

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
June 1, 2020–8:35 a.m.  
Escambia County Central Office Complex  
3363 West Park Place, Room 104

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Approval of Minutes.
  - A. A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the March 3, 2020 Planning Board Meeting.
  - B. Planning Board Monthly Action Follow-up Report for May 2020.
  - C. Planning Board 6-Month Outlook for June 2020.
5. Acceptance of Planning Board Meeting Packet.
6. Public Hearings.
  - A. A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2020-01  
  
That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Future Land Use (FLU) Map for a Small Scale Amendment, SSA-2020-01
7. Action/Discussion/Info Items.
  - A. Lot of Record Date Change Discussion.
  - B. RVs Allowed for Living in District 5 where Mobile Homes are Allowed Discussion.

C. Tiny Homes Discussion.

8. Public Forum.

9. Director's Review.

10. County Attorney's Report.

11. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Monday, July 6, 2020 at 8:30 a.m.**, in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

12. Announcements/Communications.

13. Adjournment.



## BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

**Planning Board-Regular**

**4. A.**

**Meeting Date:** 06/01/2020

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**Agenda Item:**

- A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the March 3, 2020 Planning Board Meeting.
- B. Planning Board Monthly Action Follow-up Report for May 2020.
- C. Planning Board 6-Month Outlook for June 2020.
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**Attachments**

Draft March 3, 2020 Regular Planning Board Meeting Minutes  
Monthly Action Follow-Up  
Six Month Outlook

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# DRAFT

## MINUTES OF THE ESCAMBIA COUNTY PLANNING BOARD March 3, 2020

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:35 A.M. – 1:00 P.M.)

Present: Reid Rushing  
Jay Ingwell  
Timothy Pyle  
Stephen Opalenik  
Walker Wilson  
Gary Sammons

Absent: Wayne Briske, Chairman  
Patty Hightower  
Eric Fears

Staff Present: Allyson Lindsay, Urban Planner II  
Andrew Holmer, Division Manager, Planning & Zoning  
Horace Jones, Director, Development Services  
Juan Lemos, Senior Planner, Planning & Zoning  
Kayla Meador, Administrative Supervisor  
Kia Johnson, Assistant County Attorney

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.  
  
Motion by Gary Sammons, Seconded by Reid Rushing  
  
Motion was made to waive the reading of the legal advertisement.  
**Vote:** 5 - 0 Approved  
  
Other: Wayne Briske (ABSENT)  
Eric Fears (ABSENT)
4. Approval of Minutes.



- A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the February 4, 2020, Planning Board Meeting.
- B. Planning Board Monthly Action Follow-up Report for February 2020.
- C. Planning Board 6-Month Outlook for March 2020.

Motion by Gary Sammons, Seconded by Reid Rushing

Motion was made to approve the minutes from the February 4, 2020 Planning Board meeting.

**Vote:** 5 - 0 Approved

Other: Wayne Briske (ABSENT)  
Eric Fears (ABSENT)

5. Acceptance of Planning Board Meeting Packet.

6. Public Hearings.

- A. Case #: OSP-2019-02  
Applicant: Frank & Elizabeth  
Westmark, Owners  
Address: 2025 Kingsfield Road  
Property Size: 84.10 +/- acres  
From: Conservation Neighborhood  
To: MU-S, Mixed-Use  
Suburban

Motion by Reid Rushing, Seconded by Gary Sammons

Motion was made to accept Westmark Exhibits.

**Vote:** 5 - 0 Approved

Other: Wayne Briske (ABSENT)  
Eric Fears (ABSENT)

Motion by Gary Sammons, Seconded by Reid Rushing

Motion was made to recommend approval of OSP-2019-02.

**Vote:** 4 - 1 Approved

Voted No: Jay Ingwell  
Other: Wayne Briske (ABSENT)  
Eric Fears (ABSENT)

B. Case #: OSP-2019-03  
Applicant: Clyde L. Jolly, Agent for  
Miriam C. Arnold Life Estate,  
Cecil D. Arnold & Cynthia A.  
Jolly, Owners  
Address: 1900 BLK W Kingsfield Road  
Property 4.04 +/- acres  
Size:  
From: Conservation Neighborhood  
To: MU-S, Mixed-Use Suburban

Motion by Gary Sammons, Seconded by Reid Rushing

Motion was made to recommend approval of OSP-2019-03.

**Vote:** 4 - 1 Approved

Voted No: Jay Ingwell

Other: Wayne Briske (ABSENT)  
Eric Fears (ABSENT)

C. Case #: OSP-2019-04  
Applicant: Clyde L. & Cynthia A. Jolly,  
Owners  
Address: 1955 W Kingsfield Road &  
2003 W Kingsfield Road  
Property 5.99 +/- acres  
Size:  
From: Conservation Neighborhood  
To: MU-S, Mixed-Use Suburban

Motion by Reid Rushing, Seconded by Gary Sammons

Motion was made to recommend approval of OSP-2019-04.

**Vote:** 4 - 1 Approved

Voted No: Jay Ingwell

Other: Wayne Briske (ABSENT)  
Eric Fears (ABSENT)

D. A Public Hearing Concerning the Review of an Ordinance Amending Part II of the Escambia County Code of Ordinances, The Escambia County Comprehensive Plan 2030.

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal to DEO, an Ordinance amending Chapter 7 , Policy 1.1.1, amending the Future Land Use Map.

Motion by Gary Sammons, Seconded by Jay Ingwell

Motion was made to accept speaker narrative.

**Vote:** 4 - 1 Approved

Voted No: Reid Rushing

Other: Wayne Briske (ABSENT)

Eric Fears (ABSENT)

Motion by Gary Sammons, Seconded by Reid Rushing

Motion was made to recommend approval of changing the FLU to MU-U.

**Vote:** 5 - 0 Approved

Other: Wayne Briske (ABSENT)

Eric Fears (ABSENT)

E. A Public Hearing Concerning the Review of an Ordinance adopting the 2019-2023 Update to the Five-Year Schedule of Capital Improvements for incorporation into Part II of the Code of Ordinances

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance adopting the 2019-2023 Update to the Five-Year Schedule of Capital Improvements for incorporation into Part II of the Code of Ordinances.

Motion by Gary Sammons, Seconded by Jay Ingwell

Motion was made to recommend approval.

**Vote:** 5 - 0 Approved

Other: Wayne Briske (ABSENT)

Eric Fears (ABSENT)

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

The next Regular Planning Board meeting is scheduled for **Tuesday, April 7, 2020, at 8:30 a.m.**, in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

12. Announcements/Communications.

13. Adjournment.

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

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:** May 21, 2020  
**RE:** Monthly Action Follow-Up Report for May 2020

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:**
- **Map Amendments:**

### **LSA-2019-05** FLU change from C to MU-U

12-03-19 PB recommended approval  
01-07-20 BCC dropped case  
04-02-20 BCC postponed  
06-18-20 BCC meeting

### **OSP-2019-01**

02-04-20 PB recommended approval  
03-05-20 BCC dropped per applicant

### **OSP-2019-02**

02-04-20 PB meeting – was not heard  
03-03-20 PB meeting  
03-05-20 BCC transmitted to DEO

06-04-20 BCC meeting

**OSP-2019-03**

02-04-20 PB meeting – was not heard

03-03-20 PB meeting

03-05-20 BCC transmitted to DEO

06-04-20 BCC meeting

**OSP-2019-04**

02-04-20 PB meeting – was not heard

03-03-20 PB meeting

03-05-20 BCC transmitted to DEO

06-04-20 BCC meeting

**LSA-2020-01**

02-04-20 PB meeting – was not heard

03-03-20 PB meeting

03-05-20 BCC transmitted to DEO

06-18-20 BCC meeting

**LAND DEVELOPMENT CODE ORDINANCES**

**REZONING CASES**

1. Rezoning Case Z-2020-01

02-04-20 PB recommended approval

03-05-20 BCC approved

2. Rezoning Case Z-2020-02

02-04-20 PB recommended approval

03-05-20 BCC approved

# PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR JUNE 2020

(Revised 5/21/20)

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
Monday, June 1, 2020		<ul style="list-style-type: none"> <li>SSA-2020-01</li> </ul>	<ul style="list-style-type: none"> <li>Z-2020-03</li> <li>Z-2020-04</li> </ul>	<ul style="list-style-type: none"> <li>Changing LOR date</li> <li>RVs in D5</li> <li>Tiny Homes</li> </ul>
Monday, July 6, 2020	<ul style="list-style-type: none"> <li>Changing LOR Date</li> </ul>	<ul style="list-style-type: none"> <li>SSA-2020-02</li> <li>SSA-2020-03</li> </ul>	<ul style="list-style-type: none"> <li>Z-2020-05</li> <li>Z-2020-06</li> </ul>	<ul style="list-style-type: none"> <li>Comp Plan Annual Report</li> </ul>
Tuesday, August 4, 2020				
Tuesday, September 1, 2020				
Tuesday, October 6, 2020				
Tuesday, November 2, 2020				

Disclaimer: This document is provided for informational purposes only. Schedule is subject to change. Verify all topics on the current meeting agenda one week prior to the meeting date.



## BOARD OF COUNTY COMMISSIONERS

### Escambia County, Florida

#### Planning Board-Regular

6. A.

**Meeting Date:** 06/01/2020

**Issue:** A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2020-01

**From:** HORACE JONES, Director

**Organization:** Development Services

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#### **RECOMMENDATION:**

A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2020-01

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Future Land Use (FLU) Map for a Small Scale Amendment, SSA-2020-01

#### **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 1.88 (+/-) acres from commercial (C) to Mixed-Use Surban district. The parcel is currently vacant and the applicants request is for the purpose of developing a residential complex with approximately 34 dwelling units on site but due to the current Commercial FLU this would be limited. They are seeking Mixed-Use Suburban to be consistent with the Comprehensive Plan.

#### **BUDGETARY IMPACT:**

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

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

The attached Ordinance has been reviewed and approved for legal sufficiency by Kia Johnson, 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 FLUM of the Comprehensive Plan will be filed with the Department of State following adoption by the BCC. Implementation of this Ordinance will consist of an amendment to the FLUM 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.

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**Attachments**

Working Case File

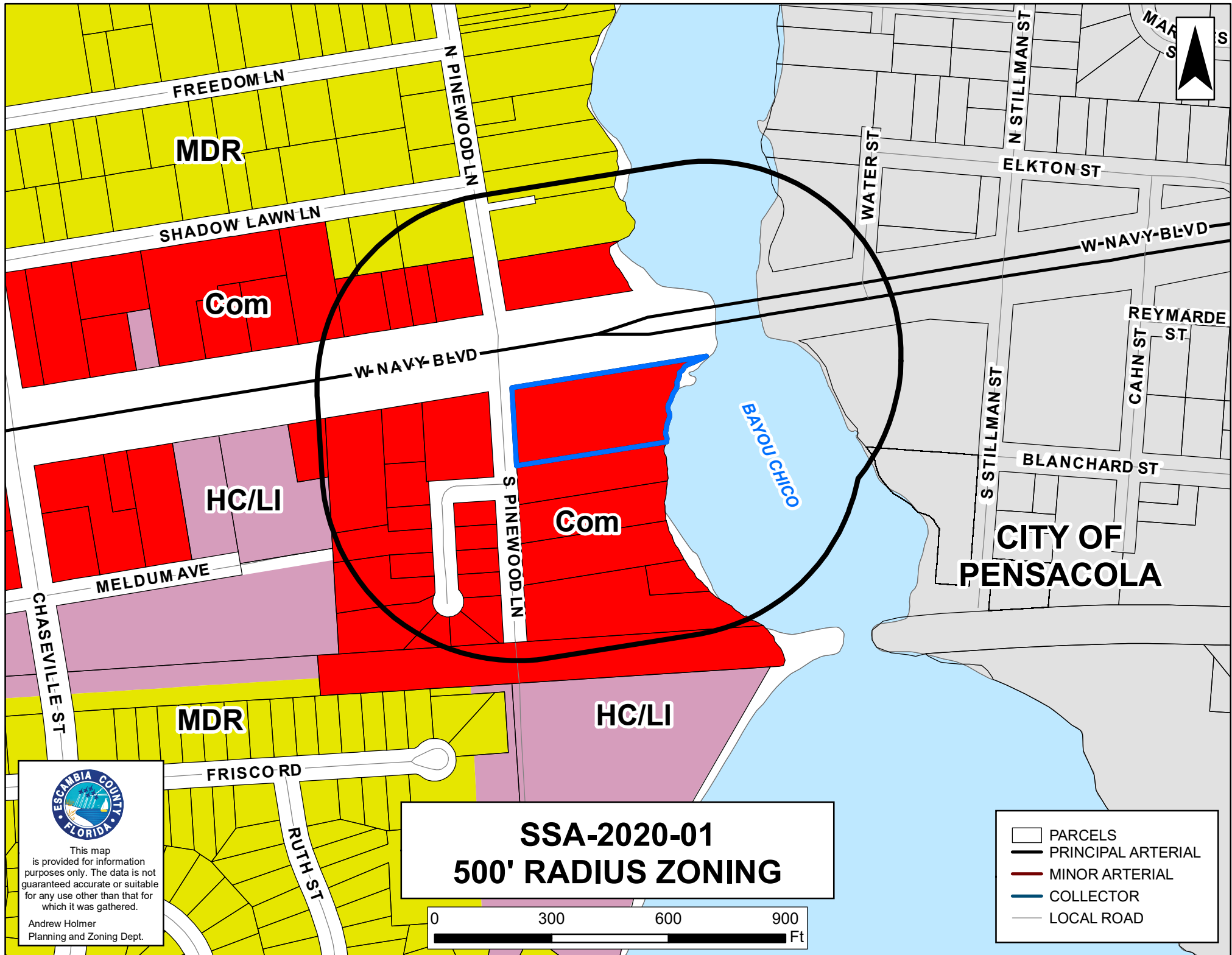
Draft Ordinance

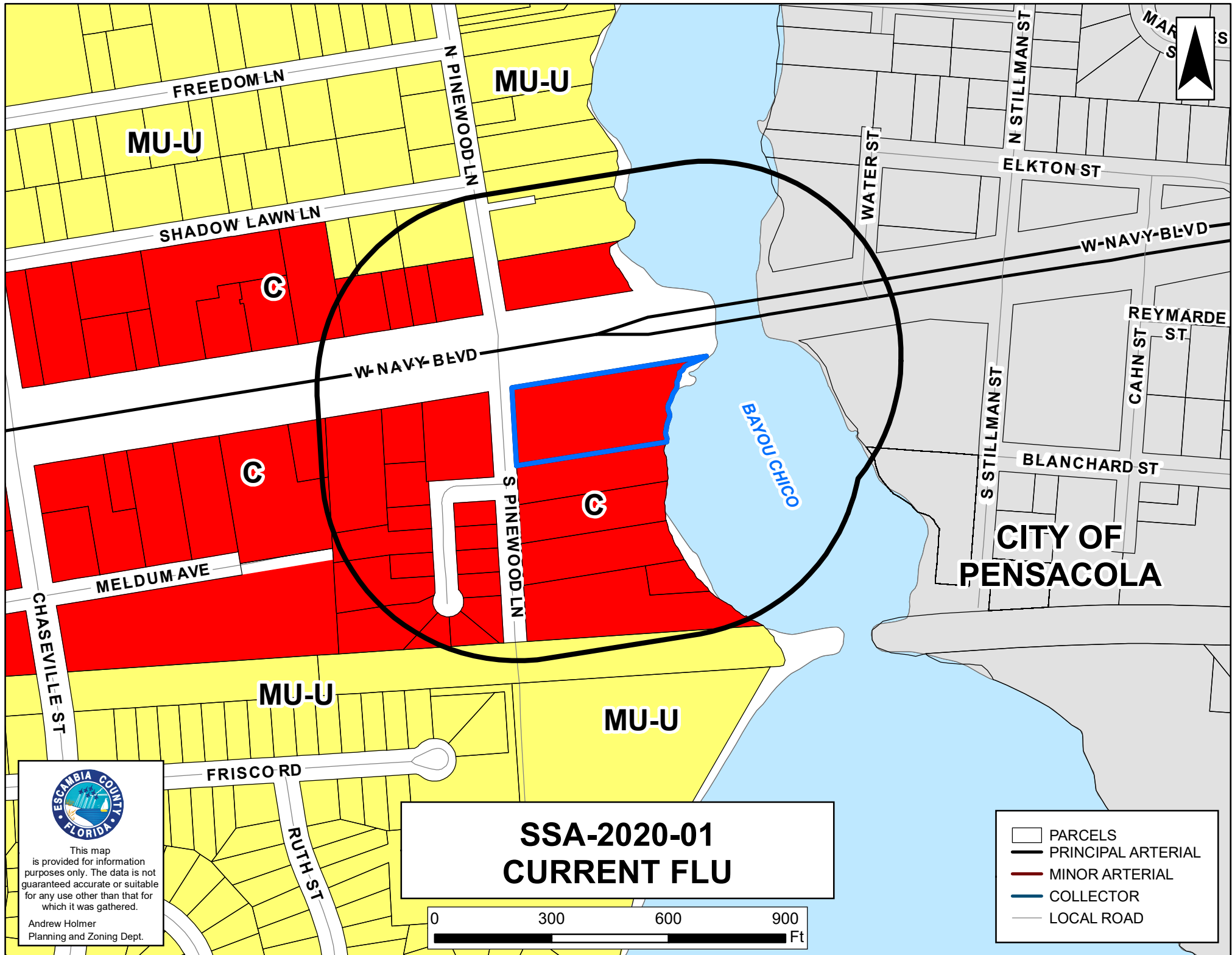
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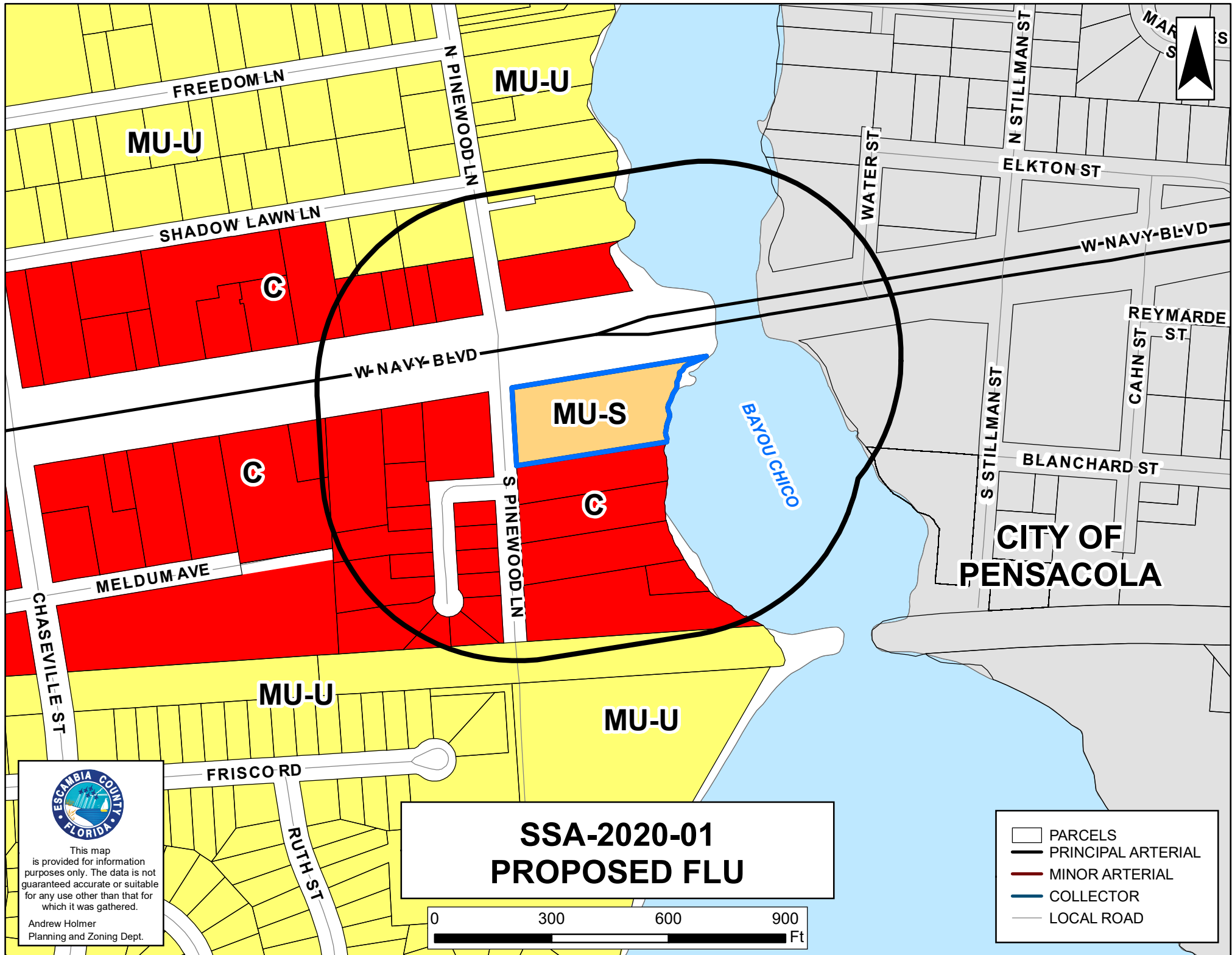
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**SSA-2020-01**

