

Escambia County Comprehensive Plan

DISCLAIMER:

This is for general information on the land use regulations within the unincorporated areas of Escambia County. Please note that Escambia County regularly amends its land use regulations and that recent amendments may not yet be shown on this website. Accordingly, when buying, selling, or developing land in Escambia County, please come in to our office & speak with a Front Counter Planner for assistance on the most current regulations affecting your property.

Chapter 1 LEGAL

Chapter 1 LEGAL*

*State law references: Purpose, F.A.C. 9J-5.001.

[Sec. 1.01 Legal.](#)

[Sec. 1.02 Title.](#)

[Sec. 1.03 Jurisdiction.](#)

[Sec. 1.04 Intent.](#)

[Sec. 1.05 Effect on previous plan.](#)

[Sec. 1.06 Effective date.](#)

[Sec. 1.07 Severability.](#)

Section 1.01 Legal.

WHEREAS, the Florida Legislature has enacted the Local Government Comprehensive Planning and Land Development Regulation Act (F.S. ch. 163, pt. II) which mandates the preparation of comprehensive plans and unified land development codes for all units of local government; and,

WHEREAS, the Florida Legislature has reconfirmed that F.S. §§ 163.3161--163.3215 provide the necessary statutory direction and basis for county officials to carry out their comprehensive planning and land development regulation powers, duties and responsibilities; and,

WHEREAS, F.A.C. ch. 9J-5, the July 22, 1992 Final Order of The Administration Commission (Case No. 92-010) and the companion ordinance of Escambia County (Ordinance Number 92-24) mandate the MINIMUM CRITERIA FOR CONTENT OF THE ESCAMBIA COUNTY COMPREHENSIVE PLAN, and

WHEREAS, the Board of County Commissioners of Escambia County, Florida has determined that this ordinance is compatible with and furthers the State Comprehensive Plan and the West Florida Comprehensive Regional Policy Plan; NOW

THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA that this ordinance is hereby adopted in conformance with F.S. ch. 163, F.A.C. ch. 9J-5, and Escambia County Ordinance Number 92-24 and provides an effective date and repeals all provisions of ordinances or resolutions in conflict herewith.

Section 1.02 Title.

This ordinance shall be known as the "ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2000" and also may be known as "Ordinance No. 93-20."

Section 1.03 Jurisdiction.

The lands subject to this ordinance shall include all unincorporated areas of Escambia County.

Section 1.04 Intent.

It is the intent of this ordinance to provide orderly growth management for those areas identified in section 1.03 above. This ordinance is not intended to terminate growth but rather to provide mechanisms for growth management in order to serve the citizens, visitors and property owners of Escambia County. Implementation of this ordinance is designed to maintain and improve the quality of life for all citizens of the county.

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Chapter 1 LEGAL

The board of county commissioners of Escambia County find that the goals, objectives, policies and regulations set forth hereunder are a necessary and proper means for planning and regulating the development and use of land in the county and for otherwise protecting and promoting the public health, safety, and general welfare of its citizens. It is the intent of this ordinance that the comprehensive plan sets general guidelines and principles concerning its purposes and contents and that this ordinance shall be construed broadly to accomplish its stated purposes and objective.

Section 1.05 Effect on previous plan.

This ordinance/comprehensive plan supersedes and replaces the Escambia County Comprehensive Plan (as amended) which was adopted by the county commission on October 8, 1990.

Section 1.06 Effective date.

The effective date of this ordinance shall be the date of receipt by Escambia County of notice from the Florida Department of State that this ordinance has been received and duly filed.

Section 1.07 Severability.

If any provision of this ordinance/comprehensive plan is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holdings shall not affect the validity of any other provision and to that end the provisions of this ordinance/comprehensive plan are declared to be severable.

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Chapter 2 ADMINISTRATION

Chapter 2 ADMINISTRATION*

*Cross references: Administration, pt. I, ch. 2.

State law references: Administration, F.A.C. 9J-5.002.

[Sec. 2.01 Local planning agency.](#)

[Sec. 2.02 Administration.](#)

[Sec. 2.03 Public participation and notices.](#)

Section 2.01 Local planning agency.

- (1) The Escambia County Planning Board is hereby established by the board of county commissioners of Escambia County as the local planning agency (LPA) (Reference Ordinance Number 88-15).
- (2) Duties: The duties of the LPA shall be as specified in F.S. § 163.3174, and include:
 - a. Be responsible for the preparation of the Escambia County Comprehensive Plan and make recommendations to the board of county commissioners regarding the adoption of the plan;
 - b. Monitor the effectiveness and status of implementation of the comprehensive plan and recommend to the board of county commissioners any changes in the plan as may, from time to time, be required;
 - c. Monitor, review and prepare periodic reports required by F.S. § 163.3191, including regular assessments of the plan and preparation of the evaluation and appraisal report on the plan;
 - d. Review any proposed land development regulations, codes or amendments thereto and make recommendations to the board of county commissioners as to the consistency of proposed regulations, codes or amendments with the comprehensive plan; and
 - e. Review and interpret any provisions or sections of this plan for the purposes of clarification or determination of meaning and intent if questions should arise regarding the meaning, and intent of any provision or section, such interpretation to be subject to approval by the board of county commissioners;
 - f. Perform any other function, duty or responsibility assigned to it by the Escambia County Board of County Commissioners or by general or special law;
 - g. Additional duties and responsibilities may be placed upon the LPA by inclusion of such duties and responsibilities within the Escambia County Land Development Code.
- (3) Resources: The LPA may utilize any resources provided it by the board of county commissioners in furtherance of the duties and responsibilities of the LPA. These resources may include, but are not limited to, facilities and equipment of the county, temporary assignment of employees, utilization of county committees, boards or authorities, consultants, persons or entities to prepare or assist in the preparation of the plan, amendments thereto or any other land development regulation, proposed or existing, as it may deem appropriate.

(Ord. No. 95-15, § 1, 7-27-1995)

Section 2.02 Administration.

The Growth Management Services Department of Escambia County shall administer this ordinance with the assistance of other operating departments within the county, as necessary. Policy direction and guidance shall be provided by the LPA and the board of county commissioners. In addition, assistance may be provided pursuant to section 2.01(3) above.

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Chapter 2 ADMINISTRATION

Section 2.03 Public participation and notices.

Refer to chapter 4 for public participation and notices.

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Chapter 3 DEFINITIONS

Chapter 3 DEFINITIONS*

*State law references: Definitions, F.A.C. 9J-5.003.

[Sec. 3.01 Definitions.](#)

[Sec. 3.02 \[Germane definitions.\]](#)

[Sec. 3.03 \[Singular and plural terms; gender; general interpretation.\]](#)

Section 3.01 Definitions.

The definitions found in F.S. ch. 163, pt. II, and F.A.C. 9J-5, are hereby adopted by reference. There may be other definitions contained in the chapters (elements) of this ordinance and such definitions are not "in conflict" with the definitions in rule or law. Also, the additional definitions, if any, relate to terms or phrases not otherwise defined.

Section 3.02 [Germane definitions.]

The Escambia County Land Development Code (land development regulations) will contain specific definitions germane to any items within the land development code (LDC).

Section 3.03 [Singular and plural terms; gender; general interpretation.]

Unless the context clearly indicates otherwise, singular words include the plural, person or man includes both genders and words not otherwise defined shall have those meanings commonly and customarily ascribed to them and as can be found in any standard dictionary reference books.

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Chapter 4 PUBLIC PARTICIPATION

Chapter 4 PUBLIC PARTICIPATION*

*State law references: Public participation, F.A.C. 9J-5.004.

[Sec. 4.01 Purpose.](#)

[Sec. 4.02 Intent.](#)

[Sec. 4.03 Public participation and affected parties.](#)

[Sec. 4.04 Public notice.](#)

[Sec. 4.05 Workshops.](#)

[Sec. 4.06 Notification and status reports.](#)

[Sec. 4.07 Local planning agency.](#)

[Sec. 4.08 Board of county commissioners.](#)

[Sec. 4.09 Advisory committees.](#)

Section 4.01 Purpose.

This chapter establishes procedures in accordance with F.S. § 163.3181 to provide for broad dissemination of information regarding comprehensive plans and amendments, the planning process, the adoption or amendment of the LDC and other matters pertaining to the regulation or use of land or structures. In addition, it is the intent of this chapter to provide the public opportunity for written or verbal comments, processes for public hearings, provision for open discussion, communications programs, information services and consideration of and response to public comments.

Section 4.02 Intent.

It is the intent of this chapter that all citizens affected by comprehensive planning and land development regulation proposals be encouraged to participate and be afforded the opportunity for input throughout the preparation and enactment process. The provisions of this chapter apply to the formal adoption process of the comprehensive plan, amendments to the comprehensive plan, preparation or amendment of the LDC including regulation of land subdivision, open space provisions, drainage and stormwater management, floodplain development, environmentally sensitive areas, signage, parking, innovative land development regulations, impact fees, consideration of the evaluation and appraisal report (EAR), and any other matters deemed appropriate by the board of county commissioners.

Section 4.03 Public participation and affected parties.

For the purposes of this chapter the terms, "citizen participation" and "public participation" are synonymous and apply to affected persons, substantially affected persons and aggrieved or adversely affected parties, as defined in F.S. § 163.3184(1), (6), F.S. § 163.3213(2)(a), and F.S. § 163.3215(2), respectively.

Section 4.04 Public notice.

- (1) So as to notify property owners, interested citizens and affected parties the Escambia County Growth Management Services Department, on behalf of the LPA, will advertise in a newspaper of general circulation within the county that a public hearing will be held to consider any of the matters described in section 4.02

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above. The advertisement will include an identification of who is holding the hearing, as well as the date, time, place and general subject of the hearing and the location where copies of the proposed matter may be reviewed. The advertisement will encourage the public to provide written and/or verbal comments on the matters under consideration.

- (2) All public hearings shall be held at approximately the time specified in the advertisement and shall be conducted Monday through Thursday.
- (3) Escambia County, through the growth management services department, will conform to the applicable notice requirements for adoption or amendment of the comprehensive plan or land development code as prescribed in F.S. §§ 125.66, 163.3184 and 163.3187.

(Ord. No. 96-52)

Section 4.05 Workshops.

- (1) Whenever possible, workshops shall be advertised to notify the public and interested parties that a workshop meeting is scheduled to discuss the subjects of the scheduled workshop. However, workshops may be held without advertising, provided a public announcement is made at a public meeting of the board of county commissioners or LPA and a notice of the workshop is posted in the county courthouse and other public places as appropriate.
- (2) Workshops may be held at any time deemed appropriate in order to facilitate the timely exchange of information regarding the subject of the workshop.

Section 4.06 Notification and status reports.

The Escambia County Growth Management Services Department will periodically provide notification to the media by announcements of public hearings and workshops at the regular public meetings of the board of county commissioners regarding the status of matters under consideration by the department or the LPA.

Section 4.07 Local planning agency.

Prior to board of county commissioners approval, adoption and/or enactment of regulations, as appropriate, of any matter listed in section 4.02, the local planning agency shall hold at least one public hearing in conformance with the notice requirements described herein. The hearing may be continued to an announced time certain upon a majority vote of the members present.

- (1) The LPA public hearing shall afford members of the public reasonable opportunity to present their views on any matter under consideration. The chairman may, at his discretion, rule out-of-order public comments he deems repetitious or not germane to the matter under discussion.
- (2) The sequence of activities regarding the matters under consideration shall be as follows:
 - a. Announcement of the matter for consideration by the chairman;
 - b. Presentation of staff reports/comments, if any, whether written or verbal;
 - c. Presentation by the applicant or principle proponent of the matter;
 - d. Comments from the proponents and opponents of the matter. All speakers will be required to identify themselves and their address prior to commencement of public hearings so that an accurate record of participants can be maintained;

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- e. Close public input except for direct questions as may be initiated by the members of the LPA; and
 - f. LPA discussion, debate and recommendation by majority vote prior to considering the next matter, adjournment, or tabling for a time certain.
- (3) The LPA, through the growth management services department, shall transmit its recommendation on each matter decided to the county commission at the public hearing held for each matter by the county commission.
- (4) The LPA shall not initiate consideration of agenda items later than 11:00 p.m., unless agreement to do so is obtained by majority vote of the members present. Agenda items not considered due to time will be tabled until a time certain.

Section 4.08 Board of county commissioners.

As soon as practical after the LPA makes a recommendation regarding any matter described in section 4.02, the board of county commissioners shall hold at least one public hearing to consider the recommendation and pursuant to the notice requirements described herein (reference section 4.04). The hearing may be continued to an announced time certain upon a majority vote of the commissioners present.

- (1) The board of county commissioners hearing shall afford members of the public reasonable opportunity to present their views on any matter under consideration. The chairman may, at his discretion rule out-of-order public comments he deems repetitious or not germane to the matter under discussion.
- (2) The sequence of activities regarding matters under consideration shall be as follows:
- a. Announcement of the matter for consideration by the chairman;
 - b. Presentation of LPA and/or staff reports/comments, if any, whether written or verbal;
 - c. Presentation by the applicant or principal proponent of the matter;
 - d. Comments from the proponents and opponents of the matter. All speakers will be required to indicate their name and address prior to commencement of a public hearing so that an accurate record of participants can be maintained;
 - e. Close public input except for direct questions as may be initiated by members of the board of county commissioners;
 - f. Board of county commissioners discussion, debate and approval, adoption or enactment, as appropriate for the specific matter, by majority vote prior to considering the next matter, adjournment or tabling until a time certain; and
 - g. The board of county commissioners shall not initiate agenda items later than 11:00 p.m., unless agreement to do so is obtained by majority vote of the members present. Agenda items not considered due to time will be tabled until a time certain.

Section 4.09 Advisory committees.

The LPA and/or the board of county commissioners may, from time to time, appoint advisory committees to provide information and/or participate in the matters listed in section 4.02. Advisory committees shall be subject to the notice requirements described herein.

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Chapter 5 GENERAL REQUIREMENTS

Chapter 5 GENERAL REQUIREMENTS*

*State law references: General requirements, F.A.C. 9J-5.005.

[Sec. 5.01 Format.](#)

[Sec. 5.02 Combined elements.](#)

[Sec. 5.03 Support documents.](#)

[Sec. 5.04 Preparation date.](#)

[Sec. 5.05 Name of preparer.](#)

[Sec. 5.06 Data and analysis.](#)

[Sec. 5.07 Population projections.](#)

[Sec. 5.08 Level of service standards.](#)

[Sec. 5.09 Planning time frame.](#)

[Sec. 5.10 Internal consistency.](#)

[Sec. 5.11 Plan implementation.](#)

[Sec. 5.12 Monitoring and evaluation.](#)

[Sec. 5.13 Procedural requirements.](#)

Section 5.01 Format.

This ordinance follows the format of F.A.C. 9J-5 and section numbers of F.A.C. 9J-5 are shown in parenthesis for clarity and ease of review for compliance determination.

Section 5.02 Combined elements.

The traffic circulation element, the mass transit element, and the port, aviation and related facilities element have been combined into the transportation element. The coastal management element and the conservation element have been combined into the coastal management and conservation element. The requirements of F.S. §§ 163.3177 and 163.3178 and F.A.C. 9J-5 have been met within these combined elements. These elements have been combined in order to avoid repetition and provide clarity.

Section 5.03 Support documents.

Support data, analysis and documents are not adopted as part of this ordinance. Support data, analysis and documents will be available for public inspection while the comprehensive plan is being considered for adoption and while it is in effect at the offices of the Escambia County Growth Management Services Department and at the office of the county clerk in the county courthouse in Pensacola.

Support data, analysis, and other documentation are found in the foundation documents. This ordinance contains references to various chapters, appendices or contents of the foundation documents. The references are included for clarity and ease of review by the reader. The reference is not to be construed as making the foundation document or causing the foundation document contents to be made part of this ordinance or the county's comprehensive plan.

(Ord. No. 2005-60, § 4, 12-8-2005; Ord. No. 2006-39, § 1, 5-4-2006)

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Chapter 5 GENERAL REQUIREMENTS

Section 5.04 Preparation date.

The preparation of this plan started in 1987 and has continued through March 1993 with public hearings and workshops. This ordinance is being transmitted to the Florida Department of Community Affairs for compliance review after a transmittal public hearing. There may be other changes, corrections or updates made after compliance review and before final adoption.

Section 5.05 Name of preparer.

This ordinance was prepared by the Escambia County Planning Board sitting as the LPA and the Escambia County Growth Management Services Department. Professional and technical assistance and production of this ordinance (plan) and the foundation documents have been provided by J.E. Dorman & Associates, Inc. Support information in the foundation documents have been taken from the data and analysis used to support the October 8, 1990 Comprehensive Plan and supplemented, revised or replaced with information gathered, collected, analyzed or generated by J.E. Dorman & Associates, Inc. and county staff.

Section 5.06 Data and analysis.

Copies or summaries of foundation and support data, analysis and documents shall be submitted to the department of community affairs (DCA) together with the comprehensive plan when the plan is submitted for compliance review.

Section 5.07 Population projections.

This ordinance is based upon the Bureau of Economic and Business Research (BEBR), University of Florida, Mid-Range Projections. The population projections are included within the foundation documents supporting this plan. The projections may be found at Table 2-1 of the foundation document. Population projections will be updated annually.

Section 5.08 Level of service standards.

Level of service (LOS) standards are as established in the elements contained within this ordinance for roads, mass transit, sanitary sewer, solid waste, drainage, potable water and recreation. Section 6.06 of this ordinance provides a location listing for LOS standards.

Section 5.09 Planning time frame.

The time frame for planning used in this ordinance is through the year 2000 with a five year time frame for the capital improvements element starting with the county budget year beginning October 1, 1990.

Section 5.10 Internal consistency.

Each chapter of this ordinance represents an element of the county's comprehensive plan. Each chapter (element) herein is consistent with the other chapters and this ordinance shall be construed in its entirety as the county's comprehensive plan. The future land use map included and adopted as part of this ordinance reflects goals, objectives and policies contained within this ordinance.

The goals, objectives and policies of this ordinance are based on data contained within the foundation documents. Where data is relevant to several elements, the same data has been used to support said elements.

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Section 5.11 Plan implementation.

Among other means, this comprehensive plan shall be implemented by the adoption of land development regulations. In addition to the requirements in F.S. § 163.3202, the LDC shall address regulations of specific items contained in the goals, objectives and policies of this ordinance.

Section 5.12 Monitoring and evaluation.

An evaluation and appraisal report (EAR) shall be prepared at the end of each five-year time frame for the purpose of evaluating and appraising the implementation of this comprehensive plan. The EAR shall address items contained in F.A.C. 9J-5.005(7). In addition, continuous monitoring shall be maintained by the concurrency management system. The capital improvements element and various portions of this plan shall be reviewed on an annual basis pursuant to section 14.06 of this ordinance.

The committee appointed pursuant to Policy 14.A.3.6 shall prepare a draft EAR for consideration by the LPA consistent with the time frames established by rule for submission of the EAR. The LPA shall promulgate its report (EAR) to the county commission pursuant to section 14.06 and the report shall address:

- a. Citizen participation in the process;
- b. Updating appropriate base line data;
- c. The extent to which objectives within the plan have been accomplished (or not accomplished) in the first five-year period of the plan;
- d. The expectations for accomplishing the objectives in the second five-year period covered by the plan;
- e. Accomplishments in the first five-year period;
- f. Identification of problems and opportunities for achieving the desired ends as expressed within the goals, objectives and policies of the plan;
- g. Recommendations regarding any new goals, objectives or policies or modifications to existing goals, objectives and policies in order to correct unanticipated problems;
- h. A detailed analysis of the effectiveness of the continuous monitoring and evaluation of the plan pursuant to chapter 6 of this ordinance; and
- i. Any other matters deemed relevant or appropriate by the committee, the LPA or the county commission.

Section 5.13 Procedural requirements.

This comprehensive plan shall be considered, adopted and amended pursuant to the procedural requirements of F.S. §§ 163.3101--163.3215. Refer to chapter 4, public participation, for notices and public hearings.

Any applicant requesting an amendment to this ordinance may be responsible for and pay all costs associated with the amendment including required evaluation and appraisal reports.

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Chapter 6 CONCURRENCY MANAGEMENT SYSTEM

Chapter 6 CONCURRENCY MANAGEMENT SYSTEM*

*State law references: Concurrency management system, F.A.C. 9J-5.0055.

[Sec. 6.01 Concurrency management.](#)

[Sec. 6.02 Coordination and timing of concurrency determination.](#)

[Sec. 6.03 Consistency with comprehensive plan.](#)

[Sec. 6.04 Minimum requirements.](#)

[Sec. 6.05 Levels of service during construction.](#)

[Sec. 6.06 LOS Summary.](#)

[Sec. 6.07 Phased construction.](#)

[Sec. 6.08 Administration.](#)

[Sec. 6.09 Exemption to concurrency requirement.](#)

Section 6.01 Concurrency management.

Escambia County has adopted a concurrency management system in compliance with F.A.C. Policy 9J-5.0055 within the Escambia County Land Development Code to ensure that facilities and services needed to support development are available concurrent with the impacts of such development. Prior to the issuance of a development permit (order), the system shall ensure that the adopted level of service standards in this ordinance for roadways, mass transit, potable water, sanitary sewer, solid waste, drainage and recreation will be maintained. The Escambia County Growth Management Services Department shall be responsible for ensuring compliance with the concurrency management system and shall report on such compliance to the LPA and county commission on an annual basis concurrent with the reports required by section 14.06 of this ordinance.

The growth management services director, or his designee, will be responsible for the five primary tasks described below:

- 1) Maintaining an inventory of existing public facilities and capacities or deficiencies;
- 2) Determining concurrency of proposed development which does not require county commission approval;
- 3) Providing advisory concurrency assessments and recommending conditions of approval to the county commission for those applications for development orders which require county commission approval; and
- 4) Reporting the status of all public facilities covered under this system to the county commission and recommending a schedule of improvements for those public facilities found to have existing deficiencies.
- 5) Administering the Proportionate Fair Share Program as outlined in article 5, section 5.13.00 of the Land Development Code and the Escambia County Concurrency Management System Procedure Manual if the County and an Applicant choose to utilize this program to mitigate transportation impacts on transportation facilities found to have deficient capacity during the process of testing for concurrency.

The county administration will collect and make available to the public information on various facilities. The information shall be updated on an annual basis consistent with the reports required by section 14.06 of this

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ordinance. The information will contain data such as: design capacity for roadways and roadway types; existing and adopted levels of service for all roadways; improvements to be made to the roadway system in the current year by the county and improvements to be made to the roadway system by the private sector; design capacity of wastewater and potable water facilities and the identification of any deficiencies within such systems; the existing and adopted levels of service standards for water and sewer systems; any programmed improvements to the facilities either by the county or the private sector; the design capacity for solid waste facilities including transfer stations and landfills; existing and proposed level of service standards for stormwater management systems; and existing and proposed provisions of recreation and open space facilities by the county or the private sector. It should be noted that this is not an all inclusive list of guidelines for use in the concurrency management system; rather it is indicative of the types of information to be contained within the LDC and the method and manner of administering the LDC.

(Ord. No. 2007-50, § 4, 9-6-2007)

Section 6.02 Coordination and timing of concurrency determination.

- A. The county will coordinate establishing level of service standards for the above-named facilities with state, regional or local entities having operational and maintenance responsibility for such facilities in accordance with F.A.C. Rule 9J-5.015(3)(b)3.
- B. The test for concurrency shall be met, and the determination of concurrency shall be made prior to the approval of an application for a development order or permit which contains a specific plan for development, including the densities and intensities of the proposed development. If an applicant fails concurrency, he/she may apply to satisfy the requirements of the concurrency management system through the proportionate fair share program. For applicants participating in the proportionate fair share program, the board of county commissioners must approve a proportionate fair share agreement before a certificate of concurrency can be issued. A multi-use development of regional impact (DRI) may satisfy the transportation concurrency requirements of the concurrency management system and of F.S. § 380.06 by payment of a proportionate share contribution in accordance with the terms of F.S. § 163.3180(12).
- C. Capacity shall be allocated upon issuance of a development order for a preliminary plat, site plan, or planned unit development, phased or longer term project or development of regional impact. The allocation of capacity, however, shall be subject to the following sunset provisions:
 - (1) Capacity approved and assigned to a preliminary plat will remain allocated for a period of four years from the date of issuance of the development order associated with the preliminary plat. However, capacity will be lost at the end of two years if construction plans have not been submitted to the county.
 - (2) Capacity approved and assigned to a site plan shall remain allocated for a period of 18 months from the date of the issuance of a development order associated with the site plan.
 - (3) Capacity approved and assigned to a planned unit development (PUD), phased development, longer term projects or DRI will remain allocated for a period as established in an enforceable development agreement.
 - (4) Capacity approved and assigned to a development order subject to the condition that the applicant will satisfy all transportation concurrency requirements through a proportionate fair share agreement shall remain allocated for a period of 12 months from the date of the conditional development order. The applicant will be required to adhere the timeframes detailed in article 5 of the Land Development Code or the conditional development order will be considered null and void and the capacity will be revoked. Once

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the proportionate fair share agreement is approved, the allocation of capacity will be subject to the applicable conditions of items (1) through (3) above.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2007-50, § 4, 9-6-2007)

Section 6.03 Consistency with comprehensive plan.

No development activity may be approved unless it is found that the development is consistent with this comprehensive plan and that the provision of the facilities enumerated in section 6.01 above, will be available at prescribed levels of service concurrent with the impact of the development on those facilities.

Section 6.04 Minimum requirements.

As a minimum, the concurrency management system will ensure that at least one of the following standards will be met prior to issuance of a development permit or order:

- (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 and available to serve the new development at the time of the issuance of a certificate of occupancy;
- (3) The necessary facilities are under construction at the time a permit is issued. Note: This provision only relates to parks and recreation facilities and roads; 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. The LDC will include a requirement that the provision or construction of the facility or service must commence within one year of the issuance 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 F.S. § 163.3220, a proportionate fair share agreement, or an agreement or development order issued pursuant to F.S. ch. 380. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of article 5, section 5.13.00 of the Land Development Code. For sanitary sewer, solid waste, potable water, and drainage facilities, any agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy; or
- (6) The necessary facilities needed to serve new developments are in place or under actual construction no more than three years after the issuance, by the county, of a development order or permit. NOTE: This provision only relates to roads.

(Ord. No. 2000-35, § 1, 8-17-2000; Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2007-50, § 4, 9-6-2007)

Section 6.05 Levels of service during construction.

The provisions of 6.04 above notwithstanding, the prescribed levels of service for any system or systems may be degraded during construction of new facilities if, upon completion of the new facilities, the prescribed levels of service will be met and maintained.

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Chapter 6 CONCURRENCY MANAGEMENT SYSTEM

Section 6.06 LOS Summary.

The adopted level of service standards in this ordinance are as indicated in the following policies:

TABLE INSET:

LOS	Policy
Roads (County and State)	8.A.1.3
Mass Transit	8.B.2.3
Sanitary Sewer	10.A.2.2
Solid Waste	10.B.2.3
Drainage	10.C.2.3
Potable Water	10.D.2.3
Recreation/Open Space	12.A.4.9

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Section 6.07 Phased construction.

The construction of any development project may be phased or staged so as to coincide with the phased or staged construction of infrastructure facilities so that the levels of service for such facilities are maintained upon completion of each phase or stage of the development project.

Section 6.08 Administration.

- (1) The LDC shall designate the departments within the Escambia County government which have responsibility for determining that LOS standards are met and will be maintained prior to the issuance of a development order or building permit. The designated departments may place the burden of demonstrating compliance upon the developer or applicant. In order to be approved, applications for development approval shall provide sufficient information showing compliance with LOS standards.
- (2) The LDC shall include quantitative methods for determining levels of service that exist and which may be impacted by any particular development application. In addition, the LDC will fully describe the process for a finding of compliance with LOS.
- (3) The LDC shall include standardized quantitative data which is to be used in determining the impact of any proposed development upon the public facilities and services within the county (roads, drainage, potable water, sanitary sewer, solid waste and recreation and open space). Applications for development approval shall include the projected impact upon public facilities and services upon occupancy or use of the proposed development. Any deviation from the standardized criteria within the LDC must have the prior approval of the county commission before such data may be used for determining or projecting impacts of the proposed development.

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Chapter 6 CONCURRENCY MANAGEMENT SYSTEM

Section 6.09 Exemption to concurrency requirement.

For the purpose of issuing a development order or permit, a proposed development may be deemed to have a de minimis impact and may not be subject to the concurrency requirements of Rule 9J-5.0055(3)(c)1-4, only if all of the conditions specified in F.S. § 163.3180(6), are met.

(Ord. No. 2000-35, § 1, 8-17-2000)

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Chapter 7 FUTURE LAND USE ELEMENT

Chapter 7 FUTURE LAND USE ELEMENT*

*State law references: Future land use element, F.A.C. 9J-5.006.

[Sec. 7.01 Purpose.](#)

[Sec. 7.02 Existing land use data.](#)

[Sec. 7.03 Land use analysis.](#)

[Sec. 7.04 Goals, objectives and policies.](#)

[Sec. 7.05 Future land use maps.](#)

[Sec. 7.06 Amendments.](#)

[Sec. 7.07 Zoning maps.](#)

[Sec. 7.08 Nonconforming land uses.](#)

[Sec. 7.09 Implementation.](#)

INTRODUCTION

Section 7.01 Purpose.

The purpose of this element (chapter) is the designation of future land use patterns as reflected in the goals, objectives and policies contained in this ordinance.

Section 7.02 Existing land use data.

This element is based upon the data requirements pursuant to F.A.C. 9J-5.005(2) and F.A.C. 9J-5.006(1) (reference sections 5.03, 5.06 and chapter 1, support documents).

Section 7.03 Land use analysis.

This element is also based upon the analysis requirements pursuant to F.A.C. 9J-5.005(2) and F.A.C. 9J-5.006(2) (reference sections 5.03 support documents, 5.06 data and analysis and 5.07 population projections, reference chapter 1, support documents).

Section 7.04 Goals, objectives and policies.

The goals, objectives and policies of this element are as follows:

MANAGEMENT OF FUTURE DEVELOPMENT

GOAL 7.A

Manage the future development of Escambia County in a manner consistent with the ability to provide adequate infrastructure and protect important resources.

OBJECTIVE 7.A.1: CONSISTENCY WITH ESRCRMP

Maintain consistency between this ordinance and the recommendations of the Escambia/Santa Rosa Coast Resource Management Plan (ESRCRMP).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 7 FUTURE LAND USE ELEMENT

Policy 7.A.1.1: LDC Consistent with Plan and ESRCRMP

The county's land development regulations shall be amended, updated or revised to be consistent with this comprehensive plan, F.S. § 163.3202, and the ESRCRMP.

The revised set of regulations will be known as the Escambia County Land Development Code (LDC) and the revisions shall be completed by February 1, 1994.

Policy 7.A.1.2: ESRCRMP Policies

The county shall continue to integrate the recommendations and policies contained within the ESRCRMP into its LDC, its permitting process, its public facilities improvement program and in its policy making.

Policy 7.A.1.3: Densities and Intensities

Establish land use densities and intensities consistent with this ordinance and the ESRCRMP (reference Objective 7.A.1 and the policies thereunder, Policies 7.A.2.1 and 7.A.4.7).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.1.4: Existing Ordinances

The LDC shall include all ordinances adopted pursuant to recommendations of the ESRCRMP and include, but are not limited to:

- a. Zoning for the coastal areas;
- b. Landscape, tree and land coverage regulations;
- c. Sign regulations;
- d. Floodplain management regulations;
- e. Airport environs regulations, and others.

Policy 7.A.1.5: ESRCRMP Recommendations

The LDC (reference Policy 7.A.1.1) will include pursuant to recommendations of the ESRCRMP:

- (1) Shoreline protection regulations with provisions which address:
 - a. New construction and improvements to major and minor structures;
 - b. Construction which would change or alter the character of the shoreline (but not including beach cleaning or debris removal);
 - c. Structures that are partially located in the coastal construction zone;
 - d. Structures which extend seaward of the mean high water line and which are regulated by F.S. § 166.041, (groins, jetties, breakwaters, etc.);
 - e. Public access to the shoreline; and
 - f. Other regulations relevant to the protection of the shorelines of Escambia County.
- (2) A White Sands Ordinance which will regulate and prohibit the use of staining materials on the white sand beaches of Escambia County fronting the Gulf of Mexico, the bays or the sound.
- (3) Stormwater management regulations that will, as a minimum, include requirements pursuant to Policy 10.C.2.3 of this ordinance.

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Chapter 7 FUTURE LAND USE ELEMENT

Policy 7.A.1.6: Marina Siting Regulations

The LDC will include marina siting regulations consistent with the recommendations of the resource management plan (reference Policy 11.A.3.4).

OBJECTIVE 7.A.2: FUTURE LAND USE AND NATURAL RESOURCES

Amendments to future land uses will be required to demonstrate consistency with the appropriate topography, soil conditions and the availability of facilities and services.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.2.1: Contents of LDC

The LDC, as revised pursuant to Policy 7.A.1.1, will contain specific and detailed provisions to implement this ordinance including, as a minimum, the following:

- a. Regulation of the subdivision of land (reference subpart (b) below);
- b. Regulation of the use of land and water for uses included within this ordinance and ensure the compatibility of adjacent uses and provide for open space;
- c. Protect potable water wellfields, wellheads and sources (reference Policies 7.A.5.2 and 11.B.2.9);
- d. Regulation of areas subject to seasonal or periodic flooding (reference Policy 7.A.5.3);
- e. Continue to provide for drainage and stormwater management (reference section 10.05 of this ordinance);
- f. Provide for the protection of the environmentally sensitive lands designated pursuant to Policy 11.B.3.2;
- g. Regulations governing the size, type and location of signs;
- h. Implement the concurrency management system described in chapter 6 of this ordinance;
- i. Ensure adequate, safe and convenient on-site traffic flow and parking (reference Policy 8.A.1.8).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.2.2: Mining, Natural Resource Extraction, and Reclamation

The county shall implement land use regulations within the LDC pursuant to policy guidance established in F.S. ch. 187 and Policy 7.A.2.1 to minimize the adverse effects of mining and natural resource extraction. Technical standards shall also be applied during the process of mandatory county development review to ensure sound engineering design, environmental quality/monitoring, and public safety prior to the issuance of a development order. The provisions of this policy include, at a minimum:

- a. Protection of human health from adverse impacts associated with mining/resource extraction and/or subsequent reclamation activities, particularly in cases where reclamation activities include waste or debris disposal.
- b. Intergovernmental coordination to ensure compliance with all applicable state policies and regulations, specifically, the provisions of F.A.C. ch. 62.701 (Solid Waste Management Facilities) and F.S. ch. 378;
- c. Enforcement of the environmental and solid waste regulations established within the Escambia County Code of Ordinances, part I, chapters 42 and 82;
- d. Requirement for a reclamation plan to restore affected lands within a reasonable timeframe to the intended post-mining land use consistent with the surrounding environment (reference Policy 11.B.3.9);
- e. Protection of natural resources (reference Policies 7.A.5.2, 11.A.1.6, and 11.B.3.1--9);
- f. Prevention of soil erosion or adverse effects to the quality of air, groundwater, surface water, or wildlife;

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- g. Concurrency with the level of service standards for commercial traffic on access roadways (reference Policies 8.A.1.3 and 8.A.1.13--15); and
- h. Requirement for buffers between mining/resource extraction/reclamation activities and adjacent existing/future uses (reference Policy 7.A.3.8).

