times during non-
7 operating hours. Fences and gates shall be maintained in a reasonable condition to
8 remain an effective barrier.
- 9 (6) Screening. Portions of the operation visible from the public right-of-way or nearest
10 residential use shall be screened with dense landscaping to achieve at least 75 percent
11 opacity. The landscape buffer shall be no less than ten feet in width at any given point
12 and may be placed either inside or outside the required fence perimeter to achieve
13 maximum dust and noise reduction and visible shielding. Earthen berms with a
14 minimum height of three feet can be placed within this buffer area.
- 15 (7) Buffers. In addition to the landscape screening noted above, a minimum ten-foot wide
16 buffer is required parallel to, and inside, the required fence. Facility operations, parking,
17 storage and disposal are not permitted within the screening or buffer areas. The
18 setback area may not be used for truck or equipment traffic, except as necessary to
19 maintain the setback area and perimeter fence. Access point(s) shall be designed
20 perpendicular to the buffer/screening width with the least disturbance to the
21 buffer/screening zone that allows safe vehicle and equipment access to the operating
22 site.
- 23 (8) Fugitive Dust Plan. A best management plan must be submitted to and approved by the
24 County for the control of fugitive dust and other particulate matter that may be released
25 into the air as a result of the operation.
- 26 (9) Air Quality Standards. Respirable dust, which includes silica dust, emission levels
27 shall not exceed the PM2.5 fine particle standard of 35 µg/m³ (micrograms per cubic
28 meter of air) consistent with the protective human health standards established by the
29 US Environmental Protection Agency, the Centers for Disease Control and Prevention,
30 and the Florida Department of Health. If respirable dust emission levels exceed the
31 PM2.5 standard of 35 µg/m³ based upon an hourly average of sixty (60) samples taken
32 at a rate of one sample per minute, such determination shall result in the immediate
33 ceasing of crushing operations and the operational permit may be revoked by the
34 County Administrator after notice of unsatisfactory performance and failure to make
35 necessary corrections within a reasonable time as determined by the County
36 Administrator or his designee.
- 37 (10) Signs. "No Trespassing" signs are required at each access point(s), every 250 linear
38 feet on the boundary fence, and at each corner, in letters not less than two inches in
39 height. "No Trespassing" signs shall be maintained in legible condition.
- 40 (11) Concrete and asphalt recycling. Active concrete and asphalt recycling activities shall
41 be governed by any performance standards applicable to the activities occurring on

1 site, in accordance with all federal, state, and local regulations and as approved
2 pursuant to the Escambia County Code of Ordinances.

3 (12) Existing permitted and unpermitted activities. Local permits are required and to the
4 extent these facilities do not already comply with applicable regulations, they shall have
5 180 days from the effective date of this ordinance to comply. Extensions for
6 extenuating circumstances may be approved by the county administrator or the county
7 administrator's designee on a case-by-case basis.

8 (13) Site Inspections. The facility shall allow both scheduled and unannounced site
9 inspections by the County to ensure compliance with all County regulations.

10 (14) Qualifications of Facility Operators. Applicant must have a competent representative
11 on site at all times during crushing activities that is knowledgeable of all local, state,
12 and federal regulations.

13
14 **Section 2. Severability.**

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, then said holding shall in no way affect
17 the validity of the remaining portions of this Ordinance.

18 **Section 3. Inclusion in Code.**

19 It is the intention of the Board of County Commissioners that the provisions of this Ordinance
20 shall be codified as required by F.S. § 125.68 (2017); and that the sections, subsections and
21 other provisions of this Ordinance may be renumbered or re-lettered and the word "ordinance"
22 may be changed to "section," "chapter," or such other appropriate word or phrase in order to
23 accomplish such intentions.

24 **Section 4. Effective Date.**

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

26 **DONE AND ENACTED** this _____ day of _____, 2018.

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

29
30 **By:** _____

31 **Jeff Bergosh, Chairman**

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

34 **By:** _____

35 **Deputy Clerk**

- 1 **(SEAL)**
- 2 **ENACTED:**
- 3 **FILED WITH THE DEPARTMENT OF STATE:**
- 4 **EFFECTIVE DATE:**

DRAFT



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. H.

Meeting Date: 03/06/2018

Issue: Cancellation of a Public Hearing Concerning the Review of an Ordinance Amending the LDC Chapter 4, Article 7

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

Cancellation of a Public Hearing Concerning the Review of an Ordinance Amending the Land Development Code Chapter 4, Article 7, to Establish Regulations Allowing Alternative Uses of Standard Industrial Shipping Containers

That the Board cancel the Public Hearing scheduled to review an Ordinance amending the Land Development Code (LDC) Chapter 4, Article 7, to establish regulations allowing alternative uses of standard industrial shipping containers.

BACKGROUND:

Proposed LDC provisions regarding the use of shipping containers as storage sheds or other accessory structures must be coordinated with related building code provisions. Additional time is needed in the development of a final ordinance to confirm applicable building code exemptions. A common understanding among citizens and the various county departments responsible for implementing the regulations is essential.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A