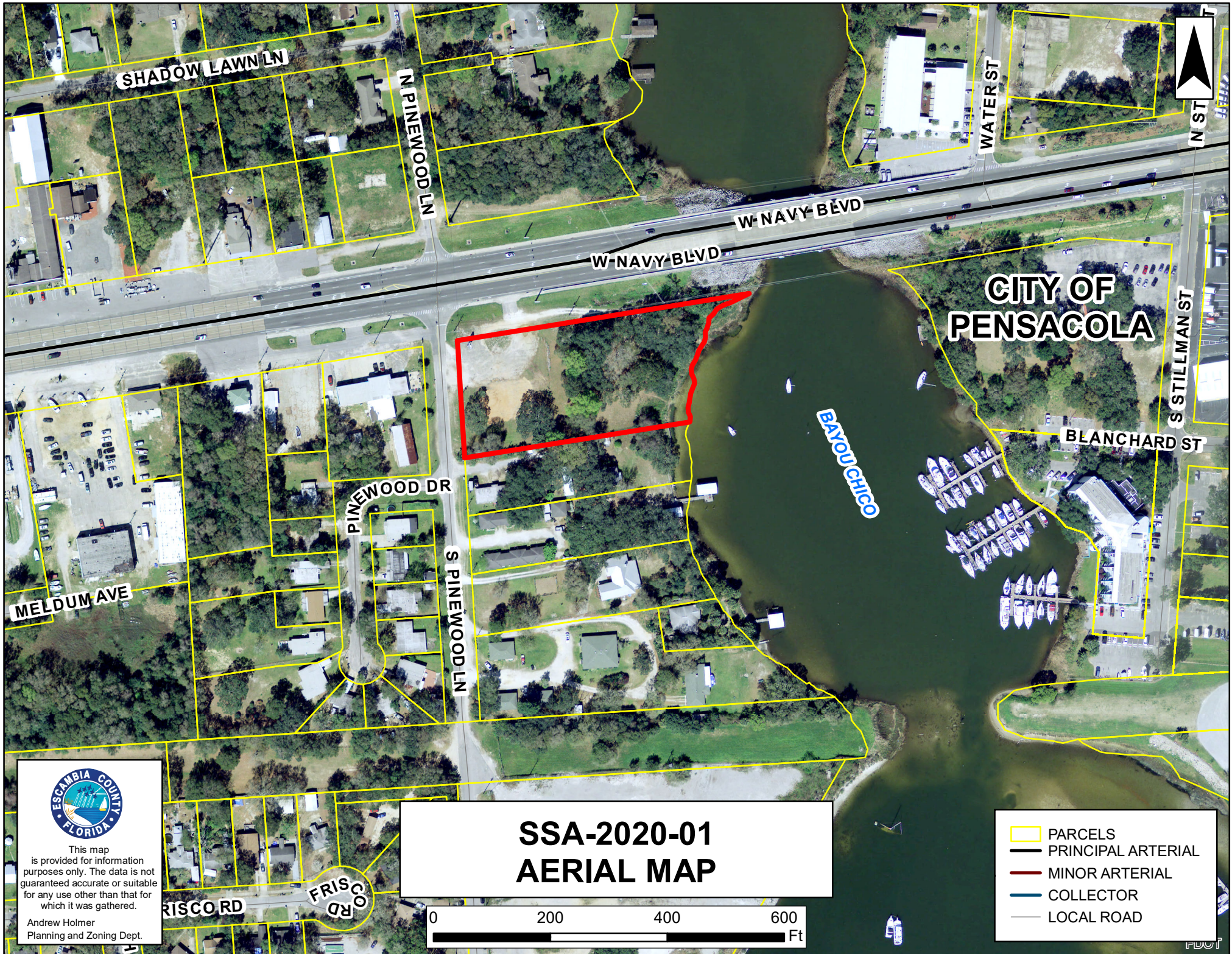












This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

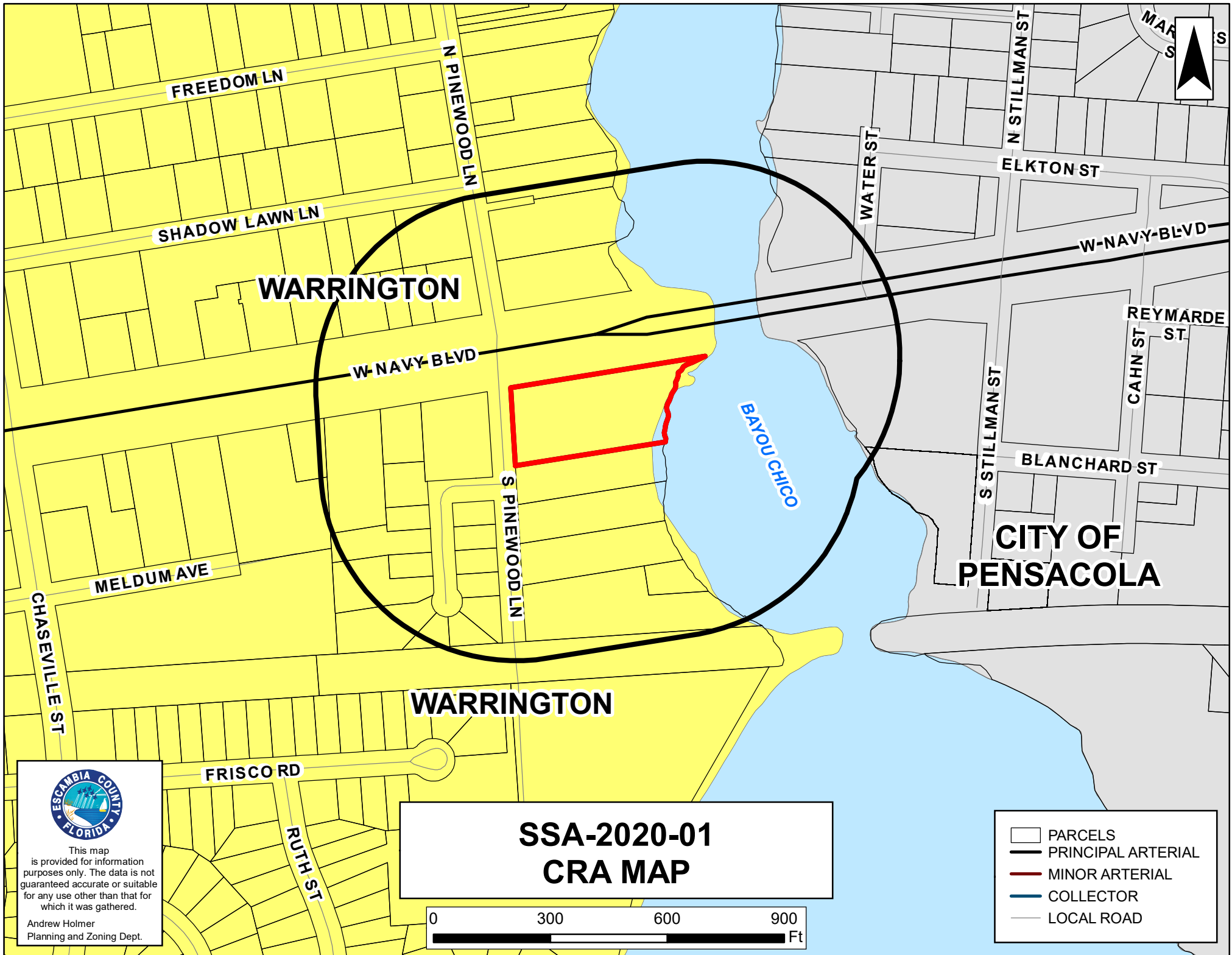
Andrew Holmer  
Planning and Zoning Dept.

## SSA-2020-01 AERIAL MAP

0 200 400 600  
Ft

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





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

Andrew Holmer  
Planning and Zoning Dept.

## SSA-2020-01 CRA MAP





# NOTICE OF PUBLIC HEARING FUTURE LAND USE CHANGE

CASE NO.: SSA-2020-01

CURRENT FLU: COM

PROPOSED FLU: MU-SJ

## PLANNING BOARD

DATE: 06/01/20 TIME: 8:30 a.m.

### LOCATION OF HEARING

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

## BOARD OF COUNTY COMMISSIONERS

DATE: 07/02/20 TIME: 5:46 P.M.

### 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](http://WWW.MYESCAMBIA.COM)

PLEASE DO NOT  
PROPERTY

Notice of Public Hearing Future Land  
Use Change Sign

GN  
TY



Looking south onto subject parcel  
from Navy Blvd



Looking east from Navy Blvd



 **NOTICE OF  
PUBLIC HEARING  
FUTURE LAND USE CHANGE**  
CASE NO. **SSA-2020-01**  
CURRENT P.L.U. **COMM-1** PROPOSED P.L.U. **MU-2**  
**PLANNING BOARD**  
DATE **05/01/20** TIME **5:30 P.M.**  
**LOCATION OF HEARING**  
ESCAMBA COUNTY CENTRAL OFFICE COMPLEX  
2ND FLOOR BOARD MEETING ROOM  
**BOARD OF COUNTY COMMISSIONERS**  
DATE **05/01/20** TIME **5:45 P.M.**  
**LOCATION OF HEARING**  
BRUCE LEE MORGAN GOVERNMENT BUILDING  
1ST FLOOR BOARD MEETING ROOM  
FOR MORE INFORMATION CALL  
DEVELOPMENT SERVICES 904-937-0111 OR VISIT  
WWW.BYTESCAMBA.COM  
PLEASE DO NOT REMOVE THIS SIGN  
PROPERTY OF ESCAMBA COUNTY

Looking west from Navy Blvd



Looking north onto subject parcel





## REBOL-BATTLE & ASSOCIATES

Civil Engineers and Surveyors

March 19, 2020

Christina Smith  
Escambia County Development Services Department  
3363 West Park Place  
Pensacola, Florida 32505

**Re: Bayou Chico Development  
Future Land Use Map (FLUM) Amendment Submittal Package  
RBA Project No. 2019.199**

Dear Christina:

Please find enclosed the Future Land Use Map (FLUM) Amendment Package for the above referenced project. The following items are included in the package for your review:

- 1) Owner: Bayou Chico, LLP c/o Kevin Hagen. Enclosed is a copy of the Escambia County Property Appraiser information to verify proof of ownership and the, current, Warranty Deed showing the owner of record.
- 2) The applicant requests to amend the Future Land Use Map from Commercial (Com) to Mixed-Use Suburban (MU-S) for the purpose of developing a mixed use residential complex with approximately 34 units.
- 3) One (1) copy of the Street Map depicting the general property location.
- 4) One (1) copy of the legal description of the exact property area proposed for a future land use map amendment, including (a) street address; (b) property reference number; (c) boundary survey; (d) total acreage requested for amendment.
- 5) One (1) copy of the Complete Data and Analysis
- 6) One (1) Check in the amount of \$2,969.50
- 7) One (1) copy of the Survey
- 8) One (1) cd containing all of the above in .pdf format

If you have any questions or need any additional information, please call our office.

Sincerely,

Rebol-Battle & Associates, LLC

Patrick Hartman, EI

Enclosures

**FUTURE LAND USE MAP AMENDMENT  
APPLICATION**

**CHECKLIST**

1. ☒        Owner(s) Name, Home Address and Telephone Number. An email address is optional (see form herein).
2. ☒        Letter of request, including reason(s) for map amendment and desired future land use category
3. ☒        Completed Application which includes (Notarized Affidavit of Ownership and Authorization, Notarized Affidavit of Ownership and Limited Power of Attorney if agent will act in owner's behalf, and Concurrency Determination Acknowledgement.)
4. ☒        Proof of Ownership (Copy of Warranty Deed or Tax Notice)  
Also need copy of Contract for Sale if the change of ownership has not yet been recorded.
5. ☒        Street Map depicting general property location
6. ☒        Legal Description of exact property area proposed for a future land use map amendment, including:
  - Street Address
  - Property Reference Number(s)
  - Boundary Survey
  - Total acreage requested for amendment
7. ☒        Land Use Map Amendment Application fee
8. ☒        Complete Data and Analysis (See applicable page herein)

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

**FUTURE LAND USE MAP AMENDMENT APPLICATION**

**(THIS SECTION FOR OFFICE USE ONLY):**

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

Current FLU: Com Desired FLU: MU-S Zoning: C Taken by: (dropped off) A.L.  
Planning Board Public Hearing, date(s): TBD 06/01/20

BCC Public Hearing, proposed date(s): 07/02/20

Fees Paid \_\_\_\_\_ Receipt # \_\_\_\_\_ Date: \_\_\_\_\_

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

Name: Bayou Chico LLP

Address:  
730 Bayfront Parkway Suite 4B

City: Pensacola State: FL Zip Code: 32507

Telephone: ( 850 ) 530 - 4226

Email: kevin@hhbuildinggroup.com

**DESCRIPTION OF PROPERTY:**

Street address: 3611 Navy Blvd Pensacola, FL 32507

Subdivision:

Westerly Heights

Property reference number: Section 38 Township 2S Range 30

Parcel 3100 Lot Part 12 000 Block 3 000

Size of Property (acres) Approximately 1.88 acres



**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] James J. Reeves 3/1/2020  
Signature (Property Owner) Printed Name Date

[Signature] James J. Reeves 3/1/2020  
Signature (Agent's Name (or owner if representing oneself)) Printed Name Date

Address: 730 Bayfront Parkway Suite 4B

City: Pensacola State: FL Zip: 32502

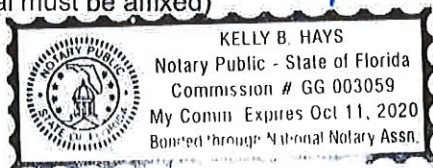
Telephone ( 850 ) 438 - 4400 Fax # ( 850 ) 607 - 8971

Email: jjr@jjrfirm.com

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The forgoing instrument was acknowledged before me this 11<sup>th</sup> day of March,  
year of 2020 by James J. Reeves GP 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.

Kelly B. Hays  
Signature of Notary Public Date 10/1/2020 Printed Name of Notary  
My Commission Expires \_\_\_\_\_ Commission No. GG 003059  
(Notary seal must be affixed)


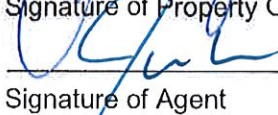


ESCAMBIA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
3363 West Park Place, Pensacola, FL 32505 (850) 595-3475

**AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY**

As owner of the property located at 3611 Navy Blvd Pensacola, FL 32507,  
Pensacola, Florida, Property Reference Number(s)  
38-2S-30-3100-000-000, I hereby designate Rebol-Battle & Ass. / Jason Rebol,  
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 11<sup>th</sup> day of March, the year of  
2020, 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.


	<u>03/11/2020</u>	<u>Bryan Chico LUP</u>
Signature of Property Owner	Date	Printed Name of Property Owner
	<u>3/11/2020</u>	<u>Jason Rebol</u>
Signature of Agent	Date	Printed Name of Agent

STATE OF FLORIDA

COUNTY OF ESCAMBIA

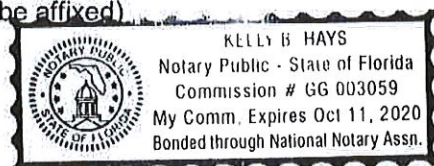
The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of March, year of  
2020, by James J. Reeves GP who ( ) did ( ) did not take  
an oath.

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

	<u>3/11/2020</u>	<u>Kelly B. Hays</u>
Signature of Notary Public	Date	Printed Name of Notary Public

Commission Number GG 003059 My Commission Expires 10/11/2020

(Notary seal must be affixed)





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

Project name: Bayou Chico Development

Property reference #: Section 38 Township 2S Range 30

Parcel # 3100-000-000

Project Address: 3611 Navy Blvd Pensacola, FL 32507

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 11<sup>th</sup> DAY OF March, 2020

Owner's signature

Bayou Chico LP  
By James J. Reeves, Jr.

Owner's name (print)

Agent's signature

Jason REBOL  
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@dos.state.fl.us](mailto:sitefile@dos.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



# Chris Jones

## Escambia County Property Appraiser

[Real Estate Search](#)
[Tangible Property Search](#)
[Sale List](#)
[←](#) Navigate Mode ☒ Account ☐ Reference [→](#)
[Printer Friendly Version](#)

### General Information

**Reference:** 382S303100000000  
**Account:** 074556000  
**Owners:** BAYOU CHICO LLP  
**Mail:** 730 BAYFRONT PARKWAY SUITE 4B  
 PENSACOLA, FL 32502  
**Situs:** 3611 NAVY BLVD 32507  
**Use Code:** VACANT COMMERCIAL [🔍](#)  
**Taxing Authority:** COUNTY MSTU  
**Tax Inquiry:** [Open Tax Inquiry Window](#)  
 Tax Inquiry link courtesy of Scott Lunsford  
 Escambia County Tax Collector

### Assessments

Year	Land	Imprv	Total	<a href="#">Cap Val</a>
2019	\$180,400	\$1,432	\$181,832	\$181,832
2018	\$180,400	\$46,566	\$226,966	\$226,966
2017	\$180,400	\$43,565	\$223,965	\$223,965

[Disclaimer](#)
[Tax Estimator](#)
[> File for New Homestead Exemption Online](#)

### Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
12/02/2019	8211	183	\$575,000	WD	<a href="#">View Instr</a>
06/05/2018	7913	1434	\$100	CT	<a href="#">View Instr</a>
05/18/2017	7716	1267	\$100	CJ	<a href="#">View Instr</a>
03/2005	5593	1127	\$550,000	WD	<a href="#">View Instr</a>
10/1999	4481	1138	\$400,000	WD	<a href="#">View Instr</a>
07/1993	3390	393	\$239,000	WD	<a href="#">View Instr</a>
06/1991	3023	54	\$100	WD	<a href="#">View Instr</a>

Official Records Inquiry courtesy of Pam Childers  
 Escambia County Clerk of the Circuit Court and  
 Comptroller

### 2019 Certified Roll Exemptions

None

### Legal Description

BEG AT NE COR OF LT 12 BLK 3 WESTERLY HTS PB 2 P 14  
 N 79 DEG 25 MIN E ALG S LI OF BLVD 486 5/10 FT FOR  
 POB S ON E LI...