(Ord. No. 2005-49, § 4, 10-6-2005)

Policy 7.A.2.3: Future Land Use Categories for Mining, Resource Extraction, and/or Reclamation

The county considers mining, resource extraction, and reclamation activities as unique nonresidential uses not governed by the locational criteria provisions established in Policy 7.A.4.13 due to their transient nature and the eventual restoration of affected lands to post-mining land uses. The locations in the county where these activities are allowed shall instead be guided by Policy 7.A.2.2 within geological constraints, and be regulated by the applicable zoning district and performance standards established for such activities within the LDC. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed within the following future land use categories (subject to policy guidance herein, reclamation plan acceptance, and compliance with all state and county regulations prior to development approval):

Future Land Use (FLU) Category

- Agriculture (AG)
- Mixed-Use 1 (MU-1)
- Mixed-Use 2 (MU-2)
- Mixed-Use 6 (MU-6)
- Commercial (C)
- Industrial (I)
- Public (P)
- Activity Areas (Nodes) Areas #13, #15, and #18

Mining and resource extraction activities shall be directed away from FLU Categories not listed above. However, reclamation activities to restore previously mined lands to an intended post-mining land use may be allowed in any future land category subject to the aforementioned provisions herein.

(Ord. No. 2005-49, § 4, 10-6-2005)

OBJECTIVE 7.A.3: REDEVELOPMENT

The county shall provide for the redevelopment and renewal of blighted or underutilized areas and provide for the elimination or reduction of uses inconsistent with the character of the neighborhood or community wherein inconsistent uses exist. Such inconsistent uses shall be defined as those uses which are inconsistent with this ordinance, the future land use map or regulations within the LDC. The county will achieve this objective by implementing Policies 7.A.3.1 through 7.A.3.7, among others and by inclusion of appropriate regulations within the LDC (reference Policy 7.A.1.1).

Policy 7.A.3.1: Nonconforming Land Uses

The LDC shall contain the county's zoning ordinance and that ordinance will continue the regulations which prohibit expansion of nonconforming land uses or structures within the county. The ordinance specifically restricts any

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activity which would either expand the land use in question or serve to increase the useful life of structures or improvements associated with any nonconforming land use (also, see Policy 7.A.3.6).

Policy 7.A.3.2: Accepted Planning Principles

The county will ensure that all future development is consistent with accepted planning principles and natural area limitations. Accepted planning principles may be derived from recognized professional sources at the local, state or federal level and may include resources provided by the ICMA, the APA, the APWA, the AWWA, certified land planners, registered engineers, members of AICP, architects and the like. Natural areas with limitations include beaches, floodplains, wetlands and habitats of unique or endangered flora and fauna.

Policy 7.A.3.3: Community Development Block Grant (CDBG)

The county shall direct its community development block grant efforts primarily to the community redevelopment areas, but in any case, the program requirements promulgated by the U.S. Department of Housing and Urban Development (HUD) shall be met (reference Policy 9.A.2.1).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.3.4: Densities in Urban Areas

The future land use maps and the LDC will contain provisions for higher density levels in urban areas. These include areas near the City of Pensacola and areas with sufficient central water and sewer system capacity to accommodate higher density development.

Policy 7.A.3.5: Unsafe Structures

The county will continue to utilize and administer its provisions for removal or repair of structures which are unsafe or constitute a health hazard. Also, the county will continue to target CDBG funds primarily for improvement to areas or structures where unsafe or substandard conditions exist (reference Policy 9.A.2.2).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.3.6: "Infill" Development

The county shall use its fiscal resources to encourage "infill" residential, commercial and public development (reference chapter 14 and table 14-1 of this ordinance), particularly in the community redevelopment areas.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.3.7: Nonconforming Uses

The county shall continue enforcement of the limitations placed on nonconforming uses of buildings or land, changes in use classifications and districts, and restoration and occupancy of damaged buildings as specified in the county's zoning ordinance, and this comprehensive plan, unless otherwise specified herein.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.3.8: Buffers

The county shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect the lower intensity use from the more intensive use (agriculture from residential, residential from commercial, etc.). The buffer shall function to:

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- 1) Protect each land use, one from the other, from the intrusive effects of adjacent land use activities.
- 2) Protect agricultural activities from trespass, pets, vehicles, noise and other disruptive impacts that may be associated with nonagricultural land uses.
- 3) Protect nonagricultural land uses from normal agricultural activities, such as the application of pesticides and fertilizers, and the creation of noise, glare, odor, dust and smoke.
- 4) The negative impacts of the uses upon each other must be minimized or, preferably, eliminated by the buffer such that the long-term continuance of either use is not threatened by such impacts. In other words, incompatibility between uses is eliminated (or minimized) and the uses may be considered compatible (which means a condition in which land uses or other conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition).
- 5) Types of buffers: The buffer may be a landscaped natural barrier, a natural barrier or a landscaped or natural barrier supplemented with fencing or other manmade barriers, so long as the function of the buffer and intent of this policy are fulfilled.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.3.9: Urban Infill and Redevelopment Area

The Brownsville and Englewood Redevelopment Areas, as adopted by the BCC, are hereby designated as an Urban Infill and Redevelopment Area in conformance with section 163.2514(2), F.S.

(Ord. No. 2000-48, § 1, 11-2-2000; Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 7.A.4: FUTURE LAND USE CATEGORIES

The county shall ensure that orderly and balanced growth and development of the county continues and that such growth is guided and directed in such a way as to provide for a clear separation of urban and rural uses.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.4.1: Consistency

All new development or redevelopment shall be consistent with this plan.

Policy 7.A.4.2: Public Facilities

Public facilities and services shall be located to minimize their cost, minimize negative impacts on the natural environment and maximize their efficiency. Cost alternatives, impacts on the environment and levels of efficiency shall be determined during the design phase and bid process utilized by the county to accomplish the installation or location of public facilities and/or services. In addition, the county will coordinate with the Escambia County Utilities Authority, other water and/or sewer providers and state or federal agencies with facilities located in the county or with plans to expand existing facilities or create new facilities in the county. Among other things, it is the intent of this policy that public facilities and services are available to support the densities and intensities of uses provided by this ordinance and the future land use map and that there is adequate and suitable land available for such utility facilities.

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Policy 7.A.4.3: Urban Sprawl

To promote compact development and discourage urban sprawl, residential rezonings and future land use map amendments to categories allowing higher densities will be allowed for parcels located within the following Future Land Use categories: Residential, Urban Residential, Mixed Use 1, and Mixed Use 2, provided that all other amendment criteria are met. Residential rezonings and future land use map amendments to categories allowing higher densities will be discouraged within the following future land use categories: Agricultural, Rural Residential, Low Density Residential, Mixed Use 3, Mixed Use 4, Mixed Use 5, and the remaining activity areas (Nodes).

The county will conduct a land use study for Mixed Use 6 and Activity Areas 13 and 15 to determine if residential rezonings and future land use map amendments to categories allowing higher densities should be encouraged in those areas. This policy will be amended upon completion of that project.

(Ord. No. 95-15, § 2, 7-27-1995; Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.4.4: Infrastructure in AG Areas

The county will limit the expenditure of public funds within the agriculture category, for infrastructure improvements or extensions that would increase the capacity of those facilities beyond that necessary to support the densities and intensities of use established by this plan or unless such expenditures are necessary to implement other policies of this plan.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.4.5: Urban Area Densities

Land use densities may be increased (pursuant to plan amendments) in urban areas where infrastructure capacities are in place and can accommodate the additional demand created by increased densities. This policy is intended to direct higher density land uses to those areas of the county with infrastructure capacities sufficient to meet demands and to those areas of the county with infrastructure capacities in excess of current or projected demand and to provide for the clear separation of urban and rural uses. Further, it is the intent of this policy that the rural, agrarian planned uses of north Escambia County be preserved and protected to the maximum extent possible without violating the owner's legally valid property rights to maximize the use of their land in agricultural endeavors including the formation of capital to facilitate such endeavors (i.e., borrowing against property or equipment).

Policy 7.A.4.6: Performance Oriented LDC

The LDC shall include performance oriented land development controls, including, but not limited to, floor area ratios; open space ratios and density bonuses. The purposes of these performance oriented controls are to encourage the protection and preservation of important natural resources, provide incentives for the aesthetic improvement to existing subdivisions and neighborhoods and encourage greater aesthetic consideration for newly proposed subdivisions or neighborhoods, provide economic incentives for minimizing adverse impacts on adjacent lands or uses, and encourage a mix of housing types which include affordable housing units within traditional subdivisions or neighborhoods. Among other things, these controls will include density bonuses and the ratio of said bonuses will be as defined in the LDC. Typically, affordable housing bonuses may reach five percent while environmental protection bonuses will be based upon formula with variables based upon the degree of protection or preservation. Density bonuses shall be site specific. Other devices include density transfers, establishment of wetland banks and the like.

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Chapter 7 FUTURE LAND USE ELEMENT

Policy 7.A.4.7: Future Land Use Categories (Densities and Intensities)

The following permitted uses and densities and intensities of use are hereby established for each land use category depicted on the future land use map. The LDC (reference Policy 7.A.1.1) shall include regulations pursuant to Policy 7.A.2.1(b) with the following:

- a. **The agriculture category** includes approximately 215,174 acres which is approximately 50.9 percent of the county. Site specific (parcel specific) densities are governed by the provisions in Table 7-1 (reference Policy 7.A.4.8). Uses within this category include routine agricultural and silvicultural activities, residential uses as herein described and commercial activities limited to those commercial endeavors ancillary to agricultural or silvicultural pursuits or in support of agricultural activities such as seed, feed and food outlets, farm equipment and repair and the like. Also, recreational uses, public utilities and facilities, facilities of religious organizations, educational facilities, medical facilities and other similar uses designed to provide for the needs of the rural, agrarian community are allowed. That acreage in the AG category, which is also in the Coastal High Hazard Area (CHHA) as defined herein, will be designated AG/CHHA. The total acreage within the AG/CHHA subset of the AG category is 4,499 acres. Rezoning within the AG/CHHA to a higher density and/or intensity will be discouraged.

The intensity of the nonresidential uses allowed in this category will be governed by a maximum impervious cover ratio of 80 percent. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3.

Rezonings and future land use map amendments to categories allowing higher densities will be discouraged consistent with Policy 7.A.4.3.

- b. **The rural residential category** includes approximately 13,330 acres which is approximately 3.2 percent of the County. Site specific (parcel specific) densities shall be governed by Table 7-1 (reference Policy 7.A.4.8). Allowable uses and intensity of nonresidential uses shall be as defined in subpart a., above. Reclamation activities to restore previously mined lands to intended post-mining land uses are unique nonresidential uses that may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3.

Rezonings and future land use map amendments to categories allowing higher densities will be discouraged consistent with Policy 7.A.4.3.

- c. **The low density residential category** includes approximately 24,738 acres which is approximately 5.8 percent of the county. The purpose of this category is to provide for a complimentary mix of residential uses near the urban area so as to facilitate the preservation of existing neighborhoods and the development of new residential opportunities in a compact and orderly manner. In addition, this category is intended to provide for the protection of important natural resources. Residential development density ranges for the LDR category will be as follows:

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TABLE INSET:

Percent of Category	d.u.s Per Acre
3%	10--18 d.u.s/1 acre
4%	5--12 d.u.s/1 acre
8%	3--6 d.u.s/1 acre
3%	1--4 d.u.s/1 acre
2%	.1--2 d.u.s/1 acre
80%	<.2 d.u.s/1 acre

Site specific (parcel specific) densities (lot size) shall be as specified in the LDC pursuant to the requirements of the zoning district wherein a particular parcel or site is located subject to the provisions described below. Also, if a zoning district allows more than 18 d.u.s per gross acre, the above provisions restrict the maximum number of d.u.s available to 18 per gross acre (R-5 and R-6 areas). Uses allowed within this category include residential lots and subdivisions, planned unit developments, public facilities and utilities, educational and religious facilities, recreation uses and compatible supporting neighborhood commercial uses when such new neighborhood commercial uses are proposed as part of a predominately residential development or a planned unit development. Neighborhood commercial uses that are not a part of a predominately residential development or planned unit development are allowed and shall follow the locational and other criteria of Policy 7.A.4.13(A). The maximum amount of commercial uses to be allowed in LDR will be three percent. The intensity for nonresidential uses shall be governed by a floor area ratio of .9. Reclamation activities to restore previously mined lands to intended post-mining land uses are unique nonresidential uses that may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3. Residential densities shall be compatible with and functionally related to surrounding development, including infrastructure, and such compatibility shall be determined as follows:

- (1) For parcels up to 99.99 acres, 40 percent of the surrounding area within a one mile radius of the proposed development is developed at densities equal to or greater than the proposed density or four d.u.s per acre, whichever is less.
- (2) For parcels 100 acres or larger, 60 percent of the surrounding area within a two-mile radius of the proposed development is developed at densities equal to or greater than the proposed density or four d.u.s per acre, whichever is less.
- (3) For purposes of calculating density acres required by parts 1 or 2 above, wetland or environmentally sensitive acreage shall be deducted from the total acres within the radius prior to calculating the number of acres required to be developed at a specified density.
- (4) Parcels within one mile of central sewer facilities (not a package plant) shall not be subject to parts 1 or 2 above provided that the proposed development connects to the central sewer system with a density of not less than 2.5 d.u.s per acre.

Rezoning and future land use map amendments to categories allowing higher densities will be discouraged consistent with Policy 7.A.4.3.

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- d. The residential category includes approximately 7,530 acres which is approximately 1.8 percent of the county. Residential development density ranges for the R category will be as follows:

TABLE INSET:

Percent of Category	d.u.s Per Acre
2.0%	18--25 d.u.s/1 acre
2.0%	16--22 d.u.s/1 acre
1.5%	10--18 d.u.s/1 acre
10.0%	7--12 d.u.s/1 acre
55.0%	4--8 d.u.s/1 acre
19.0%	1--5 d.u.s/1 acre
10.5%	.1--3 d.u.s/1 acre

Site specific (parcel specific) densities (lot size) shall be as specified in the LDC pursuant to the regulations of the zoning district wherein a particular parcel or site located subject to the provisions described below. The purpose of this category is to provide for residential neighborhoods in areas of the county with urban/suburban characteristics. Typically, residential uses will be located conveniently to shopping, schools and employment centers. Other allowable uses in this category include public utilities/facilities, religious and educational facilities, medical offices, planned unit developments, recreation facilities, and compatible supporting neighborhood commercial uses when such new neighborhood commercial uses are proposed as part of a predominately residential development or a planned unit development. Neighborhood commercial uses that are not a part of a predominately residential development or planned unit development are allowed and shall follow the locational and other criteria of Policy 7.A.4.13(A). Reclamation activities to restore previously mined lands to intended post-mining land uses are unique nonresidential uses that may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3. The maximum amount of commercial uses to be allowed in the residential category will be six percent. Residential densities shall be compatible with and functionally related to surrounding development, including infrastructure, and such compatibility shall be determined pursuant to the criteria and techniques contained in subparts 1 through 4 of Policy 7.A.4.7(c) above.

Rezoning and future land use map amendments to categories allowing higher densities will be allowed, provided that all other criteria are met, consistent with Policy 7.A.4.3.

- e. The urban residential category includes approximately 6,151 acres which is approximately 1.5 percent of the county. The purpose of this category is to provide for residential uses with urban character in the urban or urbanized areas of the county. Residential development density ranges for the UR category will be as follows:

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TABLE INSET:

Percent of Category	d.u.s Per Acre
3%	17--25 d.u.s/1 acre
6%	10--18 d.u.s/1 acre
14%	7--12 d.u.s/1 acre
37%	4--8 d.u.s/1 acre
15%	2--5 d.u.s/1 acre
10%	.5--3 d.u.s/1 acre
15%	Nonresidential

Site specific (parcel specific) densities (lot size) shall be as specified in the LDC pursuant to the requirements of the zoning district wherein a particular parcel or site is located subject to the provisions described below. Allowable uses include single-family residential, multi-family residential, subdivisions, planned unit developments, recreation uses, religious and educational uses, public utilities and facilities, and compatible supporting neighborhood and/or community commercial uses when such new neighborhood and/or community commercial uses are proposed as part of a predominately residential development or planned unit development or consistent with the criteria in Policy 7.A.4.13. The intensity of nonresidential uses shall be governed by a floor area ratio of 1. Reclamation activities to restore previously mined lands to intended post-mining land uses are unique nonresidential uses that may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3. Residential densities shall be compatible with and functionally related to surrounding development, including infrastructure, and such compatibility shall be determined pursuant to subparts 1 through 4 of Policy 7.A.4.7(c) above.

Rezoning and future land use map amendments to categories allowing higher densities will be allowed, provided that all other criteria are met, consistent with Policy 7.A.4.3.

- f. **The mixed-use categories** are intended to promote innovative arrangements of development types and promote a complimentary mix of residential/commercial/recreation uses so as to minimize the impacts of new development on existing resources and facilities by allowing a variety of uses in close proximity to one another. It is further the intent of the mixed-use categories to preserve and enhance the character of existing neighborhoods and to promote natural resource protection and enhancement and to promote open spaces around buildings. The mixed-use categories (subsets) will be implemented by the inclusion of two or more zoning districts and zoning designations on the zoning maps consistent with the future land use map. Within these subsets neighborhood, community and region serving commercial uses (as defined by Policy 7.A.4.13) may be allowed. The density and intensity of use and the composition of the mix of uses in each of the mixed-use category subsets shall be:

- (1) **MU-1** -- This mixed-use category (subset) provides for an intense mix of residential/commercial/recreation/light industrial uses within the urban areas of the county. This subset includes approximately 21,754 acres which is approximately 5.1 percent of the county. Approximately 75 percent of the lands in this category may be developed (or redeveloped) in residential uses. Development density ranges for the MU-1 category will be as follows:

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TABLE INSET:

Percent of Category	d.u.s Per Acre
13%	17--25 d.u.s/1 acre
12%	14--20 d.u.s/1 acre
9%	8--15 d.u.s/1 acre
25%	6--10 d.u.s/1 acre
16%	3--7 d.u.s/1 acre
25%	Nonresidential

The intensity of nonresidential uses in this subset shall be defined by limiting the maximum amount of impervious cover allowed to 85 percent (the amount of impervious cover for any particular site or parcel may be further reduced depending upon site characteristics, presence of important resources, compatibility with adjacent uses, buffering requirements, etc.) and a floor area ratio of 1.1. Allowable uses within the subset include all types of residential uses, planned unit developments, compatible neighborhood, community and regional commercial uses (including offices), limited industrial uses (provided that such industrial uses are contained completely within a building(s) and where there is no permanent outside storage of raw materials or products, there is no noise, smoke, odor or glare resulting from the industrial use and that such use is compatible with adjacent and nearby uses), religious, medical and educational facilities, public utilities and facilities, and recreation uses. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3.

Rezoning and future land use map amendments to categories allowing higher densities will be allowed, provided that all other criteria are met, consistent with Policy 7.A.4.3.

- (2) **MU-2** -- This mixed-use category (subset) provides for an intense, but complimentary, mix of residential, commercial and recreation uses within the urban and suburban areas of the county. This subset includes approximately 7,795 acres which is approximately 1.8 percent of the county. Approximately 80 percent of the lands in this subset may be developed (or redeveloped) in residential uses and the remaining 20 percent may be developed (or redeveloped) in commercial or recreational uses. Development density ranges for the MU-2 category will be as follows:

TABLE INSET:

Percent of Category	d.u.s Per Acre
15%	17--25 d.u.s/1 acre
10%	14--20 d.u.s/1 acre
10%	8--15 d.u.s/1 acre
14%	6--10 d.u.s/1 acre
31%	3--7 d.u.s/1 acre
20%	Nonresidential

The intensity of nonresidential uses in this subset shall be defined by limiting the maximum amount of impervious cover allowed to 85 percent (the amount of impervious cover for any particular site or parcel

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may be further reduced depending upon site characteristics, presence of important resources, compatibility with adjacent uses, buffering requirements, etc.) and a floor area ratio of 1.1. Allowable uses within the subset include all types of residential uses, planned unit developments, and compatible commercial uses (including offices), religious, medical and educational facilities, public utilities and facilities, and recreation uses. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3.

Rezoning and future land use map amendments to categories allowing higher densities will be allowed, provided that all other criteria are met, consistent with Policy 7.A.4.3.

- (3) **MU-3** (Mainland Coastal High Hazard Area) -- This mixed-use category (subset) provides for a less intense mixture of residential, commercial and recreation uses. The purpose of the subset is to delineate the mainland CHHA in a separate category for purposes of monitoring development within the Category 1 Hurricane Evacuation Zone. This subset includes approximately 7,939 acres which is approximately 1.9 percent of the county. The approximate mix of uses within the category shall be 80 percent residential, ten percent recreation/open space, and ten percent commercial. Development density ranges for the MU-3 category will be as follows:

TABLE INSET:

Percent of Category	d.u.s Per Acre
4%	7--20 d.u.s/1 acre
6%	5--10 d.u.s/1 acre
31%	1--6 d.u.s/1 acre
39%	.5--2 d.u.s/1 acre
10%	Commercial
10%	Recreational

The intensity of nonresidential uses in this subset shall be defined by limiting the maximum amount of impervious cover allowed to 82 percent (the amount of impervious cover for any particular site or parcel may be further reduced depending upon site characteristics, presence of important resources, compatibility with adjacent uses, buffering requirements, etc.) and a floor area ratio of 1.1. To encourage development outside of this category, the county may allow, through the LDC, the transfer of development rights from this category to other non-CHHA future land use categories. To encourage the provision of open space/recreation uses, the county may allow the transfer of density from designated open space/recreation areas to residential areas when such is reflected on the site plan or master plan for the site or area. The density transfer is allowed whenever the proposed open space/recreation areas exceed ten percent of the site or area. Other allowable uses within this subset include planned unit developments, neighborhood and compatible commercial uses (including offices), religious, medical and educational facilities, public utilities and facilities, water related or water dependent uses and uses developed jointly with the federal government.

Rezoning and future land use map amendments to categories allowing higher densities will be discouraged consistent with Policy 7.A.4.3.

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- (4) **MU-4** -- This mixed-use category (subset) provides for a complimentary mix of residential, commercial and tourism (resort) related uses. The subset includes approximately 1,286 (+ or - 5%) acres, without rights-of-way, or approximately 1,425 (+ or - 5%) acres including rights-of-way, which is approximately 0.3 percent of the county and located in the Perdido Key area. Approximately 100 percent of the lands in this category may be developed (or redeveloped) in residential uses. A maximum of 7,150 residential dwelling units and 1,000 lodging units may be accommodated in this category. The county shall adopt future land use categories that refine the distribution of maximum allowable densities consistent with the overall maximum of 8,150 units. This shall be completed by May 2000. Approximately 16 percent of the land in the category may be developed in resort/tourist related uses and in small scale commercial uses. The intensity of nonresidential uses shall be defined by limiting the maximum amount of impervious cover allowed to 80 percent (the amount of impervious cover for any particular site or parcel may be further reduced depending on-site characteristics, presence of important resources, compatibility with adjacent uses, buffering requirements, etc). Other allowable uses include recreation and planned unit developments. Site specific (parcel specific) densities (lot size) shall be as specified in the LDC, Ord. No. 96-3, pursuant to the requirements of the zoning district wherein a particular parcel or site is located. Building heights may be no higher than eight stories in residential areas, or two stories less than an adjacent structure, if the adjacent structure is greater than eight stories and existed on June 1, 1997. Building heights in the commercial area may be no higher than ten stories. Building heights in commercial core areas will be based on percentage of lot coverage. Also, the types of small scale commercial uses allowed will be strictly controlled pursuant to the Perdido Key District which is part of the LDC (Ord. No. 96-3). In the R-1 district the nonresidential uses which may be allowed include churches, public utilities and facilities, parks and recreation areas, golf courses, tennis courts, swimming pools, etc. In the R-2 district such nonresidential uses may also include kindergarten and child care centers. Additional nonresidential uses which may be permitted in the R-3 district include professional offices (architects, engineers, lawyers, consultants, medical/dental, real estate, insurance, etc.). The uses allowed in the commercial district include a full range of commercial enterprise activities. The commercial uses allowed are contingent upon conformity of such uses with all requirements of this plan and the Perdido Key zoning regulations, among others, thereby assuring that such commercial development is undertaken in an environmentally sensitive manner (also, see Policy 11.A.6.3). When using density transfers in MU-4, densities may not be transferred to parcels south of Perdido Key Drive.

Rezoning and future land use map amendments to categories allowing higher densities will be discouraged consistent with Policy 7.A.4.3.

- (5) **MU-5** -- This mixed-use category (subset) provides for a complimentary mix of uses and is designed to accommodate and encourage innovative land development types and arrangements. This category is imposed on the developable lands at Pensacola Beach. The category includes approximately 1,162 (\pm 5%) acres, including beaches and rights-of-way. The mix of uses in the category shall be approximately 35 percent residential, 15 percent commercial/tourism (resort) and 50 percent open space/recreation. The average density (area-wide allocation) for the residential uses shall be eight units per developable residential acre (516 acres). The intensity of commercial/tourist related uses shall be defined by limiting the maximum impervious surface to 82 percent. Site specific densities and uses will be further defined by the lease agreements for individual parcels, the 1985 Bond Validation Compromise and Settlement, and Special Acts of the legislature regarding land use, ownership and development on Pensacola Beach.

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However, development thresholds established by this policy shall not be exceeded unless this comprehensive plan has been amended and such amendment provides for increased development thresholds. The location and distribution of uses provided in this subset shall generally follow the distribution of uses included in the 1988 Pensacola Beach Land Utilization Plan which is included in chapter 1 of the foundation document and Laws of Florida, ch. 85-409. Also, densities may be increased, decreased or transferred on any particular parcel in order to provide protection to important natural resources, accommodate the provision of adequate and functional open space and the provision of a complimentary mix of recreation uses within the Pensacola Beach Community. Other allowable uses include public utilities and facilities, religious and educational facilities and medical facilities (also, see Policy 11.A.6.3). Note: Laws of Florida, ch. 85-409 prohibits residential or commercial development of a specified parcel within this subset. Further, provisions within the land utilization plan provide that environmental studies be completed prior to approving any development or use of the specified parcel.

Rezoning and future land use map amendments to categories allowing higher densities will be discouraged consistent with Policy 7.A.4.3.

- (6) **MU-6 --** This mixed-use category (subset) provides for a complimentary mix of agricultural, residential, commercial and industrial uses while promoting infill development and the separation of urban and rural land uses. This subset includes approximately 17,931 acres which is approximately 4.2 percent of the county. The approximate mix of uses within the category shall be 25--30 percent agriculture/open space, 60--70 percent residential, and up to 15 percent commercial/industrial. The average density (area-wide allocation) for residential uses shall be 1.00 unit per acre. The average density will be distributed as follows:

TABLE INSET:

Area*	Area-Wide Density
1	1.6 units per acre
2	.90 units per acre
3	.75 units per acre
4	.50 units per acre

(* Area 1 includes Sections 13, 14, 15, and 18--23 of Range 30; Area 2 includes Sections 23--28, 37 and 38 of Range 31; Area 3 includes Section 10 of Range 30 and Sections 10, 11, 13, 14 and 16 of Range 31; Area 4 includes Sections 8, 9, 17, 18, 22, 29, 30, 36, and that part of Section 31 in MU-6 of Range 31.)

Nonresidential uses shall be governed by an impervious cover ratio of 82 percent and a floor area ratio of 1.1:1. Also, the height, area, and bulk restriction contained within the land development code will further limit and restrict intensity of use. To enable the preservation of agricultural uses, residential density bonuses will be available for clustering residential lots outside areas of prime farmland. When residential lots are created in agriculture areas, small lot sizes will be allowed in order to protect viable farm production activities and curb premature conversion of prime farmland acreage to nonagricultural uses. Any development with a density of greater than four units per acre will be required to connect to the central sewer system.

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All new subdivisions with lot sizes of 1.9 acres or less shall provide dedicated open space as follows:

- a. One to five lots = no additional requirements;
- b. Six to 39 lots = 15 percent of the parent parcel;
- c. Forty to 100 lots = 20 percent of the parent parcel;
- d. One hundred one to 149 lots = 25 percent of the parent parcel;
- e. One hundred fifty lots or more = 30 percent of the parent parcel.

Allowable uses within this subset include all types of residential uses; clustered developments away from prime farmland and wetlands; compatible neighborhood uses; planned neighborhood commercial centers; planned business developments; industrial uses that are compatible with adjacent and nearby uses; religious, medical and educational facilities; public utilities and facilities; and recreational uses. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3.

- g. **The commercial category** includes approximately 8,575 acres which is approximately 2.0 percent of the county. Uses allowed within this category include all types of commercial activities including shopping centers, professional offices, medical offices and facilities, educational and religious uses, public utilities and facilities, convenience retail uses and other similar uses of a commercial nature. This category will be implemented by the inclusion of two or more zoning districts and zoning designations on the zoning maps consistent with the future land use map. The intensity of use within the category shall be defined by limiting the maximum amount of impervious cover to 85 percent and a floor area ratio of 1.1. The purpose of the category is to encourage and promote concentrations of commercial uses which have historically developed in response to market conditions and influences. It is the intent of this category that intensive commercial uses be generally confined to the areas depicted on the future land use map thereby creating compact commercial development and "infill" commercial development opportunities and minimize the opportunity for continued ribbon or strip commercial development. Second floor and/or secondary residential uses are only allowed when part of a predominately commercial development or a multi-story structure with residential units above the first floor. The maximum density for residential uses is 25 dwelling units per acre. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3. Note: Pursuant to section 7.08 and for the purposes of this plan those otherwise conforming and lawfully developed residential uses existing within this category at time of adoption of this plan will be considered "conforming" and consistent with the intents and purposes of this policy.
- h. **The industrial category** includes approximately 8,406 acres which is approximately 2.0 percent of the county. This category provides for and allows intensive industrial development and uses and ancillary commercial uses and provides protection for such uses from adjacent or nearby properties. It is the intent of this policy to create protected industrial areas to facilitate the continued industrial operations within the county and provide jobs and employment security for present and future residents of the county. The intensity of use for lands within this category shall be defined by limiting the maximum amount of impervious surface to 85 percent and a floor area ratio of 1.1. Also, the height, area and bulk restrictions contained within the county's zoning ordinance will further limit and restrict the intensity of use. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3.

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- i. **The recreation and conservation categories** include approximately 18,894 acres which is approximately 2.5 percent of the county. Approximately 1,442 acres are in the recreation category and 9,039 acres are in the conservation category. The purpose of both categories is to promote the conservation of important natural resources and provide recreational opportunities for citizens of and visitors to the county. Intensities of use for the recreation category shall be as follows:
 - (1) Active recreation areas include boat launching facilities, basketball courts, tennis courts, baseball and softball fields, meeting halls and the like. The intensity of development of such sites shall be consistent with all setback, parking, landscaping and open space requirements as defined within the LDC. Also, buffering to prevent intrusive noise, light, glare, vibration or other nuisance factors shall be required on all newly developed recreation sites. Impervious cover shall be limited to that which is necessary to support the intended recreational uses and facilities, but shall not exceed 80 percent for activity based parks.
 - (2) Passive recreation areas and conservation areas include open spaces, picnic areas, wilderness and wetlands preserves, scenic vistas and the like. Uses allowed in these areas shall be strictly passive in nature, and impervious cover shall be limited to that which is necessary to support the intended uses and facilities, but shall not exceed 20 percent for passive-based parks.
 - (3) The intensity of use for lands in the conservation category shall be consistent with the management plans promulgated by the agency or agencies having control of the lands and such intensity shall not exceed the threshold established in subpart (2), above.
- j. **The public lands category** includes approximately 10,148 acres which is approximately 2.4 percent of the county. Note: Not all public lands within Escambia County are classified as public lands on the future land use map because public lands are allowed in all land use categories. This category includes correctional facilities, Escambia County Utility Authority reclaimed water reuse/disposal area, Pensacola Naval Air Station and other military facilities, and sanitary landfills, educational, park and other publicly owned facilities including county business parks. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed. The intensity and/or density of use of any of the public lands shall be as specified in and consistent with the masterplan or management plan promulgated for the site by the agency or agencies having control of the site.
- k. [Reserved.] Repealed by Ordinance 96-52; see Policy 7.A.4.7.f.(6).
- l. **The activity areas (node)** included on the future land map as a future land use category include approximately 37,463 acres which is approximately 8.9 percent of the county. There are 17 separate and distinct activity areas. The purpose of the activity area category is to recognize and promote the existence of established communities, encourage suitable development within such areas or in close proximity thereto, to prevent new development from significantly changing the character of the established community by restricting the size and intensity of future development, and to promote compact development in the suburban, transition and rural areas of the county. The following provisions govern development within the activity areas together with all other relevant provisions within this plan:
 - (1) **The Century Area (Area #18)** contains approximately 2,916 acres adjacent to and near the Town of Century in northern Escambia County. The density of use within the node shall be governed by Table 7-1 (reference Policy 7.A.4.8). Generally, the mix of uses within the node will be 50 percent agriculture, 35

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percent residential and 15 percent commercial. The intensity of the commercial and other nonresidential uses allowed in the node shall be defined by limiting the maximum amount of impervious surface to 82 percent and a floor area ratio of 1.1. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3.

Rezoning and future land use map amendments to categories allowing higher densities will be discouraged consistent with Policy 7.A.4.3.