### Extra Features

ASPHALT PAVEMENT  
 CHAINLINK FENCE

### Parcel Information

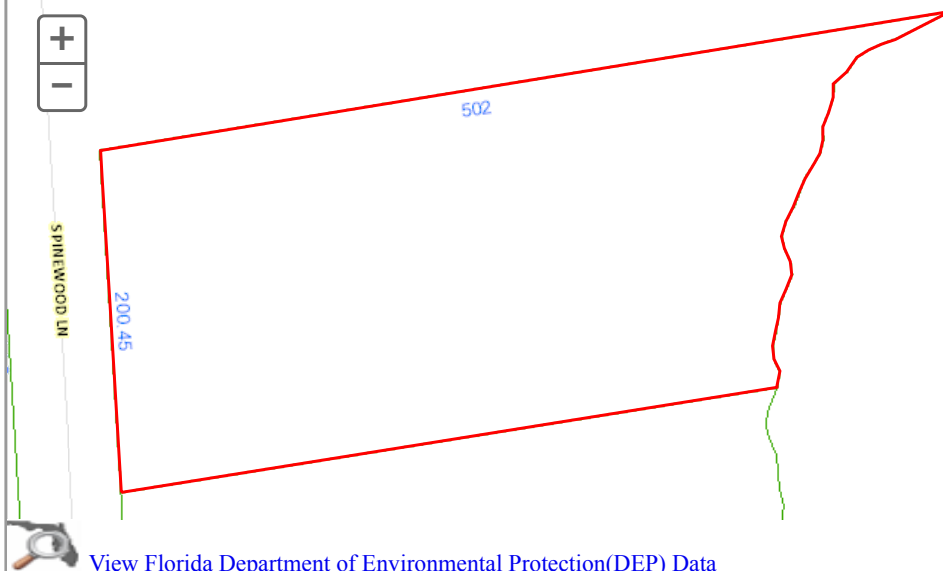
[Launch Interactive Map](#)

**Section Map Id:**  
[CA161](#)

**Approx. Acreage:**  
 1.9059

**Zoned:** [🔍](#)  
 Com

**Evacuation & Flood Information**  
[Open Report](#)



[View Florida Department of Environmental Protection \(DEP\) Data](#)

### Buildings

Images



3/12/19

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

Last Updated:03/09/2020 (tc.42441)

Recorded in Public Records 12/6/2019 10:47 AM OR Book 8211 Page 183,  
Instrument #2019106659, Pam Childers Clerk of the Circuit Court Escambia  
County, FL Recording \$27.00 Deed Stamps \$4,025.00

---

This instrument prepared by:  
A. Alan Manning, Esq.  
CLARK PARTINGTON  
Post Office Box 13010  
Pensacola, Florida 32591-3010  
CPH#19-0655

Parcel ID No.: 38-2S-30-3100-000-000

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED made the 9th day of December, 2019, by **BEACH COMMUNITY BANK**, whose address is 17 SE Eglin Parkway, Fort Walton Beach, Florida 32548 ("**Grantor**"), to **BAYOU CHICO LLP**, a Florida limited liability partnership, whose address 730 Bayfront Parkway, Suite 4B, Pensacola, Florida 32502 ("**Grantee**");

**WITNESSETH:** That the Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain real property situate in **Escambia County, Florida**, more particularly described as follows (the "Property"):

See Exhibit "A" attached hereto and made a part hereof.

**SUBJECT TO** zoning and other requirements imposed by governmental authorities; restrictions and matters appearing on the plat, if there is a recorded plat, or otherwise common to the subdivision, if the Property is located within a subdivision; valid easements and mineral reservations of record affecting the Property, if any, which are not hereby reimposed; and taxes for the current year and subsequent years.

Grantor hereby covenants with Grantee that the Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey said Property; that the Grantor hereby fully warrants the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but no other.

[signature page follows]

BK: 8211 PG: 184

IN WITNESS WHEREOF, the Grantor has executed these presents causing its name to be signed by its duly authorized officer on the day and year first above written.

Signed, sealed and delivered  
in the presence of:

Witness Signature

Witness Printed Name

Witness Signature

Witness Printed Name

BEACH COMMUNITY BANK

By:

Name: W. Scott McCormick

Title: Senior Vice President

STATE OF FLORIDA  
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 2nd day of December, 2019, by W. Scott McCormick, the Senior Vice President of **Beach Community Bank**, who on behalf of said bank is (H) personally known to me or who has ( ) provided \_\_\_\_\_ as identification.

NOTARY PUBLIC

Commission number: GG 118397

My Commission expires: 9-19-21

(NOTARIAL SEAL)

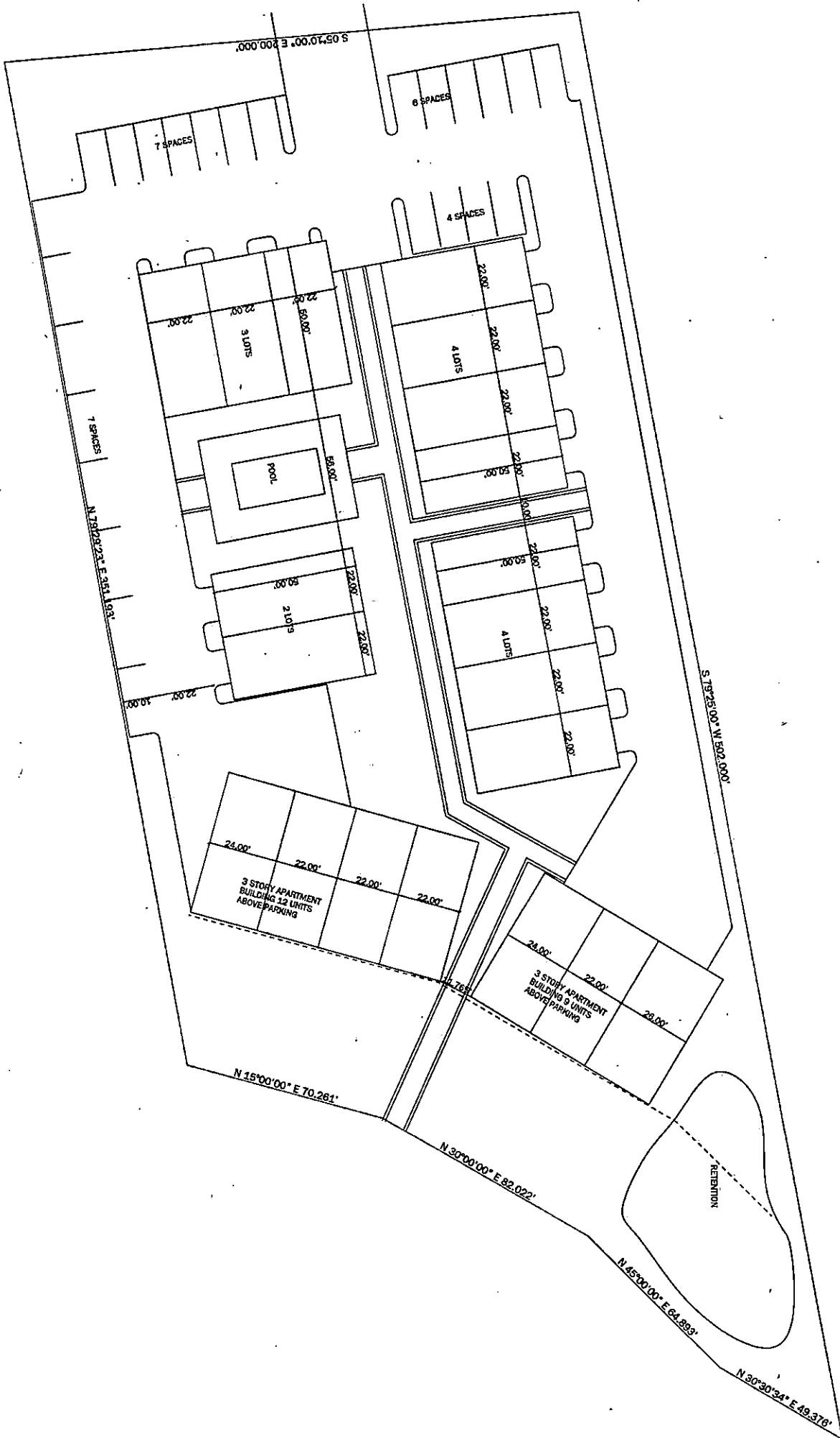




## EXHIBIT "A"

The land referred to herein below is situated in the County of Escambia, State of Florida, and described as follows:

Commencing at a permanent reference monument at the Northeast corner of Lot 12, Block 3, Westerly Heights Subdivision, according to plat of said subdivision of record in Plat Book 2, at Page 14 of the Public Records of Escambia County, Florida, said point being in the South right-of-way line of Navy Boulevard, which was formerly Admiral Boulevard; thence run North 79 degrees 25 minutes East with the South right-of-way line of said Boulevard a distance of 486.5 feet for the Point of Beginning; said point being in the East right-of-way line of First Street of said Westerly Heights; thence run South 5 degrees 10 minutes East along the said East right-of-way line a distance of 200.45 feet; thence run North 79 degrees 25 minutes East and parallel with the said Navy Boulevard to the West line of the shore of Bayou Chico; thence run Northerly along the meandering of the shore of Bayou Chico to the South right-of-way line of said Navy Boulevard; thence run South 79 degrees 25 minutes West with said South right-of-way line a distance of 502 feet, more or less, to the Point of Beginning, all lying in Section 38, Township 2 South, Range 30 West, Escambia County, Florida.



# FUTURE LAND USE MAP (FLUM) AMENDMENT

For

Bayou Chico Development  
Parcel ID: 38-2S-30-3100-000-000  
Escambia County, Florida

March 2020

Prepared by:



**REBOL-BATTLE & ASSOCIATES, LLC.**

Civil Engineers & Surveyors

FL Certificate of Authorization #9657

2301 N 9<sup>th</sup> Avenue, Suite 300  
Pensacola, FL 32503  
850.438.0400

[www.rebol-battle.com](http://www.rebol-battle.com)

Prepared for:  
Bayou Chico LLP  
c/o Kevin Hagen

RBA Project No.: 2019.199

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## **SUPPLEMENTAL DOCUMENTS**

- A. Project Location, Existing Zoning Map, Existing Future Land Use Map, Proposed Future Land Use Map, Current Land Use Map, and Surrounding Roads Map**
- B. Emerald Coast Utilities Authority (ECUA) – Water and Sewer Availability Letter**
- C. Escambia County Schools Level of Service Determination (Source: Escambia County School District)**
- D. Wetland Maps (Source: Wetland Sciences, Inc.)**
- E. Historical & Archeological Data (Source: Florida Master Site File)**
- F. Power (Source: Gulf Power)**

# 1. Introduction

This report provides a written request for a Future Land Use Map (FLUM) Amendment of Parcel Number 38-2S-30-3100-000-000 in Pensacola, Florida. The existing FLUM designation for the property is Commercial (Com). The desired FLUM Classification is Mixed-Use Suburban (MU-S). The parcel is zoned COM. This zoning district allows for multi-family developments. However the current FLU of Commercial (Com) requires a commercial component be included when developing a property. Since no commercial component is proposed, a FLU category more appropriate for multi-family developments is requested, (MU-S). This request is a less intensive category than exists currently.

## 2. General Property Information

PROPERTY ADDRESS:	3611 Navy Blvd
PARCEL ID #:	38-2S-30-3100-000-000
INTENDED PROPERTY USE:	Mixed-Use Residential
PROPERTY OWNER:	Bayou Chico LLP 730 BAYFRONT PARKWAY SUITE 4B Pensacola, FL 32507
DEVELOPER:	Bayou Chico LLP c/o Kevin Hagen
AUTHORIZED AGENT:	Jason Rebol Rebol-Battle & Associates 2301 N. 9 <sup>th</sup> Ave., Suite 300 Pensacola, FL 32503
LEGAL DESCRIPTION:	See enclosed Boundary Survey
PROOF OF OWNERSHIP:	See enclosed Tax Ownership Documents
CURRENT ZONING:	Commercial (Com)
CURRENT FLU:	Commercial (Com)
PROPOSED FLU:	Mixed-Use Suburban (MU-S)

The property is located at 3611 Navy Blvd in Escambia County, in the south eastern corner of the intersection of Navy Blvd and Pinewood Lane. The parcel includes approximately 1.88 acres of property along the south side of Navy Blvd. Maps of the existing property are included in the "Supplemental Documents" section of this report.

The requested FLUM Amendment to MU-S would allow for development of up to twenty-five (25) dwelling units per acre for the site. The developer is anticipating construction of approximately 34 units which calculates to 18.1 dwelling units per acre (34 units ÷ 1.88 acres).

### 3. Compatibility Analysis

The correct FLU category of the property is Commercial (Com). The desired FLUM Category is Mixed-Use Suburban (MU-S). Existing properties adjacent to the subject property have the following FLUM designations:

#### Current FLUM Designations of Surrounding Properties

North:	Commercial (Com)
South:	Commercial (Com)
East:	N/A – east is Bayou Chico.
West:	Commercial (Com)

Maps of the above listed properties and their designations is included in the “Supplemental Documents” section of this report. The maps show the limits of the Commercial (Com) FLUM category. Outside of the adjacent properties, the surrounding areas along Navy Blvd are Commercial (COM) and Mixed-Use Urban (MU-U) outside of the Navy Blvd immediate properties.

Based on the surrounding property information, the proposed land use amendment is considered compatible with adjacent land uses.

### 4. Public Facilities Impacts

The desired Zoning and Future Land Use Map changes have been analyzed to determine what impacts the maximum development conditions would have to the various public facilities and infrastructure that currently exists and serves the site. As mentioned, the requested FLUM Amendment to MU-S would allow for development of up to twenty-five (25) dwelling units per acre for the site; however the developer is anticipating construction of a maximum 34 residential units (18.1 units/acre). The FLU requested and the proposed use is considered a reduction in intensity over the current FLU of Commercial.

The following analysis compares impacts to public facilities for current conditions and future conditions (years 2019 & 2030) based on the maximum density calculated (34 dwelling units)

#### 4.1 Sanitary Sewer

The property is located within the Emerald Coast Utilities Authority (ECUA) service area for sanitary sewer collection. A sanitary force main will be installed on Navy Blvd to connect to an existing ECUA force main located on Navy Blvd. Construction of an on-site sanitary lift station and connection to the existing force main would be proposed if designed, permitted and approved by ECUA.

The estimated sanitary sewer demand for the maximum development conditions of 34 dwelling units is approximately 5,100 gallons per day (150 gallons per household per day x 34 households). The Emerald Coast Utilities Authority has indicated that they have the capacity to service the developed property. A copy of the ECUA water and sewer availability letter is included in the "Supplemental Documents" section of this report.

According to the information listed above, it is determined that ECUA has the necessary capacity to provide sanitary sewer collection service to the developed site. However, any proposed development at the subject property would require the proper review and approval from ECUA prior to service connection.

#### **4.2 Solid Waste Disposal**

Solid waste collection service for development of the subject property shall be provided by the Emerald Coast Utilities Authority. Disposal of solid waste in the region is routed to the Perdido Landfill in Cantonment, Florida. The landfill is operated by the Escambia County Department of Waste Management.

Projected solid waste for the proposed development can be estimated at 714 pounds per day (6ppc/day x 34 units x 3.5 persons per unit). This value is estimated for a 34 dwelling units and, according to ECUA and Escambia County officials, is within the population projections for the landfill. Any future development of the site will not adversely affect the County landfill Level of Service (LOS).

#### **4.3 Potable Water**

The property is located within the Peoples Water Service Company service area for potable water distribution. An existing water service main (6") is located along Navy Blvd and on S Pinewood Lane. Connection to the 6" water main is proposed.

The estimated potable water demand for the maximum development conditions of 34 dwelling units is approximately 5,100 gallons per day (150 gallons per apartment unit per day x 34 households). The Peoples Water Service Company has indicated that they have the capacity to service the developed property. A copy of the Peoples Water Service Company water availability letter is included in the "Supplemental Documents" section of this report.

According to the information listed above, it is determined that the Peoples Water Service Company has the necessary capacity to provide potable water service to the developed site. However, any proposed development at the subject property would require the proper review and approval from the Peoples Water Service Company prior to service connection.

#### **4.4 Stormwater Management**

Stormwater management systems shall be designed, permitted and approved by all necessary regulatory agencies prior to development of the subject property. These agencies include (at a minimum) Escambia County, the Florida Department of Environmental Protection, the Florida Department of Transportation and the Northwest

Florida Water Management District. Current regulations require the site to obtain permitting through the State of Florida's Environmental Resource Permitting (ERP) program with design criteria that includes water quality and flood control devices which meet the current County and State requirements. The site stormwater system will be designed to attenuate a 100-yr storm event and treat the first 1" of runoff.

The property owner shall obtain all necessary State and County permits for development prior to performing any proposed improvements to the site.

#### **4.5 Traffic**

The subject property includes approximately 502 feet of frontage along Navy Blvd and approximately 200 feet of frontage along Pinewood Lane. Access to the site shall be provided with a proposed connection to Pinewood Lane. Further review and analysis shall be required for the permitting of the future connection and the determination of any need for left/right turn lane additions.

#### **4.6 Recreation and Open Space**

Escambia County provides the community with a number of parks, recreation facilities and open spaces. The proposed FLUM amendment shall not exceed the capacity for such facilities however use of the existing County recreational facilities will be enjoyed by the residents of the proposed development.

#### **4.7 Schools**

The requested Future Land Use Map amendment would allow the same density of the existing property. The proposed development proposes 34 dwelling units which would generate a potential impact to Escambia County schools, however discussions with School Board officials revealed that schools within the County currently have the capacity for the proposed density. According to the Escambia County School District, the proposed project meets the level of service requirements of the Florida Statutes. A copy of the School District's "Level of Service Determination" letter is included in the "Supplemental Documents" section of this report.

#### **4.8 Power**

Gulf Power has confirmed infrastructure and service available to the property to service development under the requested FLU categories. See letter from Gulf Power included in the "Supplemental Documents" section of this report.

## **5. Environmental, Historical and Archeological Impacts**

Environmental impacts to the existing property shall be minimal. The subject property size totals roughly 1.88 acres. No known wellheads are located near the property. Conversations with officials from both Escambia County and ECUA confirmed that no wellheads are in the



project vicinity. According to officials, the closest limits to a known wellhead is 0.75 miles north northwest of the property.

The portion of the site is developed with asphalt parking and one single story commercial building and a portion of the site is covered with sporadic trees. The site is currently used as a vacant commercial lot. The eastern property line of the site is Bayou Chico. A small dock is proposed.

The State of Florida Division of Historical Resources was contacted regarding the subject property. A preliminary historic and archeological investigation revealed a standing structure on site with no significant bridges, sensitive areas or other items of historical significance on or near the property. The discovery of such items is highly unlikely in the region. A copy of the correspondence received from the Florida Master Site File is included in the "Supplemental Documents" portion of this report.

## **6. Consistency with Comprehensive Plan**

The following discussion demonstrates that the proposed Future Land Use Map amendment is consistent with the adopted Escambia County Comprehensive Plan (2030). Applicable sections from the Comprehensive Plan have been included with responses following each section.

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

**RESPONSE:** *The proposed development is within the level of service provided by the County and the infrastructure will not be negatively impacted or degraded. In addition, the applicant understands the development must meet County standards concurrent with the CMS requirements.*

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

**Policy FLU 1.5.2:** Compact Development and Maximum Densities and Intensities - To ensure developments are designed to be compact and to accommodate travel mode choice, especially for short, local trips, the County will require minimum densities in the Mixed-Use-Suburban Future Land Use category and encourage the maximum densities and intensities in the Mixed Use-Urban Future Land Use category.

**RESPONSE:** *The Future Land Use Change request for the property is Mixed-Use Suburban (MU-S). The properties to the east (outside of those immediately adjacent to the property) are designated MU-U; therefore, compact development is continuing to be promoted in this region. In addition, the maximum densities are desired, on-site limit the development to 18.1 units per acre, 25 units per acre is allowed.*

**Chapter 10: Infrastructure Element** - The purpose of the Infrastructure Element is to provide guidance in the provision of services necessary to accommodate existing and future

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

*RESPONSE: The subject parcel is located in Escambia County. As proven in Section 4 of this report, the proposed FLUM amendment for the subject parcel meets the goals, objectives and policies regarding potable water, wastewater, solid waste, stormwater management, traffic, schools, and aquifer protection. See attached availability letters in the "Supplemental Documents" section of this report.*

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

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

*RESPONSE: Stormwater management facilities shall be designed, permitted and approved by all necessary regulatory agencies prior to development of the subject property. These agencies include (at a minimum) Escambia County, the Florida Department of Environmental Protection and the Northwest Florida Water Management District. The property owner shall obtain all necessary State and County permits for development prior to performing any proposed improvements to the site.*

**OBJ CON 1.4:** Groundwater Resources - Protect and conserve the quality and quantity of groundwater resources to ensure public health and safety, adequate potable water supplies.

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

*RESPONSE: The subject parcel is located approximately three-quarters (0.75) of a mile from the nearest wellhead owned by ECUA. No wellhead impacts are anticipated.*

# SUPPLEMENTAL DOCUMENTS

For

Bayou Chico Development  
Parcel ID: 38-2S-30-3100-000-000  
Escambia County, Florida

March 2020

Prepared by:



**REBOL-BATTLE & ASSOCIATES, LLC.**

Civil Engineers & Surveyors

FL Certificate of Authorization #9657

2301 N 9<sup>th</sup> Avenue, Suite 300  
Pensacola, FL 32503  
850.438.0400

[www.rebol-battle.com](http://www.rebol-battle.com)

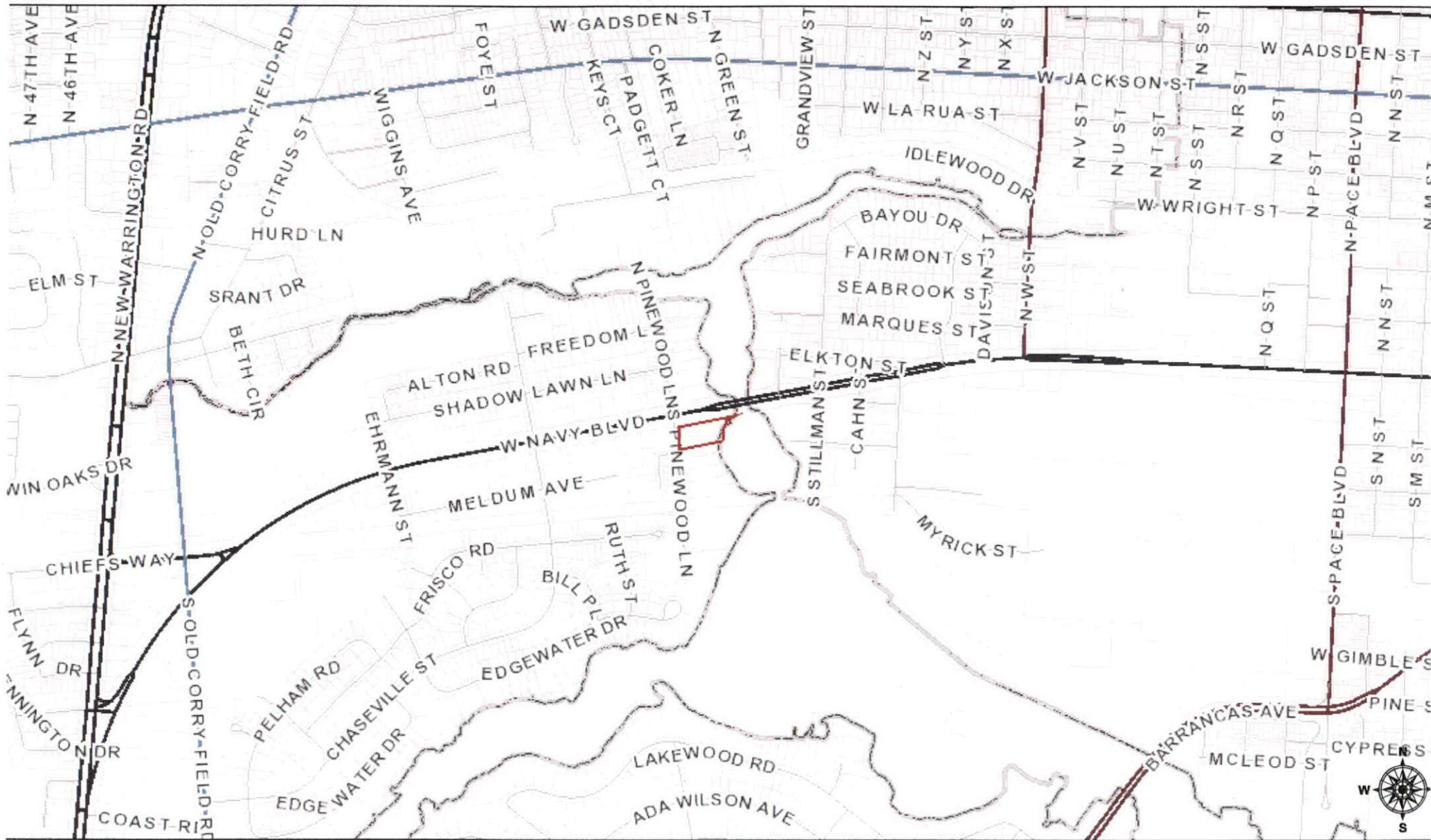
Prepared for:  
Bayou Chico LLP  
c/o Kevin Hagen

RBA Project No.: 2019.199

## **SECTION “A”**

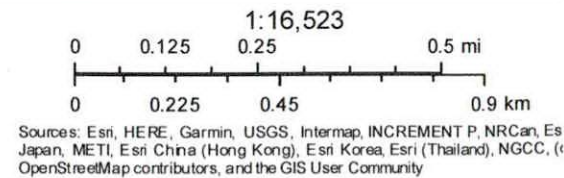
- **Project Location**
- **Existing Zoning Map**
- **Existing Future Land Use Map**
- **Proposed Future Land Use Map**
  - **Current Land Use Map**
  - **Surrounding Roads Map**

# Project Location



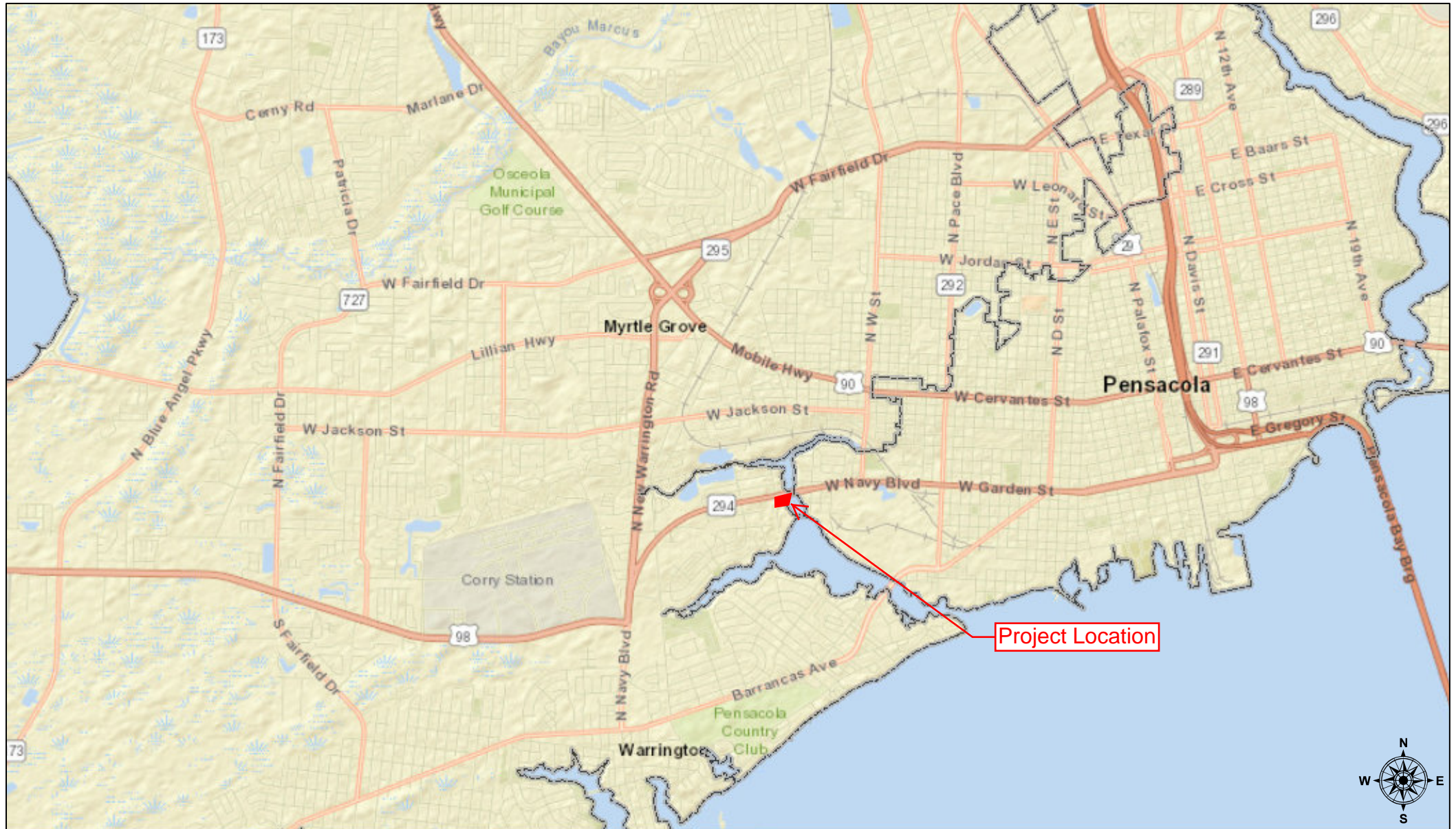
arch 9, 2020

olygonLayer	Streets		
Override 1	PRINCIPAL ARTERIAL	COLLECTOR	County Outline
	MINOR ARTERIAL	LOCAL ROAD	Parcels





# Project Location



March 9, 2020

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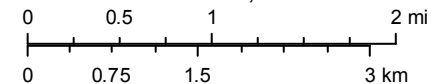
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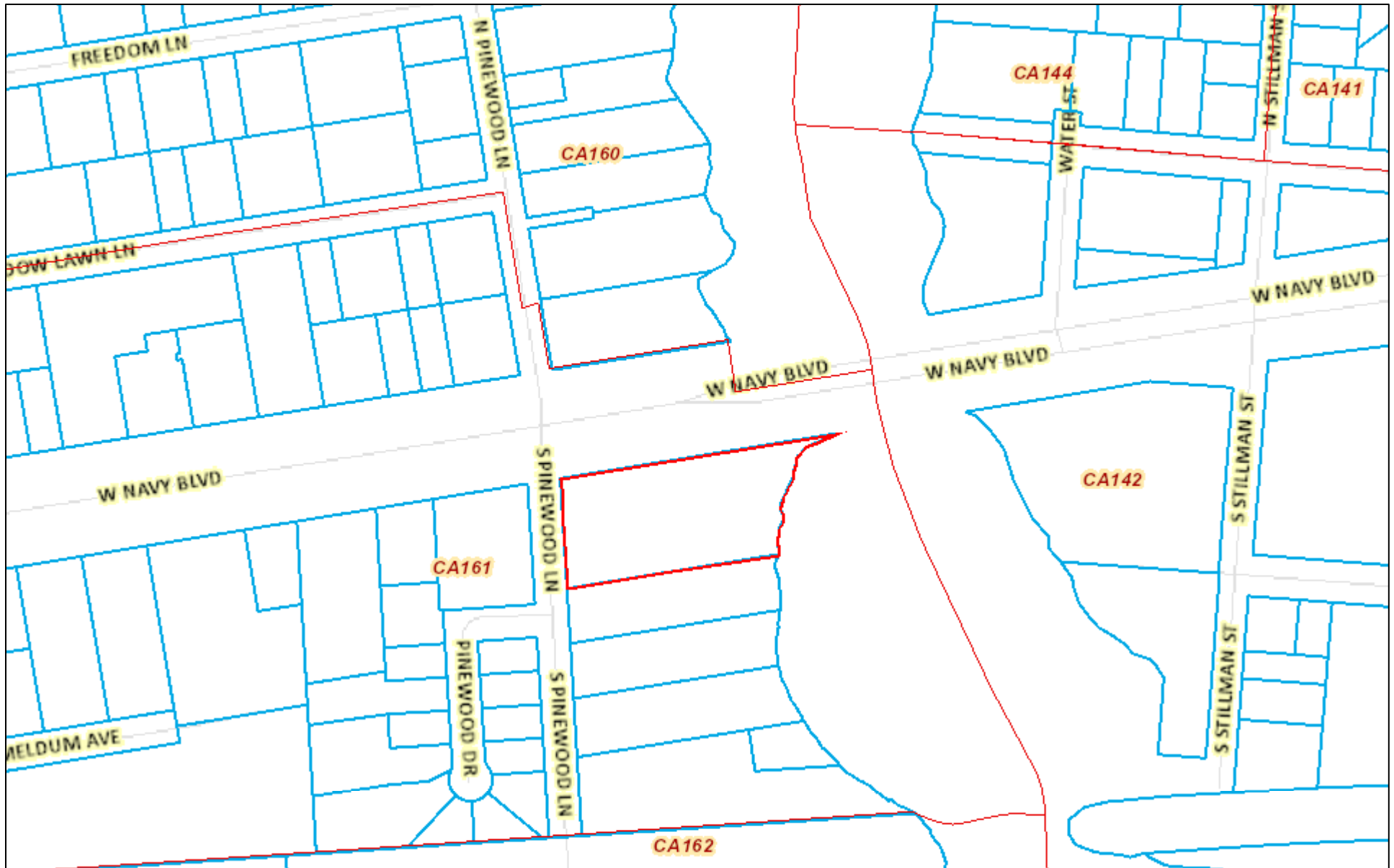


County Outline

1:66,092



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



March 9, 2020

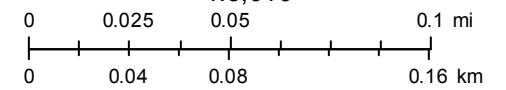
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 Property Line

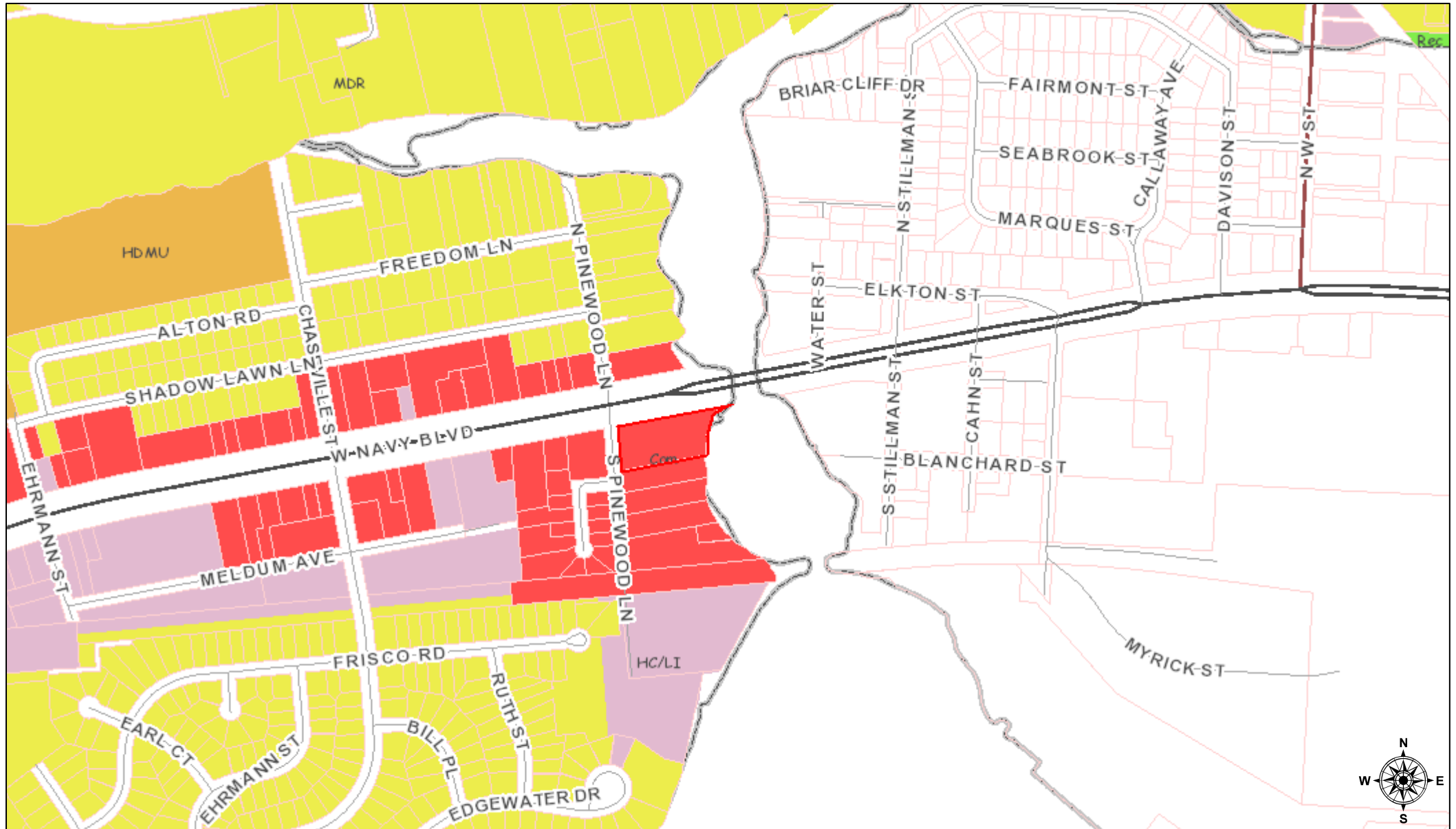
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 Map Grid

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# Existing Zoning Map



March 9, 2020

**polygonLayer**

**Streets**

Override 1

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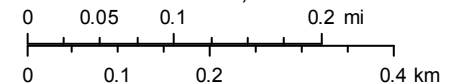
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— COLLECTOR