- (2) **The Cottage Hill/Quintette Area (Area #15)** contains approximately 6,379 acres which is approximately 1.5 percent of the county. The density of residential use within the node is governed by the Table 7-1 (reference Policy 7.A.4.8). Approximately 70 percent of the lands within the node shall remain in agricultural uses, 25 percent may be developed in residential uses and five percent may be developed in commercial or light industrial uses. The intensity of the nonresidential uses shall be defined by limiting the maximum amount of impervious surface to 82 percent and a floor area ratio of 1.1. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3.
- (3) **The Molino Area (Area #13)** contains approximately 12,127 acres which is approximately 2.9 percent of the county. Residential densities within the node shall be governed by the provisions of Table 7-1 (reference Policy 7.A.4.8). Approximately 73 percent of the lands within the node shall remain in agricultural use, 22 percent may be developed in residential uses and five percent in neighborhood commercial or light industrial uses. The intensity of the nonresidential uses shall be defined by limiting the maximum amount of impervious surface to 80 percent and a floor area ratio of 1. Mining, resource extraction and/or reclamation activities constituting unique nonresidential uses may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3.
- (4) **Other rural activity areas (Area #1 through #12, Area #14 and Area #17)** -- These rural activity areas are predominately residential in character and can be further defined by the existence of a community serving facility such as a school, church, market place, meeting hall and the like. These nodes contain distinct, well established rural communities. The residential densities shall be governed by Table 7-1 (reference Policy 7.A.4.8). Approximately five percent of the lands within these nodes may be used for neighborhood commercial purposes which do not directly relate to the agricultural and silvicultural activities within the county. For agricultural or silvicultural related commercial uses, the neighborhood commercial thresholds established by Policy 7.A.4.13 do not apply. Public facilities and services are allowed in the nodes. The nodes contain approximately 16,993 acres. Generally, 65 percent of the lands within these nodes shall remain in agriculture, silviculture or agricultural related uses during the planning period. The intensity of the nonresidential uses shall be defined by limiting the maximum amount of impervious surface to 80 percent and a floor area ratio of 0.88. Reclamation activities to restore previously mined lands to intended post-mining land uses are unique nonresidential uses that may be allowed subject to the provisions of Policies 7.A.2.2 and 7.A.2.3.

Rezoning and future land use map amendments to categories allowing higher densities will be discouraged consistent with Policy 7.A.4.3.

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(Ord. No. 96-37; Ord. No. 96-52; Ord. No. 97-47, § 1, 9-4-1997; Ord. No. 97-48, § 1, 9-22-1997; Ord. No. 99-19, § 1, 4-8-1999; Ord. No. 2000-11, § 3, 4-6-2000; Ord. No. 2000-35, § 2, 8-17-2000; Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2003-58, § 4, 12-11-2003; Ord. No. 2005-48, § 4, 10-6-2005; Ord. No. 2005-49, § 4, 10-6-2005; Ord. No. 2005-60, § 5, 12-8-2005; Ord. No. 2006-39, § 1, 5-4-2006; Ord. No. 2008-68, 12-11-2008)

Policy 7.A.4.8: Rural Densities

The following table (7-1) establishes density of residential uses in the agriculture, rural and activity areas (nodes) of the county. Residential densities, lot sizes, clustering and size of proposed new subdivisions shall be governed by the table based upon the location of a proposed development site and its relationship to an activity node.

TABLE 7-1

<i>These development controls would be used in conjunction with other caps and triggers</i>	1	2	3	4
	<i>AGRICULTURE</i>	<i>RURAL (general)</i>	<i>RURAL (within 1 mile of a rural activity area)</i>	<i>RURAL (within or within 1/4 mile of an activity area)</i>
1. Subdivision development may occur without size constraints or clustering requirements if minimum lot size is ...	1 d.u./20 acres	1 d.u./15 acres	1 d.u./10 acres	1 d.u./5 acres
2. Smaller lot sizes are allowed if the subdivision does not exceed ...	10 d.u. (No size thresholds for farm worker or farm family housing)	15 d.u. (50 d.u. for farm worker or farm family housing)	20 d.u.	30 d.u.
3. Clustering requirements do not apply if subdivisions meet the following lot size requirements and size caps.	N/A	N/A	30 d.u. if all lots are 1/4 acre or smaller	40 d.u. if all lots are 1/4 acre or smaller
Subdivisions meeting criteria above (1, 2 or 3) do not require any special rural clustering requirements.				
4. Subdivisions which do not meet the above requirements must cluster development and leave open space equal to ...	90%	80%	50%	30%
5. Maximum subdivision size without a plan amendment.	50 d.u.	50 d.u.	50 d.u.	50 d.u.
6. Exception to size without a plan amendment.	(No size thresholds for farm worker or farm family housing)	No	can be up to 75 percent of the number of built d.u. within rural activity area - not to exceed 150 d.u.	can be up to 100 percent of the number of built d.u. within rural activity area - not to exceed 150 d.u.

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Basic subdivision requirement: All subdivisions within the county must meet the uniform county subdivision regulations including requirements to provide paved roads and drainage in all subdivisions.

Notes: Activity areas are delineated by the perimeter of historical development. Open space means agricultural or natural areas maintained in that fashion unless changed through plan amendment. Prohibitions are established by policy to keep subthreshold subdivisions from multiplying on parent parcel without controls.

Policy 7.A.4.9: Dwelling Units by Category

The following dwelling unit allocations represent the number of dwelling units which can be allowed by the county (including any density bonus or site specific density increase resulting from a special exception or other devices within this plan) unless this comprehensive plan has been amended to revise or remove these allocations (maximum number of dwelling units allowed within each category or subcategory):

TABLE INSET:

Category	Maximum d.u.s
AG	3,200
RR	1,231
LDR	12,853
MU-3	8,885
MU-4	7,150
MU-5	4,128
Activity areas (nodes)	3,534

The above dwelling unit allocations were based on previously established area wide densities multiplied by the respective FLU areas. These dwelling unit caps will be removed as a part of subsequent comprehensive plan amendments following completion of land use studies as recommended in the 1998 Comprehensive Plan Evaluation and Appraisal Report which will (a) examine existing land use, future land use, and zoning for the county; (b) determine the zoning and future land use most appropriate for each area; and (c) adopt changes to the future land use and zoning to ensure full compatibility. Such land use studies will consider:

- (1) Connection to central water and sewer service;
- (2) Avoidance of environmentally sensitive, hazard-prone, and significant agricultural areas;
- (3) Community design standards that discourage urban sprawl; and
- (4) Avoiding concentrations of development that would impair the continuance of rural land uses in agricultural and rural areas.

In order to monitor the respective dwelling unit allocations, the committee appointed pursuant to Policy 14.A.3.6 shall review development activities using regularly updated information provided by the growth management department and include within the annual reports produced pursuant to section 14.06, its analysis of the success of the county in achieving the restrictions on urban sprawl and the provision of protection for agricultural and silvicultural activities. The report will address the amount of land remaining in agricultural, open space or recreational uses and the success of the county in achieving the intent of Policy 7.A.4.7, among others. Recommendations for change in approach to accomplishing the intent of this plan shall be accomplished by amendment to this plan.

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(Ord. No. 96-37; Ord. No. 96-52; Ord. No. 97-47, § 1, 9-4-1997; Ord. No. 99-19, § 1, 4-8-1999; Ord. No. 2000-35, § 2, 8-17-2000; Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2005-60, § 5, 12-8-2005; Ord. No. 2006-39, § 1, 5-4-2006)

Policy 7.A.4.10: Subdivision Limitations

The total number of new lots created by subdivisions shall be limited as follows:

- A. In the agricultural and rural areas of the county, including all activity nodes, the cap shall not exceed 150 percent of the average annual number of single-family residential dwelling units built in the rural and agricultural areas based on the previous ten years of development activity within such areas. Upon adoption of this plan, the growth management services department shall produce a report which indicates the average annual number of dwelling units built in the subject areas for the preceding ten years. The report will be updated on annual basis by the department. The report will be used to determine the number of new lots which can be created during each 12-month period following the adoption of this plan. Note: At time of adoption, the annual average level of building permit activity for the preceding ten years was 186.
- B. In the LDR category the threshold for creation of new lots by subdivision is hereby established as 150 percent of the incremental increase (reference Table 1-7C) in dwelling unit structures allowed by this plan within the planning period.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.4.11: Annual AG Permit Limit

Within the agricultural category, an annual building permit threshold of no more than 400 building permits for construction of new residential dwelling units during any calendar year is hereby established. If the building permit threshold is exceeded, the county shall, within one year, submit a plan amendment to re-address the rural land use policies within this plan. Among other things, the plan amendment will consider the need for additional rural land use planning techniques or change in land use categories utilized on the future land use maps and the policies herein. A rate of growth in excess of 70 percent of the building permit threshold over a two-year period shall also operate to cause plan amendments to be submitted by the county government.

Policy 7.A.4.12: Annual DCA Report on AG Lots

Each year the county shall submit a report to the Florida Department of Community Affairs which report will inventory new subdivisions within the AG category and the number of lots approved within the category. The report shall be submitted consistent with the reports promulgated pursuant to section 14.06 of this plan.

Policy 7.A.4.13: Locational Criteria

All new nonresidential uses that are not part of a predominantly residential development or a planned unit development (PUD) must meet the following locational criteria. This is to ensure the appropriate location of commercial and industrial uses in the county at major intersections, near traffic generators that are compatible with adjacent land uses, and where it promotes infill development. It further addresses the requirements of additional landscaping/buffering, shared driveway access, and additional design standards to minimize impacts on abutting uses that have less intense use or zoning. Detailed regulations are in article 7 of the Land Development Code.

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Waivers to the roadway requirements of the following locational criteria may be approved by the development review committee (DRC) and the rezoning hearing examiner (RHE). The community redevelopment agency (CRA) may make a recommendation to waive the roadway requirements as indicated below:

1. The DRC may waive the roadway requirements for properties that have the original commercial or industrial zoning assigned by the county. If a rezoning has occurred, the property must meet the applicable standards for the zoning district as indicated in this chapter.
2. The rezoning hearing examiner may waive the roadway requirements when determining consistency with the Comprehensive Plan for a rezoning request when unique circumstances exist. In order to determine if unique circumstances exist, a compatibility analysis shall be submitted that provides competent and substantial evidence that the proposed use will be able to achieve long-term compatibility with surrounding uses as described in Policy 7.A.3.8.
3. The CRA may recommend waiving the roadway requirements when the property is located within one of the county's approved redevelopment areas and the uses allowed by the existing or proposed zoning are consistent with the redevelopment plan adopted by the board of county commissioners.

Although a waiver to the roadway requirement is approved, the property will still be required to meet all of the other performance standards for the zoning district as indicated below, to the extent possible.

A. *Neighborhood commercial land uses (AMU-1, R-6, VM-1):*

1. Neighborhood commercial uses shall be located along a collector or arterial roadway and near a collector/collector, collector/arterial, or arterial/arterial intersection and must provide a smooth transition between commercial and residential intensity.
2. They may be located at the intersection of an arterial/local street without providing a smooth transition when the local street serves as a connection between two arterial roadways and meets all of the following additional criteria:
 - a. The property must share access and stormwater with adjoining commercial uses;
 - b. Adequate fencing along with buffering and landscaping must be provided to ensure long-term compatibility with adjoining uses as described in Policy 7.A.3.8;
 - c. Lower intensity uses must be located next to abutting residential dwellings to reduce negative impacts; and
 - d. Intrusions into residential subdivisions must be minimized.
3. They may be located along an arterial or collector roadway without meeting the above additional requirements when one or more of the following conditions exists:
 - a. The property is located within one-quarter mile of a traffic generator or collector, such as commercial airports, medium to high density apartments, military installations, colleges and universities, hospitals/clinics, or other similar uses generating more than 600 AADT; or
 - b. The property is located in areas where existing commercial or other intensive development is established and the proposed development would constitute infill development. The intensity of the use must be of a comparable intensity of the zoning and development on the surrounding parcels and must promote compact development and not promote ribbon or strip commercial development.

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B. *Retail commercial land uses (AMU-2, C-1, VM-2):*

1. Retail commercial land uses shall be located at a collector/arterial intersection or along an arterial or collector roadway within one-quarter mile of an collector/arterial or arterial/arterial intersection.
2. They may be located along an arterial or collector roadway up to one-half mile from a collector/arterial or arterial/arterial intersection when all of the following additional criteria are met:
 - a. The property shall not abut a single-family residential zoning district (R-1, R-2, V-1, V-2, V-2A, and V-3);
 - b. There shall be adequate fencing along with buffering and landscaping to ensure long-term compatibility with adjoining uses as described in Policy 7.A.3.8;
 - c. Lower intensity uses must be located next to abutting residential dwellings to reduce negative impacts;
 - d. Intrusions into residential subdivisions shall be limited; and
 - e. A system of service roads or shared access facilities shall be required, to the maximum extent feasible, where permitted by lot size, shape, ownership patterns, and site and roadway characteristics.
3. They may be located along an arterial or collector roadway more than one-half mile from a collector/arterial or arterial/arterial intersection without meeting the above additional requirements when one of the following conditions exists:
 - a. The property is located within one-quarter mile of a traffic generator or collector, such as commercial airports, medium to high density apartments, military installations, colleges and universities, hospitals/clinics, or other similar uses generating more than 600 AADT (average annual daily traffic); or
 - b. The property is located in areas where existing commercial or other intensive development is established and the proposed development would constitute infill development. The intensity of the use must be of a comparable intensity of the zoning and development on the surrounding parcels and must promote compact development and not promote ribbon or strip commercial development.

C. *General commercial and light manufacturing facilities (C-2):*

1. General commercial and light manufacturing land uses shall be located at or near arterial/arterial intersections or along an arterial roadway within one-quarter mile of the intersection.
2. They may be located along an arterial roadway up to one-half mile from the intersection when all of the following additional criteria are met:
 - a. The property shall not abut a single-family residential zoning district (R-1, R-2, V-1, V-2, V-2A, and V-3);
 - b. There shall be adequate fencing along with buffering and landscaping to ensure long-term compatibility with adjoining uses as described in Policy 7.A.3.8;
 - c. Lower intensity uses must be located next to abutting residential dwellings to reduce negative impacts;
 - d. Intrusions into residential subdivisions shall be limited;

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- e. A system of service roads or shared access facilities shall be required, to the maximum extent feasible, where permitted by lot size, shape, ownership patterns, and site and roadway characteristics; and
- f. The property is located in areas where existing commercial or other intensive development is established and the proposed development would constitute infill development. The intensity of the use must be of a comparable intensity of the zoning and development on the surrounding parcels and must promote compact development and not promote ribbon or strip commercial development.

D. *Industrial uses (ID-CP, ID-1, ID-2):*

1. Industrial uses shall be located so that the negative impacts of industrial land uses on the functions of natural systems shall be avoided. When impacts are unavoidable, those impacts shall be minimized.
2. Sites for industrial development shall be accessible to essential public and private facilities and services at the levels of service adopted in this Plan.
3. New industrial uses in the MU-1, AA13, and AA15 categories may be permitted provided such use conforms to the permitted uses listed in the ID-CP and ID-1 zoning categories. Industrial and MU-6 categories allow all types of industrial uses.
4. Sites for industrial uses shall be located with convenient access to the labor supply, raw material sources and market areas.
5. New industrial uses shall be located on parcels of land large enough to adequately support the type of industrial development proposed and minimize any adverse impacts upon surrounding properties. Compatibility of land uses shall be ensured consistent with Policy 7.A.3.8.
6. These industrial locational criteria apply to those future land use categories where industrial development is permitted and does not provide or permit industrial land uses in those categories, which do not provide for such uses.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2005-47, § 4, 10-6-2005)

Policy 7.A.4.14: Resubdivision

The subdivision thresholds established by Table 7-1 shall not be exceeded by further subdividing the parent parcel unless such further subdivision conforms to lines 1 or 2 in the table. To implement this policy, the growth management services department shall maintain records of subdivision activities on parent parcels which records shall be kept by parent parcel and subdivision. The restrictions on further subdivision of the parent parcel shall remain in place for five years from the date of approval of the division of the parent parcel.

Policy 7.A.4.15: Upgrading Existing Facilities

Prior to the county embarking on construction of new capital improvements, the county will consider the feasibility of upgrading or rehabilitating existing facilities to determine if the rehabilitation of present facilities would be in the best interest of the county and its citizens.

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OBJECTIVE 7.A.5: HISTORICAL AND ENVIRONMENTAL RESOURCES

The county shall ensure the protection of natural and historic resources.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.5.1: Wetlands

The county shall implement the provisions described throughout this plan that promote the natural functions of identified wetlands and wetlands enhancement projects will be required where appropriate. Appropriate shall be defined as any time a proposed project adversely impacts, or alters functioning wetlands (reference Policy 11.A.1.4).

Policy 7.A.5.2: Natural Resources Extraction

The extraction of natural resources shall be permitted only where compatible with adjacent land uses and when minimal resource degradation will occur. Further, resource extraction shall be strictly prohibited within a minimum 400-foot zone around potable water wells or wellfields so as to provide added protection to such wells or wellfields. Note: The determination of minimal degradation, if necessary, will be made in cooperation with the appropriate state or federal agency regulating resource extraction activities. Further, resource extraction in environmentally sensitive areas which cannot be restored shall be prohibited. For the purposes of this policy, routine silvicultural and agricultural activities are not considered resource extraction activities. Also, see Policies 11.B.3.3, 11.B.2.9 and 10.D.3.2 among others.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.5.3: Floodprone Areas

The location of parcels subject to FEMA construction standards (reference Policy 11.A.4.1) shall be determined through use of the FEMA Flood Hazard Boundary Maps (panels) which are incorporated herein by reference.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.5.4: Archaeological/Historical Identification

The county shall continue to utilize services and assistance from the Florida Department of State, Division of Historic Resources in order to identify significant historical and/or archaeological sites within the county and, further, to assist in the preservation and protection of sites.

Policy 7.A.5.5: Archeological/Historic Preservation

The LDC shall include provisions which require identification and preservation of significant archeological and/or historic sites or structures within the county. The provisions will include protection for all sites listed on the Florida Master Site File (reference chapter 1, foundation document) and will be developed in cooperation with the office of the secretary of state, division of historical resources. The provisions (regulations) also will include requirements which provide for the cessation of land disturbing activities any time artifacts with potential historical significance are revealed during construction activities on any site with potential historical significance. The purpose of the cessation is to allow time to determine the significance of any artifact or historical evidence found on the site. The cessation may be lifted upon such determination. Normally, determination will be made by those approved to make such determination by the office of the secretary of state, division of historical resources.

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Policy 7.A.5.6: Density of Transfer--Archaeological Sites

The LDC shall include density transfer provisions which can be used to protect significant historical or archaeological sites. The density transfer provisions will allow for the historical or archaeological site to remain intact and the density which could have been permitted on the site to be transferred to a nonsensitive portion of the site.

Policy 7.A.5.7: Wetlands Buffers

Buffers will be created between development and environmentally sensitive areas, including wetlands. The purpose of the buffer is to protect natural resources from the activities and impacts of development. The buffer shall function to:

- a. Provide protection to the natural resources from intrusive activities and negative impacts of development such as trespass, pets, visual impacts, vehicles, noise, lights and stormwater. The negative impacts of the uses upon each other must be minimized or, preferably, eliminated by the buffer such that the longterm existence and viability of the natural resources, including wildlife populations, are not threatened by such impacts and activities. In other words, incompatibility between the uses is eliminated or minimized and the uses may be considered compatible (which means a condition in which land uses or conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition).
- b. Types of buffers: The buffer may be a landscaped natural barrier, a natural barrier or a landscaped or natural barrier supplemented with fencing or other manmade barriers, so long as the function of the buffer and intent of this policy is fulfilled. Also, as noted above, the purpose of this policy is to ensure compatibility of adjacent uses and not necessarily to serve as a prohibition of uses.

Policy 7.A.5.8: Wetlands or Wildlife Indicators

The county does adopt and will use the National Wetlands Inventory Map and the Escambia County Soils Survey and the Florida Game and Freshwater Fish Commission LANDSAT imagery of the county as indicators of the potential presence of wetlands or listed wildlife habitat. In reviewing applications for development approval, if a parcel is determined to have wetlands or listed wildlife habitat potential based on any of these or any other reliable information, the county will require a site-specific wetlands or listed wildlife habitat determination and such determination shall be used to determine the buildable area (uplands) of the parcel or lot. Preparation of the site-specific survey must be approved by Escambia County and in a form and format acceptable to the county. Protection of the wetlands or listed wildlife habitat as determined in the site-specific survey shall be afforded during and after construction activities. Also, for protection of the floodplain and to regulate any activities proposed therein, the county will adopt the FEMA floodplain maps (community panels) in the LDC. Also, see Policy 7.A.5.3 above and Objective 11.A.2 and the policies thereunder.

OBJECTIVE 7.A.6: COASTAL AREAS

Continually coordinate coastal area population densities with the Northwest Florida Hurricane Evacuation Restudy (U.S. Army Corps of Engineers, 1999).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 7.A.6.1: Population Densities

Population densities shall be limited to those limitations reflected on the future land use maps and as described in Policy 7.A.4.7.

Policy 7.A.6.2: Critical Roadway Improvements

The county shall promote, to the extent possible, improvements to the critical roadway segments delineated in the Northwest Florida Hurricane Evacuation Restudy, U.S. Army Corps of Engineers, June 1999. Promotion of roadway improvements shall be accomplished through the county's participation with the Pensacola MPO and interaction with the FDOT (also, see Objective 11.A.7 and the policies thereunder).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.6.3: Coastal Construction Control Line

No new construction seaward of the CCCL will be allowed until the applicant for such construction has obtained all necessary permits and approvals from state or federal regulatory agencies (i.e., DEP, Florida Land and Water Adjudicatory Commission, etc.).

Policy 7.A.6.4: Coastal Land Use

Densities and intensities of land use will be regulated consistent with the goals, objectives and policies of this ordinance in order to maintain the road clearance times established by Objective 11.A.7.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 7.A.7: UTILITY FACILITIES

The county shall ensure the availability of suitable land for utility facilities necessary to support proposed development by allowing utilities as permitted uses in all land use categories. This objective is not intended to include commercial communication towers.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.7.1: Land Acquisition

The county shall include land acquisition within its capital improvements element (reference chapter 14 of this ordinance) and within its capital improvements program (reference Policy 14.A.5.1) when necessary to provide for public lands for county owned facilities.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.7.2: Rights-of-Way Dedication

The county shall continue to require dedication of adequate rights-of-way pursuant to the county's subdivisions regulations (which shall be included within the LDC) for use as roadways and by utilities for extensions or improvements.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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OBJECTIVE 7.A.8: PLANNED UNIT DEVELOPMENTS

The use of innovative land development techniques such as planned unit developments, cluster housing, mixed-uses on individual parcels and other approaches to mixed-use development shall be encouraged (reference Policy 7.A.1.1).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.8.1: PUD Technique

The county shall continue to promote and encourage the use of the planned unit development technique which, among other things, includes expansion of use types, site specific densities and clustering provisions.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.A.8.2: Mixed-Use Categories

The mixed-use categories established by Policy 7.A.4.7 will be further refined by the inclusion of regulations (provisions) within the LDC. The provisions shall, at a minimum, contain:

- a. Density, lot coverage requirements and height variations through the provision of two or more zoning districts designed to implement the mixed-use categories;
- b. Adequate buffering provisions pursuant to Policy 7.A.3.7;
- c. Planned unit development shall be encouraged to include local or neighborhood convenience facilities within such developments;
- d. The provisions will assure compatibility of use through the buffer provisions, "step down" densities, locational controls as described throughout this plan and through other provisions within the county zoning ordinance including height, area and bulk restrictions and restrictions on specific individual uses.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 7.A.9: MILITARY INSTALLATIONS

The county is dedicated to ensuring that the continually changing missions of the local military installations are facilitated to the greatest extent possible. The Joint Land Use Study (JLUS), conducted by the county in 2003, recognizes the economic and historical importance of retaining our local military installations. The JLUS is an important step in addressing encroachment difficulties and implementation of the recommendations is of the highest priority. The recommendations and implementation requirements are as outlined in Policies 7.A.9.1 through 7.A.9.6.

Policy 7.A.9.1: Create Airfield Influence Planning Districts

The county shall provide for Airfield Influence Planning Districts (AIPD) as a means of addressing encroachment, creating a buffer to lessen impacts from and to property owners and protecting the health, safety and welfare of citizens living in close proximity to the bases. The districts and the recommended conditions for each are as follows:

- A. *Airfield Influence Planning District--1 (AIPD-1)*: Includes the current Clear Zones, Accident Potential Zones and noise contours of 65 Ldn and higher, (where appropriate) as well as other areas near and in some cases abutting the airfield. Conditions recommended for the AIPD-1 districts are:

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1. Density restrictions and land use regulations to maintain compatibility with airfield operations; and
 2. Mandatory referral of all development applications to local Navy officials for review and comment within ten working days; and
 3. Required dedication of aviation easements to the county for subdivision approval and building permit issuance; and
 4. Required sound attenuation of buildings with the level of sound protection based on noise exposure; and
 5. Required disclosure for real estate transfers.
- B. *Airfield Influence Planning District--2 (AIPD-2)*: Includes land that is close enough to the airfield that it may affect, or be affected by, airfield operations. Conditions recommended for the AIPD-2 districts are:
1. Mandatory referral of all development applications to local Navy officials for review and comment within ten working days; and
 2. Required dedication of aviation easements to the county for subdivision approval and building permit issuance; and
 3. Required sound attenuation of buildings with the level of sound protection based on noise exposure; and
 4. Required disclosure for real estate transfers; and
 5. Discouragement of property rezonings that result in increased residential densities in excess of JLUS recommendations.

The three installations in Escambia County, Naval Air Station Pensacola (NASP), Navy Outlying Field (NOLF) Saufley and NOLF Site 8, are each utilized differently. Therefore, the size and designations of the AIPD Overlays vary according to the mission of that particular installation. Article 11, "Airport/Airfield Environs" in the Escambia County Land Development Code details and implements these recommendations.

Policy 7.A.9.2: Strengthen Supporting Policies in the Comprehensive Plan

The Comprehensive Plan is a critical component that sets community goals and objectives, creates a framework for actions to implement Joint Land Use Study recommendations and lays the legal groundwork for adopting new tools. Subsequent policy changes shall emphasize the following:

- A. Protection of the public health, safety, and welfare as the primary objective of land use planning around the airfields; and
- B. Mandatory referral to the local Naval installation commander or designee of all development applications filed within the Airfield Influence Planning Districts for the Navy's review and comment; and
- C. Use of Airfield Influence Planning Districts around the airfields to promote an orderly transition and rational organization of land uses, protect the health, safety and welfare of the public and maintain military missions; and

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- D. Continue to Implement the JLUS as a guide for land use decisions and promotion of land use compatibility; and
- E. Coordination with the Escambia County Utilities Authority, Florida Department of Transportation, and other utility providers to review the possible growth-inducing impacts of service extension into the Airfield Influence Planning Districts; and
- F. Set general goals for the future acquisition of land, including the ability to achieve the complementary goals of encroachment reduction, environmental protection and open space (or agricultural) preservation; and
- G. Encourage the discovery of new tools and allow for the use of those tools within Escambia County to promote compatibility, such as transfer of development rights, etc.

Policy 7.A.9.3: Strengthen Real Estate Disclosure Requirements

Real Estate Disclosures are critical tools that protect developers, property owners and renters by informing them of potential hazards or nuisances associated with property located near active airfields. Disclosures also protect the county and the Navy from noise complaints or threats of suit from residents who have been informed of airfield impacts. To facilitate the imparting of this critical information, the county:

- A. Requires disclosure anywhere within the established Airfield Influence Planning Districts around the three airfields; and
- B. Requires disclosure in all sales/rental contracts and subdivision plats and recommends disclosure in all listing agreements and individual marketing materials, such as brochures; and
- C. Requires disclosure as soon as practicable before execution of the contract, i.e., before the making or acceptance of an offer.

The county will amend the Code of Ordinances by 2005 to implement these recommendations. (See section 58-2 of the Escambia County Code of Ordinances.)

Policy 7.A.9.4: Develop a Searchable, Web-Based Information System

The county shall develop an interactive web page that can be accessed through the county website by 2005. The web page is intended as a tool for use by all citizens to access information concerning airfield influence planning districts, noise zones and accident potential zones.

The county is committed to continuous improvement and expansion of the website, with links to other information sources as needed.

Policy 7.A.9.5: Develop a County-Wide Land Acquisition Program

By 2009, the county will identify a dedicated source of funds for acquiring the development rights or outright purchase of select lands for public purpose.

The land acquisition program shall be designed to serve multiple, complementary goals, including the elimination of lands near airfields from the possibility of development, the protection of the environment, the maintenance of agricultural uses, and the conservation of quality open spaces.

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Policy 7.A.9.6: Develop a Transfer of Development Rights Program

The county will pursue the possibility of implementing a Transfer of Development Rights (TDR) program with sending parcels those that are in close proximity to the military installations, are environmentally sensitive or are agricultural parcels experiencing development pressures. The receiving parcels shall be areas with infrastructure available to support higher density, with an emphasis on infill development. The TDR offers a flexible tool for shifting growth away from land near the airfields and toward land with fewer development constraints.

Policy 7.A.9.7: Local Infrastructure Programs

Section 288.980(4) F.S., creates the "Defense Infrastructure Grant Program" to support local infrastructure projects deemed to have a positive impact on the military value of installations within the state. The county will support and proceed with infrastructure projects that would have a positive impact on local military installations, pursuing all assistance available.

Policy 7.A.9.8: Military Representative as Planning Board Member

Pursuant to Section 163.3175, F.S., a representative of the military installations located within Escambia County shall be placed on the Planning Board as an ex officio, nonvoting member. The selection of the representative will initially be by a Memorandum of Agreement between the Commanding Officers of Naval Air Station Pensacola and Naval Air Station Whiting Field. (See Chapter 8, Transportation, Policy 8.E.2.2.1). An Interlocal Agreement with the Navy will detail the procedures and responsibilities of both the county and the Navy and shall be completed by June 30, 2006. (See Policy 8.E.2.2.3.)

Policy 7.A.9.9: Joint Land Use Implementation Oversight Committee

The Local Planning Agency, the Planning Board, shall function as the Joint Land Use Study Implementation Oversight Committee to guide the implementation of technically sound, community-based, collaborative planning. The duties of the JLUS Implementation Oversight Committee shall include, at a minimum, annual meetings, with others scheduled as necessary, to:

1. Monitor the timely completion of the implementation of the JLUS recommendations; and
2. Make policy decisions and recommendations concerning the Joint Land Use Study implementation to the board of county commissioners; and
3. Monitor the effectiveness of the implemented recommendations in controlling encroachment; and
4. If necessary in the future, recommend additional measures to ensure compatible development in the Airfield Influence Planning Districts.

(Ord. No. 2004-80, § 3, 12-9-2004)

PRIVATE PROPERTY RIGHTS

GOAL 7.B

Escambia County shall protect private property rights and recognize the existence of legitimate and often competing public and private interests in land use regulations and other government actions.

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OBJECTIVE 7.B.1: PRIVATE PROPERTY/TAKINGS

Provide compensation or other appropriate relief as provided by law, to a landowner for any voluntary Escambia County action that is determined to be an unreasonable exercise of police power so as to constitute a taking upon adoption of this ordinance.

Policy 7.B.1.1: Judicial Proceeding

Determine compensation or other relief by judicial proceeding rather than by administrative proceeding.

Policy 7.B.1.2: Public Acquisition

Encourage acquisition of lands by state or local government in cases where regulation will severely limit practical use of real property.

NEIGHBORHOOD REVITALIZATION

GOAL 7.C

To ensure the viability of all county neighborhoods through a system of redevelopment, conservation, and enhancement.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 7.C.1: NEIGHBORHOOD REDEVELOPMENT

The Community Redevelopment Agency (CRA) will continue to implement the 1995 Community Redevelopment Strategy, as may be updated from time to time.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.C.1.1:

The CRA and other county agencies will continue to implement the recommendations of the Warrington Area Redevelopment Plan, as updated in 2001, and as may be updated from time to time.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.C.1.2:

The CRA and other county agencies will continue to implement the recommendations of the Brownsville Area Redevelopment Plan, as may be updated from time to time.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.C.1.3:

The CRA and other county agencies will continue to implement the Englewood and Palafox redevelopment plans, as may be updated from time to time.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.C.1.4:

In 2002 the CRA will update the 1995 Community Redevelopment Strategy to specify new redevelopment areas, expansions of existing areas and designation of "enhancement areas."

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 7 FUTURE LAND USE ELEMENT

OBJECTIVE 7.C.2: NEIGHBORHOOD CONSERVATION AND ENHANCEMENT

By 2002, the neighborhood and environmental services department and the growth management department will jointly develop a neighborhood conservation and enhancement strategy.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.C.2.1:

The neighborhood conservation strategy will identify conditions for the designation of neighborhoods in need of conservation and enhancement. The strategy will identify tools for neighborhood coordination and enhancement which may include coordinated infrastructure and park improvements supplemented by code enforcement.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.C.2.2:

Each of the neighborhoods showing initial signs of distress will be designated for enhancement and be scheduled for targeted code enforcement plus supplemental public infrastructure improvements (through the capital improvements program).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

QUALITY OF LIFE

GOAL 7.D

To maintain and improve the quality of life for all citizens of the county by creating healthy and safe neighborhoods, a strong economic base, and an attractive visual environment.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 7.D.1: HEALTHY NEIGHBORHOODS

To increase the residential property market value for all neighborhoods within the county.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.D.1.1: Code Enforcement

The neighborhood enhancement department shall conduct a combination of complaint-driven and systematic code enforcement actions to reduce property maintenance code violations; this process shall continue to use a hearing examiner (code enforcement special master) when appropriate. To further assist in this process the county shall adopt a code establishing minimum standards for existing housing.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 7.D.1.2: Neighborhood Plans

The county shall continued to prepare neighborhood plans so that ultimately all 15 sub-areas have been addressed by such plans.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 7 FUTURE LAND USE ELEMENT

FUTURE LAND USE MAPS

Section 7.05 Future land use maps.

The following future land use maps are by reference made a part of this ordinance including all future amendments, revisions, and updating:

- A. The Map titled "YEAR 2020 ESCAMBIA COUNTY FUTURE LAND USE MAP" as originally prepared by J.E. Dorman & Associates, Inc. and dated January 1993.

(1) The following generalized land uses are shown on this map:

- (a) Residential Use; RR, LDR, R, UR, MU and activity areas
- (b) Commercial Use; C, MU and activity areas
- (c) Industrial Use; IN
- (d) Agricultural Use; AG, RR and activity areas
- (e) Recreational Use; REC and MU
- (f) Conservation Use; CON
- (g) Public Lands; P

(2) The following natural resources are shown on Future Land Use Map 7-1A:

- (a) Beaches and shores, including estuarine systems; and
- (b) Rivers, bays, lakes and harbors; and
- (c) Other manmade features including airports, roadways, etc.

- B. The map titled "ESCAMBIA COUNTY HISTORICAL SITES MAP" (Map 7-2) as prepared by J.E. Dorman & Associates, Inc., January 1993. The listed historic sites in unincorporated Escambia County are shown on this map.