— LOCAL ROAD

□ Parcels

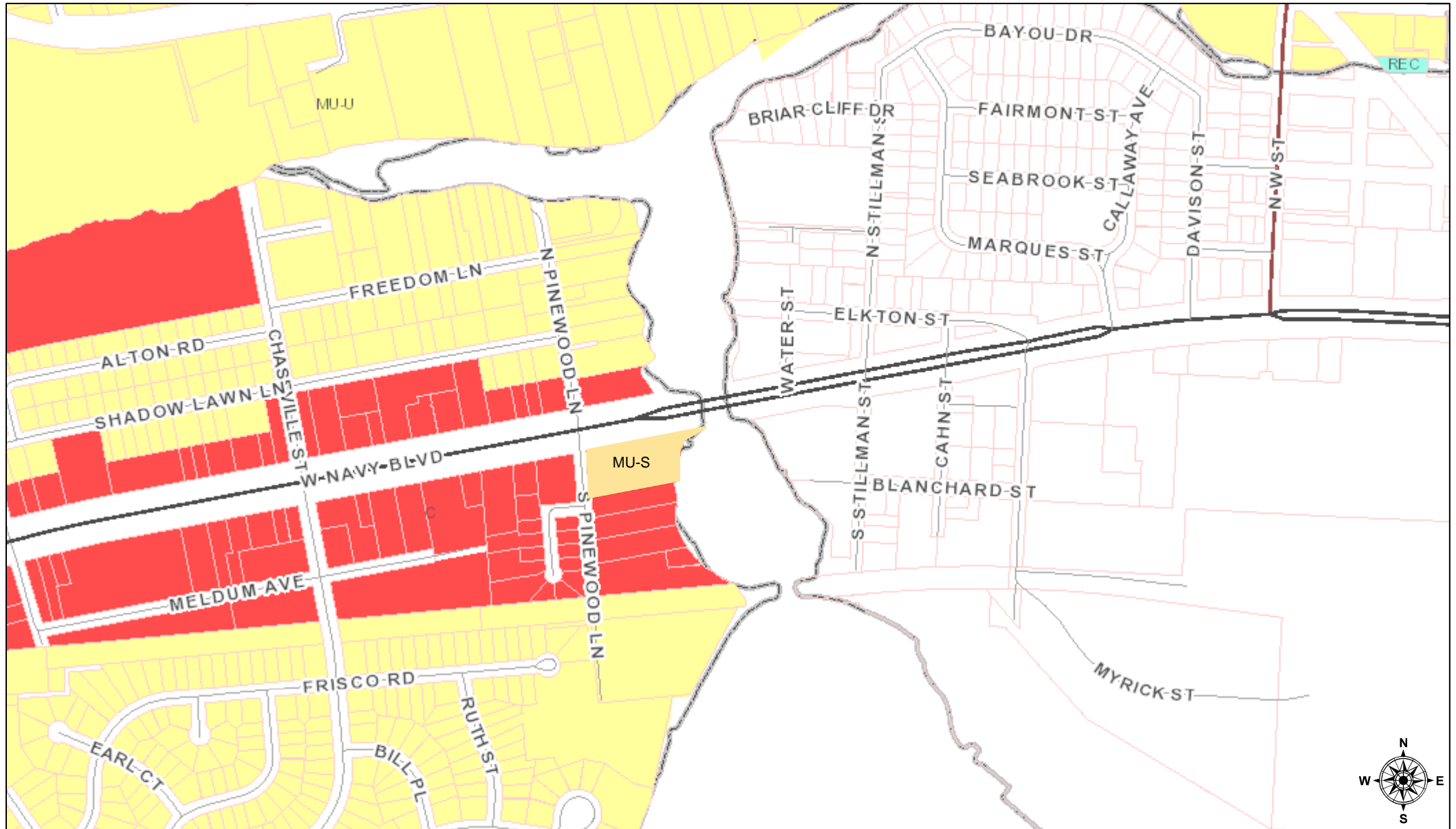
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Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



# Proposed Future Land Use



March 9, 2020

**polygonLayer**

**Streets**

Override 1

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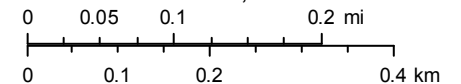
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— COLLECTOR

— LOCAL ROAD

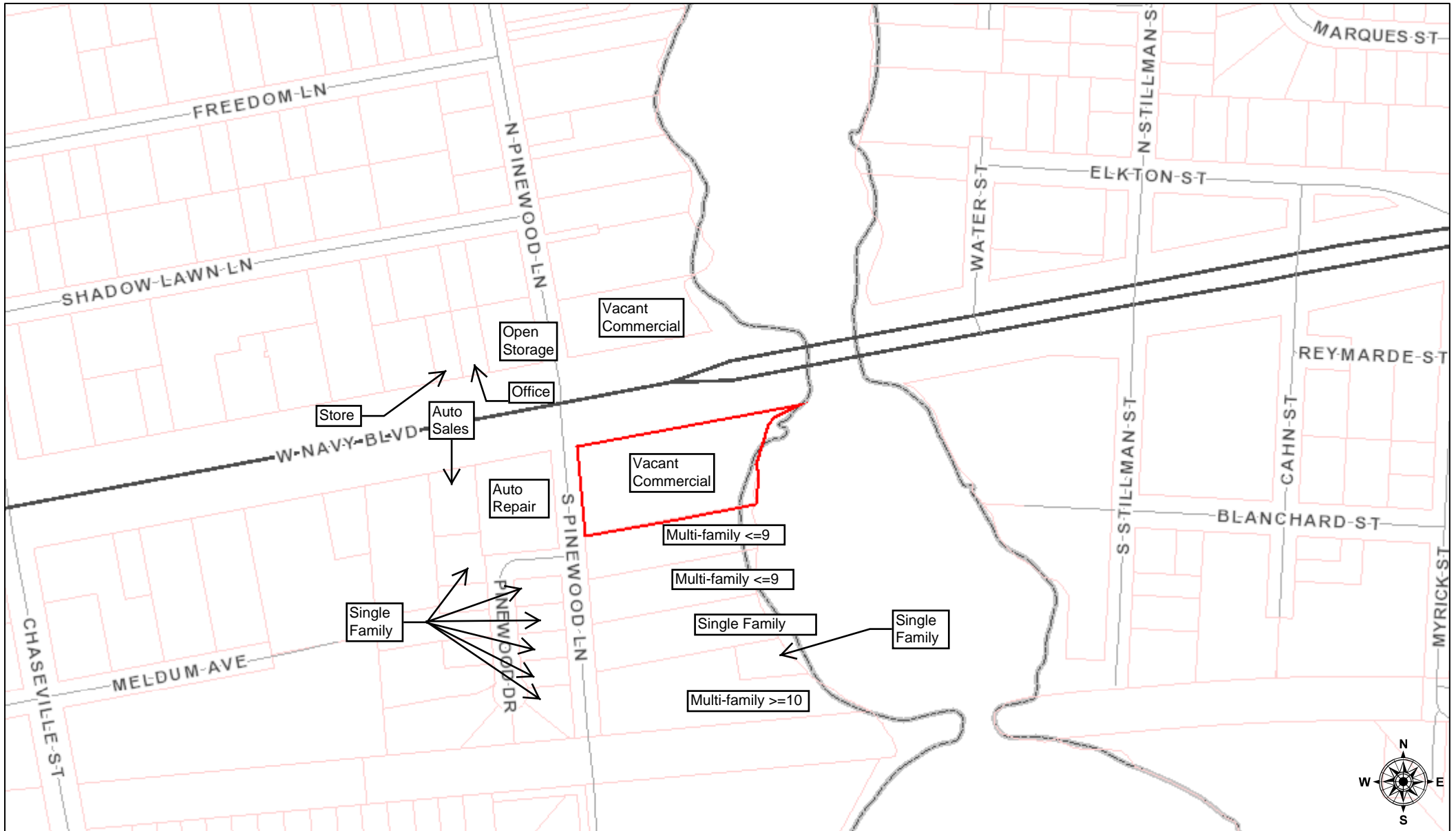
□ Parcels

1:8,262



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

# Existing Land Use



March 9, 2020

**polygonLayer**

**Streets**

Override 1

— PRINCIPAL ARTERIAL

— MINOR ARTERIAL



COLLECTOR



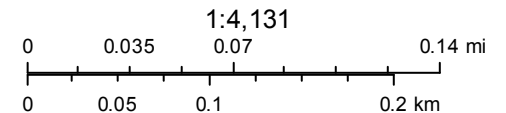
LOCAL ROAD



Parcels



County Outline



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

## **SECTION “B”**

**Emerald Coast Utilities Authority  
(ECUA)**

**Water and Sewer Availability Letter**



## **Capacity Reservation Request Form**

**Request for Water Well Capacity Reservation  
and/or Wastewater Plant Capacity Reservation**

Date: March 9, 2020 Service Requested: Water Well X Sewer Plant X

Name of Project: Bayou Chico Development Area (Acres): 1.88

Project Address: 3611 Navy Blvd

**\*THIS INFORMATION IS REQUIRED TO PROCESS APPLICATION (attach location map):**

Type Development: Residential X Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ Other \_\_\_\_\_  
(Explain) Apartment Complex

Number and/or Size of Units: 34 units

Estimated Flow: (Average Day) Water 6,800 Sewer 6,800

How will water and/or sewer be provided if not from ECUA? N/A

Special Requirements: N/A

Owner of Property: (type or print) \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Developer: (type or print) \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Engineer: (type or print) Rebol-Battle & Associates

Address: (type or print) 2301 N 9th Ave Phone: 850-438-0400 Email: patrickh@rebol-battle.com

Submitted By: (type or print) Patrick Hartman Title: \_\_\_\_\_

Signature of Submitter: [Signature] Title: \_\_\_\_\_

### **FOR ECUA USE ONLY:**

Water Zone: North \_\_\_\_\_ South \_\_\_\_\_

Wastewater Treatment Plant: Bayou Marcus \_\_\_\_\_ CWRP \_\_\_\_\_ Other \_\_\_\_\_

**\*\*\*Note: This form does not address water distribution or sewer collection systems issues or capacities; instead, it only concerns water well production and/or wastewater treatment plant capacities.**



P.O. Box 17089 • 9255 Sturdevant Street  
Pensacola, Florida 32522-7089  
ph: 850-476-5110 • fax: 850-969-3308

March 11, 2020

Rebol-Battle & Associates, LLC  
Attn: Patrick Hartman, EI  
2301 N. 9th Avenue, Suite 300  
Pensacola, Florida 32503

**RE:** Bayou Chico Development  
3611 Navy Blvd  
Pensacola, Florida 32507  
**Letter of Capacity Reservation**

Dear Mr. Hartman:

ECUA is in receipt of your inquiry concerning the availability of ECUA service/s for the above-referenced project. ECUA provides Potable Water Production Well and/or Wastewater Treatment Plant Capacity Letters exclusively to assist with your permitting efforts through Escambia County's development and concurrency review process. The administration of the concurrency review process is the sole responsibility of Escambia County, and ECUA plays no role in it.

For the purpose of concurrency review only, ECUA anticipates no problems in potable water production well capacity or wastewater treatment plant capacity for the flow rates indicated on your inquiry/request form. This letter is valid for a period not to exceed one (1) year from the date of issuance.

This letter does not guarantee that ECUA's existing water distribution or sanitary sewer collection infrastructure (mains, lift stations, etc.) in the area of your project are sufficient to serve your project; instead, this letter solely addresses potable water production well capacity and/or wastewater treatment plant capacity. Therefore, the project referenced above may require various extensions, additions, upgrades, and/or modifications to the existing ECUA water and/or sewer infrastructure that you, as the Developer, may be required to pay for and install as part of your project.

All extensions, additions, upgrades, and/or modifications to the potable water or sewer collection systems to serve this project must be designed, approved and constructed in accordance with ECUA's policies, procedures, and all applicable permitting requirements. Please submit your project to ECUA Engineering so we can work with your Engineer of Record to evaluate your project's potable water distribution and sanitary sewer collection system needs.

Sincerely,

A handwritten signature in black ink, appearing to read "Stacy N. Hayden", is written over a horizontal line.

Stacy N. Hayden, PE  
Director of Engineering/ECUA

SNH/cwb

cc: Project File

## **SECTION “C”**

### **Escambia County Schools Level of Service Determination**

(Source: Escambia County School District)





"Making a Positive Difference"

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

## THE SCHOOL DISTRICT OF ESCAMBIA COUNTY

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

Malcolm Thomas, Superintendent

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

### Level of Service Determination Letter

Project Information	
Project Name	Bayou Chico Development
Project Location	3611 Navy Blvd.
Parcel ID Numbers	38-2S-30-3100-000-000
Property Owner/Developer	Bayou Chico LLP, 730 Bayfront Parkway, Suite 4B Pensacola, FL 32502
Applicant Name	Rebol-Battle & Associates, LLC
Applicant Address	2301 N. 9 <sup>th</sup> Ave., Suite 300, Pensacola, FL 32503

School Level of Service Reservation			
Level of Service	West Pensacola Elem.	Warrington Middle	Pensacola High
Reserved Students	4.675	2.3375	2.3375
Comments:			

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

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

  
Anthony B. Noles, Director  
Facilities Planning

March 11, 2020  
Issue Date

C: Shawn Dennis, Assistant Superintendent of Operations



## **SECTION “D”**

### **Power**

(Source: Gulf Power)

One Energy Place  
Pensacola, FL 32533-0047

March 10<sup>th</sup>, 2020

RE: Power availability  
3611 Navy Blvd  
Pensacola, FL 32502

To whom it may concern:

Gulf Power Company has electric facilities available at the property in question. There is sufficient capacity for three phase overhead or underground service.

Though three phase power is available, there may be charges associated with service depending on qualifying load and type of service requested. The service voltage and point of attachment will be determined upon receipt of final plat and electrical panel schedules.

If you have any questions, please contact me at [harolyn.gobert@nexteraenergy.com](mailto:harolyn.gobert@nexteraenergy.com) or 850-429-2602.

Sincerely,

*Harolyn R. Gobert*

Harolyn R. Gobert  
Electrical Engineer  
Power Delivery  
Gulf Power Company  
Pensacola, FL

## **SECTION “E”**

### **Historical & Archeological Data** (Source: Florida Master Site File)



This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333 for project review information.

March 9, 2020



Patrick Hartman, EI  
Rebol-Battle & Associates, LLC  
Civil Engineers & Surveyors  
2301 N. 9<sup>th</sup> Avenue, Suite 300  
Pensacola, Florida 32503  
850.438.0400 (O); 850.438.0448 (F)  
[patrickh@rebol-battle.com](mailto:patrickh@rebol-battle.com)

In response to your inquiry of March 9, 2020 the Florida Master Site File lists a standing structure recorded at **3611 NAVY BLVD., Pensacola, Florida.**

When interpreting the results of this search, please consider the following information:

- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Federal, State and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.**

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Kind Regards,

Eman M. Vovsi  
Data Base Analyst  
Florida Master Site File  
[Eman.Vovsi@DOS.MyFlorida.com](mailto:Eman.Vovsi@DOS.MyFlorida.com)



## 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: 2 (North or South) Range: 30 (East or West)

Sections (include all affected): 38

County (include all affected): Escambia 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: Patrick Hartman  
Organization: Rebol-Battle & Associates  
Phone: 850-438-0400 Fax: \_\_\_\_\_  
Address: 2301 N 9th Ave  
Pensacola, FL 32503  
Email: patrickh@rebol-battle.com

Agency/Permit/Project requiring search: Bayou Chico Development, FLUM Amendment

### 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](mailto:sitefile@dos.state.fl.us)

Office Use Only --H:\DEV SRVCS\FOR-000 Forms\Application Packet Forms-2016\Large & Small Scale  
Admendment\FLU Application New Fees 6\_05\_17.docx  
(Note: print from Adobe (.pdf) version)

## **SECTION “F”**

**Water Availability  
(Source: People’s Water Service)**





PEOPLES WATER SERVICE COMPANY OF FLORIDA, INC.

P.O. BOX 4815 • 905 LOWNDE AVENUE  
(850) 455-8552

PENSACOLA, FLORIDA 32507-0815  
FAX (850) 456-1010

March 19, 2020

RE: Water Service Availability at 3611 Navy Blvd Pensacola, FL

To Whom It May Concern:

Please be informed that the property located at 3611 Navy Blvd Pensacola FL is located within Peoples Water Service Company of Florida Inc.'s Florida Public Service Commission certificated service area. Our utility has the source, treatment, pumping, and water distribution system capacity to serve potable water to this property.

Water service will be provided under our normal rules and regulations as specified in the Florida Public Service Commission Tariff.

If I can be of any further assistance, please feel free to contact me at (850) 455-8552 or by email at [TheoDeleon@PeoplesWaterService.Com](mailto:TheoDeleon@PeoplesWaterService.Com).

Respectfully,

Theo Deleon  
Assistant Manager  
Peoples Water Service Company of Florida, Inc.

# FUTURE LAND USE MAP (FLUM) AMENDMENT – Urban Sprawl

For

Bayou Chico Development  
Parcel ID: 38-2S-30-3100-000-000  
Escambia County, Florida

March 2020

Prepared by:



**REBOL-BATTLE & ASSOCIATES, LLC.**

Civil Engineers & Surveyors

FL Certificate of Authorization #9657

2301 N 9<sup>th</sup> Avenue, Suite 300  
Pensacola, FL 32503  
850.438.0400

[www.rebol-battle.com](http://www.rebol-battle.com)

Prepared for:  
Bayou Chico LLP  
c/o Kevin Hagen

RBA Project No.: 2019.199

# 1. Introduction

This report addresses the topic of “Urban Sprawl” for the Future Land Use Map (FLUM) Amendment request of Parcel Number 38-2S-30-3100-000-000 in Pensacola, Florida. The existing FLUM designation for the property is Commercial (Com). The desired FLUM Classification is Mixed-Use Suburban (MU-S).

## 2. General Property Information

PROPERTY ADDRESS:	3611 Navy Blvd
PARCEL ID #:	38-2S-30-3100-000-000
INTENDED PROPERTY USE:	Mixed-use Residential
CURRENT ZONING:	Commercial (Com)
CURRENT FLU:	Commercial (Com)
PROPOSED FLU:	Mixed-Use Suburban (MU-S)

The property is located at 3611 Navy Blvd in Escambia County, in the south eastern corner of the intersection of Navy Blvd and Pinewood Lane. The parcel includes approximately 1.88 acres of property along the south side of Navy Blvd. Maps of the existing property are included in the “Supplemental Documents” section of this report.

## 3. Urban Sprawl

Urban Sprawl can be defined as a “development pattern characterized by low density, automobile- dependent development with uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner.” The purpose of this report is to prove that the proposed Future Land Use Map Amendment does not encourage the proliferation of urban sprawl as required by Florida Statute (F.S.) 163.3177. The preferred development pattern characteristics are listed and addressed below.

Excerpt from F.S. 163.3177:

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

***The existing natural resources and ecosystems within the vicinity of the project shall be protected and not be negatively impacted as a result of the proposed residential development. Public water and sewer systems are available at, or near, the site and will be connected to for service. The site will not contain wells or septic systems which could impact natural resources. In addition, the ecosystems, specifically the wetland areas, located on the property shall be protected by the appropriate buffers required by the County and State for development.***

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

***The proposed development is located along frontage of Navy Blvd. No major public infrastructure “extension” would be required to support the site.***

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

***The proposed residential subdivision shall provide for compact development and mixed densities/intensities. The community shall be designed with low speed drive aisles and sidewalks. In addition, amenities of the development shall include recreational areas such as a park and/or clubhouse within a walkable distance.***

- (IV) *Promotes conservation of water and energy.*

***As previously mentioned, public water and sewer systems are available at, or near, the site and will be connected to for service. The site will not contain wells which could consume natural resources. In addition, construction of the apartment complex shall be in accordance with the Florida Building and Plumbing Code which regulates energy conservation and protection of the potable water supply.***

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

***N/A – Preservation agricultural areas and activities are not proposed.***

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

***The proposed residential development shall preserve areas of open space for recreational use. In addition, the existing waters-edge areas on the property shall be protected and conserved by including natural buffers in upland areas.***

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

***N/A – The proposed development includes only residential uses.***

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

***N/A – The project doesn’t remediate an existing or planned development patterns.***

## **4. Conclusion**

The proposed residential development and Future Land Use Map Amendment does not encourage the proliferation of urban sprawl. This conclusion is based on the factors described above and summarized below as the development:

- Shall protect the existing natural resources and ecosystems within the vicinity.
- Promotes efficient development and shall provide for compact development and mixed densities/intensities.
- Shall promote energy conservation and protection of the potable water supply. Shall preserve areas of open space and conserve natural lands.





VICINITY MAP 1"=1000'

POINT OF COMMENCEMENT  
THE NORTHEAST CORNER OF LOT 12, BLOCK 3,  
WESTERLY HEIGHTS SUBDIVISION,  
PLAT BOOK 2, PAGE 14,  
ESCAMBIA COUNTY, FLORIDA

N 74°25'00" E 486.50' (D) RM  
276.12' (F)  
276.23' (F)

60.00' POB

WITNESS CORNER  
100' OFFSET  
EASTERLY

BM-1

CONCRETE  
SIGN

ASPHALT

FIRST STREET (60' R/W)

S 05°10'00" E 200.45' (F&D)

RM

BM-2

0.38'

0.42'

0.01'

0.01'

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TREE TABLE			
TREE NO.	DIAMETER	TYPE	CANOPY
T-1	22"	OAK	25'
T-2	20"	OAK	45'
T-3	14"	OAK	20'
T-4	15"	OAK	30'
T-5	19"	OAK	20'
T-6	19"	OAK	25'
T-7	21"	OAK	30'
T-8	23"	OAK	55'
T-9	33"	OAK	60'
T-10	30"	OAK	52'
T-11	25"	OAK	40'
T-12	19"	OAK	25'
T-13	20"	OAK	30'
T-14	22"	OAK	45'
T-15	16"	OAK	15'
T-16	18"	OAK	23'
T-17	28"	OAK	42'
T-18	20"	OAK	36'
T-19	17"	OAK	20'
T-20	19"	OAK	30'
T-21	20"	OAK	44'
T-22	27"	OAK	30'
T-23	30"	OAK	22'
T-24	28"	OAK	40'
T-25	26"	OAK	35'
T-26	32"	OAK	20'
T-27	30"	OAK	15'
T-28	48"	MAGNOLIA	40'
T-29	22"	OAK	25'
T-30	30"	OAK	15'

DESCRIPTION AS FURNISHED. (OFFICIAL RECORDS BOOK, 5593, PAGE, 1127)

COMMENCING AT A PERMANENT REFERENCE MONUMENT AT THE NORTHEAST CORNER OF LOT 12, BLOCK 3, WESTERLY HEIGHTS SUBDIVISION, ACCORDING TO PLAT OF SAID SUBDIVISION OF RECORD IN PLAT BOOK 2, AT PAGE 14 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, SAID POINT BEING IN THE SOUTH RIGHT OF WAY LINE OF NAVY BOULEVARD, WHICH WAS FORMERLY ADMIRAL BOULEVARD; THENCE RUN NORTH 74 DEGREES 25 MINUTES EAST WITH THE SOUTH RIGHT OF WAY LINE OF SAID BOULEVARD A DISTANCE OF 486.5 FEET FOR THE POINT OF BEGINNING; SAID POINT BEING IN THE EAST RIGHT OF WAY LINE OF FIRST STREET OF SAID WESTERLY HEIGHTS; THENCE RUN SOUTH 5 DEGREES 10 MINUTES EAST ALONG THE SAID EAST RIGHT OF WAY LINE A DISTANCE OF 200.45 FEET; THENCE RUN NORTH 74 DEGREES 25 MINUTES EAST AND PARALLEL WITH THE SAID NAVY BOULEVARD TO THE WEST LINE OF THE SHORE OF BAYOU CHICO; THENCE RUN NORTHERLY ALONG THE MEANDERING OF THE SHORE OF BAYOU CHICO TO THE SOUTH RIGHT OF WAY LINE OF SAID NAVY BOULEVARD; THENCE RUN SOUTH 74 DEGREES 25 MINUTES WEST WITH SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 502 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, ALL LYING IN SECTIONS 8, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA.

DENOTES:  
① ~ 1/2" CAPPED IRON ROD, NUMBERED 1271 (PLACED)  
② ~ 1/2" CAPPED IRON ROD, NUMBERED 475 (FOUND)  
③ ~ 1/2" IRON ROD, UNNUMBERED (FOUND)  
④ ~ 1" IRON PIPE, UNNUMBERED (FOUND)  
⑤ ~ 2" IRON PIPE, UNNUMBERED (FOUND)  
⑥ ~ OLD BUGGY AXEL, UNNUMBERED (FOUND)  
⑦ ~ DEED INFORMATION  
⑧ ~ PLATTED INFORMATION  
⑨ ~ FIELD INFORMATION  
R/W ~ RIGHT OF WAY  
P.O.B. ~ POINT OF BEGINNING

BENCHMARK DATA:  
BM-1 NAIL AND DISK IN ASPHALT  
ELEVATION= 13.26' (NAVD88)  
BM-2 NAIL AND DISK IN ASPHALT  
ELEVATION= 12.44' (NAVD88)

NAVY BOULEVARD  
FORMERLY ADMIRAL BOULEVARD  
(200' R/W)

FLOOD LINE  
AS SCALED  
FROM FEMA MAP

S 74°25'00" W 202.16' (F) T-30

T-28

T-24

FLOOD ZONE "AE"  
BASE FLOOD  
ELEVATION 7 FEET

FIELD LOCATED ON 9/24/19

MEAN HIGH WATER LINE  
AS FIELD LOCATED ON 9/24/19  
ELEVATION= 0.94' (NAVD88)

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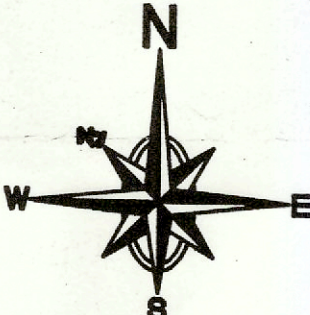
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1.0

1.88 ACRES±

GENERAL NOTES:

- THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF SOUTH 74 DEGREES 25 MINUTES 00 SECONDS WEST ALONG THE NORTH LINE OF THE PROPERTY AS PER THE DESCRIPTION AS FURNISHED.
- THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO THE DESCRIPTION AS FURNISHED AND TO EXISTING FIELD MONUMENTATION.
- NO TITLE SEARCH WAS PROVIDED TO NOR PERFORMED BY NORTHWEST FLORIDA LAND SURVEYING, INC., FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY.
- THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "AE", BASE FLOOD ELEVATION 7 FEET AND IN FLOOD ZONE "X" OUTSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12039C 0310 S, REVISED SEPTEMBER 24, 2006.
- THIS SURVEY DOES NOT DETERMINE OWNERSHIP.
- THIS SURVEY MEETS MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050 - 5J-17.13052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 471.027, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.
- THE MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS.
- THE MEASUREMENTS OF THE BUILDINGS AND/OR FOUNDATIONS SHOWN HEREON DO NOT INCLUDE CONCRETE FOOTERS OR LEAVE OVERHANGS.
- FENCE LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES.
- FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM, WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER, FRED R. THOMPSON, AND IS TO BE RETURNED TO OWNER UPON REQUEST.
- THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUED ON THE SURVEY DATE WITH A RAISED SEAL TO INSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER INSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE. NO RELIANCE SHOULD BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTER OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SIGNED AND SEALED DOCUMENT.
- THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE OR OTHER AGENCIES.
- ENCROACHMENTS ARE AS SHOWN.
- THE ELEVATIONS AS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988, FROM ESCAMBIA COUNTY GEODETIC CONTROL POINT STAMPED "ESC 4075" HAVING A PUBLISHED ELEVATION OF 109.05 FEET.
- THIS TIDAL WATER SURVEY COMPLIES WITH CHAPTER 171, PART II, FLORIDA STATUTES.
- THE MEAN HIGH WATER ELEVATION SHOWN HEREON WAS PROVIDED BY THE BUREAU OF SURVEYING AND MAPPING PER MEAN HIGH WATER ELEVATION REQUEST DATED X/XX/11.



GRAPHIC SCALE

( IN FEET )

1 inch = 30 ft.

NORTHWEST FLORIDA LAND SURVEYING, INC.  
742 BELGIUM CIRCLE, PENSACOLA, FLORIDA 32506  
Fred R. Thompson 9/24/19  
FRED R. THOMPSON, PROFESSIONAL LAND SURVEYOR  
REGISTRATION NUMBER 3027 CORP. NUMBER 7277  
STATE OF FLORIDA

3611 NAVY BOULEVARD

BOUNDARY WITH IMPROVEMENTS AND  
MEAN HIGH WATER LINE SURVEY  
OF A PORTION OF SECTION 38,  
TOWNSHIP 2 SOUTH, RANGE 30 WEST,  
ESCAMBIA COUNTY, FLORIDA  
PREPARED FOR: BLIND TRUST, INC.  
REQUESTED BY: DANNY ZIMMERN

NORTHWEST FLORIDA LAND SURVEYING, INC.  
742 BELGIUM CIRCLE, PENSACOLA, FLORIDA 32506  
(904) 488-1000

SCALE 1"=30'

CHECKED JAS

DRAWN JAS

DATE 9/24/19

NOT VALID WITHOUT  
THE SIGNATURE AND  
ORIGINAL RAISED  
SEAL OF A FLORIDA  
LICENSED  
PROFESSIONAL  
LAND SURVEYOR

NO. DATE APR. REVISIONS

PROJECT NO. 21499

INDEX 10

1 of 1 SHEETS



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

## **General Data**

**Project Name:** SSA-2020-01  
**Location:** 3611 Navy Blvd.  
**Parcel #:** 38-2S-30-3100-000-000  
**Acreage:** 1.88 acres±  
**Overlay:** Warrington Overlay (Warr-OL)  
**FLU Request:** From Commercial (C) to Mixed-Use Suburban (MU-S)  
**Applicant:** Jason Rebol, Authorized Agent, Bayou Chico LLP, Owner  
c/o Kevin Hagen  
**Meeting Dates:** Planning Board, June 2, 2020  
BCC, July 2, 2020

## **Summary of Proposed Amendment:**

The small-scale amendment to the future land use (FLU) map of Escambia County proposes to change the FLU category of a vacant 1.88-acre parcel from Commercial (C) to Mixed-Use Suburban (MU-S). The zoning designation of the subject parcel is Commercial and is also within the Warrington Community Redevelopment Area. The parcel fronts approximately 502 feet of the west right-of-way of Navy Blvd, a major arterial street connecting to S. Pinewood Ln., a local street.

A FLU change to MU-S will allow residential development within the existing zoning district regardless of a primary commercial component as currently required by the existing Commercial FLU. The existing and proposed future land use categories are described in Comprehensive Plan Policy FLU 1.3.1 and summarized as follows:

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

**Mixed-Use Suburban.** “Intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.” The range of allowable uses is “residential, retail and services, professional office, recreational facilities, public and civic limited agriculture.” The FLU has a maximum residential density of 25 du/acre and a maximum floor area ratio (FAR) of 1.0.

**Warrington Overlay District.** “District establishes supplemental land use regulations to support the objectives of the adopted Warrington area community redevelopment plan. The intent of the additional land use controls is to enhance the character of an area undergoing revitalization, especially along those commercial corridors that provide primary access or gateways to the adjoining military installations within the Warrington area.

## **Land Development Code 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:** In an application letter to the Board, the applicant stated that “since no commercial component is proposed, a FLU category more appropriate for multi-family developments is requested” and that “this request is a less intensive category than exists currently.”

The requested FLU change would remove the Commercial FLU-based restriction on the subject parcel that allows residential development only when secondary to commercial development. This FLU change would allow a maximum residential density of 25 dwelling units per acre to be obtained.

**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:** The amendment proposes a replacement FLU that allows the residential density of the existing COM zoning at 25 du/acre while remaining consistent with surrounding property. With MU-U as the existing future land use of parcels located to the west (*outside of those immediately adjacent to the property*), the proposed change of the current FLU would be more appropriate of the subject parcel.

**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 three conditions established by Florida Statutes, §163.3187(1), for the adoption of any small-scale

comprehensive plan amendment:

- (a) The subject 1.88-acre parcel is a use of 10 acres or fewer.
- (b) 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.
- (c) 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 MU-S replacement of the existing Commercial FLU will allow site development to achieve the maximum residential density. The existing COM zoning is primarily intended to “allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts.” Residential uses are allowed.

### **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:** Although the site-specific requirement for residential development to be secondary to commercial would be lost in the proposed FLU change, MU-S would otherwise promote mixed use development generally within the urban area around the subject parcel.

### **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.*

#### ***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.*

#### **a. 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.

**Analysis:** The application included documentation confirming available potable water source, treatment, pumping, and distribution to the proposed development from the Peoples Water Service Company system. Development of the subject parcel would be an efficient use of the available water infrastructure

**b. 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 ECUA has determined that it is not feasible to provide wastewater service to the proposed structures. Those structures not required to connect to the ECUA wastewater system will not be issued a building permit until the applicant has obtained the appropriate permit from the Health Department.

**Analysis:** The application included documentation confirming available sanitary sewer to the proposed development from the ECUA system at the county's adopted LOS. Development of the parcel would be an efficient use of the available sewer infrastructure.

**c. 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:** Escambia County continues to maintain its adopted solid waste LOS commitments. The Department of Waste Services reported in its 2018 solid waste LOS analysis that the current build-out for disposal at the Perdido Landfill will provide solid waste disposal capacity through 2045.

**d. 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.

**Analysis:** Compliance with adopted stormwater management provisions that implement these policies would be reviewed and confirmed prior to any site development plan approval, regardless of the proposed FLU change or use.

#### **e. 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:** Compliance with adopted on-site traffic flow and access management provisions that implement these policies would be reviewed and confirmed prior to any site development plan approval, regardless of the proposed FLU change or use. The subject parcel is located along an existing major arterial street (Navy Blvd) connecting to a local street (S Pinewood Ln). Development of the parcel would be an efficient use of the available transportation infrastructure.

**4. Protected Resources.** It appears likely, especially given the limited impacted resources and unchanged HC/LI zoning, that the proposed FLU change will result in no greater adverse impacts to protected resources.

#### **a. 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:** Compliance with adopted wellhead protection provisions that implement this policy would be reviewed and confirmed prior to any site development plan approval, regardless of the proposed FLU change or use.

#### **b. 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 application indicated that an “historical impact analysis is applied for,” but included no documentation of a request made to or response received from the Florida Master Site File, Division of Historical Resources regarding whether there are any previously recorded resources within the subject parcel.

**c. 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 (FWWCC) LANDSAT imagery as indicators of the potential presence of wetlands or listed wildlife habitat in the review of applications for development approval.*

**Analysis:** There are no indications from the available National Wetlands Inventory map that wetlands are within the subject parcel. Compliance with adopted environmental provisions that implement this policy would be reviewed and confirmed prior to any site development plan approval, regardless of the proposed FLU change or use.

**d. 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:** Compliance with adopted tree protection and landscaping provisions that implement this policy would be reviewed and confirmed prior to any site development plan approval, regardless of the proposed FLU change or use.





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

**INTEROFFICE MEMORANDUM**

**TO: Andrew Holmer, Division Manager  
Development Services Department**

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

**DATE: May 20, 2020**

**RE: Transportation & Traffic Operations (TTO) Comments – SSA 2020-1  
3611 Navy Boulevard**

TTO Staff has reviewed the Rezoning Case SSA 2020-1 3611 Navy Boulevard (COM to MU-S), agenda item for the Planning Board meeting scheduled for June 1, 2020. Please see the below comments.

Navy Boulevard is a four-lane roadway with turn lanes and paved shoulders. Near the parcel in question, the traveling roadway width is approximately 80 feet with a right-of-way width of 196 feet.

The Florida Department of Transportation (FDOT) is conducting a Project Development and Environmental (PD&E) study of a "Complete Streets" type upgrade of this roadway. The PD&E is scheduled for completion in late summer 2020. The County does not have any project scheduled for this roadway.

Per the Florida-Alabama TPO's Congestion Management Process Plan, Navy Boulevard is classified as a Principal Arterial with a Maximum LOS of D and a corresponding daily volume threshold of 39,800. The daily traffic on this road was recorded as 19,700 for year 2019.

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 Jones, P.E., Engineering Department Director  
Christine Fanchi, P.E., Transportation and Traffic Operations Division  
Allyson Lindsay, Development Services Department**

## LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: SSA 2020-01 Ordinance

Date: 4/21/20

Date requested back by: 5/06/20


Requested by: Allyson Cain

Phone Number: 595-3547

(LEGAL USE ONLY)

Legal Review by Kia M. Johnson

Date Received: 4-21-2020

 Approved as to form and legal sufficiency.

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

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

Additional comments:

ORDINANCE NUMBER 2020-\_\_

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 38, TOWNSHIP 2S, RANGE 30W, PARCEL NUMBER 3100-000-000, TOTALING 1.88 (+/-) ACRES, LOCATED ON NAVY BLVD, FROM COMMERCIAL (C) TO MIXED USE SUBURBAN (MU-S) PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, the Escambia County Planning Board conducted a public hearing and forwarded a recommendation to the Board of County Commissioners to consider 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.

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

This Comprehensive Plan amendment shall be entitled – "Small Scale Amendment 2020-01."

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

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

8  
9       A parcel within Section 38, Township 2S, Range 30W, parcel number 3100-  
10      000-000, totaling 1.88 (+/-) acres, located on Navy Blvd, as more  
11      particularly described in the Boundary Survey description produced by  
12      Northwest Florida Land Surveying, registered land surveyor Fred R.  
13      Thompson dated 9/24/2019, attached as Exhibit A, from Commercial (C) to  
14      Mixed-Use Suburban (MU-S).

15   **Section 4.   Severability**

16  
17   If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
18   unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect  
19   the validity of the remaining portions of this Ordinance.

20  
21   **Section 5.   Inclusion in the Code**

22  
23   It is the intention of the Board of County Commissioners that the provisions of this  
24   Ordinance shall be codified as required by Section 125.68, Florida Statutes, and that the  
25   sections, subsections and other provisions of this Ordinance may be renumbered or  
26   relettered and the word "ordinance" may be changed to "section," "article," or such other  
27   appropriate word or phrase in order to accomplish such intentions.

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1 **Section 6. Effective Date**

2  
3 Pursuant to Section 163.3184(3)(c), Florida Statutes, this Ordinance shall not become effective  
4 until 31 days after adoption. If challenged within 30 days after adoption, this Ordinance shall not  
5 become effective until the State Planning Agency or the Administration Commission enters a final  
6 order determining the Ordinance to be in compliance.  
7

8 **DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.  
9

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

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

17 ATTEST: PAM CHILDERS  
18 CLERK OF THE CIRCUIT COURT  
19

20  
21 By: \_\_\_\_\_  
22 Deputy Clerk  
23

24 (SEAL)  
25  
26

This document approved as to form  
and legal sufficiency.

27 By Kim M. Johnson  
28 Title Assistant County Attorney  
29 Date 5-6-2020

27 ENACTED:  
28 FILED WITH THE DEPARTMENT OF STATE:  
29 EFFECTIVE DATE:



## **BOARD OF COUNTY COMMISSIONERS**

**Escambia County, Florida**

**Planning Board-Regular**

**7. A.**

**Meeting Date: 06/01/2020**

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**Agenda Item:**

Lot of Record Date Change Discussion.