- C. The map titled "ESCAMBIA COUNTY DRINKING WATER SUPPLY" (Map 7-3) as prepared by the West Florida Regional Planning Council, 1988. This map includes the existing and planned water wells, well fields and critical re-charge areas within the county.

- D. The map titled "GENERAL SOILS MAP--ESCAMBIA COUNTY, FLORIDA" (Map 7-4) as prepared by the West Florida Regional Planning Council, 1988.

(Ord. No. 2002-38, §§ 3(Att. A), 4(Att. B) 8-15-2002; Ord. No. 2005-48, § 5, 10-6-2005)

Section 7.06 Amendments.

The future land use maps may be amended by following the requirements of section 5.13 of this ordinance as well as the provisions of F.S. §§ 163.3177 and 163.3187. Note: It is not necessary to amend the future land use maps when a rezoning occurs within the same land use category provided that such rezoning is consistent with the intents and purposes of the land use category wherein the parcel is located, is consistent with the standards and criteria of said future land use category and is consistent with the provisions of this plan.

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Chapter 7 FUTURE LAND USE ELEMENT

Section 7.07 Zoning maps.

The LDC shall contain zoning districts and zoning maps. The future land use maps are not zoning maps, but reflect existing land uses plus logical extensions of the existing patterns of development and locates future uses. Zoning maps are one of the regulatory mechanisms used to implement the densities or intensities identified on the future land use maps. Within a given future land use category, there may be one or more zoning map designations. For example, a future land use designation of low density residential may include zoning categories for large lot type development and/or more conventional subdivision type development.

Section 7.08 Nonconforming land uses.

It is the intent of this ordinance to control future land development through implementation of the LDC and it is not the intent of this ordinance to make lawfully constructed existing land uses nonconforming (i.e., commercial in residential, residential in commercial, etc.). Thus, it is not the intent of the county to create new nonconforming land uses by adopting the FLUM or this plan. But, it is the intent of the county to retain and enforce restrictions on existing nonconforming uses so as to encourage or compel the nonconforming use to be removed and replaced with a conforming use. It is the intent, function and purpose of this plan to guide new development activities and encourage redevelopment activities, where appropriate. The LDC shall have provisions for nonconforming land uses and such provisions include: (a) a nonconforming use cannot be expanded; (b) any nonconforming use which is discontinued for one year may not be re-established except in conformance with this plan and the LDC; (c) when a nonconforming use is destroyed by fire, act of God or other means, the use/structure may be reconstructed to the same or lesser size; (d) single-family homes existing as of the date of adoption of this ordinance are considered to be conforming uses. Upon adoption of this plan, the land development regulations, all development orders and all amendments to the plan shall be consistent with the plan.

Subdivisions in which lots or parcels have been sold or lots described by metes and bounds existed north of Ten Mile Road which were in compliance with the applicable regulations prior to the adoption of this ordinance, a single-family dwelling or mobile home and customary accessory buildings may be constructed on each lot in such subdivision or each lot described by metes and bounds provided the construction of such dwelling or mobile home conforms with the density requirements of this plan. It is not the intent of this ordinance to prohibit the conveyance of or construction or replacement of residential structures on properties as hereinabove described.

Section 7.09 Implementation.

The future land use map and this plan will be implemented through inclusion within the LDC of the necessary regulatory devices to promote, control and regulate land uses. These devices include, but are not limited to, a zoning ordinance, a subdivision ordinance, a standard building code and the several ordinances, devices or techniques identified throughout this plan. As noted in section 7.08 above, all development orders and new development or redevelopment must be consistent with this plan, upon adoption of this plan. Also, the LDC will include a system for interpreting land use categories shown on the future land use map. The system will include provisions which allow for interpretation when category boundary lines do not follow property lines, section lines, manmade improvements or other readily identifiable physical features. When questions arise as to the land use category imposed upon any particular parcel, and such parcel is at or near the boundary of two or more land use categories, the map may be interpreted in such a way as to impose the future land use category on the property that is consistent with conforming uses surrounding or within 500 feet of the property. The interpretation (area of expansion) shall apply to

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Chapter 7 FUTURE LAND USE ELEMENT

areas no greater than ten acres in size and shall be a one time occurrence, fixed and final unless changed by an amendment to this plan.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 8 TRANSPORTATION ELEMENT (Traffic Circulation, Mass Transit, Port, Aviation and Related Facilities Elements, Combined)

Chapter 8 TRANSPORTATION ELEMENT (Traffic Circulation, Mass Transit, Port, Aviation and Related Facilities Elements, Combined)*

*Cross references: Traffic and vehicles, pt. I, ch. 94.

State law references: Transportation element, F.A.C. 9J-5.0019.

[Sec. 8.01 Traffic circulation.](#)

[Sec. 8.02 Traffic circulation maps.](#)

[Sec. 8.03 Mass transit.](#)

[Sec. 8.04 Ports, aviation and related facilities.](#)

INTRODUCTION--TRAFFIC

Section 8.01 Traffic circulation.

The purpose of the traffic circulation portion of this element is to establish the desired and projected transportation system in Escambia County and particularly to plan for future motorized and nonmotorized traffic circulation systems. Future traffic circulation systems are supported by goals, objectives and policies contained herein, and are depicted in the Escambia County 2025 Transportation Map Series.

- (1) *Data and analysis:* The traffic circulation portion of this element is based upon data and analysis requirements pursuant to F.A.C. 9J-5.005(2) and F.A.C. 9J-5.007(1), (2) (reference sections 5.03, 5.06 and 5.07 of this ordinance and chapter 4 of the foundation documents).
- (2) *Goals, objectives and policies:* The goals, objectives and policies of the traffic circulation portion of this element are as follows:

(Ord. No. 2007-51, § 4, 9-6-2007)

TRAFFIC CIRCULATION

GOAL 8.A

To provide a safe, cost effective and functional roadway and transportation system for all residents and visitors to Escambia County.

OBJECTIVE 8.A.1: MAINTENANCE OF ADOPTED STANDARDS

Continue to provide a safe, convenient, efficient and cost effective multimodal transportation system and roadway network for present and future residents by implementing Policies 8.A.1.1 through 8.A.1.12, among others, upon adoption of this ordinance (reference section 15.01).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.1: Regulation of Transportation Improvements for New Development

Future developments will pay all costs and construct all roads within the development to county standards so that the roads, upon construction, may be accepted into the county's road system (reference Policy 14.A.4.2). Nothing in

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this policy shall be interpreted to preclude the county from requiring the development to pay all costs to the county associated with construction of any transportation improvement made necessary by the development.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.2: LDC Construction Standards (Future Roads)

Note: The comprehensive plan is not required to address construction standards. Rather than expand this policy so that the effectiveness of the policy is contingent upon the LDC for implementation, this policy is deleted.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.3: Level of Service (LOS) Standards

Levels of service based on annualized p.m. peak hour conditions will be used to evaluate facility capacity and for issuance of development orders. Level of service standards for all roadways are hereby established as shown below according to the functional classification of roadways identified on Map A of the Escambia County 2025 Transportation Map Series, Escambia County Functional Classifications [on file in the office of the county clerk].

TABLE INSET:

Roadway Functional Classification	Annualized P.M. Peak Hour Level of Service Standard
Florida Intrastate Highway System Roads	
Principal Arterial (SIS Rural)	B
Principal Arterial (SIS Urbanized)	C
Transportation Regional Incentive Program and Emerging SIS Connector Funded Roads	
Minor Arterial (Urbanized)	D
Other State and Local Roads	
Principal and Minor Arterial (Urbanized)	D
Principal and Minor Arterial (Rural)	C
Major and Minor Collector (Rural or Urbanized)	E

(Ord. No. 96-6, § 2, 3-28-1996; Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2006-55, § 4, 7-20-2006; Ord. No. 2006-93, § 1, 12-7-2006; Ord. No. 2007-51, § 4, 9-6-2007)

Policy 8.A.1.4: Transportation Concurrency Exception Areas

The following transportation concurrency exception areas (TCEA) are hereby established, as shown on the transportation map series Map-G, Transportation Concurrency Exception Areas (Reference F.S. § 163.3180):

Warrington TCEA - That area coterminous with the area approved in 1995 as the Warrington Redevelopment Area and including the Sunset Avenue Corridor of Navy Point; and

Fairfield Drive TCEA - That area coterminous with the approved Englewood-Ebonwood and Palafox Redevelopment Areas and including a portion of the Brownsville Redevelopment Area.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2007-51, § 4, 9-6-2007)

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Policy 8.A.1.5: Warrington TCEA Transportation Initiatives

The county shall work with the Florida Department of Transportation and other entities to facilitate traffic flow on the arterial and collector roads within the Warrington TCEA by implementing the following strategies:

- Establish a park and ride lot near the bus stop at the Warrington Village Shopping Center.
- The installation of sidewalks along the north-south Navy Boulevard segment.
- Navy Boulevard repaving and median adjustments.
- Work with the MPO to evaluate the need for the county to "up front" the detailed design work in order to speed up the widening of Navy Boulevard.
- As stated in the 1995 Warrington Redevelopment Plan, except in unique circumstances, no rezonings will be approved.
- Establish a seasonal Perdido shuttle bus service.
- Support a ferry or water taxi service, if approved by the Pensacola MPO.
- Continue to improve traffic signalization in the vicinity of Navy Boulevard and Gulf Beach-Barrancas to improve both traffic flow and pedestrian safety.
- Continue to work with the MPO congestion management committee to examine ways in which to improve the capacity of Navy Boulevard and Gulf Beach Highway until such time as widening can occur.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.6: Fairfield Drive TCEA Transportation Initiatives

The county shall work with the Florida Department of Transportation and other entities to facilitate traffic flow on the arterial and collector roads within the Fairfield Drive TCEA by implementing the following strategies:

- Establish a park and ride lot within the TCEA.
- Support improvements to the I-110 Interchange.
- Support the creation of a four lane link between the Blue Angel Parkway and Creighton Road.
- Support a corridor study by the MPO with particular attention to ways access management and thus capacity might be improved.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.7: Traffic Congestion Relief Plan

Editor's note: Ord. No. 2002-38, adopted Aug. 15, 2002, struck through the entire text of Policy 8.A.1.7. Notes included with the change stated that the first paragraph was deleted in 1996 (Ord. No. 96-6) and the language added at that time was no longer necessary as the roadways had been added to the future roadway network map.

Policy 8.A.1.8: On-Site Traffic Flow

All new developments, including but not limited to, planned unit developments, shopping centers, multifamily residential projects and other projects with internal circulation and parking needs shall be required to provide safe and convenient on-site traffic flow, facilities for nonmotorized transportation and sufficient vehicular parking to accommodate the needs of the development.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 8.A.1.9: Bike Paths and Sidewalks

All new road construction projects in urban areas or community development areas shall accommodate nonmotorized transportation. Said accommodation may include the installation of sidewalks, bike paths, storage racks, striping or signage.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.10: County Road Maintenance

The county shall continue its practice of maintaining and/or reconstructing county roads on an "on-going" basis through implementation of the capital improvements program and concurrency management system (reference Table 14.1).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.11 County Road Improvement Priorities

The county shall prioritize its maintenance and reconstruction activities pursuant to Policy 14.A.1.3 together with any cost/benefit analysis, traffic analysis and analysis of the physical condition of the various roadways within the county. Said analyses may be performed by the county or others.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.12 Coordination with MPO

The county will participate and cooperate with the preparation of the MPO's cost feasible plan and will continue its active participation with the MPO to insure that MPO recommendations and activities are consistent with this ordinance. In addition, the county will continue to encourage the MPO to request funding for the FDOT by the governor and the legislature.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.13 Commercial Use Locational Criteria

All new commercial development within the mixed use and urban residential categories and the activity areas shall be consistent with Policy 7.A.4.13.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2005-47, § 5, 10-6-2005)

Policy 8.A.1.14 Master Planning Process for Major Commercial Use

Applications for large scale commercial development review shall address adequate traffic circulation, parking and access management measures that are necessary to minimize access to impacted state and county road segments, compatibility and functional relationship of adjacent land uses, adequate buffer requirements, landscape requirements and provisions to encourage joint access agreements with adjacent property owners, encourage a mix of land uses that place less traffic intensive land uses adjacent to arterial segments, provide disincentives for platting of commercial lots with direct access to arterial segments and applies density bonuses for converting commercial land uses to residential land uses (the bonus applies only to the mixed use category).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 8 TRANSPORTATION ELEMENT (Traffic Circulation, Mass Transit, Port, Aviation and Related Facilities Elements, Combined)

Policy 8.A.1.15: Access Management

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 control turning movements so as to facilitate traffic flow on affected roadways. The development of land along state highways will be restricted so that parcels are not created that would require roadway access in conflict with FDOT access standards. This may include a requirement that parcels share access or provide cross-access on site.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.16 Commuter Assistance

The county will continue to support the Pensacola Area MPO commuter assistance programs in order to reduce the number of vehicle miles traveled per capita in the community and region.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.17 Implementation of Ozone Task Force Recommendations

The county will implement the following recommendations of the 2001 Escambia County Ozone Task Force Report so as to modify peak hour demand and reduce the number of vehicle miles traveled per capita in the community and region.

- Implement flex work hours (i.e. extended hours, four-day work week) for government employees during peak ozone season (June through September).
- Provide information about benefits of flex work hours to local industry and encourage use of such programs.
- Encourage mixed use development offering sidewalks and bicycle paths.
- Accelerate bicycle/pedestrian improvements.
- Promote telecommuting and teleconferencing.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.18 Safe Ways to School

Prepare a "Safe Ways to School" master plan for each public school, then implement construction of improvements (e.g., sidewalks, shoulders) to encourage walking to school.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.19 Intelligent Transportation System

The county will cooperate with Florida Department of Transportation studies now underway which address intelligent transportation system opportunities so as to improve system efficiency and enhance safety.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.20 Short and Mid Range Roadway Improvements

The county will study roadway segments which are estimated to exceed the adopted level of service and recommend specific improvements to address deficiencies. Those recommendations will be targeted toward short and mid range improvements. The county will continue to work with the MPO to address long range improvements.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 8.A.1.21 Protection of the FIHS Interregional and Intrastate Functions

The county will maintain adopted level of service standards on arterial and collector roadways that parallel the Florida Intrastate Highway System to protect that system's interregional and intrastate functions.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.22 Protection of the FIHS Interregional and Intrastate Functions

The county will not promote the construction of additional interchanges on I-10 and I-110 that will not protect that systems' interregional and intrastate functions.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.1.23 Protection of the FIHS Interregional and Intrastate Functions

The county will work with the MPO to strengthen the local roadway network by providing additional north-south and east-west crossings of I-10 and I-110, thereby protecting the Florida Intrastate Highway System's interregional and intrastate functions.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 8.A.2: FUTURE LAND USE AND TRAFFIC

Assure the continual coordination of land use decisions with the future traffic circulation system by coordinating traffic circulation improvements with the future land use maps and maintaining consistency between land use decisions and traffic circulation system improvements by implementing Policies 8.A.2.1 through 8.A.2.4, among others, upon adoption of this ordinance.

Policy 8.A.2.1: Consistency

All land use decisions shall be consistent with the future land use map and FL-AL Transportation Planning Organization (TPO) Long Range Transportation Plan - Adopted Needs Plan Projects map.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2007-51, § 4, 9-6-2007)

Policy 8.A.2.2: Bike Lanes and Sidewalks

The county shall continue its practice of providing or requiring the provision of nonmotorized transportation facilities to link residential areas with recreational and commercial areas in a safe manner. This may include the construction of sidewalks, bike lanes, installation of signage, striping of roadways, or the like so as to accommodate nonmotorized transportation facilities (also, see Policy 8.A.3.4).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.2.3: Comprehensive Plan Implementation Committee Annual Review

The committee appointed pursuant to Policy 14.A.3.6 shall include within its annual review, an analysis of the traffic volumes and systems and system demands in order to further monitor and identify impacts of new growth on the transportation and traffic circulation system of the county. The committee shall include within its reports, produced pursuant to section 14.06 of this ordinance, its analysis of said impacts.

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Chapter 8 TRANSPORTATION ELEMENT (Traffic Circulation, Mass Transit, Port, Aviation and Related Facilities Elements, Combined)

Policy 8.A.2.4: Development Review

All plans and proposals for development or redevelopment within the county shall be reviewed for consistency with the future land use map and FL-AL Transportation Planning Organization (TPO) Long Range Transportation Plan - Adopted Needs Plan Projects map adopted herein.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2007-51, § 4, 9-6-2007)

OBJECTIVE 8.A.3: REGIONAL COORDINATION

Continually coordinate the county's decision making process with the plans and programs of the Pensacola MPO and the Florida DOT (reference section 15.01 and Objective 7.A.1, among others).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.3.1: MPO and FDOT Coordination

The county will participate and cooperate with the preparation of the MPO's Cost Feasible Plan. The county's participation will continue to be the provision of representation on the MPO and its several committees, paying its fair share of the cost to operate the MPO, and assuring that projects required within Escambia County are included within the MPO and FDOT plans.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.3.2: Five-Year Transportation Improvement Plan

The county will participate in, and review the annual updates of the five-year transportation improvement plan to ensure that activities of the county and the transportation improvement plan are consistent.

Policy 8.A.3.3: Bikeways and Sidewalks

All new road construction projects within urban areas (areas with development densities of four dwelling units per acre or more) may be required to accommodate nonmotorized transportation facilities (bikeways, sidewalks, etc.). The accommodation may include the installation of signage, striping of roadways, widening of roadways, installation of sidewalks, wheelchair ramps at intersections and the like (also, see Policy 8.A.2.2).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.3.4: Gas Tax User Fees

Escambia County will continue to utilize the local option gas tax as a user fee and use the funding obtained to construct and maintain bridges and roads.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.3.5: Interstate System Improvements

In cooperation with the Pensacola MPO and the FDOT, the county will support improvements to the federal interstate system located within the county. In addition the county supports the construction of a new segment which links I-10 with I-65 (reference Policy 11.A.7.5).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 8 TRANSPORTATION ELEMENT (Traffic Circulation, Mass Transit, Port, Aviation and Related Facilities Elements, Combined)

OBJECTIVE 8.A.4: TRANSPORTATION CORRIDOR AND RIGHT-OF-WAY PROTECTION

Continually, the county shall provide for the protection of proposed transportation corridors as well as existing and future rights-of-way from encroachment by including appropriate regulations within the LDC (reference Policy 7.A.1.1) and implementing Policies 8.A.4.1 through 8.A.4.4 among others.

(Ord. No. 2007-81, § 3, 12-13-2007)

Policy 8.A.4.1: Rezonings and Zoning Setback Enforcement

The county shall continue to enforce its zoning ordinance and include said ordinance within the LDC. Note: The zoning ordinance contains setback provisions, which will aid in the protection of existing and future rights-of-way, including transportation corridors, from building encroachment. The county shall regulate density and intensity within the existing or designated transportation corridor areas that may interfere with right-of-way needs. Prior to completion of a Project Development and Environmental Impact (PD&E) study for a capacity improvement project, standard right-of-way will be considered as follows:

TABLE INSET:

Major Collectors	80'
Major Arterials	125'
Beltways	300'

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2007-81, § 3, 12-13-2007)

Policy 8.A.4.2: Right-of-Way Protection for Existing and Planned Roadways

The county shall require the set aside of right-of-way necessary to comply with programmed roadway widening or, as necessary, for proposed transportation corridors.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2007-81, § 3, 12-13-2007)

Policy 8.A.4.3: Scenic Roadways

Because of their unique scenic character, and related historic and tourist significance, Scenic Highway (SR-10A) and Perdido Key Drive (SR 292) are designated "scenic roadways." Parcels adjacent to these rights-of-way shall be the subject of special sign controls in the LDC.

(Ord. No. 96-52; Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.A.4.4: Proposed Transportation Corridors

The county shall make efforts to inform the public about the location of proposed transportation corridors. Such proposed transportation corridors are to be initially designated in this section, the adopted Transportation Planning Organization's "Cost Feasible Plan", the proposed or adopted County Capital Improvement Plan or in any proposed or adopted DRI or development plan. Transportation corridor protection regulations shall be incorporated in the LDC.

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The Beulah Expressway is designated as a proposed transportation corridor. Maps and descriptions of the proposed north/south corridor and the east/west connecting corridors are on file as Exhibits A and B to Ordinance 2007-02D. (Ord. No. 2007-81, § 3, 12-13-2007)

Section 8.02 Traffic circulation maps.

Escambia County 2025 Transportation Map Series, includes the following maps:

TABLE INSET:

ESCAMBIA COUNTY 2025 TRANSPORTATION MAP SERIES	
Escambia County Functional Classifications	Map A
FL-AL Transportation Planning Organization (TPO) 2025 Long Range Transportation Plan - Adopted Needs Plan Projects	Map B
FL-AL TPO Bicycle and Pedestrian Plan	Map C
FL-AL TPO 2025 Long Range Transportation Adopted Needs Plan Transit and Park & Ride	Map D
Airport and Port Facilities	Map E
Hurricane Evacuation Routes	Map F
Transportation Concurrency Exception Areas	Map G

[The maps listed above are not set out herein, but are on file as Attachment A to Ord. No. 2007-51.] (Ord. No. 2002-38, § 5(Att. C), 8-15-2002; Ord. No. 2006-55, § 5, 7-20-2006; Ord. No. 2006-93, § 1, 12-7-2006; Ord. No. 2007-51, § 4, 9-6-2007)

INTRODUCTION--MASS TRANSIT

Section 8.03 Mass transit.

The purpose of the mass transit portion of this element is to provide policy direction regarding future of the mass transit system and its features.

- (1) *Data and analysis:* The mass transit portion of this element is based upon data and analysis requirements pursuant to F.A.C. 9J-5.005(2) and F.A.C. 9J-5.008(1), (2) (reference sections 5.03 and 5.06 of this ordinance)
- (2) *Goals, objectives and policies.* The goals, objectives and policies of the mass transit portion of this element are as follows:

MASS TRANSIT

GOAL 8.B

Provide fixed route mass transit services to the area in an efficient and effective manner.

OBJECTIVE 8.B.1: BUS FLEET MAINTENANCE

Ensure safety and comfort of bus fleet and reduce operating costs. (Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 8.B.1.1: Fleet Rehabilitation

Replace the bus fleet at 12 years or 500,000 miles as recommended by the Federal Transit Administration.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.B.1.2: Preventative Maintenance

Conduct preventative maintenance according to the preventive maintenance plan.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 8.B.2: CONFORMANCE WITH GROWTH PATTERNS

Operate fixed route mass transportation service to conform with projected growth patterns of the service area.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.B.2.1: Radial Routes

Operate a radial route system with the hub at or near the intersection of "L" Street and Fairfield Drive.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.B.2.2: Service Area Adjustment

Realign or adjust existing routes to provide service to areas requiring service while at the same time reducing service to lower use areas in order to provide more efficient service to more riders at comparable cost.

Policy 8.B.2.3: LOS Standard

Establish and maintain a mass transit level of service standard as measured by a 60-minute maximum period of wait throughout the current areas and hours of service.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.B.2.4: Transportation Development Plan

Consider and/or implement recommendations contained within the current transportation development plan.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.B.2.5: Implementation of Transit Development Plan Update

Upon completion of the Pensacola MPO Transit Development Plan Update, the county will amend the comprehensive plan to address (1) the establishment of land use and site design guidelines in public transit corridors, to assure the accessibility of new development to public transit; (2) the establishment of numerical indicators against which the achievement of mobility goals can be measured; and (3) coordination with the future land use element, to encourage land uses which promote public transportation.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 8.B.3: TRANSIT SYSTEM OPERATING RATIO

Maintain and/or increase Escambia County Transit System's operating ratio.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 8.B.3.1: Route Realignment

Realign routes to develop better service areas and increase ridership as stated in Objective 8.B.2.

Policy 8.B.3.2: Marketing Program

Develop marketing strategy to maximize advertisement program within fiscal constraints.

Policy 8.B.3.3: User Fee/Fare Policy

Develop fare policy to provide for routing fare increases in order to ensure the transit riders pay a fair share of costs (user fee policy).

OBJECTIVE 8.B.4: TRANSIT/PARATRANSIT SYSTEM ANNUAL REVIEW

Provide for an efficient and safe mass transit and paratransit system.

Policy 8.B.4.1: Annual Operation Review

Annually review the operation (e.g., bus routes, maintenance procedures, etc.) of the normal mass transit system and the paratransit system to identify and correct deficiencies of those operations.

Policy 8.B.4.2 Annual Facilities Review

Provide for annual review and maintenance of all mass transit and paratransit facilities, with the exception of the bus fleet, to ensure that buildings and other related facilities are in proper working order and are supporting the continued efficiency of the operations.

OBJECTIVE 8. B.5: TRANSIT CORRIDOR PROTECTION

The county shall designate and protect future mass transit rights-of-way and corridors.

Policy 8.B.5.1: Consistency

Provide for the review of the future mass transit map prior to the issuance of any land use certificate to determine if development would conflict with any existing or future mass transit rights-of-way or corridors as approved by the board of county commissioners.

Policy 8.B.5.2: Special Review Process

Develop a special review and approval mechanism for any land use certificate which is found to be in conflict with existing or future mass transit rights-of-way or corridors approved by the board of county commissioners.

TRANSIT FOR HANDICAPPED

GOAL 8.C

Provide service to the handicapped as required by U.S. Department of Transportation regulation 49 CFR Part 27 and to other transportation disadvantaged persons.

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OBJECTIVE 8.C.1: PARATRANSIT SYSTEM OPERATION

Support the continuing operation of the paratransit system developed by the community transportation coordinator as required by F.S. ch. 427.

Policy 8.C.1.1: Handicapped Passengers

Contract or otherwise provide for the coordinated paratransit system to fulfill the federal requirements for transporting handicapped passengers.

Policy 8.C.1.2: Bus Rehabilitation

Continue providing assistance to the coordinated system by rehabilitating vehicles or other similar programs that will support their efforts.

INTRODUCTION--PORTS AND AVIATION

Section 8.04 Ports, aviation and related facilities.

The purpose of this portion of the transportation element is to provide policy direction in furtherance of the Port of Pensacola and the Pensacola Regional Airport and the facilities and related features contained therein.

- (1) *Data and analysis:* This subsection of this element is based upon data and analysis requirements pursuant to F.A.C. 9J-5.005(2) and F.A.C. 9J-5.009(1)(2) (reference sections 5.03 and 5.06 of this ordinance)
- (2) *Goals, objectives and policies:* The goals, objectives and policies of the mass transit portion of this element are as follows:

PORT FACILITY

GOAL 8.D

Advocate and promote the economic viability of port operations in Escambia County consistent with balanced utilization of transportation facilities, natural resources, and available waterfront land.

OBJECTIVE 8.D.1: PORT FACILITY EXPANSION

Support the operation and expansion as necessary of port facilities through intergovernmental coordination and in a manner consistent with the goals, objectives and policies in the future land use, coastal management, and conservation elements of this plan.

Policy 8.D.1.1: Coordination

Support continued port operation and/or development coordination with appropriate agencies, both governmental and private, recognizing that port facilities in Escambia County are within the planning jurisdiction of the City of Pensacola.

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Policy 8.D.1.2: Consistency

Support the activities of port facilities to the extent consistent with the goals, objectives, and policies contained in the future land use, coastal management, conservation, and traffic circulation elements.

Policy 8.D.1.3: Water Dependent/Water Related Uses

Consider port facilities in Escambia County to be water dependent or water related industrial land uses. Any such facilities located within the jurisdiction of Escambia County shall be considered as industrial land uses on the future land use map.

Policy 8.D.1.4: Port-Related Navigation

Support projects which serve to maintain or expand port operations or navigation to the extent that such projects meet all applicable permit requirements and standards, consistent with appropriate objectives and policies in the future land use, conservation, and coastal management elements.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 8.D.2: PORT ACCESS

Ensure that surface transportation access to port facilities are properly integrated with the traffic circulation portion of this element and with other modes of surface and water transportation.

Policy 8.D.2.1: Port Facilities Access

Coordinate with appropriate public and private sector agencies to provide adequate access to port facilities.

Policy 8.D.2.2: Intermodal Management

Encourage and support balanced intermodal management of surface and water transportation through coordination of roadway, rail, and port facilities.

OBJECTIVE 8.D.3: NAVIGATION AND PLAN COMPATIBILITY

To the extent possible the county shall ensure compatibility and consistency between its comprehensive plan, and those of other appropriate local governments and the plans of appropriate maritime service providers.

Policy 8.D.3.1: Navigation and Port Improvements

Advocate federal and state public works programs and projects which provide funding for navigation projects or port maintenance and expansion activities, consistent with appropriate objectives and policies in the future land use, conservation, coastal management and traffic circulation elements.

OBJECTIVE 8.D.4: PORT-RELATED PERMITTING

Promote balanced utilization of coastal areas and resources consistent with sound conservation principals with the need for continued provision of port services.

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Policy 8.D.4.1: Mitigation

Coordinate with the City of Pensacola to ensure mitigation of adverse structural and nonstructural impacts upon adjacent natural resources consistent with applicable permit requirements.

Policy 8.D.4.2: Applicable Projects

Advocate only those port maintenance and expansion projects which meet applicable permit requirements and environmental standards.

AVIATION

GOAL 8.E

Provide Escambia County and the surrounding area with public aviation facility services sufficient to meet current and future economic development and passenger needs.

OBJECTIVE 8.E.1: PENSACOLA REGIONAL AIRPORT

Support the implementation activities set forth in the adopted airport master plan for the Pensacola Regional Airport as directed by the board of county commissioners.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 8.E.1.1: Compatible Development

Coordinate adjacent land uses with the City of Pensacola and the airport master plan to provide development patterns that are compatible with airport development.

Policy 8.E.1.2: Airport Zoning

Implement adopted land development regulations that restrict the height, density and intensity of development in areas adjacent to the airport boundaries and clear zones to ensure that incompatible land uses will not be allowed to encroach on airport facilities and hinder airport activities.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2004-80, § 4, 12-9-2004)

Policy 8.E.1.3: Impact of Airport

Review and comment on proposed airport development and/or expansion that may impact the county.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2004-80, § 4, 12-9-2004)

Policy 8.E.1.4: Airport Stormwater Management

Work with the City of Pensacola and the department of environmental regulation to ensure that adequate stormwater management techniques are provided for existing and future airport development.

OBJECTIVE 8.E.2: NAVAL AVIATION FACILITIES DEVELOPMENT COMPATIBILITY

The Naval aviation facilities in Escambia County are of significant value to the county. Protecting these important economic resources requires that the development of airfield hazards and incompatible land uses be prevented. The county will evaluate development proposals for property located within the established AIPD overlays, APZ and

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noise zones of the existing aviation facilities to ensure compatibility and to protect airfield facilities from encroachment of incompatible land uses.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2004-78, § 4, 12-9-2004; Ord. No. 2004-80, § 4, 12-9-2004)

Policy 8.E.2.1: Establishment of Airfield Influence Planning Districts (AIPD)

To promote an orderly transition and rational organization of land uses, protect the health, safety and welfare of the public, and maintain the mission of the military facilities, the county will establish Airfield Influence Planning District (AIPD) overlays over and around each of the military aviation facilities within Escambia County. These shall be designated as Airfield Influence Planning District--1 (AIPD-1) and Airfield Influence Planning District--2 (AIPD-2).

(Ord. No. 2004-78, § 4, 12-9-2004; Ord. No. 2004-80, § 4, 12-9-2004)

Policy 8.E.2.2: DRC Coordination with the Navy

The Navy shall designate a representative from NAS Pensacola and from NAS Whiting Field to function as ex officio members of the Escambia County Development Review Committee (DRC). As part of the regular DRC process, the county will forward the weekly DRC agenda to the Navy designee. When a development is proposed within the AIPD overlay areas, the county will include a copy of the submitted development plans. The Navy designee will review the development plans for land use compatibility with the Navy mission in relation to proposed structure height, density and intensity of land use and will submit comments to county staff to be forwarded to the applicant.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2004-78, § 4, 12-9-2004; Ord. No. 2004-80, § 4, 12-9-2004)

Policy 8.E.2.2.1. LPA Coordination with the Navy

Pursuant to F.S. § 163.3175, a representative of the military installations located within Escambia County shall be placed on the Planning Board as an ex officio, nonvoting member. (See Policy 7.A.9.8.)

The Navy's Planning Board representative shall coordinate with the Navy Base Commanding Officers (CO) to review and comment on all proposed Comprehensive Plan and Land Development Code amendments that would affect the intensity, density or use of the land within the Airfield Influence Planning Districts. The comments shall address the impacts such proposed Comprehensive Plan or Land Development Code changes may have on the mission of the military installations. They shall include:

1. Whether such proposed changes will be incompatible with the safety and noise standards contained in the Air Installation Compatible Use Zone (AICUZ) study adopted by the military installation for that airfield or the Airfield Influence Planning District adopted by the county for that airfield;
2. Whether such changes are incompatible with the findings of the Joint Land Use Study for the area;
3. Whether the military installation's mission will be adversely affected by the proposed actions of the county.

(Ord. No. 2004-80, § 4, 12-9-2004)

Policy 8.E.2.2.2: Future Needs of Military Installations

Needs of the Navy may be identified that require an amendment to the completed Joint Land Use Study. When a determination is made that such an amendment is desirable, the Commanding Officer is encouraged to provide information concerning any community planning assistance grants that may be available to the county through the Department of Defense, Office of Economic Adjustment.

(Ord. No. 2004-80, § 4, 12-9-2004)

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Policy 8.E.2.2.3: Interlocal Agreement with the Navy

An interlocal agreement to determine the details of the coordination between the Navy and Escambia County shall be executed by June 30, 2006. This shall include, but not be limited to, the individual responsibilities of the county and the Navy; the method by which the Navy will appoint a Planning Board representative; the length of the term of appointment; the details of the coordination required to produce, receive and transmit any Navy comments to the State; establish who will be responsible for forwarding the comments; the method by which the Navy will apprise the county of any available grants and the details to be reported on the Annual Report on Comprehensive Plan Implementation.

(Ord. No. 2004-80, § 4, 12-9-2004)

Policy 8.E.2.3: Air Installation Compatible Use Zones

The county will coordinate with the Navy to effectively regulate land uses in areas covered by the Airfield Influence Planning District (AIPD) overlays and the Air Installation Compatible Use Zones (AICUZ) to support the Navy's aviation mission while protecting the private property rights of the land owners.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2004-78, § 4, 12-9-2004; Ord. No. 2004-80, § 4, 12-9-2004)

Policy 8.E.2.4: Compliance with AICUZ and JLUS Compatibility and Density Requirements

The county will monitor development in the Airfield Influence Planning Districts for compliance with the Joint Land Use Study recommendations and Air Installation Compatible Use Zone study requirements. Compatible uses and allowed densities are specified in the Land Development Code. Rezoning to a higher density will be discouraged. See LDC Article 11 for density and land use limitations and Article 6 for new zoning districts that will permit rezoning to commercial without the attendant high residential densities. The compatibility requirements will be revised as the mission of the military facility changes. That is, the requirements may be removed if the facility closes or expanded if the mission of the Navy so requires.

(Ord. No. 2004-78, § 4, 12-9-2004; Ord. No. 2004-80, § 4, 12-9-2004)

Policy 8.E.2.5: Use of Information from the Navy

The county will utilize information provided by the Navy, such as the Air Installation Compatible Use Zone Study Program Procedures and Guidelines (OPNAVINST 11010.36B) or approved successor and Aircraft Noise Survey, together with the recommendations of the Joint Land Use Study when developing plans to control the encroachment of incompatible development in the vicinity of NAS Pensacola and Navy Outlying Landing Fields Saufley and Site 8, to ensure protection of each installation's aviation mission.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2004-78, § 4, 12-9-2004; Ord. No. 2004-80, § 4, 12-9-2004)

Policy 8.E.2.6: Coordination with Local Utilities

A formal information exchange between the county, ECUA, FDOT, and other utility service providers in the area will be established by 2007. The purpose is to explore the growth inducing impacts of utility expansion and infrastructure improvements within the AIPD overlay areas in relationship to the JLUS recommendations. Annual reporting of the status of the planned utility expansion and infrastructure improvements will be included in the Comprehensive Plan Implementation Annual Report.

(Ord. No. 2004-78, § 4, 12-9-2004; Ord. No. 2004-80, § 4, 12-9-2004)

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Policy 8.E.2.7: Monitoring and Reporting on Effectiveness of Compatibility Criteria

Pursuant to F.S. § 163.3191(n), and beginning in Fiscal Year 2004/2005, the county shall conduct an annual assessment of the effectiveness of the criteria adopted pursuant to F.S. § 163.3177(6)(a) in achieving compatibility with military installations in areas designated as Airfield Influence Planning Districts, This assessment shall be based on a compilation of data for the calendar year and shall compare the current years' development with the previous years' development relevant to the following in each AIPD:

1. Single-family residential building permits in each AIPD area based on the number of permits issued, and broken down by APZ and AIPD area.
2. Number of residential units (high density) approved and permitted.
3. Extension of sewer and water lines in the AIPD Overlay areas as reported by ECUA (or relevant potable water distributors).
4. Number of units approved in preliminary and final subdivision plats.
5. Number of site plans for commercial projects approved.
6. Number of communication towers approved.
7. Number of variances and/or conditional use requests and approvals.
8. Number of rezoning requests/approvals.
9. Number of Future Land Use amendments.

The intent is to measure the increase or decrease in residential development activity within the Airfield Influence Planning Districts to determine the effectiveness of the measures adopted to control residential density and encourage commercial development, as recommended by the Joint Land Use Study. The county shall review the collected data to ensure compliance with the intent of the Joint Land Use Study recommendations. In addition, analysis of the collected data over a period of time will assist in determining what future changes may be required to enhance or improve the county's efforts to control encroachment on the military installations.

The reports shall be included in the Annual Comprehensive Plan Implementation Report, and shall be further analyzed for inclusion in the Evaluation and Appraisal of the Comprehensive Plan required every seven years. (Ord. No. 2004-80, § 4, 12-9-2004)

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Chapter 9 HOUSING ELEMENT

Chapter 9 HOUSING ELEMENT*

*Cross references: Housing, pt. I, ch. 58.

State law references: Housing element, F.A.C. 9J-5.010.

[Sec. 9.01 Purpose.](#)

[Sec. 9.02 Data and analysis.](#)

[Sec. 9.03 Goals, objectives and policies.](#)

INTRODUCTION

Section 9.01 Purpose.

The purpose of the housing element is to provide guidance to Escambia County to develop appropriate plans and policies to demonstrate its commitment to meet identified or projected deficits in the supply of housing. These plans and policies address government activities as well as provide direction and assistance to the efforts of the private sector.

Section 9.02 Data and analysis.

This element is based upon data and analysis requirements pursuant to F.A.C. 9J-5.005(2) and F.A.C. 9J-5.010(1) and (2). Reference sections 5.03, 5.06 and 5.07 of this ordinance.

Section 9.03 Goals, objectives and policies.

The goals, objectives and policies of this element are as follows:

ADEQUATE AND AFFORDABLE HOUSING

GOAL 9.A

The provision of safe, affordable and adequate housing for the current and future residents of Escambia County.

OBJECTIVE 9.A.1: AFFORDABLE HOUSING DELIVERY PROCESS

Provide guidance and direction to the public and private sectors for the provision of adequate and affordable housing for rural residents and farm workers, current and future residents and for households with special housing needs by implementing Policies 9.A.1.1 through 9.A.1.11, among others, upon adoption of this ordinance.

Policy 9.A.1.1: Land For Residential Development

The future land use maps (and zoning maps) continually shall provide for sufficient development or redevelopment opportunities within residential areas.

Policy 9.A.1.2: Annual Review of Permitting Process

Annually, the county will review its regulatory and permitting process and evaluate changes necessary to improve the public and private sector housing delivery process. Such review and evaluation shall be conducted within the

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time frame identified in section 14.06 of this ordinance. The review shall be conducted by the comprehensive plan implementation committee (Policy 14.A.3.6). During each annual review, opportunities for involvement of the county with private sector providers shall be analyzed. In addition, the review is designed to improve coordination between participants involved in housing production (reference Policy 9.A.3.2).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.1.3: LDC Permitting Process

The land development code shall include an efficient and easily followed permitting process. Such process will include the use of checklists and referrals to appropriate regulatory agencies.

Policy 9.A.1.4: Affordable Housing Programs

Continue to participate in the following programs or any replacement or supplemental programs which may be developed by state or federal agencies:

1. U.S. Housing and Urban Development, Section 8, existing housing program, for rent supplements to qualified low-income families;
2. The Community Development Block Grant Program;
3. The Consolidated Plan pursuant to the Cranston-Gonzalez National Affordable Housing Act;
4. The Home Investments Partnership Program (HOME); and
5. The State Housing Initiatives Partnership (SHIP) Program, among others.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.1.5: Annual Housing Evaluation

Annually, the county will examine its housing needs and implementation activities so as to maintain up-to-date information on the housing delivery process program and the success of prior activities.

Policy 9.A.1.6: LDC Locational Criteria

The LDC shall include criteria guiding the location of housing for low- and moderate-income families, group homes, foster care facilities and households with special needs. Among other things, the criteria will include the allowance of these housing types in the residential categories reflected on the future land use map.

Policy 9.A.1.7: LDC Concurrency Procedures

The LDC shall detail the procedures whereby the provision of facilities and services necessary to serve proposed developments at the adopted LOS standards is confirmed prior to the issuance of development permits (reference chapter 6 of this ordinance).

Policy 9.A.1.8: LDC Housing Site Development Criteria

The LDC shall include site development criteria for all housing types including mobile homes, group homes and foster homes.

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Policy 9.A.1.9: Neighborhood Enterprise Foundation

The county will continue to provide assistance, through the Neighborhood Enterprise Foundation Inc., and using resources listed in Policy 9.A.1.4, among others, to provide affordable homeownership opportunities for a minimum of 70 low- and moderate-income home buyers per year.

Policy 9.A.1.10: SHIP Fund Initiatives

Use SHIP funds to expand and/or enhance ongoing activities designed to develop new affordable housing initiatives conforming to the statutory requirements of F.S. ch. 420. Such funds may be used to:

1. Provide local cash match for federal or state housing programs such as HOME Investment Partnership Program, Housing Opportunities for People Everywhere (HOPE), McKinney Act Programs, Florida Housing Finance Corporation programs, etc.;
2. Provide down-payment assistance, construction subsidies, mortgage reduction, mortgage interest rates subsidies, and/or direct mortgage loans to very low-, low- and/or moderate-income families;
3. Provide appropriately targeted grants and loans in support of moderate and substantial rehabilitation/preservation of substandard housing owned and/or occupied by very low- and low-income families;
4. Support the availability and enhancement of emergency home repair assistance for very low- and low-income families through the agencies currently operating a recognized weatherization program pursuant to F.S. §§ 409.509--409.5093;
5. Provide assistance for construction or rehabilitation of housing designed to address families with special needs; and
6. Utilize funds to supplement existing and future Florida Housing Finance Corporation, Escambia County Housing Finance Authority, and/or Florida Department of Community Affairs Affordable Housing Projects undertaken for the benefit of lower income families within the county.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.1.11: Local Housing Partnership

The county will continue its local housing partnership (as created by Ordinance Number 92-42) so as to increase the availability of affordable housing units by combining local resources and cost-saving measures into the local housing partnership and using private and public funds to reduce the cost of housing. In addition, the partnership is expected to promote compact urban development by allowing more efficient use of land so as to provide housing units that are affordable to persons who have special housing needs and are in the very low and low to moderate income groups, to promote innovative design of eligible housing so as to provide for cost savings, promote flexible design options for housing and development without compromising the quality of eligible housing, promote mixed-income housing in urban, suburban and rural areas so as to provide increased housing opportunities and to develop the organizational and technical capacity of community-based organizations so as to optimize the role of such organizations in the production of affordable housing. In particular, the county shall continue to implement its redevelopment strategy throughout specified target neighborhoods to accomplish the above and continue its partnership with such nonprofit housing providers as Community Equity Investments, Inc. (CEII) and Habitat for Humanity.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 9 HOUSING ELEMENT

OBJECTIVE 9.A.2: SUBSTANDARD HOUSING REHABILITATION

The county will continue its efforts to reduce the number of substandard housing units and will continue its structural and aesthetic improvements efforts so as to rehabilitate approximately 40 substandard units per year during the planning period.

Policy 9.A.2.1: CDBG Assistance

Allocate approximately \$600,000.00 per year in loan and grant assistance for low income home owners from the county's CDBG program. Based on historic trends, this allocation should complete approximately 40 homes per year in the unincorporated areas of the county.

Policy 9.A.2.2: Nuisance Abatement Code

The county shall continue to enforce the nuisance abatement code (county Ordinance 97-36) that requires the removal of housing stock with structural deficiencies.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.2.3: Annual Code Enforcement Review

The county will continue to enforce the building code, nuisance abatement code, and land development code. In addition, the comprehensive plan implementation committee shall review the county's building, nuisance abatement, planning and zoning codes and code requirements to insure that quality of housing and integrity of neighborhoods is adequately addressed. The committee's review shall be reported to the LPA together with the other reports required pursuant to section 14.06.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.2.4: [Reserved]

Editor's note--Policy 9.A.2.4, Landscape/Buffer Requirements, was deleted by Ord. No. 2002-38, adopted Aug. 15, 2002.

Policy 9.A.2.5: Infrastructure Improvements

The county will continue its efforts, through the community redevelopment agency (CRA), to complete the activities necessary to improve the infrastructure in the specified redevelopment neighborhoods identified in Objective 7.D.1., so as to improve the quality of life of the low and moderate income families residing in the target neighborhoods.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.2.6: Rental Rehabilitation by CHDO

Continue to support the acquisition and rehabilitation of rental units by the Local Community Housing Development Organization (CHDO) for ultimate occupancy by low- and moderate-income families meeting the occupancy criteria of 24 CFR Part 92.

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Chapter 9 HOUSING ELEMENT

OBJECTIVE 9.A.3: LOW-MODERATE INCOME HOUSING

Provide adequate areas and infrastructure for housing for low- and moderate-income families, mobile homes, group homes and foster care facilities by including regulations requiring the provision of adequate areas and infrastructure within the LDC (reference Policy 7.A.1.1) and by implementing Policies 9.A.3.1 through 9.A.3.9, among others.

Policy 9.A.3.1: Concurrency Management

The county shall continue the implementation of its concurrency management system (reference chapter 6 of this ordinance).

Policy 9.A.3.2: Public-Private Partnerships

The county shall promote and support involvement, including partnerships, of local government with the private and nonprofit sectors to improve coordination among participants involved in housing production and the housing program delivery process (reference Policies 9.A.1.2 and 9.A.1.11).

Policy 9.A.3.3: LDC Mobile Home Provisions

The LDC shall include the county land development code and zoning maps and said maps shall include zoning districts for residential areas within which mobile homes and manufactured housing can be located.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.3.4: Low-Moderate Income Housing Location

Low and moderate income housing may be located in any residential land use category provided the housing can be situated in compliance with all applicable rules and regulations including setback requirements and landscaping provisions.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.3.5: Zero Lot Line Developments

Zero lot line developments, and townhouses, which may promote low and moderate income housing, will be allowed in all zoning districts except in AG, RR, R-1, R-2, VAG-1, VAG-2, VR-1, VR-2, V-1, V-2, V-2A, V-3, IDCP, ID-1, GBD, and GID.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.3.6: Section 8 Voucher Program

The county, in partnership with the City of Pensacola, shall ensure the continued administration of the Section 8 Program and assure that such program continues authorization for at least 1,800 certificates of eligibility (vouchers) so that low- and moderate-income families in need may acquire safe, affordable, and adequate housing through the Section 8 - Voucher Program. In addition, the county, in consultation with the City of Pensacola, will attempt to increase the number of approved vouchers by 12 per year.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 9 HOUSING ELEMENT

Policy 9.A.3.7: Florida Housing Coalition

Escambia County shall continue to participate with the Florida Housing Coalition so as to provide opportunities for low-cost home ownership for families meeting eligibility requirements.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.3.8: Housing Outreach Program

Escambia County shall continue its housing outreach program to assure dissemination of housing information to those in need and the private sector housing production systems (i.e., lenders, builders, etc.).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.3.9: Mobile Home Parks

Mobile home parks may be allowed in any residential or appropriate mixed-use (MU-1, MU-2 and MU-6) future land use category, as permitted by the land development code. However, mobile home parks are prohibited in the coastal high hazard area (MU-3, MU-4 and MU-5). The permitting of mobile home parks shall be consistent with applicable rules, regulations, and policies of the county and the State of Florida.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 9.A.4: GROUP HOMES/FOSTER CARE FACILITIES

Upon adoption of this plan, ensure adequate sites are available in residential areas or areas of residential character for group homes and foster care facilities licensed or funded by the Florida Department of Health.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.4.1: LDC Locational Criteria

Foster care facilities and group homes, housing six or fewer residents, may be located in any residential zoning category. Group homes, housing seven or more residents, may be located in any medium density, high density or mixed-use category.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 9.A.5: HOUSING STOCK INVENTORY

The county will continue to collect housing inventory data as neighborhood plans are developed, with special attention to specified redevelopment areas.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.5.1: Housing Stock Rehabilitation

The county's housing agencies and the community redevelopment agency (CRA) shall continue to administer programs that further the conservation or rehabilitation of existing housing stock. These methods include, but are not limited to, the following (subject to continued state and federal funding):

- a. CDBG Housing Rehabilitation Program.
- b. Home Substantial Rehabilitation/Replacement Housing Program.
- c. First Time Homebuyer Down Payment/Closing Cost Assistance.

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Chapter 9 HOUSING ELEMENT

- d. Affordable Homeownership - Lot Acquisition Program.
- e. New Home Construction for Very Low Income Families.
- f. New Home Construction for Moderate Income Families.
- g. Emergency Repair Assistance for Very Low Income Families.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.5.2: Zoning Code Enforcement

The county shall conserve established residential neighborhoods through enforcement of Article 6, Zoning Districts, of the LDC.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.5.3: Construction Inspection Procedures

The LDC shall contain provisions for adequate inspection procedures during the construction and reconstruction of residential units.

Policy 9.A.5.4: Rehabilitation/Demolition Criteria

County staff shall continue to use criteria that define conditions warranting conservation, rehabilitation or demolition actions. The criteria includes a numerical scoring system. All areas having historically significant housing shall be considered for conservation. Housing stock in need of demolition will be determined based on the county's financial feasibility and the nuisance abatement code referenced in Policy 9.A.2.2.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.5.5: Historic Housing Identification

The county will continue using the Bureau of Historic Preservation, Division of Historical Resources, Florida Department of State, as a resource for updating its historic housing inventory and to provide for the preservation of this historic housing.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.5.6: Housing Stock Inventory

The inventory of the county's housing stock will be updated periodically, particularly in redevelopment areas, with assistance from county operating departments and/or contract entities.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 9.A.6: RELOCATION

Provide housing assistance, including relocation housing for persons displaced by public programs or projects and for those displaced by the process of housing rehabilitation upon adoption of this plan.

Policy 9.A.6.1: Relocation Grants

The county will continue to pursue grants to provide for relocating low- and moderate-income persons displaced during the housing rehabilitation process.

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Chapter 9 HOUSING ELEMENT

Policy 9.A.6.2: Relocation Policy

The county shall continue to utilize its "Relocation Policy" which has been developed in compliance with Public Law 93-383 (The Housing and Community Development Act of 1974) and adopted by the board of county commissioners on November 28, 1988. Among other things, the relocation policy provides for payments to displaced families based on family size, tenant relocation assistance under the rental rehabilitation program, the minimization of displaced persons/families, eligibility criteria, temporary relocation (including moving costs and rental assistance), permanent relocation, and other provisions germane to the relocation of displaced persons process (for reference, the Escambia County Anti-Displacement and Relocation Policy is included in chapter 5 of the foundation document). (Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 9.A.7: HOUSING PROGRAMS

The county shall implement its housing programs on a continual basis.

Policy 9.A.7.1: Low Interest Mortgage Loans

The county will cooperate with appropriate local, state and federal agencies in order to facilitate bond-backed low interest mortgage loans for home purchases by qualified individuals or families.

Policy 9.A.7.2: State and Federal Assistance

The county will continue to cooperate with the appropriate agencies so that residents in need may take advantage of various state and federal programs including, but not limited to, the U.S. HUD, Section 8 Housing Assistance Program, the Section 8 Voucher Program and others.

Policy 9.A.7.3: Farm Family Housing

The county shall continue to allow rural farm worker and farm family housing on one acre parcels (or smaller depending on locational criteria) in any agriculture zone or category. This policy is intended to provide affordable housing opportunities for those involved in agriculture pursuits within the county.

Policy 9.A.7.4: County Housing Finance Authority

The county will continue to participate with the Escambia County Housing Finance Authority in the issuance of bonds to provide low interest mortgage loans for home purchases by qualified families.

Policy 9.A.7.5: Cluster Developments

The county shall provide for affordable housing opportunities by allowing cluster developments, zero-lot line developments, planned unit developments, and other types of housing development which tend to reduce the cost of individual dwelling units.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.7.6: Nondiscrimination Policies

The county will continue enforcement of its non-discrimination policies and provisions so as to ensure access to housing opportunities by all segments of the county population.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 9 HOUSING ELEMENT

Policy 9.A.7.7: Litter and Abandoned House Code Enforcement

Continue to implement strategies to enhance enforcement of existing ordinances (i.e., abandoned property ordinance, litter ordinance, LDC sign chapter, etc.) which maintain the aesthetics of residential areas.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.7.8: Annual Special Needs Housing Inventory

Update inventories of providers of special needs housing (group and foster homes, facilities for the homeless, etc.) on an annual basis, including number and location (also, see Policy 9.A.5.6).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.7.9: Family Conveyance Provision

Nothing in this comprehensive plan shall be interpreted to deny the use of a parcel of property solely as a homestead by an individual who is the grandparent, parent, step-parent, adopted parent, sibling, child, step-child, adopted child, or grandchild of the person who conveyed the parcel to said individual, notwithstanding the density or intensity of use assigned to the parcel in the plan. This family conveyance provision shall apply only once to any individual.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.7.10: Lots of Record

Nothing in this comprehensive plan shall be interpreted to deny the use of a lot of record or parcel which existed at the time of adoption of this plan (as amended) provided, however, that existing lots of record do not include contiguous multiple lots under single ownership. This policy does not exempt parcels or lots of record from the concurrency requirements of this plan.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 9.A.7.11: Neighborhood Enterprise Foundation Annual Report

Continue to receive, review and respond to the annual reports produced by the Neighborhood Enterprise Foundation, Inc. as such reports relate to this comprehensive plan and/or the provision of affordable, safe and sanitary housing for all citizens of Escambia County.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 10 INFRASTRUCTURE ELEMENT

Chapter 10 INFRASTRUCTURE ELEMENT*

*State law references: Sanitary sewer, solid waste, stormwater management, potable water and natural groundwater aquifer recharge element, F.A.C. 9J-5.011.

[Sec. 10.01 Purpose.](#)

[Sec. 10.02 Data and analysis.](#)

[Sec. 10.03 Sanitary sewer goals, objectives and policies.](#)

[Sec. 10.04 Solid waste goals, objectives and policies.](#)

[Sec. 10.05 Stormwater management goals, objectives and policies.](#)

[Sec. 10.06 Potable water goals, objectives and policies.](#)

[Sec. 10.07 Natural groundwater aquifer recharge goals, objectives and policies.](#)

(SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER AND NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT)

INTRODUCTION

Section 10.01 Purpose.

The purpose of this chapter (element) is to provide for necessary public facilities and services correlated to the future land use map (projections) and consistent with the goals, objective and policies contained in this ordinance.

Section 10.02 Data and analysis.

This element is based upon data and analysis requirements pursuant to F.A.C. 9J-5.005(2) and F.A.C. 9J-5.011(1) (reference sections 5.03, 5.06 and 5.07 of this ordinance and chapter 6 of the foundation document).

Section 10.03 Sanitary sewer goals, objectives and policies.

The goals, objectives and policies for sanitary sewer are as follows:

SANITARY SEWERS

GOAL 10.A

The provision of an environmentally safe and efficient wastewater collection, treatment and disposal system.

OBJECTIVE 10.A.1: PROVISION OF SANITARY SEWER SERVICE

Sanitary sewer service will be provided by the Escambia County Utilities Authority (ECUA) consistent with the interlocal agreement between the county and the ECUA and the Escambia County Utilities Authority Act and by other sanitary sewer service providers. Escambia County's primary obligations related to the provision of sanitary sewer service will be the implementation of the county's concurrency management system and the implementation of the land development code, section 7.19.00 related to mandatory connection of new structures to the ECUA sanitary sewer system when available.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 10 INFRASTRUCTURE ELEMENT

Policy 10.A.1.1: Facility Improvements (ECUA)

The county will continue to coordinate with ECUA and other providers relative to their capital improvements and program formulation to assure consistency with this comprehensive plan.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.A.1.2: Effluent Disposal

Cooperate with and assist appropriate regulatory agencies and central sewer systems in order to provide for additional techniques and methods for effluent disposal so as to improve the ability of ECUA (and other providers) to obtain the requisite permits for treatment upgrades and capacity expansions as they become necessary.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.A.1.3: Service To Growth Areas

The county will cooperate, assist and encourage the service providers to target service in those areas of the county experiencing growth and growth pressures and in those areas of the county with reported septic tank problems. In addition, the providers shall be requested to provide service in developed areas where sensitive environmental resources (wetlands, estuaries, groundwater recharge areas, etc.) exist, if service is not already provided.

Policy 10.A.1.4: Noncompliant Package Plants

Owners of package treatment plants not in compliance with the Florida Department of Environmental Protection permit requirements shall be required to connect their plant and system to the ECUA regional system within one year of notice of availability of service or capacity as defined by the department of health and F.A.C. ch. 10D-6 and within the county's authority as specified in applicable ordinances or regulations. No new package plants will be permitted in rural areas unless such plants are necessary to protect the health and safety of citizens or to preserve important resources.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 10.A.2: SEWER EXTENSIONS AND LOS

Coordinate with ECUA and the other providers on the extensions of sanitary sewer collection lines and the siting or increase in capacity of wastewater treatment facilities (if any) in order to meet future needs by implementing the concurrency management system.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.A.2.1: LOS Standards in LDC

The county shall ensure the maintenance of LOS standards through implementation of the county concurrency management system (reference chapter 6 of this ordinance).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.A.2.2: LOS Standards

The average level of service standard for sanitary sewer service shall be 210 gallons per residential connection per day and the peak LOS shall be 350 gallons per residential connection per day. For nonresidential uses, the level of

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service requirements shall 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.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.A.2.3: Interlocal Agreements

Escambia County will execute interlocal agreements with ECUA and other providers so that coordination occurs in establishing level of service standards throughout the county.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.A.2.4: Funding Sources

The construction, maintenance and operation of facilities will be the responsibility of ECUA or other service providers and funded by user fees, impact fees, special assessments, developer contributions and state or federal grants or other means. The county may consider additional funding mechanisms as appropriate.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.A.2.5: Development Monitoring (Concurrency)

The county will monitor development to ensure that the level of service standards are maintained concurrent with development (reference chapter 6, section 14.06 and Policy 14.A.3.6).

OBJECTIVE 10.A.3: URBAN SPRAWL CONTROL

The county shall implement provisions which encourage the use of existing facilities so as to discourage urban sprawl. At a minimum, the county will require development located south of Well Line Road to connect to the Escambia County Utilities Authority's sewage collection system, unless ECUA has determined that it is not feasible to provide sanitary sewer service to the proposed development.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.A.3.1: Septic Tank Permits

All new structures intended for human occupancy located in that area south of Well Line Road shall connect to the Escambia County Utilities Authority's (ECUA) sewage collection system unless ECUA has determined that it is not feasible to provide sanitary sewer service to the proposed structures. Upon construction of the central county wastewater treatment facility, the county will consider expansion of this policy to incorporate the service area of that facility.

Those structures not required to connect to the ECUA sewage collection system will not be issued a building permit until the applicant has obtained the appropriate permit from the department of health.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.A.3.2: Unserved Areas

The county will limit development and strictly enforce size and density limitations contained in this ordinance through implementation of the LDC for unserved areas of Escambia County.

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Chapter 10 INFRASTRUCTURE ELEMENT

Section 10.04 Solid waste goals, objectives and policies.

The goals, objectives and policies for solid waste are as follows:

SOLID WASTE

GOAL 10.B

Provide an environmentally safe and cost effective system for solid waste collection and disposal.

OBJECTIVE 10.B.1: EXISTING FACILITY DEFICIENCIES

Correct any existing solid waste facility deficiencies.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.B.1.1: User Fees

The construction, maintenance and operation of solid waste facilities will be funded by user fees.

Policy 10.B.1.2: ESRCRMP Recommendations on Collection

The county shall continue its mandatory solid waste collection program consistent with the recommendations of the ESRCRMP.

OBJECTIVE 10.B.2: FUTURE DEMANDS AND LOS

Coordinate the increase in capacity of solid waste facilities to meet future needs by implementing the county concurrency management system.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.B.2.1: Perdido Landfill Operation

The county will continue to provide and operate the Perdido Landfill so as to accommodate the municipal solid waste disposal needs of the entire county.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.B.2.2: Perdido Landfill Land Acquisition

Continue to acquire property adjacent to the Perdido Landfill so as to accommodate the long term expansion of the facility and provide solid waste disposal capacity for future generations.

Policy 10.B.2.3: LOS Standards

The level of service standard for solid waste disposal shall be six pounds per capita per day.

Policy 10.B.2.4: Development Monitoring (Concurrency)

The county will continuously monitor growth and development to ensure that the level of service standard is maintained concurrent with development (reference chapter 6 and section 14.06 of this ordinance).

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Chapter 10 INFRASTRUCTURE ELEMENT

OBJECTIVE 10.B.3: RECYCLING

Reduce the volume of solid waste entering the Perdido Landfill through recycling, thereby maximizing the use of existing and future facilities.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.B.3.1: Recycling and Collection

Cooperate with ECUA, franchised haulers and other entities involved in the collection or generation of solid waste and recycling of waste products, in the continued development and implementation of a recycling program within the county. It is the goal of Escambia County to comply with solid waste reduction goals established by the State of Florida.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.B.3.2: Public Education

The county will continue its public education and information campaigns aimed at informing the general public and specific solid waste generators regarding the benefits of recycling and other techniques designed to improve the useful life of the municipal solid waste management facilities within the county.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Section 10.05 Stormwater management goals, objectives and policies.

The goals, objectives and policies for stormwater management are as follows:

DRAINAGE

GOAL 10.C

Provide an environmentally safe and efficient stormwater management system.

OBJECTIVE 10.C.1: STORMWATER MANAGEMENT DEFICIENCIES

Continue to improve existing stormwater management systems by implementing Policies 10.C.1.1 through 10.C.1.6.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.C.1.1: Noncompliant Development

The county shall continue its practice of not issuing development permits for projects not meeting the design and performance criteria for correcting existing deficiencies.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.C.1.2: County Improvement

The county shall continue its practice of enhancing localized and regional drainage systems to increase the LOS associated with development prior to current stormwater management requirements.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 10 INFRASTRUCTURE ELEMENT

Policy 10.C.1.3: Maintenance and Inspection

The county shall continue its periodic inspection and maintenance program of stormwater control structures to insure the proper functioning of such structures.

Policy 10.C.1.4: Vegetated Swale Drainage

Where soil conditions permit, the county may allow the use of vegetated swales on all new roadways and drainage rights-of-way.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.C.1.5: Code Enforcement

The county shall continue enforcement of its stormwater management ordinance. This ordinance shall be implemented consistent with the capital improvements element and in cooperation with the municipalities and regulatory agencies. The ordinance is based on detailed engineering studies of the drainage basins within the county and enforcement, implementation and development of the ordinance is (was) pursuant to the detailed guidance provided by the county's stormwater management plan.

Policy 10.C.1.6: 1994 Stormwater Management Plan

The county will utilize the best available information contained in the 1994 Stormwater Management Plan and its subsequent updates to assist in the planning of capital stormwater projects. The goal of the project planning will be to retrofit existing areas of the county to as near to current stormwater levels of service as possible. Updated information will be added to the stormwater management plan as funding allows to provide a tool to be utilized by development and planning staff in their attempt to plan for the future and minimize or eliminate facility deficiencies. (Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 10.C.2: CONCURRENCY AND LOS STANDARDS

Assure the provision of drainage facilities concurrently with the demand for such facilities as created by development or redevelopment through implementation of the concurrency management system.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.C.2.1: Developer Responsibilities

Installation of stormwater management facilities made necessary by new development shall be the responsibility of the developer (reference Policy 14.A.4.2).

Policy 10.C.2.2: Drainage LOS Standards

The stormwater management level of service standards shall be met if the application includes a stormwater management plan certified by a registered and licensed professional engineer documenting the project's design, and subsequent construction is in compliance with the adopted level of service standard and such plan has been reviewed, inspected and approved by the county engineer or designee. The minimum standards to be certified are:

1. That the post development run-off rate will not exceed the predevelopment run-off rate for a 25-year storm event, up to and including an event with greatest intensity;

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2. Compliance with design and performance standards pursuant to Chapter 62-25, F.A.C., in its entirety (including exemptions) and Chapters 62-4 and 62-302, F.A.C..
3. That the contribution of the new development to any existing, functioning area-wide drainage system will not degrade the ability of the area-wide system to adequately retain/detain/store and control stormwater run-off.
4. The County Engineer may reduce detention/retention storage requirements for developments that provide a direct discharge of treated stormwater to the Gulf of Mexico, Escambia Bay, Pensacola Bay, or Perdido Bay provided LOS standard subpart 2 is deemed to be satisfied.
5. The county engineer shall require design and construction for all major channels of stormwater systems under arterial and collector roads be predicated upon, and designed to control stormwater from, at least a 100-year storm event.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 10.C.3: EXISTING FACILITY UTILIZATION

Existing functioning drainage features (facilities) shall be utilized whenever sufficient capacity is available within such features. Utilization of natural drainage features shall be required when such use does not impact sensitive natural resources, upon adoption of this ordinance (reference section 15.01).

Policy 10.C.3.1: LDC Protection of Natural Drainage

The LDC shall include land use regulations which require site specific development plans to protect natural drainage features and incorporate such features into the site planning and development process.

Policy 10.C.3.2: Untreated Stormwater

Channeling untreated run-off directly into receiving waters shall be prohibited. Thus, no new "direct" discharge of untreated stormwater will be permitted. Note: For the purposes of this plan, adequate vegetative filtration of sheet flow from pervious surfaces may be considered "treatment" (also, see Policy 11.A.2.3).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Section 10.06 Potable water goals, objectives and policies.

The goals objectives and policies for potable water are as follows:

POTABLE WATER

GOAL 10.D

Provide an environmentally safe and efficient system for the provision of potable water.

OBJECTIVE 10.D.1: PROVISION OF POTABLE WATER SERVICE

Potable water will be provided by the Escambia County Utilities Authority (ECUA) as specified in the Escambia County Utilities Authority Act and the interlocal agreement between the county and the ECUA and by other water service providers under franchise agreements with the county that were in operation on August 1, 1981. Escambia

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County's primary obligation related to the provision of potable water service will be the implementation of the concurrency management system. The county will encourage the use of existing facilities to discourage urban sprawl by (1) not allowing rezonings to higher densities unless public water service is available and (2) discouraging the expansion of rural water service systems unless necessary to protect the health and safety of citizens or to protect important resources.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.1.1: Cooperation with Existing Service Providers

The county will cooperate with the various water service providers within the county, in any appropriate manner, in order to provide for the timely and efficient provision of potable water facilities or to correct facility deficiencies.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.1.2: LDC and Existing Systems

The LDC shall contain provisions, regulations and incentives (economic) which will be used to encourage new development to utilize existing potable water facilities and systems to serve the needs of the development. The economic incentives will include higher costs for extending distribution lines as opposed to tapping existing lines (also, see Policies 10.D.2.2, 14.A.1.4 and 14.A.4.2).