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**Attachments**

2007 Ordinance and Recommendation

Draft Ordinance

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**THE DOCUMENT WAS RECEIVED AND SHOWN ON PAGES 9-13.**

**THE FOLLOWING WAS NOT PROVIDED TO THE CLERK'S OFFICE:**

**ORDINANCE ADOPTED AT THE 5:45 PM PUBLIC HEARING WHICH HAS  
NOT YET BEEN RETURNED FROM THE FLORIDA DEPARTMENT OF  
STATE**



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

**DEPARTMENT:** Planning and Zoning

**FROM:** T. Lloyd Kerr, AICP, Director  
Planning and Zoning

**DATE:** August 6, 2007

**RE:** 5:45 p.m. – Thursday, August 16, 2007 Public Hearing - Article 2  
"Administration", Article 3 "Definitions", Article 6 "Zoning Districts,"  
and Article 7 "Performance Standards" as related to the Effective  
Date for a Lot of Record

**RECOMMENDATION:** That the Board adopt an ordinance to the Land Development Code (LDC); Amending the following: Article 2 "Administration" Section 2.10.01.D, Article 3 "Definitions" Section 3.00.01, Article 6 "Zoning Districts" Section 6.04.08, and Article 7 "Performance Standards" Section 7.13.03.C, to change the effective date for a lot of record from October 8, 1990 to February 8, 1996.

**BACKGROUND:**

The Planning Board first discussed the "Lot of Record" issue at a June 25, 2003 workshop. At the October 15, 2003 regular meeting, the Board rendered an interpretation accepting the Article 3 definition of a lot of record, with respect to an effective date of October 8, 1990, and directed staff to prepare an ordinance to change the date wherever necessary in the LDC. Subsequently, the BCC adopted Ordinance 2004-13, reflecting those changes, on March 8, 2004.

Due to the continuing difficulty involved with validating lots of record, staff brought this issue before the Planning Board again at the June 25, 2007 workshop. After discussion, the Board directed staff to prepare an ordinance changing the effective date for a lot of record from October 8, 1990 to February 8, 1996, the date the LDC (Ordinance 96-3) became effective with the State. The Planning Board recommended approval to the BCC on July 9, 2007.

As the old microfiche maps continue to deteriorate to an almost unreadable state, the October 8, 1990 date becomes less viable in making a lot of record determination. Since it is estimated that the cost to digitize the older files could be \$100,000 or more, the most cost-effective way to validate a lot of record would be to use a date that can be verified by the earliest digital property maps available from the Property Appraiser, those of 1996.

BCC 08-016-07  
Re: Articles 2, 3, 6, & 7 Lot of Record  
August 6, 2007  
Page 2 of 2

**BUDGETARY IMPACT:**

No budgetary impacts are anticipated by the adoption of this ordinance.

**LEGAL CONSIDERATION/SIGN-OFF:**

The attached ordinance has been reviewed and approved for legal sufficiency by Alison P. Rogers, Deputy County Attorney. Any recommended legal comments are attached herein.

**PERSONNEL:**

No additional personnel are required to implement this ordinance.

**POLICY/REQUIREMENT FOR BOARD ACTION/DISCUSSION:**

The proposed ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities." Any recommended changes to the LDC pertaining to this ordinance will be forwarded to the BCC for approval.

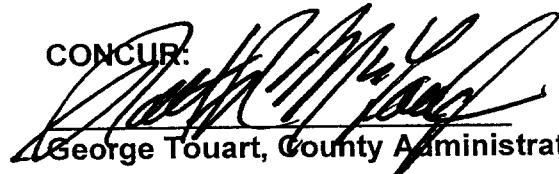
**IMPLEMENTATION REQUIREMENTS:**

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 all staff.

**COORDINATION WITH OTHER AGENCIES/PERSONS:**

The proposed amendment was prepared in cooperation with the County Attorney's Office and the Planning and Zoning Department will insure proper advertisement.

CONCUR:

  
George Touart, County Administrator

TLK:JB:dt

Attachments:

DRAFT

ORDINANCE NO. 2007-\_\_\_\_\_

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING THE FOLLOWING SECTIONS TO CHANGE THE EFFECTIVE DATE FOR A LOT OF RECORD FROM OCTOBER 8, 1990 TO FEBRUARY 8, 1996: ARTICLE 2 "ADMINISTRATION" SECTION 2.10.01.D, ARTICLE 3 "DEFINITIONS" SECTION 3.00.01, ARTICLE 6 "ZONING DISTRICTS" SECTION 6.04.08, AND ARTICLE 7 "PERFORMANCE STANDARDS" SECTION 7.13.03.C; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION ON THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

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

**Section 1.** Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 2, "Administration" Section 2.10.01.D is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

*2.10.01. General modifications.*

- A. *Yard encroachment including roof overhang.* Every part of a required yard shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, belt courses, cornices, buttresses, awnings, eaves and similar features approved by the County BOA. None of the above projections shall project into any yard more than 24 inches, except roof overhangs and awnings which may extend 48 inches into any yard provided the respective yard is at least ten feet in depth. In no case shall a structure project into a public right-of-way without prior approval by the BCC.
- B. *Projecting fire escapes, stairways, balconies, chimneys, or flues.* Open or enclosed fire escapes, outside stairways and balconies projecting into a minimum yard not more than three and one-half feet and the ordinary projections of chimneys and flues may be permitted by the Building Official where the same do not obstruct light and ventilation.
- C. *Distance between buildings on same lot.* As specified in the Zoning District regulations, more than one dwelling may be located upon a lot provided that the horizontal open space between such buildings measured at the closest point shall not be less than twice the side yard required in the district in which such uses are located.

## DRAFT

D. *Use of lots less than required size.* Any lot of record as of ~~October 8, 1990,~~  
which February 8, 1996 that contains less land area depth or width than is  
required in the district in which such lot is located, may be used for the uses  
permitted in such district.

E. *Sanitary waste disposal.* Whenever a lot is not served by an approved sewer,  
there must be provided such open space as required by F.A.C. ch. 10-D(6)  
(septic tank regulations) of the Florida Administrative Code and as administered  
by the Escambia County Health Unit for septic tanks with flows of up to 5,000  
gallons per day and drainage field to serve the uses erected on such lot. Such  
sanitary installation may be located in a front, side or rear yard but not closer  
than five feet to any lot line.

F. *Density Rounding.* When the calculated density for a parcel of land results in a  
fraction greater than or equal to 0.5, rounding to the next whole number shall be  
allowed up to a maximum of one additional dwelling unit per parcel.

**Section 2.** Part III of the Escambia County Code of Ordinances (1999) the Land  
Development Code of Escambia County, Article 3, "Definitions" Section 3.00.01 is  
hereby amended as follows (words underlined are additions and words ~~stricken~~ are  
deletions):

**3.00.01. Usage.**

*Lot of Record.* A lot that is part of a subdivision that has been recorded in the official  
records of Escambia County or a lot or parcel described by metes and bounds, the  
description of which has been so recorded or accepted on or before ~~October 8, 1990~~  
February 8, 1996, the effective date of this Code. In Article 11, Airport/Airfield Environs,  
a lot of record for the purpose of constructing one single-family dwelling shall be a  
parcel recorded on or prior to August 21, 2001, the effective date of adoption of the  
Airfield/Airport Environs zoning map overlay zones.

**Section 3.** Part III of the Escambia County Code of Ordinances (1999) the Land  
Development Code of Escambia County, Article 6, "Zoning Districts" Section 6.04.08 is  
hereby amended as follows (words underlined are additions and words ~~stricken~~ are  
deletions):

**6.04.08. Previously existing lots.** This Code shall not be construed to prevent the  
construction of a single-family dwelling on any lot ~~which~~ that was a lot of record as of  
~~October 8, 1990~~ February 8, 1996, although such lot of record may have a lesser area  
or width than required in the district in which it is located.

**Section 4.** Part III of the Escambia County Code of Ordinances (1999) the Land  
Development Code of Escambia County, Article 7, "Performance Standards" Section  
7.13.03.C is hereby amended as follows (words underlined are additions and words  
~~stricken~~ are deletions):

DRAFT

7.13.03. *Protection standards.* As a minimum, the following performance standards apply to the protection of wetlands and threatened and endangered species. These performance standards shall be achieved through a review and permitting process. No detrimental activities that may cause negative impacts to natural resources shall occur in wetlands or threatened and endangered species habitat until all required federal, state, and local permits have been issued. Where United States Army Corps of Engineers Nationwide Permits (NWP) 14 and 39 are applicable, Escambia County will accept the permit as being issued after verification that the 45-day response period has elapsed, as long as the applicant can provide documentation that a complete application was filed with the Army Corps of Engineers. A complete application is one that provides all the information required under federal law, including a Pre-Construction Notification. Additional protection standards may be promulgated and/or imposed by state or federal regulatory agencies, the Director, and/or the Board, in the event that it is determined that an additional standard(s) is appropriate and required to protect the functions of the wetlands or sensitive environmental resources:

- A. Untreated runoff channeled directly into water bodies or wetlands is prohibited.
- B. Development and construction techniques shall be compatible with the soil conditions that are specific to the site. If deemed necessary, the Director shall require soil borings and tests conducted by a licensed testing facility.
- C. The natural functions of wetlands and threatened and endangered species habitat shall be protected. If a person proposes to impact wetlands and threatened and endangered species habitat, then he or she shall deliver to the County an application which will provide written documentation to demonstrate that impacts to wetlands and threatened and endangered species habitat have been avoided to the maximum extent possible. If impacts are unavoidable, the applicant shall demonstrate that impacts to wetlands and threatened and endangered species habitat have been minimized to the maximum extent possible. If the applicant has demonstrated adequate minimization of unavoidable impacts, then, and only then, the applicant may submit a mitigation plan for review and consideration. Development in wetlands shall not be allowed unless sufficient uplands do not exist to avoid a taking. In this case, development shall be restricted to allow residential density use at a maximum density of one unit per five acres, or to the density established by the future land use map containing the parcel, whichever is more restrictive, or one unit per lot of record as of ~~October 8, 1990~~ February 8, 1996, if the lot of record is less than five acres in size. Lots of record do not include contiguous multiple lots under single ownership.

Mitigation will be allowed only when avoidance of any adverse degradation of the function of wetlands, or threatened and endangered species habitat, during development can not be achieved through modifications to the proposed development such as clustering, vertical development and the like. Mitigation procedures are required in any case where development degrades estuaries,



**DRAFT**

1 wetlands, bayous, harbors, rivers, surface waters, submerged aquatic vegetation,  
2 and threatened and endangered species habitat. Degradation means any  
3 modifications, alterations, or effects on waters, wetlands, surface areas, species  
4 composition, or usefulness for human or natural uses which are or may  
5 potentially be harmful or injurious to human health, welfare, safety or property, to  
6 biological productivity, species diversity, or ecosystem stability which  
7 unreasonably interferes with the functions and values of natural resources on the  
8 property, including outdoor recreation. Degradation shall also include secondary  
9 or cumulative impacts to offsite wetlands and threatened and endangered  
10 species habitat in the watershed. The minimum 30-foot buffer requirement  
11 (7.13.03.N) will satisfy the County's secondary impact concerns.  
12

13 Mitigation usually consists of measures that compensate for, or enhance, the  
14 aspects of the project that do not otherwise meet permitting criteria or to  
15 compensate for unavoidable natural resource losses. It may include purchase,  
16 creation, restoration, and/or enhancement of wetlands, performing works or  
17 modification that causes a net improvement in water quality or aquatic habitat, or  
18 enhancement of the hydrology of wetland areas that have been altered,  
19 impounded or drained. Before considering mitigation, all reasonable measures  
20 must first be taken to avoid and minimize the adverse impacts to natural  
21 resources which otherwise rendered the project unpermittable. Compensatory  
22 mitigation, by which wetlands and threatened and endangered species habitat  
23 are purchased, created, enhanced and/or restored to compensate for the loss of  
24 such lands, should be of the same type, or should replace the same functions  
25 and values, as that destroyed or degraded.  
26

27 The applicant for development approval shall submit to the County copies of any  
28 applicable local, State and Federal applications, permits, authorizations, letters of  
29 exemption, or statements prior to review by the County if activities conducted  
30 pursuant to such County issued permit would impact any natural resource  
31 requiring mitigation under this section. The County's mitigation provisions and  
32 standards are primary.  
33

34 The County shall establish a system for mitigation banking or an in-lieu fee  
35 program, to be accepted by the USACOE and the FDEP, whereby the applicant  
36 may financially contribute to a fund to purchase or restore wetlands and  
37 environmentally sensitive lands. (Ord. No. 97-51, Section 1, 10-2-1997)  
38  
39  
40

41 This area intentionally left blank  
42  
43

DRAFT

1 **Section 5. Severability.**

2  
3 It is declared the intent of the Board of County Commissioners that if any  
4 subsection, clause, sentence, provision or phrase of this Ordinance is held to be invalid  
5 or unconstitutional by a Court of competent jurisdiction, such invalidity or  
6 unconstitutionality shall not be so construed as to render invalid or unconstitutional the  
7 remaining provisions of this Ordinance.  
8

9 **Section 6. Inclusion in the Code.**

10  
11 It is the intention of the Board of County Commissioners that the provisions of  
12 this Ordinance shall become and be made a part of the Escambia County Code; and  
13 that the sections of this Ordinance may be renumbered or relettered and the word  
14 "ordinance" may be changed to "section," "article," or such other appropriate word or  
15 phrase in order to accomplish such intentions.  
16

17 **Section 7. Effective Date.**

18  
19 This Ordinance shall become effective upon its filing with the Department of  
20 State.  
21

22 DONE AND ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.  
23

24 BOARD OF COUNTY COMMISSIONERS  
25 ESCAMBIA COUNTY, FLORIDA  
26

27  
28 By: \_\_\_\_\_  
29 Kevin W. White, Chairman  
30

31 ATTEST: ERNIE LEE MAGAHA  
32 Clerk of the Circuit Court  
33

34  
35 By: \_\_\_\_\_  
36 Deputy Clerk  
37

38 (SEAL)  
39

40 ENACTED:  
41

42 FILED WITH DEPARTMENT OF STATE:  
43

44 EFFECTIVE:  
45

46 H:\PLANNING BD\2007\LDC Ordinances\Art 2, 3, 6, & 7 Lot of Record\PB 07-09-07\Ordinance.doc

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING THE FOLLOWING SECTIONS TO CHANGE THE EFFECTIVE DATE FOR A LOT OF RECORD FROM OCTOBER 8, 1990 TO FEBRUARY 8, 1996: ARTICLE 2 "ADMINISTRATION" SECTION 2.10.01.D, ARTICLE 3 "DEFINITIONS" SECTION 3.00.01, ARTICLE 6 "ZONING DISTRICTS" SECTION 6.04.08, AND ARTICLE 7 "PERFORMANCE STANDARDS" SECTION 7.13.03.C; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION ON THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

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

**Section 1.** Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 2, "Administration" Section 2.10.01.D is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

2.10.01. *General modifications.*

- A. *Yard encroachment including roof overhang.* Every part of a required yard shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, belt courses, cornices, buttresses, awnings, eaves and similar features approved by the County BOA. None of the above projections shall project into any yard more than 24 inches, except roof overhangs and awnings which may extend 48 inches into any yard provided the respective yard is at least ten feet in depth. In no case shall a structure project into a public right-of-way without prior approval by the BCC.
- B. *Projecting fire escapes, stairways, balconies, chimneys, or flues.* Open or enclosed fire escapes, outside stairways and balconies projecting into a minimum yard not more than three and one-half feet and the ordinary projections of chimneys and flues may be permitted by the Building Official where the same do not obstruct light and ventilation.
- C. *Distance between buildings on same lot.* As specified in the Zoning District regulations, more than one dwelling may be located upon a lot provided that the horizontal open space between such buildings measured at the closest point shall not be less than twice the side yard required in the district in which such uses are located.
- D. *Use of lots less than required size.* Any lot of record as of ~~October 8, 1990,~~ which February 8, 1996 that contains less land area depth or width than is

required in the district in which such lot is located, may be used for the uses permitted in such district.

- E. *Sanitary waste disposal.* Whenever a lot is not served by an approved sewer, there must be provided such open space as required by F.A.C. ch. 10-D(6) (septic tank regulations) of the Florida Administrative Code and as administered by the Escambia County Health Unit for septic tanks with flows of up to 5,000 gallons per day and drainage field to serve the uses erected on such lot. Such sanitary installation may be located in a front, side or rear yard but not closer than five feet to any lot line.
- F. *Density Rounding.* When the calculated density for a parcel of land results in a fraction greater than or equal to 0.5, rounding to the next whole number shall be allowed up to a maximum of one additional dwelling unit per parcel.

**Section 2.** Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 3, "Definitions" Section 3.00.01 is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

*3.00.01. Usage.*

*Lot of Record.* A lot that is part of a subdivision that has been recorded in the official records of Escambia County or a lot or parcel described by metes and bounds, the description of which has been so recorded or accepted on or before ~~October 8, 1990~~ February 8, 1996, the effective date of this Code. In Article 11, Airport/Airfield Environs, a lot of record for the purpose of constructing one single-family dwelling shall be a parcel recorded on or prior to August 21, 2001, the effective date of adoption of the Airfield/Airport Environs zoning map overlay zones.

**Section 3.** Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 6, "Zoning Districts" Section 6.04.08 is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

*6.04.08. Previously existing lots.* This Code shall not be construed to prevent the construction of a single-family dwelling on any lot ~~which~~ that was a lot of record as of ~~October 8, 1990~~ February 8, 1996, although such lot of record may have a lesser area or width than required in the district in which it is located.

**Section 4.** Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 7, "Performance Standards" Section 7.13.03.C is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

*7.13.03. Protection standards.* As a minimum, the following performance standards apply to the protection of wetlands and threatened and endangered species. These performance standards shall be achieved through a review and permitting process. No detrimental activities that may cause negative impacts to natural resources shall occur

in wetlands or threatened and endangered species habitat until all required federal, state, and local permits have been issued. Where United States Army Corps of Engineers Nationwide Permits (NWP) 14 and 39 are applicable, Escambia County will accept the permit as being issued after verification that the 45-day response period has elapsed, as long as the applicant can provide documentation that a complete application was filed with the Army Corps of Engineers. A complete application is one that provides all the information required under federal law, including a Pre-Construction Notification. Additional protection standards may be promulgated and/or imposed by state or federal regulatory agencies, the Director, and/or the Board, in the event that it is determined that an additional standard(s) is appropriate and required to protect the functions of the wetlands or sensitive environmental resources:

- A. Untreated runoff channeled directly into water bodies or wetlands is prohibited.
- B. Development and construction techniques shall be compatible with the soil conditions that are specific to the site. If deemed necessary, the Director shall require soil borings and tests conducted by a licensed testing facility.
- C. The natural functions of wetlands and threatened and endangered species habitat shall be protected. If a person proposes to impact wetlands and threatened and endangered species habitat, then he or she shall deliver to the County an application which will provide written documentation to demonstrate that impacts to wetlands and threatened and endangered species habitat have been avoided to the maximum extent possible. If impacts are unavoidable, the applicant shall demonstrate that impacts to wetlands and threatened and endangered species habitat have been minimized to the maximum extent possible. If the applicant has demonstrated adequate minimization of unavoidable impacts, then, and only then, the applicant may submit a mitigation plan for review and consideration. Development in wetlands shall not be allowed unless sufficient uplands do not exist to avoid a taking. In this case, development shall be restricted to allow residential density use at a maximum density of one unit per five acres, or to the density established by the future land use map containing the parcel, whichever is more restrictive, or one unit per lot of record as of ~~October 8, 1990~~ February 8, 1996, if the lot of record is less than five acres in size. Lots of record do not include contiguous multiple lots under single ownership.