OBJECTIVE 10.D.2: CONCURRENCY AND LOS STANDARDS

Provide potable water facilities concurrent with future demand through implementation of the county's concurrency management system.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.2.1: Funding Sources

All costs for potable water facilities will be the responsibility of the service providers and will be funded by user fees, impact fees, special assessments, developer contributions and state or federal grants or other means. The county may consider additional funding mechanisms as appropriate.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.2.2: Developer Responsibilities

The cost of water line extensions made necessary by new development will be the responsibility of the development unless otherwise funded by the service provider.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.2.3: Water LOS Standards

The LOS standards for potable water within Escambia County shall be:

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TABLE INSET:

Purveyor	LOS Standard (Gallons per Capita per Day)
1. Bratt-Davisville Water System	96
2. Central Water Works	94
3. Cottage Hill Water Works	122
4. ECUA	100
5. Farm Hill Utilities	76
6. Gonzalez Utilities	81
7. Molino Utilities	81
8. People's Water System	65
9. Walnut Hill Water Works	83

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.2.4: Interlocal Agreements

Upon adoption of this ordinance, the county will execute interlocal agreements which establish procedures for assurance of compliance with LOS standards with the other entities providing water service in the unincorporated areas of Escambia County.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 10.D.3: WATER CONSERVATION

Continually conserve potable water resources with a goal of no increase in per capita water consumption over the planning time frame.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.3.1: LDC Wellhead Protection

The location of wellhead protection zones will be located based in part upon the most current water management district three-dimensional sand and gravel aquifer computer model. Escambia County shall cooperate with the ECUA, the City of Pensacola and the water management district in the use and application of the three-dimensional sand and gravel aquifer computer model and use the results of the model as hereinabove described. Effective upon adoption of this plan, the county shall employ the model in reviewing applications for development approval in areas with public potable water system wells as defined by statute. The method of cooperation between the county and the other agencies will continue to be embodied within an interlocal agreement.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.3.2: LDC Groundwater Recharge Protection

The LDC shall include standards for lot coverage, extent of impervious surfaces, land uses, and stormwater management throughout the county, but with particular emphasis on known critical recharge areas so as to protect groundwater recharge quantity and quality.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 10.D.3.3: Water Conservation Act

The county inspections department shall continue to require compliance with the Water Conservation Act of 1982, as required by F.S. § 553.14.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.3.4: Area of Water Resources Concern

An area of water resources concern may be established by the Northwest Florida Water Management District to protect the area's water resources from depletion, salt water intrusion or man induced contamination, or from any other activity which may substantially affect the quality or quantity of the area's water resources. Within such area, the NFWWMD may establish lower permit thresholds, management (maximum) and minimum levels, and stipulate any limiting conditions as necessary to monitor, manage, and control the use of water. Escambia County shall cooperate with the NFWWMD in its enforcement of regulations if an area of water resources concern is established within the county.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.3.5: Water Saving Devices

The county shall provide requirements for water saving devices in all new construction (also, see Policy 11.B.2.12). Such devices may include, but are not limited to, shower heads and toilets designed to minimize water use.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 10.D.3.6: Water Conservation

The county will explore opportunities for conserving potable water including, but not limited to, the use of reclaimed water, the use of xeriscaping, and public education on individual conservation measures.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Section 10.07 Natural groundwater aquifer recharge goals, objectives and policies.

The goals, objectives and policies for the natural groundwater aquifer recharge are as follows:

AQUIFER RECHARGE

GOAL 10.E

Provide for the recharge of the sand and gravel aquifer from rainfall.

OBJECTIVE 10.E.1: AQUIFER PROTECTION

The county, in conjunction with ECUA, other water service providers, and the NFWWMD, utilizes the current aquifer model, and any modifications thereto, to further safeguard and manage the sand and gravel aquifer, and has amended the LDC as necessary.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 10.E.1.1: LDC Percolation Provisions

The LDC shall include regulations which insure the continuation of adequate open spaces within the county so that rainfall may reach the aquifer through percolation.

Policy 10.E.1.2: Abandoned Wells

The county will continue to cooperate with the Northwest Florida Water Management District to obtain state funding for an abandoned well plugging program. Among other things, the county shall continue to request the legislature to fund the well plugging program of the NFWWMD. Further, Escambia County and its officials shall notify the NFWWMD anytime information becomes available to the county regarding the location, or possible location, of an abandoned well. County officials shall immediately communicate the location of any abandoned well to the NFWWMD so that the district may initiate appropriate actions.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 11 COASTAL MANAGEMENT AND CONSERVATION ELEMENT

Chapter 11 COASTAL MANAGEMENT AND CONSERVATION ELEMENT*

*Cross references: Environment, pt. I, ch. 42; waterways, pt. I, ch. 102.

State law references: Coastal management element, F.A.C. 9J-5.012; conservation element, F.A.C. 9J-5.013.

[Sec. 11.01 Purpose.](#)

[Sec. 11.02 Data and analysis.](#)

[Sec. 11.03 Omissions.](#)

[Sec. 11.04 Goals, objectives and policies.](#)

INTRODUCTION

Section 11.01 Purpose.

The purpose of this element (chapter) is to plan, guide and direct development activities (and, where appropriate, restrict activities where such activities would damage or destroy coastal resources), protect human life, limit public expenditures in areas that are subject to destruction by natural disaster and promote the conservation, use and protection of natural resources.

Section 11.02 Data and analysis.

This element is based upon data and analysis requirements pursuant to F.A.C. 9J-5.005(2), F.A.C. 9J-5.012(2) and F.A.C. 9J-5.013(1) (reference sections 5.03, 5.06 and 5.07 of this ordinance and chapters 7 and 8, support documents).

Section 11.03 Omissions.

The Port of Pensacola, a deep-water port serving the area, is within the jurisdiction of the City of Pensacola and not Escambia County for comprehensive plan purposes. Therefore, there are no deep-water port provisions within this element. However, there are provisions within the transportation element of this plan.

Section 11.04 Goals, objectives and policies.

The goals, objectives and policies of this element are as follows:

COASTAL MANAGEMENT

GOAL 11.A

Protect people and property by limiting public expenditures in areas subject to destruction by natural disasters and by restricting development activities that would damage or destroy coastal resources.

OBJECTIVE 11.A.1: COASTAL AND UPLAND

Continually, the county shall protect, conserve and enhance coastal ecosystems, environmentally sensitive areas, wetlands, water resources, living marine resources, remaining coastal barriers and wildlife habitats by monitoring these areas and implementing Policies 11.A.1.1 through 11.A.1.7, among others, upon adoption of this ordinance (reference Section 15.01).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 11.A.1.1: Environmental Indicator Monitoring

The county shall monitor these sensitive areas and provide recommendations to the Escambia County Board of County Commissioners. Monitoring data shall include, at least: 1) changes in the total acreage of coastal wetlands and the extent of wetland communities, 2) changes in the volume of the commercial fish catch and the amount of fish and shellfish annually landed, 3) changes in acreage of protected land on barrier islands, and 4) changes in acreage of land held for conservation and recreation use. Monitoring data and recommendations shall be included in the comprehensive plan implementation committee's annual report.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.1.2: Future Land Use Element Resource Protection Policies

Limit the specific impacts and cumulative impacts of development or redevelopment upon wetlands, water quality, water quantity, wildlife habitats, living marine resources or other natural resources.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.1.3: Primary Dune Protection

The county shall protect and enhance the primary dune system. The LDC shall contain provisions requiring dune protection. The county will seek funding for dune enhancement projects through the local hazard mitigation strategy. Dune enhancement projects may include the planting of sea oats, installation of sand fences, beach/dune renourishment, and other similar activities that assure the existence, integrity and function of dunes. The LDC shall specifically require the planting of sea oats by new development in primary dune areas.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.1.4: LDC Tree Preservation Provisions

By 2005, the LDC shall be revised to specifically require the protection and use of native, or compatible, tree species in required plantings and prohibit the use of invasive exotic species. Native tree, or compatible, species deemed appropriate for protection and use shall be identified by the county in consultation with the county forester and county agricultural extension agent.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.1.5: LDC Mitigation Provisions

The county shall implement mitigation provisions which must be followed by any development that impacts estuaries, wetlands, environmentally sensitive areas, primary dunes or other natural resources identified in this plan or the LDC. The provisions shall include:

- a. The avoidance of any adverse degradation of the function of the natural systems (estuaries, wetlands, primary dunes, etc.); or
- b. Mitigate unavoidable adverse impacts on natural systems at a minimum ratio of 1.5 to 1.0 whenever degradation occurs as a result of new development.

Note: Mitigation will be allowed ONLY when development can not occur pursuant to subparagraph a., above.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 11.A.1.6: Resource Extraction

Resource extraction in environmentally sensitive areas within the coastal areas is prohibited if the disturbed area cannot be completely restored following the extraction activities (also, see Policy 11.B.3.3).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.1.7: Native Species

Native or compatible plant species shall be used when county-maintained lands are landscaped. The county shall prepare and maintain a list of appropriate native and compatible species in consultation with the county forester and county agricultural extension agent. Species may be added to the list with the concurrence of the county.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.1.8: Clustering

Development in sensitive natural areas will be avoided whenever feasible. In the event development must be permitted in such areas, adverse impacts shall be minimized through the use of clustering and variance of lot and setback requirements by the county. Further, development which may impact sensitive natural resources may be required to utilize reduced construction "footprints," modified construction techniques, innovative construction techniques, land use and development techniques which minimize negative environmental impacts or results, and the like. To achieve sufficient clustering, density transfers may be accomplished on a one-to-one basis. Note: Sufficient clustering is defined as that which is required to achieve protection of the natural resources (also, see Policy 7.A.5.7).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.A.2: ESTUARINE/WETLAND PROTECTION

Monitor and improve estuarine environmental quality and protect functioning wetlands by implementing Policies 11.A.2.1 through 11.A.2.5, among others, upon adoption of this ordinance (reference section 15.01). The county shall determine estuarine environmental quality by monitoring the water quality ratings reported in the department of environmental protection's annual water quality assessment. Water quality ratings shall be monitored for the Escambia River, Pensacola Bay, Perdido Bay, and Perdido River basins and other locations as appropriate. Monitoring data and recommendations shall be annually included in the comprehensive plan implementation committee's annual report.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.2.1: Intergovernmental Protection of Estuaries

Protect estuaries which are within the jurisdiction of the county and other local governments through intergovernmental coordination actions that ensure adequate sites for water-dependent uses, prevents estuarine pollution, control surface water runoff, protect living marine resources, reduce exposure to natural hazards, and ensure public access (reference chapter 13, intergovernmental coordination element for provisions to coordinate with other local governments).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 11.A.2.2: Stormwater Retention

Any wet stormwater detention or retention areas located near an estuary or estuarine systems, wetlands or other water bodies within the county shall be designed so that the shorelines are sinuous rather than straight and so that water/land interfaces are curvilinear and maximize space for growth of littoral vegetation (also, see Policy 10.C.3.3). Wet detention ponds, because of their ecological value, shall be encouraged over dry detention ponds.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.2.3: Untreated Run-off

Channeling untreated run-off directly into any estuary or estuarine system, wetland or other receiving waters shall be prohibited (also, see Policy 10.C.3.3).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.2.4: Septic Tanks Near Estuaries

No septic tanks shall be permitted near any functioning estuarine system until the applicant for such septic tank has received approval from the appropriate state agency, and then only if a central sewer system is not available pursuant to the definition in F.S. § 381.272. Septic tank users shall be required to connect to a central sewer system within one year of notice of availability.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.2.5: Septic Tanks in Wetlands

Septic tanks will be allowed in wetlands ONLY if there is no central sewer system available to serve the lot, there are no other alternatives to installation of the septic tank such as aerobic systems and prohibiting same would preclude all reasonable use of the property. Also, the septic tank must be permitted by HRS and/or DER pursuant to F.A.C. ch. 10D-6.

(Ord. No. 96-52)

Policy 11.A.2.6: Wetland Development Provisions

Development in wetland areas as defined by the FDEP shall be subject to the following provisions:

- a. Where sufficient uplands exist to locate the proposed development in the upland portion of the site, the county may allow the transfer of development at the future land use densities established on the future land use map from the wetlands to the upland portion of the site. The transfer of density may occur provided all other plan provisions regarding upland and floodplain resource protection, compatibility of adjacent land use, stormwater management, airport environs, etc., are met.
- b. Development in wetlands shall not be allowed unless sufficient uplands do not exist to avoid a taking. In this case, development in the wetlands 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 the date of this ordinance if the lot of record is less than five acres in size. (Lots of record do not include contiguous multiple lots under single ownership).
- c. Prior to construction in wetlands, all necessary permits must have been issued by the Florida Department of Environmental Protection, and/or the U.S. Army Corps of Engineers, as required by the agency or agencies having jurisdiction and delivered to the county.

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- d. With the exception of water-dependent uses, commercial and industrial land uses will not be located in wetlands that have a high degree of hydrological or biological significance, including the following types of wetlands:

Wetlands that are contiguous to Class II or Outstanding Florida Waters;

Wetlands that are located in the 100-year floodplain;

Wetlands that have a high degree of biodiversity or habitat value, based on maps prepared by the Florida Fish and Wildlife Conservation Commission or Florida Natural Areas Inventory, unless a site survey demonstrates that there are no listed plant or animal species on the site.

- e. Also, see Policies 7.A.5.7, 7.A.5.8 and 11.A.1.7.

(Ord. No. 96-52; Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.2.7: LDC and Wetlands

The county shall implement the land use categories shown on the future land use maps by inclusion of the appropriate regulations within the LDC. Such implementation will ensure the protection of environmentally sensitive land adjacent to the shoreline and near any wetlands.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.A.3: SHORELINE USE STANDARDS

Protect and maintain marine, estuarine and riverine shorelines to prevent erosion, trap sediment in overland runoff, protect indigenous wetland and estuarine flora, fauna and habitat, and provide physical and visual aesthetics.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.3.1: LDC Regulations

Natural shorelines will be encouraged or required wherever possible, and development will be required to provide adequate set-backs for structures other than water-dependent/water-related and stormwater management.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.3.2: Shoreline Siting Priorities

Shoreline land uses shall be regulated through zoning and the Land Development Code and shall be prioritized, and limited to:

- 1) Conservation or recreation;
- 2) Water-dependent commercial/industrial;
- 3) Residential;
- 4) Water-related commercial/industrial.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.3.3: Water-Dependent Uses

The siting of water-dependent and water-related commercial/industrial uses shall be regulated through zoning and the land development code and shall be prioritized and limited to:

- 1) Public use marinas;

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- 2) Water-dependent utilities;
- 3) Water-dependent industries and associated docking facilities;
- 4) Docks for water-dependent industry;
- 5) Water-related industries and associated docking facilities;
- 6) Docks for water-related industry.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.3.4: Marina Siting Regulations

The county shall regulate the development of marinas which impact estuaries, wetlands, environmentally sensitive areas, or other natural resources identified by this plan. The regulations and approval for siting of marinas shall be based upon:

- a. Land use capability and availability of support services;
- b. Existing ownership/control;
- c. Evacuation planning;
- d. Water quality and depths;
- e. Availability for public use;
- f. Economic need and feasibility;
- g. A requirement for all necessary regulatory agency permits prior to issuing construction (development) permits;
- h. Oil spill cleanup plan and capability to implement that plan within the boundaries of the marina area;
- i. The proximity to established channels (natural or man-made) so as to minimize dredge and fill activities; and
- j. The provision of pump-out and disposal facilities at fuel docks, commercial marinas, and those marinas with overnight transient facilities.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.A.4: BEACH AND FLOODPLAIN PROTECTION

Protect beaches, dunes, floodplains and floodways, by establishing construction standards which minimize the impacts of man-made structures and continually support or seek funding for the restoration of previously impacted areas.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.4.1: FEMA Construction Standards

New development shall comply with current FEMA construction standards.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.4.2: LDC Beach and Shoreline Protection

The LDC shall contain provisions which provide protection for beach and shoreline systems. These regulating provisions shall be reviewed annually by the comprehensive plan implementation committee and updated as

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necessary to address, among other concerns and issues, items contained in the Escambia/Santa Rosa Coast Resource Management Plan (ESRCRMP), including, but not limited to, the following:

- a. "White Sand" regulations;
- b. Shoreline protection zone; and
- c. CCCL-related regulations;
- d. Dune replenishment, enhancement and revegetation programs.
- e. Wetland and environmentally sensitive area regulations.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.4.3: LDC Beach Preservation Zone

The "beach preservation zone" is the area that commences at the mean high water line and runs to and includes the primary dune. By 2005, the county's beach preservation zone (shoreline protection zone) provisions shall be reviewed and updated.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.4.4: Developer Dune Restoration

Anytime proposed construction would alter Gulf front beaches or primary dunes, the application for said construction must include an implementable plan for restoration of the altered gulf front beaches or primary dunes. Said restoration must occur before the proposed construction is allowed to be used or occupied.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.4.5: LDC Floodplain Protection

The county shall protect floodplains by, at a minimum, implementing the following provisions:

1. Uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities will be restricted or prohibited.
2. Uses vulnerable to floods, including facilities which serve such uses, must be protected against flood damage at the time of initial construction.
3. The alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters will be controlled.
4. Filling, grading, dredging and other development which may increase erosion or flood damage will be controlled.
5. The construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands will be prevented or regulated.

A review of the county's floodplain protection provisions shall be included in the comprehensive plan implementation committee annual report and updated as necessary.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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OBJECTIVE 11.A.5: COASTAL HIGH HAZARD AREAS

Limit public expenditures that subsidize development in coastal high hazard areas (CHHA) by implementing Policies 11.A.5.1 through 11.A.5.4, among others, upon adoption of this ordinance (reference section 15.01).

Policy 11.A.5.1: Definition

Coastal high hazard area shall be defined as the land within the Category 1 evacuation zones as delineated within the Northwest Florida Hurricane Study (U.S. Army Corps of Engineers, July 1999).

(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2000-35, § 4, 8-17-2000)

Policy 11.A.5.2: Public Expenditures in CHHA

Public expenditures within the coastal high hazard area will be limited to the provision, or support of recreation uses such as parks and walkovers, erosion control devices, increase public access and the correction of deficiencies, and to support infrastructure provided, however, that infrastructure sizing is consistent with that needed to support the densities and intensities established by this plan for those areas within the CHHA. The county shall, by ordinance, provide for funding sources for infrastructure improvements necessitated as a result of concurrency and hurricane evacuation standards including but not limited to the creation of tax increment financing districts. Following the adoption of any such ordinance, the Five Year Schedule of Capital Improvements (Table 14-1) shall be amended to identify the tax increment, or other financing funds allocated and available for each infrastructure improvement. The identification and availability of such funding shall be a prerequisite to approval of any development that requires an increase or expansion of infrastructure.

(Ord. No. 2000-35, § 4, 8-17-2000)

Policy 11.A.5.3: Public Facilities Criteria

New public facilities shall not be located in the coastal high hazard area unless the following criteria are met:

1. The facility is necessary to protect human lives or preserve important natural resources; or
2. The service provided by the facility cannot be provided at another location outside the CHHA; and
3. The facility is designed to provide the minimum capacity necessary to meet level of service standards for its service area and its sizing is consistent with the densities and intensities reflected on the future land use map.

Policy 11.A.5.4: CHHA Infrastructure Inventory

The county shall maintain an inventory of infrastructure located within the coastal high hazard areas. The 1995 report on coastal infrastructure shall be updated annually. The comprehensive plan implementation committee shall produce a report for consideration by the board of county commissioners wherein opportunities to relocate or replace such infrastructure is presented.

(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.A.6: POPULATION REDIRECTION

Direct population concentrations away from coastal high hazard areas upon adoption of this ordinance.

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Policy 11.A.6.1: CHHA Land Use

The county will limit all land use classifications to those reflected on the future land use maps and will limit the densities and intensities of land use as defined within this ordinance. Such limitations will assure that the relative proportion of dwelling units within the CHHA, as compared to the balance of the county, will remain fairly constant during the planning period.

Policy 11.A.6.2: Post-Disaster Population Assessment

In the event of a major storm event, such as a hurricane, as part of the post-disaster review procedures the county's planning department will reassess the current population on the coastal barrier islands and provide recommendations to the board of county commissioners within six months of the disaster which will include an assessment of future population densities and make any recommendations regarding population densities on the coastal barrier islands.

Policy 11.A.6.3: Higher Density Projects in CHHA

The county shall amend its land use regulations to include a requirement that any development on a coastal barrier island of more than 20 units per acre complete a special PUD approval process. As part of the PUD approval process a specific set of findings of fact must be developed including, but not limited to, consideration of coastal densities, health, life and safety of the general public, and evacuation times. These findings of fact shall be analyzed by the county and considered by the board of county commissioners in the final consideration for permitting any such project.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.A.7: HURRICANE EVACUATION

Through 2005, maintain a roadway clearance time for hurricane evacuation, out of the county of 24 hours for Category 2-3 storm event. Note: Year 2005, high seasonal occupancy, long response clearance times from the Transportation Analysis Update of the Northwest Florida Hurricane Study (HES) (U.S. Army Corps of Engineers, July 1999) is the basis for establishing the 24-hour roadway clearance time. Data for the technical traffic model for the HES will be updated to include 2000 Census data by December 2003.

(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2000-35, § 4, 8-17-2000; Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2003-58, § 5, 12-11-2003)

Policy 11.A.7.1: Comprehensive Emergency Management Plan Implementation

The county shall continue to manage and implement its Comprehensive Emergency Management Plan (May 2002) and utilize the recommendations and guidance provided in the Northwest Florida Hurricane Study (U.S. Army Corps of Engineers, July 1999).

(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2000-35, § 4, 8-17-2000; Ord. No. 2003-58, § 5, 12-11-2003)

Policy 11.A.7.2: Roadway Improvements

Continue to support critical roadway segment improvements through participation with the Pensacola MPO and interaction with the Florida DOT to further reduce and improve hurricane evacuation times.

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Policy 11.A.7.3: Evacuation for Special Needs

Evacuation procedures for special needs evacuees are set out in the May 2002 Comprehensive Emergency Management Plan. The emergency management division will maintain a voluntary register of people who need assistance during an evacuation as required by F.S. ch. 252. The emergency management division will ensure that an annually updated shelter list is available and maintained at the emergency operations center.

(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2000-35, § 4, 8-17-2000; Ord. No. 2003-58, § 5, 12-11-2003)

Policy 11.A.7.4: Group Home/Nursing Home Prohibition

By 2002, prohibit the location of new group homes, nursing homes, or other uses which have special evacuation requirements in the coastal high hazard area (CHHA).

(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2000-35, § 4, 8-17-2000; Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.7.5: I-10 Extension

Support improvements to the federal interstate system serving Northwest Florida. Specifically, the county will support and encourage the construction of a new segment of the Federal Interstate system which segment will connect I-10 with I-65. However, the county's support is contingent upon the location of the connecting segment being within or in close proximity to Escambia County so as to provide improved hurricane evacuation times from the coastal areas of the county (also, see Policy 8.A.3.5).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.7.6: Cooperation with Alabama

The county will continue to cooperate with Alabama officials in recognition of the fact that the majority of evacuees drive the short distance to Alabama for hurricane evacuation purposes. The county will continue to participate with Alabama officials in yearly meetings.

(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2000-35, § 4, 8-17-2000)

Policy 11.A.7.7: Annual Report on Evacuation Times

The committee appointed pursuant to Policy 14.A.3.6 shall include within the reports required by section 14.06 an analysis of proposed and new development's impact on hurricane evacuation times. The BCC, upon receipt of a report from the local planning agency (LPA), will address any deficiencies identified in the report and take corrective measures as necessary. The report and recommendations will consider the actual development which has occurred during the evaluation period (preceding 12 months) as well as the projected development anticipated to be approved during the succeeding evaluation period. The needed corrective actions by the BCC will be designed to maintain or reduce the clearance times established in Objective 11.A.7.

(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2000-35, § 4, 8-17-2000; Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.7.8: LDC Mobile Home/RV Impact Fees in CHHA

All new mobile homes and recreational vehicle developments within the CHHA shall be required by county development regulations to pay an impact fee or in-lieu payment to the county for off-site shelter provisions.

(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2000-35, § 4, 8-17-2000)

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Policy 11.A.7.9: Development Orders in CHHA

The county shall not issue development orders for projects within the CHHA or impacting major evacuation routes, unless the hurricane evacuation time meets the acceptable standard established by Objective 11.A.7 above. Escambia County will ensure new residential development will be permitted only if the impact from that development will not cause the county evacuation times to be exceeded. All final development order applications that consist of 50 or more dwelling and/or lodging units (on a one-time or cumulative basis) in the CHHA (i.e., Category 1 Hurricane Evacuation Area), shall be evaluated to assure that the clearance times established by Objective 11.A.7 would be maintained. Hurricane clearance times shall be evaluated based on all existing and vested development in the county, together with any other development that has received final development order approval. "Final development orders," as used in this section, are development orders that include plans for the construction of improvements, and include subdivision plats and construction plans, site plans, conditional use approvals, and PUD final development plans, as well as individual building permits for building that are not part of a larger final development order.

(Ord. No. 2000-35, § 4, 8-17-2000; Ord. No. 2003-58, § 5, 12-11-2003)

Policy 11.A.7.10: Household/Hotel Evacuation

In order to prevent unnecessary evacuees from crowding roads and shelters during the hurricane season, the county shall continue to notify households of their need to evacuate at various threat levels. Hotels, motels and other similar facilities shall conspicuously post the need for evacuation, evacuation routes and shelter locations.

Policy 11.A.7.11: Evacuation Route Lane Changes

During evacuation times and in cooperation with public safety officials (FHP, ECSO, GBPD, etc.) the county can allow reverse laning on multi-lane roadways and evacuation routes.

(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2000-35, § 4, 8-17-2000; Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.7.12: Evacuation Shelter Locations

The Escambia County Emergency Management Division will identify appropriate shelter locations for evacuees. The Emergency Management Division will continue to work with the Escambia County School District and the Northwest Florida Chapter of the American Red Cross to identify additional shelter capacity, based on the ARC 4496 structural criteria, through mitigation projects and incorporating enhanced hurricane protection areas into new construction projects.

(Ord. No. 2003-58, § 5, 12-11-2003)

OBJECTIVE 11.A.8: POST-DISASTER REDEVELOPMENT PLAN (PDRP)

Prepare post-disaster redevelopment plans and reduce or eliminate the exposure of human life and public and private property to natural hazards by implementing Policies 11.A.8.1 through 11.A.8.5, among others, upon adoption of this ordinance (reference section 15.01).

Policy 11.A.8.1: National Flood Insurance Program

The county shall continue its participation in the national flood insurance program in conformance with Public Law 93-288.

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Policy 11.A.8.2: Phases of Redevelopment/Damage Assessment

By April 30, 1993, prepare draft post disaster redevelopment plans which will reduce or eliminate the exposure of human life and public and private properties to natural hazards and which will distinguish between immediate repair and cleanup actions needed to protect public health and safety and long-term repair and redevelopment activities. To assist with the implementation of this policy, the county shall maintain an inventory of areas within the county which have experienced repeated damage from coastal storms. The inventory will be used by the county in guiding and directing redevelopment activities including those activities associated with repairing or relocating infrastructure.

Policy 11.A.8.3: Permitting Decision Priorities

Immediate recovery actions needed to protect the public health and safety shall take priority in permitting decisions following hurricane storm events or natural disasters. Such priority actions will include, but not be limited to, debris removal; roadway and infrastructure repair; water use restrictions, if necessary; access restrictions, if required to protect lives or property, and other similar activities needed to assure the safe movement of people, goods and supplies within the impacted area. Long-term repair or recovery actions, such as relocating infrastructure, rebuilding of damaged structures and the like, will be distinguished from the short-term actions herein described.

Policy 11.A.8.4: Post-Disaster Redevelopment Plan Criteria

Commencing in 2005, the post-disaster redevelopment plan shall be reviewed every five years. The post-disaster redevelopment plan will provide a process and criteria for the relocation, removal or modification of damaged structures. The criteria will include, but not be limited to:

1. Compliance with national flood insurance minimum elevation and construction standards;
2. Conformance with coastal construction standards pursuant to F.S. ch. 161;
3. Hazard mitigation sufficiency;
4. Extent of damage;
5. The impact the removal or modification of the structure would have on:
 - a. Important natural resources;
 - b. Infrastructure;
 - c. The need to protect lives and property;
 - d. Financial feasibility; and
6. Be consistent with the requests, recommendations or permits issued by state or federal regulatory agencies.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.8.5: Consistency with Comprehensive Emergency Management Plan

The comprehensive plan implementation committee shall make recommendations to the board of county commissioners, as needed, regarding comprehensive plan and ordinance amendments to insure consistency with the comprehensive emergency management plan and applicable existing inter-agency hazard mitigation reports. The committee shall include recommendations of the emergency management director in its report.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 11.A.8.6: Local Hazard Mitigation Strategy

The county shall implement the Escambia County Local Hazard Mitigation Strategy.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.8.7: Intergovernmental Recovery Task Force

An Intergovernmental Task Force, as outlined in the Post Disaster Redevelopment Plan shall be established by November 2000, to foster cooperation between local governments during pre-disaster planning, post-disaster mitigation analysis and redevelopment. Additionally the task force will be activated and mobilized and mobilized for a minimum period of 60 days following a disaster declaration. The task force will make recommendations to the committee appointed pursuant to Policy 14.A.3.6 which shall include within the reports required by section 14.06 consideration of recommendations from the task force concerning pre-disaster planning, post-disaster mitigation analysis and redevelopment during every calendar year during which it was mobilized for a disaster declaration.
(Ord. No. 99-19, § 3, 4-8-1999; Ord. No. 2000-35, § 4, 8-17-2000; Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.A.9: BEACH PUBLIC ACCESS

Increase the amount of public access to the beach or shoreline consistent with estimated public need by implementing Policies 11.A.9.1 through 11.A.9.7, among others, upon adoption of this ordinance (reference section 15.01).

Policy 11.A.9.1: Coastal Zone Protection Act

The county shall continue to enforce the public access requirements of the Coastal Zone Protection Act of 1985 and shall include such requirements within the LDC.

Policy 11.A.9.2: Shoreline Renourishment

Shorelines renourished or protected at public expense shall be made available for public use.

Policy 11.A.9.3: Retention of Public Access Sites

The county shall continue to maintain county owned shoreline or open space access sites and provide adequate parking facilities for each site.

Policy 11.A.9.4: Federal/State Financial Assistance

The county will continue to seek all available federal and state financial assistance to increase public access to the shoreline.

Policy 11.A.9.5: White Sand Beach Restoration

The county shall continue its practice of cooperating with, and encouraging, the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection to renourish public beaches using white sand made available by maintenance dredging of the bays, bayous and/or sound or other water bodies within or near Escambia County.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 11.A.9.6: Beach Hardening Restrictions

No hardening (seawalls, break-waters, revetments, etc.) of gulf beaches shall be allowed unless such hardening has been determined to have an overriding public purpose. Such determination, by necessity, will be made cooperatively between all regulatory agencies having authority over the gulf beaches.

Policy 11.A.9.7: Dune Restoration

Through the local hazard mitigation strategy, the county shall jointly seek state or federal funding, for the development and establishment of a "Dune Restoration and Protection Program" which will be applicable to all county-owned shoreline areas.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.A.10: HISTORIC RESOURCE PROTECTION

Ensure the protection, preservation or sensitive re-use of historic resources (reference Policy 7.A.1.1).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.A.10.1: Historic Structure Identification and Protection

Escambia County shall use any available resources of the office of the secretary of state, division of historical resources in the identification of historic structures within the county. The county will utilize guidance, direction and technical assistance received from the agency so as to develop provisions and regulations for the protection of identified historic structures, sites and areas within the coastal area (and elsewhere). In addition, the county will utilize assistance from the agency together with other agencies (i.e., 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.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.A.11: COASTAL AREA CONCURRENCY MANAGEMENT

The county shall allow no development in the coastal area (or elsewhere) unless LOS standards are maintained and infrastructure needs are fulfilled in compliance with the county's concurrency management system (reference chapter 6) upon adoption of this ordinance (reference section 15.01).

Policy 11.A.11.1: New Development/Required Infrastructure

The county will ensure that required infrastructure is available to serve proposed development or redevelopment in the coastal areas (and elsewhere) at the densities established by the future land use map by implementing the concurrency management system described in chapter 6 of this ordinance.

Policy 11.A.11.2: Consistency

New proposed development or redevelopment consistent with the coastal resource protection and safe evacuation requirements established by this ordinance and the LDC.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 11.A.11.3: LOS Standards

The level of service standards in the coastal area shall be as defined in the transportation, infrastructure, and open space and recreation chapters of this plan. A summary of the LOS standards is included at section 6.06 of this ordinance.

CONSERVATION

GOAL 11.B

Properly manage and conserve the important natural resources of the county.

OBJECTIVE 11.B.1: AIR QUALITY

Continually protect air quality by regulating (within the LDC) land uses which have, or may have, point source emissions (reference Policy 7.A.1.1).

Policy 11.B.1.1: LDC Regulations

The land development code shall contain provisions which require any development with point source emissions which may degrade air quality to comply with all applicable federal and state regulations regarding emission control. These regulations may include the installation of scrubbers, emission treatment facilities and the like.

Policy 11.B.1.2: Air Quality Standard Enforcement

The county shall assist in the maintenance of air quality standards within its jurisdiction in conformance with state and federal air quality guidelines. The county shall notify the operator of any facility which is believed to be derogating air quality within the county of such degradation. In addition, the county shall notify the appropriate regulatory agency and encourage the agency to investigate the potential violation of air quality standards and guidelines.

Policy 11.B.1.3: Environmental Protection Permits (DEP)

New developments with the potential to emit pollutants into the air will be required to obtain the necessary permits from the Department of Environmental Regulation or the U.S. Environmental Protection Agency prior to authorization of a development permit by the county.

Policy 11.B.1.4: Industrial Uses

Industrial land uses shall minimize their impacts on air quality. When incompatible with neighboring or approximate residential, conservation, or environmentally sensitive land use areas, industrial land uses shall be directed away to other land areas where their impact are minimized.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.1.5: Alternative Fuel Vehicles

The county will establish a program to replace county owned vehicles powered with gasoline or diesel fuel with vehicles which use alternative fuel such as natural gas.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 11.B.1.6: Open-Burning Education

The county will develop and implement a program aimed at educating the public on county laws regulating open-burning.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.1.7: Florida Share-the-Ride Program

Support and encourage use of the Florida Share-the-Ride program.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.1.8: Pollution Buffer

Require that an adequate buffer strip be left between arterial roadways, industrial land uses and residential areas so as to minimize escape of air, noise and visual pollution. Existing, native vegetation shall be preserved and shall be supplemented with additional, appropriate vegetation where needed.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.1.9: Air Pollution Reduction

Ensure that the transportation system of the county includes components which will reduce air pollution from vehicles. This will include minimizing waiting times at traffic lights, improving public transportation and other transportation demand management techniques (reference chapter 8).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.B.2: WATER QUALITY PROTECTION

Conserve, monitor, appropriately use and protect the quality and quantity of water sources and of waters that flow into Perdido Bay, Pensacola Bay, Escambia Bay, Santa Rosa Sound and the various bayous and other surface water bodies within the county.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.2.1: Protection of Water Resources

The county shall protect water quality by restricting or prohibiting activities known to adversely affect the quality or quantity of identified water sources including cones of influence for public water wells (reference Policies 7.A.1.1, 7.A.1.5, 7.A.1.6, 7.A.2.1, 10.D.3.5 and 10.E.1.2 among others).

Policy 11.B.2.2: LDC Soil Conservation Best Management Practices

Coordinate with the soil conservation district, or other agencies acceptable to the county, to develop and implement best management practices for agricultural land uses to minimize the potential for discharge of contaminants into water bodies designated as Outstanding Florida Waters and Aquatic Preserves and amend land development regulations to require all agricultural land uses to employ these practices. In wetland areas, silviculture and unimproved pastures are permitted provided that the silvicultural activities follow the best management practices outlined in the publication titled *Silviculture Best Management Practices Manual* (March 1993, Florida Department of Agriculture and Consumer Service, Division of Forestry). All other land uses must be in compliance with the

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county stormwater management ordinance (86-32) and lot coverage ordinance (85-29), as may be amended from time to time.

Policy 11.B.2.3: Bay Area Resource Inventory Program (BARIP)

Support existing studies and funding of studies and consider implementation actions contained therein of surface water systems, including those surface water systems on Santa Rosa Island, such as the Bay Area Resource Inventory Program (BARIP) that will determine water quality conditions, sediment conditions, sources of contamination, and necessary actions to improve conditions of water systems and suitability for marine life.

Policy 11.B.2.4: Interagency Clean Up Efforts

Cooperate with applicable federal, state and local agencies in cleanup efforts for Escambia County water bodies, including those water bodies on Santa Rosa Island, with documented decline in water quality and decreased suitability for marine life originally occurring there. Such cooperation shall include, but not be limited to, interface by growth management services department staff with these agencies for sharing of information, submitting joint applications with the City of Pensacola for funding of cleanup and enhancement efforts in these areas.

Policy 11.B.2.5: Erosion Control Measures

Review and amend the sedimentation ordinance (No. 85-32) or other applicable ordinances, including the Santa Rosa Island Land Development Code, which address the use of appropriate erosion control measures during all construction activities that will eliminate off-site migration of soil particles.

Policy 11.B.2.6: Emergency Water Conservation

In cooperation with the Northwest Florida Water Management District, the county shall implement any emergency water conservation plans necessary to protect water sources during periods of insufficient supply within the sand and gravel aquifer (reference Policy 10.D.3.5).

Policy 11.B.2.7: Mandatory Sewer Connections

The county will require all septic tank users to connect to a central sewer system within one year of notification of sewer availability. Sewer availability shall be as defined in Florida Statutes (Reference Policies 10.A.3.1 and 11.A.2.4).

Policy 11.B.2.8: Interlocal Agreements

Escambia County, shall implement the adopted interlocal agreements with the City of Pensacola, the City of Gulf Breeze and Santa Rosa County so as to establish procedures whereby each government will be afforded the opportunity to review development proposals that affect Escambia Bay, Santa Rosa Sound or East Bay (or any other water bodies as appropriate). Said agreement shall insure that adequate sites for water dependent uses are made available, estuarine pollution is prevented or minimized, surface water runoff is controlled, living marine resources are protected, exposure to natural hazards is reduced and public access to the shorelines is maintained. (Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 11.B.2.9: LDC Well Head Protection Zone

The LDC shall include provisions establishing a well head protection zone so that water supplies are protected, especially within the cone of influence of public water supply wells. The provisions will include, but not be limited to, restriction of activities within a minimum radius of 200 feet around wellheads. However, the specific radius of the protection zone shall be determined by use of the modeling technique described in Policy 10.D.3.1. Also, activities prohibited within the protection zone include landfills or disposal sites, groundwater discharge facilities, underground storage facilities, etc. Within the 200-foot minimum zone the only activities allowed are those associated with the well or existing single-family residential uses, open spaces and recreation facilities but not including impervious surfaces.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.2.10: Groundwater Contamination SOP's

Establish and implement standard operating procedures at all county operated facilities that use, store, or dispose of material which has the potential to contaminate the groundwater if improperly handled.

Policy 11.B.2.11: Intergovernmental Coordination

Coordinate with the Escambia County Utilities Authority and other water suppliers, the City of Pensacola, the Northwest Florida Water Management District and the department of environmental protection when implementing policies related to the protection of potable water resources.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.2.12: Compliance with Water Conservation Act

The county shall continue to require compliance with the Water Conservation Act of 1982, as required by F.S. § 553.14.

Policy 11.B.2.13: Estuarine Water Quality

By 2003, the county shall prepare a plan addressing the impact of development practices and land use on estuarine water quality conditions. This plan will utilize the best available data.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.B.3: EARTH RESOURCES PROTECTION

Provide for the conservation, appropriate use and protection of earth resources (soils, minerals and vegetation) by implementing Policies 11.B.3.1 through 11.B.3.10, among others, upon adoption of this ordinance (reference section 15.01).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.3.1: Soil Compatibility

The county shall implement requirements that limit land uses or construction techniques to those compatible with soil conditions specific to the site. The requirements shall include boring and soils test conducted by testing facilities licensed by the State of Florida, when necessary. It is the intent of this policy to provide the county the ability to regulate and/or restrict development activities when such activities are not compatible with soil conditions.

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Policy 11.B.3.2: LDC and Environmentally Sensitive Land

The land development code will include the county's environmentally sensitive lands inventory. The inventory will include, but not be limited to, floodplains as identified by FEMA; wetlands under the jurisdiction of the DER and/or U.S. Army Corps of Engineers; areas identified by the Florida Natural Areas Inventory; and areas identified on the USDA Soil Conservation Service, Soil Survey of Escambia County, Florida Maps as "hydric" soils.

(Ord. No. 96-6, § 3, 3-28-1996)

Policy 11.B.3.3: Mineral Extraction

Extraction of minerals or other natural resources shall be permitted only where compatible with adjacent land uses and where minimal resource degradation will occur. Natural resource extraction in the form of borrow pits is prohibited abutting state and federal parks, within floodplains, or within the proximity of existing residential uses, residential zoning districts, or subdivisions intended primarily for residential land use as specified in the LDC. Also, resource extraction in environmentally sensitive lands (see Policy 11.B.3.2) or within one-half mile of aquatic preserves, Class II waters, Shoreline Protection Zone 1 or Outstanding Florida Waters shall be prohibited (also, see Policy 11.A.1.5). Any natural resource extraction activity in which stormwater runoff leaves the site would be required to address sediment retention basins and their maintenance, and include a filter strip or buffer downstream of the site to catch any additional sediment. Note: It is not the intent of this policy to impact routine silvicultural or agricultural activities.

(Ord. No. 97-48, § 2, 9-22-1997; Ord. No. 2005-49, § 5, 10-6-2005)

Policy 11.B.3.4: Open Space/Buffers Enforcement

The county shall require open space and buffers as part of every development so as to provide for wind, air and stormwater dynamics. By December 2003, the county's open space and buffer standards will be evaluated and revised as necessary to meet the needs of the community.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.3.5: LDC Native Vegetation Use/Preservation

The LDC shall include regulations which require the use and/or preservation of native vegetation (to the maximum extent practicable) for all development or redevelopment activities. All development plans shall include an inventory of protected resources and unique vegetative communities. The proposed development plan must include an implementable plan for the protection and/or preservation of such unique vegetative communities and protected resources (reference Policy 11.A.1.4).

Policy 11.B.3.6: Natural Reservation Protection

The county will protect existing natural reservations as identified in the recreation and open space element or as may be created by action of the federal, state or county governments.

Policy 11.B.3.7: Multi-jurisdictional Unique Vegetative Communities

The county will continue cooperation with adjacent local governments to conserve, appropriately use, or protect unique vegetative communities located within more than one local jurisdiction (reference chapter 13, intergovernmental coordination element). Proposals for development which impact unique vegetative communities

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located within more than one local government jurisdiction will be provided to the affected local government by Escambia County whenever the proposed development plan is presented to Escambia County.

Policy 11.B.3.8: LDC Native Vegetation/Tree Protection

The county will provide for the protection and use of native vegetation and the protection of certain trees (a living tree 12 inches in diameter 4.5 feet above grade, champion trees, unique vegetative communities and the like -- some trees will be exempt from protection, such as the Mimosa, Pine, Chinese Tallow, trees in hazardous conditions and the like). Also, the county will require that the location of protected trees or unique vegetative communities be included on-site plans submitted for approval so that identification of these resources, and protection for the resources, is accommodated in advance of development approval. Unique vegetative communities include, but are not limited to, wetlands.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.3.9: Resource Extraction and Reclamation Activities

Existing and future resource extraction activities and lands used for such activities and any reclamation of any such lands shall be subject to all relevant rules and regulations, including those established by F.A.C. chs. 16, 17, 18, and 39, the U.S. Clean Water Act, F.S. § 372.072, F.S. ch. 373, pt. IV, F.S. ch. 378, pt. IV, and F.S. ch. 403, among others. Before any existing resource extraction or reclamation activity is permitted to expand beyond the boundaries established by the mandatory county development order and prior to approving any new resource extraction or reclamation activities, the application for expansion or establishment of a new extraction or reclamation activity must be accompanied by a Reclamation Plan. The Reclamation Plan must meet all applicable state requirements, as well as the provisions of Policies 7.A.2.2, 11.B.3.3 and 11.A.1.5 for the area once the extraction or reclamation activity has been completed. These provisions particularly apply to any resource extraction or reclamation activities within or near any environmentally sensitive areas in Escambia County and are especially relevant and germane to oil extraction activities in the northern portions of the county.

(Ord. No. 2005-49, § 5, 10-6-2005)

Policy 11.B.3.10: Industrial Restrictions East of Century

New industrial uses shall be discouraged in the area of the county that is adjacent to and east of the Town of Century (the extreme northeast portion of the county). Only industrial uses associated with the Century oil fields and extraction, storage, reduction, etc., are allowed unless permitted by other state or federal programs/processes or unless this plan has been amended to specifically allow other industrial uses in this particular area of the county.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.B.4: MARINE AND WILDLIFE RESOURCES

Continually, the county shall monitor the conservation, appropriate use and protection of fisheries, fishery habitats, wildlife habitats and other marine or wildlife resources in or near the county. As required by Policy 11.A.1.1, the county shall monitor these sensitive areas and provide recommendations to the Escambia County Board of County Commissioners. Monitoring data shall included, at least: 1) changes in the total acreage of coastal wetlands and the extent of wetland communities, 2) changes in the volume of the commercial fish catch and the amount of fish and shellfish annually landed, 3) changes in acreage of protected land on barrier islands, and 4) changes in acreage of

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land held for conservation and recreation use. Monitoring data and recommendations shall be included in the comprehensive plan implementation committee's annual report.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.4.1: Interagency Cooperation

The county shall cooperate with the department of environmental protection, the Florida Fish and Wildlife Conservation Commission, or other state or federal agencies so as to provide the fullest protection to marine or wildlife habitats that may be impacted by existing or proposed development within Escambia County. The county shall forward to the regulatory agencies copies of application for development approval anytime such application may impact the resources described in this policy or Objective 11.B.4.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.4.2: Endangered Species

No development permit shall be approved if construction pursuant to the permit would threaten the life or habitat of any species listed on the Federal and State Endangered Species Inventory (also, see Policy 7.A.5.8).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.B.5: HAZARDOUS MATERIALS

All hazardous materials produced within the county shall be stored and disposed of in such a manner that will eliminate (or significantly minimize) the potential for contamination of natural resources, including groundwaters and surface waters. It is the further intent of this objective and the policies hereunder that the threats and hazards to the general public, created by hazardous materials, be eliminated or significantly minimized.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.5.1: Identification

The county shall continue its practice of requiring identification of any and all hazardous wastes or materials used or stored by any licensed business within the county. This practice shall continue to be implemented through the issuance (or denial) of a business license based upon an adequately completed application form containing the hazardous materials information on the form.

Policy 11.B.5.2: Temporary Storage and Disposal

In cooperation with appropriate regulatory agencies, develop plans and procedures for handling the temporary storage and disposal of hazardous wastes generated within the county. Such plans and procedures will be provided to those industries and commercial operations within the county which generate hazardous wastes in order that they may properly handle and dispose of their hazardous waste products.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.5.3: Household Hazardous Waste

Develop and implement a program to educate the public concerning the proper storage and disposal of household hazardous wastes.

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Policy 11.B.5.4: Underground Storage Tanks

Develop an interlocal agreement with the Florida Department of Environmental Protection to locate all underground storage tanks within the county and determine the potential for contamination of the groundwater supply by each tank, and determine the responsible parties for each facility.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.5.5: Accidents and Emergency Procedures

The comprehensive emergency management plan shall include procedures for handling accidents involving hazardous wastes.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.5.6: Locational Criteria for Hazardous Material Uses

New industry or businesses which produce hazardous materials in their processes shall be allowed only if the new business or industry has been permitted and/or registered by all appropriate Regulatory Agencies, including Escambia County, and only if the location has characteristics that are suitable for the proposed use. Such uses will not be allowed where surface and groundwater are particularly vulnerable to contamination from hazardous materials, wellhead protection areas, hydric soils, and flood- and hurricane-hazard areas. Note: This policy does not apply to public utilities or public facilities.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.5.7: Plan Amendment for Hazardous Materials Site

If a site is determined to be suitable for a proposed use which involves the production of hazardous materials (but not including products sold at retail) and the site is not within an industrial category, then in order for the site to be approved for the proposed use, an amendment to this plan is required. Further, the applicant for such amendment shall be required to pay all costs associated with the plan amendment process.

Policy 11.B.5.8: Collection and Disposal System

The county shall provide a collection and disposal system for hazardous waste generated by other than large quantity generators and household generators within Escambia County. This system will include an Annual Amnesty Days program for Escambia County household generators.

Policy 11.B.5.9: Beulah Landfill Site

Notwithstanding the future land use designation of the Beulah Landfill Site being Conservation, the site may not be developed for any purpose other than recreation.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 11.B.6: PURCHASE OF ENVIRONMENTALLY SENSITIVE AREAS

To protect environmentally sensitive resources, while protecting private property rights, the county will continue to leverage state and federal resources for the purchase of strategic areas to be held in public ownership for conservation and recreation use.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 11.B.6.1: List of Areas for Public Acquisition

The county will develop and maintain a list of recommended areas for public acquisition. Such areas will include, but not be limited to, habitat for listed animal and plant species and parcels that would further the establishment of connected greenways.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.6.2: Restoration or Enhancement of Public Areas

Whenever feasible, restore or enhance degraded natural areas within public ownership. Restoration or enhancement may include such activities as removal of nonnative vegetation, reforestation, shoreline or dune restoration, or restoration of natural hydrology.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 11.B.6.3: Public Use of Protected Lands

To provide for public use of those lands held in public ownership, ensure the provision of facilities for outdoor recreation activities, including nature trails or boardwalks, waterway trails, interpretive displays, educational programs, wildlife observation areas, or picnic areas, whenever feasible.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 12 RECREATION AND OPEN SPACE ELEMENT

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*Cross references: Environment, pt. I, ch. 42; parks and recreation, pt. I, ch. 74.

[Sec. 12.01 Purpose.](#)

[Sec. 12.02 Data and analysis.](#)

[Sec. 12.03 Goals, objectives and policies.](#)

INTRODUCTION

Section 12.01 Purpose.

The purpose of this element is to plan for a comprehensive system of public and private recreation and open space sites which are available to the public.

Section 12.02 Data and analysis.

This element is based upon data and analysis requirements pursuant to F.A.C. 9J-5.005(2), and F.A.C. 9J-5.014(1), (2) (reference sections 5.03, 5.06 and 5.07 of this ordinance and chapter 9 of the foundation document).

Section 12.03 Goals, objectives and policies.

The goals, objectives and policies of this element are as follows:

RECREATION/OPEN SPACE FACILITIES

GOAL 12.A

Create recreational opportunities and open space for citizens of Escambia County through the provision of county facilities and coordination with state and federal agencies and the private sector.

OBJECTIVE 12.A.1: RECREATIONAL FACILITY ACCESS

Continue to develop and improve public awareness of and physical access to all recreation facilities.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.1.1: Tourist Information

In cooperation with the tourist development council, make information available to the public concerning the location of recreational opportunities and available facilities and assure the continued operation and maintenance of such facilities.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.1.2: Signage

Provide signage to identify county parks and to direct the public to these sites.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 12.A.1.3: Physical Access to recreational Facilities

Provide physical access to public recreational facilities for the disabled and continue to require compliance with the "Americans with Disabilities Act" by developers, owner or operators of private recreational facilities so as to provide access to such facilities for the disabled.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 12.A.2: PUBLIC ACCESS TO BEACH

Preserve and improve existing public beach access and add access sites and facilities as funds become available.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.2.1: Development Review Process

The development review process shall consider impacts of development or redevelopment on publicly established access ways to the beach. Developments which would preclude such access shall not be approved unless a comparable alternative access way is provided as a condition of development, consistent with F.S. § 161.55(6).

Policy 12.A.2.2: Annual Review of Sites for Public Acquisition

Develop, prioritize and update annually a list of shoreline sites for potential public acquisition with the intent to obtain title, easements, or other ownership interest in areas commonly used for public access and construct dune walkovers at county-owned facilities as necessary.

Policy 12.A.2.3: Biannual Facility Inventory

Maintain and update on a two-year cycle an inventory of public beach access facilities in the county, including those in the coastal area, and periodically survey conditions at those sites.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.2.4: Beach Renourishment

Access to shoreline renourished at public expense shall not be denied to the public. Intervals of one-half mile or less are required.

Policy 12.A.2.5: Coastal Land Use Category Restrictions

Implement provisions applicable to the coastal areas (Santa Rosa Island and Perdido Key) designated "conservation" or "recreation" on the future land use map. Unless otherwise specified herein, provide for public use and recreation while maintaining the important features and functions and natural habitats of each site in such a manner that will minimize the impacts of development on sensitive natural systems. The provisions will include:

1. Prevent motor vehicle traffic on beaches and dune areas excluding publicly authorized vehicles.
2. Prevent beach pedestrian traffic from destroying native vegetation by providing boardwalks and dune walkover structures.
3. Improve parking at high-use beach sites while protecting beach resources.
4. Placement of secure bicycle racks at beach sites to encourage bicycle transportation.

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5. The preparation and implementation of techniques needed to protect established or identified nesting bird colonies in all land use areas and the techniques may include restrictions on public access to such nesting areas.
6. Limit or provide alternate routes or public access in environmentally sensitive beach dune areas (i.e., dunes undergoing restabilization).

Policy 12.A.2.6: Bikepaths and Sidewalks

Develop a labor intensive transportation system to link beach access points, open space and recreation areas, and other recreational facilities with residential areas. Among other things, the system will include signage, construction of facilities (i.e., sidewalks, bike racks, etc.) by both the public and private sectors.

OBJECTIVE 12.A.3: INTERGOVERNMENTAL COORDINATION

Establish and promote intergovernmental coordination between Escambia County and appropriate federal, state, and local agencies (i.e. Escambia County School District, Santa Rosa Island Authority, and the Metropolitan Planning Organization) to address mutual concerns and enhance planning for recreation and beach access.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.3.1: Beach Access Liaison

Establish communication through a direct liaison with appropriate federal and state and local government entities regarding beach access and recreation.

Policy 12.A.3.2: Interstate and Interlocal Cooperation

Promote interstate and interlocal cooperation through agreements which could enhance public access and recreation-sites and facilities.

Policy 12.A.3.3: Florida Boating Improvement Fund

The county shall continue to utilize the Florida Boating Improvement Fund proceeds, as grant funds become available, for boat ramp improvements and development located within Escambia County.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 12.A.4: RECREATION FACILITIES AND LOS

Ensure that parks and recreation facilities and open space are provided consistent with the adopted level of service standards by public agencies and private enterprise by implementing Policies 12.A.4.1 through 12.A.4.11.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.4.1: LDC Definitions

The LDC shall include specific definitions for open space, parks and recreation facilities.

Policy 12.A.4.2: Facility Availability

Maintain or increase the availability of county recreation facilities to civic and other semi-public and private organizations.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Policy 12.A.4.3: Facility Utilization Policies

Develop standard county policies and procedures to allow for use of county recreation facilities by groups and organizations.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.4.4: LDC Open Space Requirements

The county shall continue to require the provision of open space by private development when such development is a planned unit development, a multi-family development, a mixed use commercial area or other similar types of development where relatively large land areas are involved. The requirements shall be contained within the LDC. All development projects of five acres or more shall be required to provide open space within the development or contribute to a fund therefore. Note: Nothing in this policy shall be interpreted to eliminate the provision of open space for all projects as required by county regulations.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.4.5: Annual Review of Public-Private Cooperation

Review, at least annually, the cooperative efforts between the public and private sectors in the provision of recreational opportunities and assure that such efforts are coordinated. The parks and recreation department shall include within its review efforts an analysis of the cooperation and coordination between the public and private sectors in the provision of recreational opportunities. In addition, the department will include within its report the inventory referenced in Policy 12.A.2.3 in even numbered years.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.4.6: Public-Private Cooperation

The county shall continue its cooperative efforts with the private sector and nonprofit organizations (i.e., YMCA, Little League, Civic Groups, etc.) in the provision of recreational facilities/opportunities and open space areas.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.4.7: Facility Inventory

The Escambia County Parks and Recreation Department shall maintain a current inventory of all park facilities maintained by Escambia County.

Public park or recreation areas operated or maintained by Escambia County shall not be converted to other uses, except by determination of the board of county commissioners that such a conversion is in the public interest. The Escambia County Parks and Recreation Department shall seek appropriate compensation or replacement land if such land is taken.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.4.8: Establishment of Park and Recreation Service Districts

The four park and recreation service districts are established as follows: 1) Barrier Islands RSD; 2) Urban RSD; 3) Suburban RSD, and; 4) Rural RSD. These districts may from time to time be modified, added to, or deleted as necessary to address the recreation needs of the county.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 12 RECREATION AND OPEN SPACE ELEMENT

Policy 12.A.4.9: Level of Service Standards

Level of service standards for recreation and open space facilities within the county are:

TABLE INSET:

Barrier Island RSD	1 acre/1,000 people within the RSD
Urban RSD	1 acre/1,000 people within the RSD
Suburban RSD	2 acres/1,000 people within the RSD
Rural RSD	2 acres/1,000 people within the RSD

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.4.10: County Acquisition of Open Space

The county shall continue to acquire (through lease, acquisition, or dedication) open space and natural areas so as to maintain and improve:

- (1) Recreational opportunities for all residents; and
- (2) The natural function of open space, wetlands and other sensitive lands within the county. The priority for acquisition of open space and/or natural areas shall be:
 1. Unique natural systems/environmentally sensitive lands;
 2. Shoreline sites;
 3. Sites within the urban or transitioning areas experiencing rapid development; and
 4. Sites that are historically or archaeologically significant.

The Escambia County Land Development Code shall clearly articulate the provision of open space and recreation areas within private developments. Escambia County shall not accept the donation of land or recreation facilities, unless they meet the Escambia County Parks and Recreation Department's park planning and development standards and a management/funding source is in place.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.4.11: Natural Reservations

The following are designated as natural reservations and are intended to provide open space and recreational uses of all types for the citizens of the county:

1. The Gulf Islands National Seashore;
2. The Escambia River Wildlife Management Area;
3. The Perdido River State canoe trail;
4. Lake Stone Park and boat ramp;
5. The improved county owned community, neighborhood and urban parks/tot lots;
6. Wayside Park;
7. Navy Point Park;
8. Casino Beach Recreation Area;

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9. Ft. Pickens;

10. Big Lagoon State Recreation Area;

11. Perdido Key Parks;

12. All publicly owned beach access ways.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 12.A.4.12: Vacant Property

By 2003, all vacant property owned by the county shall be inventoried and evaluated for its potential as a park, recreational facility, designated open-space or other use.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 13 INTERGOVERNMENTAL COORDINATION ELEMENT

Chapter 13 INTERGOVERNMENTAL COORDINATION ELEMENT*

*State law references: Intergovernmental coordination element, F.A.C. 9J-5.015.

[Sec. 13.01 Purpose.](#)

[Sec. 13.02 Data and analysis.](#)

[Sec. 13.03 Area of concern.](#)

[Sec. 13.04 Goals, objectives and policies.](#)

INTRODUCTION

Section 13.01 Purpose.

The purpose of this chapter (element) is to identify and resolve incompatible goals, objectives, policies and development proposed in this ordinance (Escambia County Comprehensive Plan) and to determine and respond to the needs for coordination processes and procedures with adjacent local governments, regional and state agencies.

Section 13.02 Data and analysis.

This element is based upon the data and analysis requirements pursuant to F.A.C. 9J-5.005(2) and F.A.C. 9J-5.015(1), (2) (reference sections 5.03, 5.06 and 5.07 of this ordinance and chapter 10 of the foundation documents).

Section 13.03 Area of concern.

The areas of concern for Escambia County are the adjacent areas of Santa Rosa County and the municipalities of:

- a. City of Pensacola; and
- b. Town of Century.

Section 13.04 Goals, objectives and policies.

The goals, objectives and policies of this element are as follows:

INTERGOVERNMENTAL COORDINATION

GOAL 13.A

Provide coordination of this comprehensive plan with the local governments located within Escambia County's area of concern and with other entities providing services in the unincorporated areas of Escambia County.

OBJECTIVE 13.A.1: COMPREHENSIVE PLAN COORDINATION REVIEW

Coordinate the Comprehensive Plan of Escambia County, and the associated impacts of development proposed in that plan, with the comprehensive plans of the City of Pensacola, Gulf Breeze, Santa Rosa County, the Escambia County Utilities Authority, and the Santa Rosa Island Authority, and the Escambia County School Board. (Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 13 INTERGOVERNMENTAL COORDINATION ELEMENT

Policy 13.A.1.1:

The county shall submit a copy of any proposed large scale future land use map amendment to adjacent municipalities and counties, other units of government providing services but not having regulatory authority over the use of land, and the Escambia County School Board provided that those agencies have submitted a written request to the county for such information as required by F.S. section 163.3184(3)(a).
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 13.A.1.2:

For proposed comprehensive plan amendments that could potentially impact adjacent jurisdictions, the county shall submit copies of the proposed amendment to the affected local government and invite their review and comment.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 13.A.1.3: Annual Coordination Review

The comprehensive plan implementation committee shall include within its review efforts an analysis of the coordination between plans of affected governments and include a summary of that review in the comprehensive plan implementation annual report.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 13.A.1.4: Joint Planning Areas

By December 2003 the department of growth management shall identify planning topics of concern between local governments who would benefit from joint planning efforts and initiate coordination accordingly. Such topics of concern should include infrastructure service areas and redevelopment initiatives. Upon approval by the planning board of the identified topics of concern, the director of the department of growth management will meet with representatives from the affected local governments to develop specific procedures for implementation of the identified joint planning initiatives. Such implementation procedures should be established by July 2004.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 13.A.1.5: Bay Protection Interlocal Agreements

Implement adopted interlocal agreements with the school board, the municipalities and Santa Rosa County so as to provide for coordination and evaluation of development proposals that affect the bays, bayous, sound or gulf (including estuaries and estuarine systems).
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 13.A.1.6: Conflict Resolution

The county may use the West Florida Regional Planning Council's informal mediation process, or other mediation processes, to resolve conflicts with other units of government that cannot be resolved pursuant to the meetings between the governing bodies of the affected governments.
(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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Chapter 13 INTERGOVERNMENTAL COORDINATION ELEMENT

Policy 13.A.1.7: Comprehensive Plan Implementation Committee Annual Review

The comprehensive plan implementation committee shall include within its review efforts:

- a. An analysis of the effectiveness of the county's intergovernmental coordination procedures as identified in this element;
- b. The adequacy of LOS standards which have been established by this ordinance on an annual basis.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 13.A.2: COORDINATION OF LOS STANDARDS

Coordinate with appropriate state, regional and local agencies and other entities, which have operational and maintenance responsibility for public facilities in Escambia County, to achieve and maintain, adopted level of service standards. As required by F.S. § 163.3177(6)(h)2., when such entity is another unit of local government, the county will enter into an interlocal agreement or other formal agreement which shall describe joint processes for collaborative planning and decision making on population projections, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 13.A.2.1: Coordinated LOS Standards

The Escambia County Department of Growth Management will, through interlocal agreement or other formal agreement with public service providers, establish level of service standards for public facilities, identify actions that the county will undertake to coordinate the location and extension of these facilities, as well as the siting of facilities with county-wide significance. Established level of service standards will be maintained through implementation of the county's concurrency management system.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 13.A.3 COORDINATION WITH THE ESCAMBIA COUNTY SCHOOL BOARD

Maintain cooperative relationships with the School Board and municipalities, and implement joint planning processes to coordinate land use planning with school facility planning.

(Ord. No. 2009-12, 4-30-2009)

Policy 13.A.3.1: Interlocal Agreement for Public School Facility Planning

In cooperation with the School Board and the local governments within Escambia County, the County implemented the Interlocal Agreement for Public School Facility Planning dated on August, 7th, 2006 (herein Interlocal Agreement), which established procedures for, among other things: coordination and sharing of information, planning processes, and school concurrency implementation. The Interlocal Agreement was updated on December 9th, 2008, and may be amended annually.

(Ord. No. 2009-12, 4-30-2009)

Policy 13.A.3.2: Annual School Board Report

On an annual basis, the School Board shall provide information from their Tentative District Educational Facilities Plan to determine the need for additional school facilities. The School Board shall provide to the county, each year, a General Education Facilities Report. The Educational Facilities Report shall contain information detailing existing

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facilities, their locations, and projected needs. The report shall also contain the School Board's financially feasible Five-Year District Facilities Work Program.

(Ord. No. 2009-12, 4-30-2009)

Policy 13.A.3.3: Consistent Population and Enrollment Projections

The staff working group established in Policy 13.A.3.6 shall meet annually to coordinate and base their local government comprehensive plans and school facility plans on consistent projections. These projections shall include population projections developed in coordination with the Planning Board, and student enrollment projections (district-wide and by concurrency service area) developed by the School Board with the agreement of the Florida Office of Educational Facilities. The School Board's student enrollment projections shall consider the impacts of development trends as per the Interlocal Agreement. To accomplish this policy the County and the School Board agree to provide the information and follow the procedures specified in Sections 2 and 3 of the Interlocal Agreement.

(Ord. No. 2009-12, 4-30-2009)

Policy 13.A.3.4: Growth and Development Trends

As per Section 3.4 of the Interlocal Agreement, by February 1st of each year, the local governments will provide the School Board with their Comprehensive Plan Implementation Committee Annual Report, per Section 14.06 of the Escambia County Comprehensive Plan, on growth and development trends within their jurisdiction. To the extent feasible, the reports should be provided in geographic information system compatible format for the purpose of geo-referencing the information. This report will be in tabular, graphic, and textual formats and will include the following:

- a) The type, number, and location of residential units which have received zoning approval, final plat and site plan approval;
- b) Information regarding future land use map amendments;
- c) Building permits and certificate of occupancy data for residential dwellings issued for the preceding year and their location;
- d) Summary of vested rights determinations and other actions that affect demands for public school facilities;
- e) Information regarding the conversion or redevelopment of housing or other structures into residential units which are likely to generate new students and reflects the existing land use; and
- f) The identification of any development orders issued.

(Ord. No. 2009-12, 4-30-2009)

Policy 13.A.3.5: Elected Officials Joint Planning Workshops

One or more representatives of the Escambia County Board of County Commissioners, the Pensacola City Council, the Century Town Council, and the School Board will meet on an as needed basis, but not less than annually, in joint workshop sessions. The workshop sessions will be opportunities for the representatives of the elected bodies to receive reports, discuss policy, and reach understandings on issues of mutual concern regarding coordination of land use and school facilities planning. Topics for such workshops may include, but are not limited to: student enrollment trends, growth and development trends, school needs, joint use opportunities, implementation of school

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concurrency, and performance of the adopted Interlocal Agreement. The workshops will take place in accordance with the procedures established in the Interlocal Agreement.

(Ord. No. 2009-12, 4-30-2009)

Policy 13.A.3.6: Staff Working Group

A staff working group comprised of representatives from the County, School Board, City of Pensacola, Town of Century, and Local Planning Agency, or their appointees will meet on an as needed basis, but not less than semi-annually to discuss issues and formulate recommendations regarding coordination of land use and school facilities planning. The staff working group meetings will take place in accordance with the timeframes and procedures established in the Interlocal Agreement.

(Ord. No. 2009-12, 4-30-2009)

Policy 13.A.3.7: LPA Coordination with the Escambia County School Board

Pursuant to Section 163.3174, Florida Statutes (2008), a representative of the School Board shall be appointed to the County Planning Board as an ex-officio, nonvoting member.

(Ord. No. 2009-12, 4-30-2009)

OBJECTIVE 13.A.4: COORDINATION WITH SANTA ROSA COUNTY SCHOOL BOARD

Because the Santa Rosa County School Board provides educational opportunities for residents of Pensacola Beach, Escambia County has, by September 2003, executed an Interlocal Agreement with the Santa Rosa County School Board addressing the issues identified in the Interlocal Agreement with the Escambia County School Board as they relate to Pensacola Beach.

(Ord. No. 2009-12, 4-30-2009)

OBJECTIVE 13.A.5: CAMPUS MASTER PLANS

As required by Section 1013.30, Florida Statutes (2008), the county agrees to recognize campus master plans of the state university system and to work with the board of regents in the development of a "campus development agreement" as the need arises.

(Ord. No. 2009-12, 4-30-2009)

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*State law references: Capital improvements element, F.A.C. 9J-5.016.

[Sec. 14.01 Purpose.](#)

[Sec. 14.02 Amendments.](#)

[Sec. 14.03 Data and analysis.](#)

[Sec. 14.04 Goals, objectives, and policies.](#)

[Sec. 14.05 Implementation.](#)

[Sec. 14.06 Monitoring and evaluation.](#)

[Capital Improvement Programs Schedule](#)

[Funded Major State Highway Projects Tables](#)

INTRODUCTION

Section 14.01 Purpose.

The purpose of the capital improvements element (CIE) is to evaluate the need for public facilities as identified in the other plan elements of this ordinance and as defined in the applicable definitions for each type of public facility, to estimate the cost of improvements for which the county has fiscal responsibility, to analyze the fiscal capability of the county to finance and construct improvements, to adopt financial policies to guide the funding of improvements and to schedule the funding and construction of improvements in a manner necessary to ensure that capital improvements are provided when required based on needs identified in the other elements of this ordinance.

Section 14.02 Amendments.

The capital improvements element shall be reviewed on an annual basis and modified as necessary in accordance with F.S. § 163.3187, except that corrections, updates, and modifications concerning costs; revenue sources; acceptance of facilities pursuant to dedications which are consistent with this ordinance; or the date of construction of any facility enumerated in the capital improvements element may be accomplished by ordinance and shall not be deemed to be amendments to this plan. All public facilities shall be consistent with the capital improvements element. A plan amendment shall be required to eliminate, defer, or delay construction of any road which is needed to maintain the adopted level of service standard and which is listed in the county's five-year schedule of capital improvements.

(Ord. No. 2000-35, § 5, 8-17-2000)

Section 14.03 Data and analysis.

This element is based upon data and analysis requirements pursuant to F.A.C. 9J-5.005(2) and F.A.C. 9J-5.016(1) (reference sections 5.03, 5.06 and 5.07 of this ordinance and chapter 11 of the foundation document).