Mitigation will be allowed only when avoidance of any adverse degradation of the function of wetlands, or threatened and endangered species habitat, during development can not be achieved through modifications to the proposed development such as clustering, vertical development and the like. Mitigation procedures are required in any case where development degrades estuaries, wetlands, bayous, harbors, rivers, surface waters, submerged aquatic vegetation, and threatened and endangered species habitat. Degradation means any modifications, alterations, or effects on waters, wetlands, surface areas, species composition, or usefulness for human or natural uses which are or may potentially be harmful or injurious to human health, welfare, safety or property, to

biological productivity, species diversity, or ecosystem stability which unreasonably interferes with the functions and values of natural resources on the property, including outdoor recreation. Degradation shall also include secondary or cumulative impacts to offsite wetlands and threatened and endangered species habitat in the watershed. The minimum 30-foot buffer requirement (7.13.03.N) will satisfy the County's secondary impact concerns.

Mitigation usually consists of measures that compensate for, or enhance, the aspects of the project that do not otherwise meet permitting criteria or to compensate for unavoidable natural resource losses. It may include purchase, creation, restoration, and/or enhancement of wetlands, performing works or modification that causes a net improvement in water quality or aquatic habitat, or enhancement of the hydrology of wetland areas that have been altered, impounded or drained. Before considering mitigation, all reasonable measures must first be taken to avoid and minimize the adverse impacts to natural resources which otherwise rendered the project unpermissible. Compensatory mitigation, by which wetlands and threatened and endangered species habitat are purchased, created, enhanced and/or restored to compensate for the loss of such lands, should be of the same type, or should replace the same functions and values, as that destroyed or degraded.

The applicant for development approval shall submit to the County copies of any applicable local, State and Federal applications, permits, authorizations, letters of exemption, or statements prior to review by the County if activities conducted pursuant to such County issued permit would impact any natural resource requiring mitigation under this section. The County's mitigation provisions and standards are primary.

The County shall establish a system for mitigation banking or an in-lieu fee program, to be accepted by the USACOE and the FDEP, whereby the applicant may financially contribute to a fund to purchase or restore wetlands and environmentally sensitive lands. (Ord. No. 97-51, Section 1, 10-2-1997)

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**Section 5. Severability.**

It is declared the intent of the Board of County Commissioners that if any subsection, clause, sentence, provision or phrase of this Ordinance is held to be invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

**Section 6. Inclusion in the Code.**

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Escambia County Code; and that the sections 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.

**Section 7. Effective Date.**

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

DONE AND ENACTED this 16<sup>th</sup> day of August, 2007.

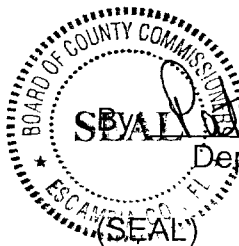
BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

By: [Signature]  
Kevin W. White, Chairman

ATTEST: ERNIE LEE MAGAHA  
Clerk of the Circuit Court

**Date Executed**

8-21-2007



[Signature]  
Deputy Clerk

This document approved as to form  
and legal sufficiency

By [Signature]

Title Deputy County Attorney

Date 8/20/07

ENACTED: **August 16, 2007**

FILED WITH DEPARTMENT OF STATE: **August 22, 2007**

EFFECTIVE: **August 22, 2007**



ORDINANCE NUMBER 2020-\_\_\_\_\_

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 THE FOLLOWING SECTION TO CHANGE THE EFFECTIVE DATE FOR A LOT OF RECORD FROM FEBRUARY 8, 1996 TO APRIL 16, 2015: CHAPTER 6, DEFINITIONS, SECTION 6-0.3 "TERMS DEFINED"; 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

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Escambia County that the following regulation is hereby adopted.

**Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Chapter 6 DEFINITIONS, Section 6-0.3 "TERMS DEFINED" is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

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

***Lot of record.*** A lot that is part of a subdivision that has been recorded in the official records of Escambia County, or a lot or parcel described by metes and bounds, and the description of which has been so recorded or accepted on or before ~~February 8, 1996~~ April 16, 2015. A lot of record does not include contiguous multiple lots under single ownership.

**Section 3. Severability.**

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

**Section 4. Inclusion in the code.**

The Board of County Commissioners intends that the provisions of this ordinance will be codified as required by Section 125.68, Florida Statutes (2018), and that the

1 sections of this ordinance may be renumbered or relettered and the word "ordinance" may  
2 be changed to "section," "article," or such other appropriate word or phrase in order to  
3 accomplish its intentions.

4 **Section 5. Effective date.**

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

6 DONE AND ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2020.

7 BOARD OF COUNTY COMMISSIONERS  
8 ESCAMBA COUNTY, FLORIDA

9 By: \_\_\_\_\_  
10 ATTEST: Pam Childers, Chairman  
11 Clerk of the Circuit Court  
12

13 By: \_\_\_\_\_ Date Executed: \_\_\_\_\_  
14 Deputy Clerk  
15

16 (SEAL)  
17

18 ENACTED:  
19

20 FILED WITH THE DEPARTMENT OF STATE:  
21

22 EFFECTIVE DATE:  
23



## **BOARD OF COUNTY COMMISSIONERS**

**Escambia County, Florida**

**Planning Board-Regular**  
**Meeting Date: 06/01/2020**

**7. B.**

---

**Agenda Item:**

RVs Allowed for Living in District 5 where Mobile Homes are Allowed Discussion.

---

**Attachments**

**Powerpoint**

---

## **General Discussion for Propose LDC Amendment For PB on June 1<sup>st</sup>, 2020.**

- RV used for living, sleeping, or household purposes on a lot or parcel without any time limitation in District 5 only and where mobile homes are a permitted use.
- See Slide of Zoning Districts that allow for Mobile homes as a permitted use

# CURRENT LDC ALLOWANCES

	USE	SINGLE MOBILE HOME	
	ZONING DISTRICT	PERMITTED	CONDITIONAL USE
MAIN LAND DISTRICTS	AG	ALLOWED	
	RR	ALLOWED	
	RMU	ALLOWED	
	HDMU	ALLOWED	
	Com	ALLOWED Only with MU-U or MU-S	
	HC/LI	Allowed Only with MU-U or MU-S	
	I	Only if the lot is Lot of Record and In MU-U or MU-S and Only MH.	

## Existing Regulation for Usage of RV

### **Sec. 4-7.10 Recreational vehicles.**

Recreational vehicle are designed primarily as temporary living quarters for recreational, camping, or travel use. Except under the disaster recovery temporary use provisions of this chapter, the use of a recreational vehicle as living quarters for more than 14 days in any calendar year is prohibited except in duly licensed campgrounds or mobile home parks. All recreational vehicles located in residential districts, except for those being stored and not occupied and located on the same lot with the principal structure, shall be removed within 60 days from notification.

## Possible Amendments to the LDC to Minimize Adverse Impacts to the Surrounding parcels

**Proposed RV to be allowed in District 5 in its entirety, with the stipulation that only in zoning districts where a mobile homes are allowed as a permitted use?**

### Proposed Provisions and Conditions.

1. Must be a lot of record as per the applicable regulations of the LDC
2. Setbacks per the required zoning district
3. Only one recreational vehicle allowed per lot
4. Lot may not be subdivided
5. Lot may not be located within a platted subdivision.
6. Vehicle may not be located in a FEMA designated Special Flood Hazard Area, in a designated Coastal High Hazard Area or within Escambia County designated Evacuation Zones A, B or C and must meet all other floodplain management regulations for RVs
7. Amending Section 4.7.10 Recreational Vehicles Usage (14 Day Requirement)



### **Other Areas Concerns that will need to Reviewed if there is Direction to move Forward:**

- RV Definitions (Federal, State and County) Are there any conflicts with any governmental agencies rules and or procedures in allowing this as a County Ordinance?
- Permitting for the following as approved per the applicable statues and the applicable agency : sufficient water supply, sewage collection and disposal; plumbing and back-flow prevention; garbage and refuse collection and disposal... The provisions will have to addressed in the LDC.
- Process and Procedures included application, fees, land use review and approval (what type) etc.
- Enforcement—Who will inspect for all the permitting requirements as stipulated above.

## Florida Statutes Title XXIII. Motor Vehicles § 320.01. Definitions, general

As used in the Florida Statutes, except as otherwise provided, the term:

(1) “Motor vehicle” means:

(b) A recreational **vehicle-type** unit primarily designed as **temporary living quarters** for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Recreational vehicle-type units, when traveling on the public roadways of this state, must comply with the length and width provisions of [s. 316.515](#) , as that section may hereafter be amended. As defined below, the basic entities are:

1. The “travel trailer,” which is a vehicular portable unit, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. It is primarily designed and constructed to provide temporary living quarters for recreational, camping, or travel use. It has a body width of no more than 8 1/2 feet and an overall body length of no more than 40 feet when factory-equipped for the road.

2. The “camping trailer,” which is a vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.

3. The “truck camper,” which is a truck equipped with a portable unit designed to be loaded onto, or affixed to, the bed or chassis of the truck and constructed to provide temporary living quarters for recreational, camping, or travel use.

4. The “motor home,” which is a vehicular unit which does not exceed the length, height, and width limitations provided in s. 316.515 , is a self-propelled motor vehicle, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.

5. The “private motor coach,” which is a vehicular unit which does not exceed the length, width, and height limitations provided in s. 316.515(9) , is built on a self-propelled bus type chassis having no fewer than three load-bearing axles, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.

6. The “van conversion,” which is a vehicular unit which does not exceed the length and width limitations provided in s. 316.515 , is built on a self-propelled motor vehicle chassis, and is designed for recreation, camping, and travel use.

7. The “park trailer,” which is a transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions, not including any bay window, does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to United States Department of Housing and Urban Development Standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions.

8. The “fifth-wheel trailer,” which is a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require a special highway movement permit, of gross trailer area not to exceed 400 square feet in the setup mode, and designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.





## BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

**Planning Board-Regular**  
**Meeting Date:** 06/01/2020

**7. C.**

---

**Agenda Item:**

Tiny Homes Discussion.

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**Attachments**

Presentation

FRC Appendix Q

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# Tiny House Construction

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## TWO ISSUES:

- CONSTRUCTION STANDARDS
- LAND USE

## SEEKING:

- DIRECTION ON MOVING FORWARD ON ADOPTION OF APPENDIX Q (FBCR)





# Tiny House Construction Regulation

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## AVAILABLE STANDARDS FOR CONSTRUCTING A TINY HOME IN ESCAMBIA COUNTY

- CURRENTLY: FLORIDA BUILDING CODE RESIDENTIAL (FBCR)
- UPCOMING: APPENDIX Q TINY HOUSE REQUIREMENTS IF ADOPTED





# Tiny House Construction Regulation

- Appendix Q is contained within the upcoming 7<sup>th</sup> edition (2020) Florida Building Code Residential (FBCR). Effective date 12/31/2020
- To be considered a Tiny House the floor area cannot be over 400 square feet. A larger home must meet normal building code standards
- The intent of appendix Q is to provide some relief from more stringent requirements found in the (FBCR), e.g. ceiling heights, individual room areas, stair requirements, etc.
- Appendix Q must be adopted by the jurisdiction for enforcement. FBC 101.2.1

If Appendix Q is adopted in the Building Code by the BCC, all the provisions and regulations of the current Land Development Code (LDC) applies. It will allow for these types of structures:

---

- In all zoning districts - as a single-family dwelling per lot of record as of February 8, 1996
- As an accessory dwelling unit where a single-family dwelling unit exists
- Without a major site plan review, up to 4 units in all zoning districts where multi-family dwellings and/or multi-developments are allowed
- To allow for tiny homes within zoning districts that **do not allow** for multi-family dwellings and/or multi-developments, **a rezoning** to a zoning district that does allow for multi-family **or LDC amendment change would be needed**
- Under the LDC, tiny houses cannot be recreational vehicles such as travel/camping trailers, motor homes, private motor coaches, fifth-wheel trailers, or park models

# Zoning Chart with LDC Definitions

ZONING CATEGORIES	ACCESSORY DWELLING UNITS
AGR- SINGLE FAMILY	YES
<u>RR- SINGLE FAMILY</u>	YES
<u>RMU- SINGLE FAMILY</u>	YES
<u>LDR- SINGLE FAMILY</u>	YES
<u>LDMU- SINGLE FAMILY</u>	YES
<u>MDR- SINGLE FAMILY</u>	YES
<u>HDR- SINGLE FAMILY</u>	YES
<u>HDMU- SINGLE FAMILY</u>	YES
<u>COM- SINGLE FAMILY</u>	YES
<u>HC/LI- SINGLE FAMILY</u>	YES
<u>PREDOMINANT COMMERCIAL</u>	YES
<u>IND- SINGLE FAMILY</u>	NO
<u>REC- SINGLE FAMILY</u>	NO
<u>CON- SINGLE FAMILY</u>	NO
<u>PUB- SINGLE FAMILY</u>	NO
<u>LDMU- TWO FAMILY &amp; MULTI-FAMILY</u>	
<u>HDR- TWO FAMILY &amp; MULTI-FAMILY</u>	
<u>HDMU- TWO FAMILY &amp; MULTI-FAMILY</u>	
<u>COM- TWO FAMILY&amp; MULTI-FAMILY</u>	
<u>HC/LI- SINGLE FAMILY PREDOMINANT COMMERCIAL</u>	

- ***Multi-family dwelling.*** A building that contains three or more dwelling units in any arrangement, including triplex and quadruplex building forms, and apartment and condominium forms of tenancy and ownership.
- ***Development, single-family.*** Development in which only one single-family dwelling is allowed per lot, attached or detached, except where an accessory dwelling unit is allowed with the principal single-family dwelling.
- ***Development, multi-family.*** Development in which any combination of single-family, two-family, or multi-family dwellings provide for three or more dwelling units on a single lot.

## To permit 4 or more tiny homes on a single lot within single-family zoning districts (like MDR etc.), new language and provisions within the LDC must be approved by the BCC.

---

- A comprehensive approach (review) of the existing regulations shall be done, for consideration of allowing (options) and flexibility within the specified zoning districts for modifications of the stated provisions.
- Due to the intent and purpose of single-family districts, consideration of provisions that will provide for protection and minimize adverse impacts in well-established communities or neighborhoods will be presented for discussion with the Planning Board (PB). For example, do we want to adopt provisions that prohibit this type of development within platted subdivisions with single-family districts only, or do we want to adopt provisions that require conditional use approval by the Board of Adjustment (BOA) within single-family districts. This will encourage citizen engagement and public notification of pending development in their prospective communities for this desired use. What about in designated flood zones and coastal barrier areas like Pensacola Beach and Perdido Key?
- A review of site-specific standards for changes such as an increase or reduction in the setbacks for front, side and rear yards, an increase or a reduction in the lot width requirement, or a maximum amount of structures on the single lot with higher buffer standards when adjacent or contiguous to existing single-family homes or single-family districts.
- Definition of Tiny Homes can be more stringent with an emphasis on what is not a tiny home as regulated by the LDC.

## Next Steps - Tentative Course Of Action

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- Staff will Continue Research
- Meetings with all citizens and interested parties....Strongly Encouraged (if requested)
- Collaborative Working Draft on the Proposed Ordinance with staff for comments prior to discussion of the Working Draft with the PB
- Fine-tuning of Working Draft
- Final Draft presented to PB
- Public Hearing(s) with PB, with recommendation from PB to the BCC – (Possible Committee of Whole Discussion with BCC, if requested)
- BCC Public Hearing(s)

## **APPENDIX Q ~~RESERVED~~ TINY HOUSES**

### **SECTION AQ101 GENERAL**

**AQ101.1** Scope. This appendix shall be applicable to tiny houses used as single dwelling units. Tiny houses shall comply with this code except as otherwise stated in this appendix.

### **SECTION AQ102 DEFINITIONS**

**AQ102.1 General.** The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

**EGRESS ROOF ACCESS WINDOW.** A skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirements of Section R310.2.

**LANDING PLATFORM.** A landing provided as the top step of a stairway accessing a loft.

**LOFT.** A floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches (2032mm) and used as a living or sleeping space.

**TINY HOUSE.** A dwelling that is 400 square feet (37 m<sup>2</sup>) or less in floor area excluding lofts.

### **SECTION AQ103 CEILING HEIGHT**

**AQ103.1 Minimum ceiling height.** Habitable space and hallways in tiny houses shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions including, but not limited to, beams, girders, ducts and lighting, shall not extend below these minimum ceiling heights.

**Exception:** Ceiling heights in lofts are permitted to be less than 6 feet 8 inches (2032 mm).

### **SECTION AQ104 LOFTS**

**AQ104.1** Minimum loft area and dimensions. Lofts used as a sleeping or living space shall meet the minimum area

and dimension requirements of Sections AQ104.1.1 through AQ104.1.3.

**AQ104.1.1 Minimum area.** Lofts shall have a floor area of not less than 35 square feet (3.25 m<sup>2</sup>).

**AQ104.1.2 Minimum dimensions.** Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

**AQ104.1.3 Height effect on loft area.** Portions of a loft with a sloped ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

**Exception:** Under gable roofs with a minimum slope of 6 units vertical in 12 units horizontal (50-percent slope), portions of a loft with a sloped ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

**AQ104.2 Loft access.** The access to and primary egress from lofts shall be of any type described in Sections AQ104.2.1 through AQ104.2.4.

**AQ104.2.1 Stairways.** Stairways accessing lofts shall comply with this code or with Sections AQ104.2.1.1 through AQ104.2.1.5.

**AQ104.2.1.1 Width.** Stairways accessing a loft shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The width below the handrail shall be not less than 20 inches (508 mm).

**AQ104.2.1.2 Headroom.** The headroom in stairways accessing a loft shall be not less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

**AQ104.2.1.3 Treads and risers.** Risers for stairs accessing a loft shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:



1. The tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height.

2. The riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.

**AQ104.2.1.4 Landing platforms.** The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than 6 feet 2 inches (1880 mm) where the stairway meets the loft. The landing platform shall be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the loft, and 16 to 18 inches (406 to 457 mm) in height measured from the landing platform to the loft floor.

**AQ104.2.1.5 Handrails.** Handrails shall comply with Section R311.7.8.

**AQ104.2.1.6 Stairway guards.** Guards at open sides of stairways shall comply with Section R312.1.

**AQ104.2.2 Ladders.** Ladders accessing lofts shall comply with Sections AQ104.2.1 and AQ104.2.2.

**AQ104.2.2.1 Size and capacity.** Ladders accessing lofts shall have a rung width of not less than 12 inches (305 mm), and 10-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200-pound (75 kg) load on any rung. Rung spacing shall be uniform within 3/8 inch (9.5 mm).

**AQ104.2.2.2 Incline.** Ladders shall be installed at 70 to 80 degrees from horizontal.

**AQ104.2.3 Alternating tread devices.** Alternating tread devices accessing lofts shall comply with Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches (508mm).

**AQ104.2.4 Ships ladders.** Ships ladders accessing lofts shall comply with Sections R311.7.12.1 and R311.7.12.2. The clear width at and below handrails shall be not less than 20 inches (508 mm).

**AQ104.2.5 Loft Guards.** Loft guards shall be located along the open side of lofts. Loft guards shall be not less

than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.

## **SECTION AQ105 EMERGENCY ESCAPE AND RESCUE OPENINGS**

**AQ105.1 General.** Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings.

**Exception:** Egress roof access windows in lofts used as sleeping rooms shall be deemed to meet the requirements of Section R310 where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the loft floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1.

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