This element is based upon the public facility needs identified in the other comprehensive plan elements and supports the future land use element. The geographic service area and location of major system components of the Escambia County School System and the various health systems within Escambia County have been identified in other plan elements.

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The existing revenue sources and funding mechanisms available for capital improvement financing are identified in chapter 11 of the foundation document. The current budgetary, administrative and policy practices which guide, (1) the timing and location of construction of public facilities and/or (2) the timing and location of improvements in capacity of public facilities, have been analyzed. The goals, objectives and policies of this element have been based, where appropriate, on this analysis (reference support documents).

Section 14.04 Goals, objectives, and policies.

The goals, objectives and policies of this element are as follows:

PUBLIC FACILITY SCHEDULING

GOAL 14.A

The timely and efficient provision of public facilities through the use of sound fiscal policies.

OBJECTIVE 14.A.1: CAPITAL IMPROVEMENT PROGRAM (CIP)

Use the CIE as a directory to meet the needs of Escambia County for the construction, acquisition or development of capital facilities necessary to meet existing deficiencies, to accommodate desired future growth and to replace obsolete or worn out facilities (reference section 14.06 of this ordinance) upon adoption of this ordinance (reference section 15.01). The five-year schedule of capital improvements (Table 14-1) shall be the specific guide (directory) the county will use to determine construction of capital facilities and maintenance of LOS standards.

Policy 14.A.1.1: Project Review Criteria

The criteria to evaluate capital improvement projects directly related to individual elements of this ordinance are:

- a. The elimination of future public hazards; at present, there are no identified existing public hazards;
- b. The elimination of any existing capacity deficits;
- c. The impact on the annual operating budget and capital improvements program of Escambia County (see Policy 14.A.5.1);
- d. Locational needs based on projected growth patterns (Reference future land use map, Objective 14.A.2. and Policy 14.A.2.1);
- e. The accommodation of new development and redevelopment facility demands;
- f. Financial feasibility; and
- g. Plans of The Northwest Florida Water Management District and state agencies (or other entities) that provide public facilities within the jurisdiction of Escambia County.

Policy 14.A.1.2: Debt Management Policy

Debt management policy for Escambia County:

- a. The county uses a combination of resources to fund capital improvements including state and federal grants, below market interest rate state loans, user fees, connection charges, a combination of long term and short term financing vehicles, accumulated surpluses, and the use of revenues set aside specifically for capital projects (pay as you go and proportionate fair share agreement revenues).

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- b. The county may continue to use the resources identified in subparagraph (a) throughout the planning period. General obligation debt is used sparingly. General obligation debt, if determined necessary during the planning period, will be established consistent with rating agency standards and guidelines.
- c. Enterprise fund debt is, in part, managed through a ratio of net system revenue and other pledged funds to annual debt service. Also, this principle of coverage is used in the management of debt for other projects that are supported by user fees or shared revenues. The maximum ratio of total debt service to total revenue shall not exceed 25 percent and the limitation of revenue bonds as a percentage of total debt shall not exceed 80 percent.
- d. The county will continue to embrace and utilize its "pay-as-you-go" technique of capital formation and as a basic principle for debt management.

(Ord. No. 2007-50, § 5, 9-6-2007)

Policy 14.A.1.3: Project Funding Priorities

Prioritize capital improvements funding (within the annual capital improvements program - see Policy 14.A.5.1) in a manner that generally assigns first priority to the renewal and replacement of obsolete or worn-out facilities, if determined feasible pursuant to Policy 7.A.4.15; that assigns second priority to correcting existing deficiencies in public facilities; and third priority to facilities necessary to accommodate desired future growth. Nothing in this policy shall preclude Escambia County from increasing or rearranging the priority of any particular capital improvement project so that cost savings may be realized or LOS standards are met.

Policy 14.A.1.4: Facility Rehabilitation Preference

The county will promote rehabilitation and re-use of existing governmental facilities, structures, and buildings as the preferred alternative to new construction (reference section 14.06 of this ordinance).

Policy 14.A.1.5: Incorporation of School Board's 5-Year District Facilities Work Plan

The County hereby incorporates by reference the Escambia County School District 2008-2009 Work Plan for the 5-Year District Facilities Work Program approved by the School Board of Escambia County on September 16, 2008, as amended. The Work Plan includes school capacity sufficient to meet anticipated student demands projected by the County and municipalities, in consultation with the School Board's projections of student enrollment, based on the adopted level of service standards for public schools.

(Ord. No. 2009-12, 4-30-2009)

OBJECTIVE 14.A.2: PROJECTS IN THE CHHA

Limit public expenditures that subsidize development in coastal high hazard areas upon adoption of this ordinance (reference sections 14.06 and 15.01). Also, see Objective 11.A.5 and the policies thereunder.

Policy 14.A.2.1: Public Access/Recreation Only

Except for the provision, or support, of recreation uses such as parks and walkovers, erosion control devices, increased public access and the correction of deficiencies, public expenditures within the CHHA shall be governed by Policy 11.A.5.2.

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OBJECTIVE 14.A.3: LAND USE COORDINATION

Through implementation of the concurrency management system, the county will coordinate land use decisions and development approvals with available and/or projected fiscal resources and with the schedule of capital improvements (reference Table 14-1) so as to maintain adopted LOS standards and meet the existing and future facility needs. This objective will be implemented pursuant to Policies 14.A.3.1 through 14.A.3.7, among others, upon adoption of this ordinance (reference section 15.01).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 14.A.3.1: Land Use Consistency with Five-Year Program

Land-use decisions shall be consistent with the five-year schedule of capital improvements. This will be accomplished by implementing the concurrency management system as part of the development review committee process.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 14.A.3.2: LOS Standards

Establish level of service standards for public facilities which are within the jurisdiction of Escambia County, as provided by F.A.C. 9J-5.005(3) and F.A.C. 9J-5.015(3)(b)3. These standards shall be those found in the other comprehensive plan elements of this ordinance (reference LOS contained in Policies 8.A.1.3, 8.B.2.3, 10.A.2.2, 10.B.2.3, 10.C.2.3, 10.D.2.3, and 12.A.4.9; also, see section 6.06).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 14.A.3.3: Vested Developments

Provide for the availability of public facilities to serve developments for which development orders were issued prior to the adoption of this ordinance. Note: No development permits have been issued prior to the adoption of this ordinance for which public facilities were not available at established levels of service standards.

Policy 14.A.3.4: LOS and Capital Project Funding

The fiscal resources of Escambia County will be used, to the extent necessary, to maintain LOS standards and support the five-year schedule of capital improvements.

Policy 14.A.3.5: Concurrency

Provide for the availability of public facilities and services needed to support development concurrent with the impacts of such development subsequent to the adoption of this ordinance (reference chapter 6, concurrency management system).

Policy 14.A.3.6: Comprehensive Plan Implementation Committee

There is hereby created a committee to review the development activities within Escambia County and to review the level of service conditions for the county. The committee shall be comprised of the county administrator, growth management services director, engineering service division director, planning/zoning director, solid waste department director, budget office director, emergency services department director and the SRIA general manager. Other responsible county officials may, from time to time, be requested to serve on the committee or provide assistance to the committee as circumstances and issues require. The committee shall maintain information on development activity, level of service conditions and other data necessary to accurately evaluate the

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implementation of the county's comprehensive plan (including an annual review and/or update of the county's population estimates and projections). In addition, the committee will monitor and evaluate this capital improvements element on an annual basis (reference section 14.06 of this ordinance).

Policy 14.A.3.7: Special Taxing Units (MSTUs)

Encourage and assist neighborhoods in the adoption of municipal service taxing units or municipal service benefit units to provide desired services.

OBJECTIVE 14.A.4: DEVELOPER SHARE OF FACILITY COST

Future development will bear a proportionate cost of facility improvements necessitated by the development in order to adequately maintain adopted LOS standards. The methods of assessment of such costs will include a series of variables based upon the size, character, type and location of the development and the development's impact upon all county systems as well as the benefits the development is anticipated to receive from such systems. (Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 14.A.4.1: LDC Developer Cost Sharing Provisions

The county will provide for assessing new developments a pro rata share of the costs necessary to finance public facility improvements necessitated by development in order to adequately maintain adopted level of service standards.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

Policy 14.A.4.2: LDC Impact Fee Provisions

The county will provide for the exaction of physical improvements to impacted systems (roads, utilities, etc.) by new developments or the redevelopment of existing facilities. This policy will be implemented through the county's permitting and inspection process and will result in the applicant/developer providing all required improvements unless otherwise provided (also, see Policies 8.A.1.1, 10.A.2.4, 10.C.1.1, 10.C.2.1 and 10.D.2.2).

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

OBJECTIVE 14.A.5: LAND DEVELOPMENT PROCESS

Escambia County will continue to provide or require provision of needed improvements identified in the other elements of this ordinance and will manage the land development process so that public facility needs created by previously issued development orders or future development do not exceed the ability of Escambia County to fund and provide or require provision of the needed capital improvements (reference chapter 6 and section 14.06 of this ordinance).

Policy 14.A.5.1: Annual Capital Budget

A capital budget will be adopted by the board of county commissioners as a part of the annual budgeting process. The capital budget (capital improvement program) will be developed using this element as a directory.

Policy 14.A.5.2: Fiscal Policies

Use Escambia County's fiscal policies to direct expenditures for capital improvements which ensure the implementation of the goals, objectives, and policies of the other elements in this plan (reference Policy 14.A.3.2. and section 14.06 of this ordinance).

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Policy 14.A.5.3: Concurrency Management System

The county will implement the Concurrency Management System described in chapter 6 of this ordinance upon adoption of this ordinance (reference section 15.01; also, see Policies 14.A.3.2 and 14.A.4.2.) As a component of the concurrency management system, the county will make the proportionate fair share program available as an option for developers to contribute the value of their transportation impacts as provided in article 5, section 5.13.00 of the Land Development Code and the Escambia County Concurrency Management System Procedure Manual. (Ord. No. 2007-50, § 5, 9-6-2007)

ANNUAL CIP AND PLAN IMPLEMENTATION REPORT

Section 14.05 Implementation.

Table 14-1 contained herein is hereby adopted as a part of this ordinance.

- (1) The schedule of capital improvements, (Table 14-1) for which Escambia County has fiscal responsibility, have been selected for the first five fiscal years, by year, after the adoption of this ordinance, and reflects the need to reduce any identified existing deficiencies, remain abreast of replacements and to meet future demands and includes:

- (a) Project description and general location; and
- (b) A determination of consistency with the other elements of this ordinance; and
- (c) The estimated date of commencement of actual construction and estimated date of project completion.

Appendix A to Table 14-1 may recognize and include transportation projects included in the first three years of the applicable, adopted Florida Department of Transportation five-year work program.

- (2) Table 14-1 lists projected costs and funding source by type of public facility for the five-year period. (Ord. No. 2000-35, § 5, 8-17-2000)

Section 14.06 Monitoring and evaluation.

The CIE shall be reviewed on an annual basis. Reference paragraph 5.12 of this ordinance. The committee created pursuant to Policy 14.A.3.6 annually shall evaluate the implementation of the capital improvements element. By April 1 of each year the committee shall report to the local planning agency (LPA; reference section 2.01 of this ordinance) on the status of implementation activities as well as level of service conditions within the county. By June 1 of each year, the Escambia County LPA shall report to the board of county commissioners its evaluation of the implementation of the capital improvements element and the comprehensive plan during the previous fiscal year. Contained within the report shall be any recommendations the LPA may promulgate in order to maintain level of service standards and any adjustments necessary to the CIE and/or the county's annual capital improvement program (reference Policy 14.A.5.1 and chapter 6 of this ordinance). The board of county commissioners shall consider the report of the LPA upon receipt and during its deliberations on the annual budget and capital improvements program. Any adjustments made to the CIE or the capital improvements program shall include consideration of the maintenance of LOS standards delineated in this ordinance. Also, see Policies 7.A.4.9, 7.A.4.12, 8.A.2.3, 9.A.2.1, 9.A.2.3, 11.A.5.4, 11.A.8.5, 12.A.4.6, 13.A.1.1, and section 6.01 for other monitoring, review and evaluation responsibilities of the committee.

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002)

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TABLE 14-1 Capital Improvement Programs Schedule

(See pages below)

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2003-58, § 6(Att. A-1), 12-11-2003; Ord. No. 2004-77, § 4(Att. A-1), 12-9-2004; Ord. No. 2005-46, § 3(Att. A-1), 10-6-2005; Ord. No. 2006-55, § 5, 7-20-2006; Ord. No. 2006-93, § 1, 12-7-2006; Ord. No. 2007-62, 10-4-2007; 2008-56, 11-6-2008)

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**Capital Improvement Programs
FY 2009 - FY 2013 Schedule
Table 14-1**

Proj #	Project Name	Location	Funding Source	Current FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Total Project Cost	Code	Comp Plan Objectives	Notes
Recreation / Open Space												
06PR0065	Brosnham Soccer Center	10370 Ashton Brosnaham Dr.	LOST III	90,909	90,909	90,909	90,909	90,909	\$454,545	G	12.A.4	
08PR0031	Equestrian center	Beulah 7750 Mobile Hwy	LOST III	90,909	590,909	90,909	90,909	90,909	\$963,636	G	12.A.4	
05PR0189	Acquisition - additional acrege to expand park facilities	Countywide	LOST III			48,345	200,000	200,000	\$448,345	G	12.A.4.10	
06PR0099	McDavid Community Park		LOST III			150,000			\$150,000	G	12.A.4	
06PR0099	Park development - to address deficiencies, replacement, repair, fencing, landscaping etc.	Countywide	LOST III	898,885	1,110,701	1,110,701	1,110,701	1,110,701	\$5,341,689	DR	12.A.4	
Solid Waste												
1	Land Purchase - Recovered Materials Processing Facility	Pensacola	SW Fund		500,000				\$500,000	G	10.B.3.1	
2	Recovered Materials Processing Facility Design	Pensacola	SW Fund			400,000			\$400,000	G	10.B.3.1	
3	Recovered Materials Processing Facility Construction	Pensacola	SW Fund			4,000,000			\$4,000,000	G	10.B.3.1	
4	Cell Construction	Section 5 - Phase 1	SW Fund		2,500,000				\$2,500,000	G	10.B.3.3	
5	Cell design	Section 5 - Phase 2	SW Fund				250,000		\$250,000	G	10.B.3.4	
6	Cell Construction	Section 5 - Phase 2	SW Fund						\$2,500,000	G	10.B.3.5	
Engineering - Drainage												
ENG977	Airway Drive		LOST III	1,000,000					\$1,000,000	DG	10.C.1.2 10.C.1.6	
	Bartow Avenue		LOST III		80,000				\$80,000	DG	10.C.1.2 10.C.1.6	

R = replacement of new or existing facility D = deficiency correction G = meeting growth demands

**Capital Improvement Programs
FY 2009 - FY 2013 Schedule
Table 14-1**

Proj #	Project Name	Location	Funding Source	Current FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Total Project Cost	Code	Comp Plan Objectives	Notes
ENG650	Beach Haven		LOST III		3,250,000				\$3,250,000	DG	10.C.1.2 10.C.1.6	
ENG551	Chandler		LOST III	1,000,000	500,000				\$1,500,000	DG	10.C.1.2 10.C.1.6	
	Drainage Basin Studies		LOST III					450,000	\$450,000	DG	10.C.1.2 10.C.1.6	
ENG1308	Elsa Area Drainage		LOST III	500,000	500,000	500,000			\$1,500,000	DG	10.C.1.2 10.C.1.6	
	Ensley Ave Drainage Improvements II-V	Detroit and Johnson Phase from Palafox to 500' past Chemstrand	LOST III	1,200,000	450,000	8,231,655			\$9,881,655	D	10.C.1.2 10.C.1.6	
ENG214	Ferry Pass Zone 2	Johnson Ave from Lawton, Carl Dean, Kipling and Caminetti	LOST III	500,000	500,000	500,000			\$1,500,000	R	10.C.1.2 10.C.1.6	
ENG217	Ferry Pass Zones 4- 5	Tippin, Kinney, Deloach, Raines, Nobles Streets	LOST III		4,000,000	880,000			\$4,880,000	R	10.C.1.2 10.C.1.6	
ENG1512	Flaxman & 61st St		LOST III	60,000		500,000			\$560,000	R	10.C.1.2 10.C.1.6	
	Jordan and P Streets		LOST III		3,000,000				\$3,000,000	DG	10.C.1.2 10.C.1.6	
ENG1244	Lago Vista		LOST III	100,000					\$100,000	R	10.C.1.2 10.C.1.6	
	Lake Charlene Drainage Improvements Phase II	Lake Charlene Subdivision	LOST III	100,000		1,000,000			\$1,100,000	R	10.C.1.2 10.C.1.6	
ENG949	LiFair Estates Subd		LOST III	100,000		1,000,000			\$1,100,000	DG	10.C.1.2 10.C.1.6	
ENG917	Maplewood's Subdivision Design - Phase 1	Maplewood's Subdivision on Detroit in Pensacola	LOST III	3,000,000					\$3,000,000	D	10.C.1.2 10.C.1.6	
ENG899	Midas & Muldoon		LOST III	100,000						R		
ENG1293	Muscogee Rd Drainage Improvements Phase 1-5	Muscogee Rd from Hwy 97 to Nowak in Pensacola	LOST III	150,000	2,150,000	2,000,000	1,700,000		\$6,000,000	G	10.C.1.2 10.C.1.6	
	Myrtle Grove & Jackson		LOST III		150,000		3,500,000		\$3,650,000	DG	10.C.1.2 10.C.1.6	

R = replacement of new or existing facility D = deficiency correction G = meeting growth demands

**Capital Improvement Programs
FY 2009 - FY 2013 Schedule
Table 14-1**

Proj #	Project Name	Location	Funding Source	Current FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Total Project Cost	Code	Comp Plan Objectives	Notes
	Rebel Road		LOST III					2,000,000	\$2,000,000	DG	10.C.1.2 10.C.1.6	
ENG1309	Redoubt & Reservation		LOST III	300,000						R	10.C.1.2 10.C.1.6	
	Tracy, Ogden, Rosirito and Sandy Bay Drainage		LOST III	500,000	500,000				\$1,000,000	DG	10.C.1.2 10.C.1.6	
Engineering - Transportation												
1	Bauer Rd Sidewalks	Bailey Middle to Gulf Beach Hwy	LOST III	200,000					\$200,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
2	Beltway Hurricane Study		FDOT/LAP	250,000						G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	See executed LAP agreement and FDOT 5-year Work Program.TPO Project Priorities 2009-2013, pg 29, 56
3	Beulah Rd Improvements		LOST III				500,000		\$500,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
4	Blue Angel Pkway Design	Sorrento to US98	FDOT	9,717					\$9,717	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	FDOT allocations and local tax contributions to support bonding. FDOT and local contribution \$2,000,000 in 2008. Based on PD&E delay design to begin in 2009.
5	Blue Angel Parkway Construction	Sorrento to US98	Bond/FDOT				5,033,700	28,524,300	\$33,558,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	FDOT allocations and local tax contributions to support bonding. FDOT and local contribution \$2,000,000 in 2008. Based on PD&E delay design to begin in 2009.
6	Burgess Extension Design	Burgess/Creighton extension from Hilburn Dr to US 29	Local/ FDOT TRIP				\$2,000,000		\$2,000,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	TPO Cost Feasible Report pg D-3, August 2007
7	Burgess Extension Construction	Burgess/Creighton extension from Hilburn Dr to US 29	Local/ FDOT TRIP				\$5,000,000	\$18,000,000	\$23,000,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	TPO Cost Feasible Report pg D-3, August 2007

R = replacement of new or existing facility D = deficiency correction G = meeting growth demands

**Capital Improvement Programs
FY 2009 - FY 2013 Schedule
Table 14-1**

Proj #	Project Name	Location	Funding Source	Current FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Total Project Cost	Code	Comp Plan Objectives	Notes
8	Cody Lane & Jernigan Improvements		LOST III	\$500,000					\$500,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
9	Dirt Rd Paving	Countywide	LOST III	\$1,000,000	\$1,500,000	\$1,700,000	\$2,400,000	\$2,100,000	\$8,700,000	R	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
10	Gulf Beach Hwy (SR292) Corridor Study	Navy Blvd to Sorrento	LOST III				\$300,000		\$300,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
11	Gulf Beach Hwy (CR 292A) Sidewalks	Blue Angel to Sorrento	LOST III	\$1,400,000	\$100,000				\$1,500,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
12	Highway 297A Widening		LOST III	\$800,000	\$800,000				\$1,600,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
13	Highway 97 Widening		LOST III	\$800,000			\$600,000		\$1,400,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
14	ITS Application		LOST III			\$1,361,000			\$1,361,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
15	ITS Feasibility Study		LOST III	\$500,000					\$500,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
16	JPA Design Box		LOST III		\$500,000	\$500,000	\$500,000	\$400,000	\$1,900,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
17	Live Oak / Sunset Sidewalks		LOST III					\$300,000	\$300,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
18	Nine Mile Rd Design & Construction	Chemstrand Rd	LOST III		\$1,000,000				\$1,000,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
19	Nine Mile Rd Improvements	Pine Forest to Hwy 29	LOST III FDOT	\$1,000,000 \$1,300,000	\$1,500,000	\$1,000,000	\$1,000,000		\$5,800,000	DG	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	

FDOT Work Program, pg 12

**Capital Improvement Programs
FY 2009 - FY 2013 Schedule
Table 14-1**

Proj #	Project Name	Location	Funding Source	Current FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Total Project Cost	Code	Comp Plan Objectives	Notes
20	Old Palafox (95A) Corridor		LOST III	\$200,000					\$200,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
21	Olive Rd Corridor - Phase I	Davis and Old Palafox	TPO/Box			\$750,000			\$750,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
22	Olive Rd Corridor - Phase II		TPO/Box			\$750,000			\$750,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
23	Perdido Key Design	AL state line to ICWW Bridge	FDOT	\$10,000	\$2,732,000				\$2,742,000	DG	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	FDOT Work Program, pg 17
24	Perdido Key Drive Construction	Perdido Key Dr between AL and the south end of the ICWW Bridge	Local/ FDOT TRIP				6,553,680	37,137,520	\$43,691,200	DG	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	Perdido Key Dr design, to meet federal termini will include ICWW bridge. Funding has and will be from federal, state and local partnerships.
25	Perdido Key Drive PD&E	Perdido Key Dr between AL and the south end of the ICWW Bridge	FDOT	\$10,000					\$10,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	FDOT Work Program, pg 16-17
26	Sorrento PD&E	ICWW Bridge to Blue Angel Pkwy	FDOT	\$10,000					\$10,000	DG	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	FDOT Work Program, pg 16
27	Pinestead / Longleaf Design & Construction		LOST III			\$1,500,000	\$1,500,000		\$3,000,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
28	Resurfacing	Countywide	LOST III	\$1,700,000	\$1,700,000	\$1,209,000	\$1,700,000		\$6,309,000	R	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
29	Sidewalks Design / Construction		LOST III			\$1,000,000	\$700,000	\$500,000	\$2,200,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
30	Sidewalks District 1		LOST III			\$400,000	\$100,000		\$500,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	

R = replacement of new or existing facility D = deficiency correction G = meeting growth demands

**Capital Improvement Programs
FY 2009 - FY 2013 Schedule
Table 14-1**

Proj #	Project Name	Location	Funding Source	Current FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Total Project Cost	Code	Comp Plan Objectives	Notes
31	Ten Mile & Chemstrand		LOST III	\$650,000						G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
32	Ten Mile & Tara Dawn		LOST III	\$100,000					\$100,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
33	Traffic Calming	Countywide	LOST III	\$200,000	\$200,000	\$200,000	\$200,000		\$800,000	G	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
34	W Roberts Rd Widening		LOST III			\$350,000		\$250,000	\$600,000	R	8.A.1.12 8.A.2.4 8.A.3.1 8.A.1.3 8.A.1.15 8.A.3.2	
Mass Transit - ECAT												
1	Bus shelters	Countywide	FTA Grant				50,000	50,000	\$100,000	G	8.B.2	
2	Bus replacements	1515 W Fairfield Dr.	FTA Grant				1,500,000	1,750,000	\$3,250,000	G	8.B.1.1	
3	Trolley replacements	1515 W Fairfield Dr.	FTA Grant				1,000,000	1,000,000	\$2,000,000	G	8.B.1.1	

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Chapter 14 CAPITAL IMPROVEMENTS ELEMENT

TABLE 14-2 FDOT DISTRICT III

Projects Scheduled in the First Three Years of FDOT's Five-Year Work Program

TABLE INSET:

Work Program #	On Street	Roadway Segment	Description	FDOT FY	Comments
2185391	Davis Hwy	Burgess Road to I-10	Six Lane	2004/05	Contract will be awarded in June 2004
2224341	I-10	Palafox to Davis Hwy	Six Lane	2004/05	Underway
2224661	I-110	Fairfield Drive to Airport Blvd	Six Lane	2004/05	Underway
2224341	I-110	Airport Blvd to I-10	Six Lane	2004/05	Underway
2224342	Davis Hwy	Atwood Dr	Realignment	2004/05	FDOT provided funds to Escambia County for this project
2224671	I-110	Fairfield to Maxwell	Interchange	2004/05	Underway
2224691	I-110	Brent to Airport	Interchange	2004/05	Preliminary engineering complete and no funding is available for construction
4174742	I-10	Scenic Hwy to Avalon Blvd and replace Escambia Bay Bridges	Six Lane and Bridge Replacement	2005/06	Contract will be awarded in 2005

(Ord. No. 2002-38, § 3(Att. A), 8-15-2002; Ord. No. 2003-58, § 6(Att. A-2), 12-11-2003; Ord. No. 2004-77, § 4(Att. A-2), 12-9-2004; Ord. No. 2005-46, § 3(Att. A-2), 10-6-2005; Ord. No. 2006-55, § 5, 7-20-2006; Ord. No. 2006-93, § 1, 12-7-2006)

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Chapter 15 PUBLIC SCHOOLS FACILITIES ELEMENT

Chapter 15 PUBLIC SCHOOLS FACILITIES ELEMENT*

[Sec. 15.01 Purpose.](#)

[Sec. 15.02 Data and analysis.](#)

[Sec. 15.03 Goals, objectives and policies.](#)

INTRODUCTION

Section 15.01 Purpose.

The intent of this chapter is to provide guiding policies through which the local governments can effectively manage growth and meet public school needs. The element is required to establish a school concurrency management system through which the local governments can ensure public school capacity is available concurrent with development. The school concurrency management system will allow for a greater communication and understanding between Escambia County, the City of Pensacola, the Town of Century, and the School Board of Escambia County when concentrating on public school capacity issues.

The PSFE is also intended to increase coordination between the School Board and local governments on issues such as land use planning, the school siting process, and school facility expansion.

Section 15.02 Data and Analysis.

This chapter establishes a framework for the planning of public schools pursuant to Section 163.3177(12), Florida Statutes (2008). The law requires that local governments adopt a public school facilities element as a part of their comprehensive plans. The 2005 Legislature mandated that the availability of public schools be made a prerequisite for the approval of residential construction and directed a closer integration of planning for school capacity with comprehensive planning.

The following sections present the guidelines by which the School Board evaluates school facilities; an inventory of existing facilities and planned future facilities; an evaluation of the school system based on these guidelines and determination of need; an analysis of funding; an analysis of coordination between school planning and local land use planning.

In addition, the Public School Facilities Element Data & Analysis prepared for the Escambia County School District supports the required implementation of school concurrency in Escambia County. The Data & Analysis evaluates the school system and its relationship to development and growth from both a countywide perspective and a closer look at schools within established Concurrency Service Areas (CSAs). A CSA is defined in Policy 15.B.2.1. The findings and conclusions of the data and analysis support the goals, objectives and policies of the element including the establishment of level of service standards and the delineation of CSAs.

Section 15.03 Goals, Objectives and Policies.

GOAL 15.A: COORDINATE AND MAINTAIN HIGH QUALITY EDUCATION FACILITIES

Coordinate with the School Board of Escambia County (herein "School Board") to ensure high quality public school facilities that are consistent with the Comprehensive Plan and serve to enhance communities. The joint procedures referenced in the Intergovernmental Coordination Element Policy 13.A.3.1 state that coordination between the

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Chapter 15 PUBLIC SCHOOLS FACILITIES ELEMENT

county and the school board is pursuant to the Public School Facility Planning Interlocal Agreement and shall state the obligations of the county under the agreement. Section 163.3177(6)(h)(4), Florida Statutes (2008).

OBJECTIVE 15.A.1: SCHOOLS AS COMMUNITY FOCAL POINTS

Enhance communities and encourage school facilities to serve as community focal points through effective school facility design and siting standards. The location will be coordinated with the future land use map.

Policy 15.A.1.1: School Location

New schools shall be located proximate to the student population they are intended to serve. For the purpose of determining eligibility for transportation, a reasonable walking distance for students to school is one (1) mile for elementary, one and one-half (1-1/2) miles for middle, two (2) miles for high schools; and to a school bus stop, is one-half (1/2) mile for elementary and one (1) mile for middle and high schools. Such mileage shall be measured by the nearest traveled route over which a pedestrian can walk to the nearest entrance to the school or the nearest school bus stop. The distance (permanent residence to school) may be measured by an automobile having an odometer that has been certified for accuracy. Students whose permanent residence is equal to or greater than these distances from the nearest appropriate school or school bus stop, or students who are handicapped, are eligible for transportation. (School Board Policy 6.02 Eligibility for Transportation.)

Policy 15.A.1.2: Shared-use and Co-location of School Sites

Coordinate with the School Board to continue to permit the shared-use and co-location of school sites and County facilities with similar facility needs as described in the Interlocal Agreement for Public School Facility Planning dated December 9th, 2008 (herein "Interlocal Agreement"). The County will identify opportunities for collocation and shared use facilities when preparing updates to the Schedule of Capital Improvements and when planning and designing new community facilities.

Policy 15.A.1.3: Emergency Shelters

Escambia County will continue to coordinate with the School Board on emergency preparedness issues, including the use of public schools as emergency shelters as required by Section 163.3177(12)(g)(8), Florida Statutes (2008). The School Board will continue to fulfill the building code requirements of Section 1013.372, Florida Statutes (2008), that appropriate new educational facilities can serve as public shelters for emergency management purposes.

Policy 15.A.1.4: School Design

The School Board will design and ensure performance standards for new school facilities according to the "Design Guidelines and Technical Specifications 2006" Florida Department of Education State Requirements for Educational Facilities (SREF).

OBJECTIVE 15.A.2: FUTURE LAND USE AND SCHOOL SITING

Consistent with Section 163.3177, Florida Statutes (2008), the County will include sufficient allowable land use designations for schools proximate to residential development to meet the projected need for schools.

Policy 15.A.2.1: Future Land Use Categories

Consistent with the Escambia County Future Land Use Element, public schools shall be an allowable use in all land use categories, except for Industrial, MU-4, and Recreation and Conservation. The Land Development Code may

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Chapter 15 PUBLIC SCHOOLS FACILITIES ELEMENT

include siting standards for schools, consistent with the Comprehensive Plan. The County will consider the provisions of Section 1013.33(13), Florida Statutes (2008).

Policy 15.A.2.2: Flood Zones & Coastal High Hazard Area

New schools shall not be allowed within a velocity flood zone or in a coastal high hazard area as delineated by the County.

OBJECTIVE 15.A.3: SCHOOL FACILITY SITING AND CONSISTENCY WITH THE COMPREHENSIVE PLAN

The County shall ensure that the planning, construction, and opening of educational facilities are coordinated in time and place, concurrent with necessary services and infrastructure, and consistent with the Comprehensive Plan.

Policy 15.A.3.1: Consistency with Comprehensive Plan

The County will coordinate with the School Board by giving an informal assessment regarding the consistency of potential new school sites, and significant expansions or potential closures of existing schools with the Comprehensive Plan, as described in the Interlocal Agreement. The informal assessment reviews, as applicable, the following: environmental suitability, transportation and pedestrian access, availability of infrastructure services, safety concerns, land use compatibility, consistency with community vision, and other relevant issues.

Policy 15.A.3.2: Review of School Sites

The County shall review potential new school sites, and significant expansions or potential closures of existing schools for consistency with the following criteria:

- a. That school sites are compatible with present and projected uses of adjacent property.
- b. The location of proposed new elementary schools are proximate to the student population they are intended to serve.
- c. The location of proposed new high schools are on the periphery of residential neighborhoods, with access to major roads.
- d. Existing or planned adequate public facilities are available to support the school.
- e. Safe access to and from the school site is available for pedestrians and vehicles.
- f. The site is well drained and the soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements.
- g. The proposed school location is not within a velocity flood zone or floodway, as delineated in the Comprehensive Plan.
- h. The site is not in conflict with County stormwater management plans or watershed management plans;
- i. The proposed site can accommodate required parking, circulation, and queuing of vehicles.
- j. The proposed location lies outside the area regulated by Section 333.03, Florida Statutes (2008) regarding the construction of public educational facilities in the vicinity of an airport.

The County shall also consider the following in its review:

- a. Site acquisition and development costs;

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- b. Whether existing schools can be expanded or renovated to support community redevelopment and revitalization;
- c. Efficient use of existing infrastructure;
- d. Discouragement of urban sprawl;
- e. Environmental constraints that would either preclude or render cost infeasible the development or significant renovation of a public school on a site; and
- f. Adverse impacts to archaeological or historic sites.

Policy 15.A.3.3: School Expansion into Unincorporated Portion of County

When a new school or significant expansion to an existing school is proposed within unincorporated Escambia County, the County shall review the proposed development according to the terms of the Interlocal Agreement for Site Plan Review Requirements for School Board Projects.

OBJECTIVE 15.A.4: PEDESTRIAN ACCESS TO SCHOOLS

The County shall work with the School Board to improve safe student access to school facilities, and to reduce hazardous walking conditions consistent with the Florida Safe Ways to School Program.

Policy 15.A.4.1: Bicycle and Pedestrian Access

All public schools shall provide bicycle and pedestrian access consistent with Florida Statutes. Parking at public schools will be provided consistent with the County's Land Development Code (LDC) requirements.

Policy 15.A.4.2: Sidewalk Master Plan

Upon completion of the County's sidewalk inventory, the County will create a sidewalk master plan to comprehensively address bicycle and pedestrian needs. The plan will include a focus on bicycle and pedestrian needs relating to school facilities.

Policy 15.A.4.3: Sidewalk/Pedestrian Improvements

In order to ensure continuous pedestrian access to public schools, priority for County sidewalk/pedestrian improvements will be given to cases of hazardous walking conditions pursuant to Section 1006.23, Florida Statutes (2008), and specific provisions for constructing such facilities will be included in the schedule of capital improvements adopted each fiscal year.

Policy 15.A.4.4: New Development Adjacent to School Property

New developments adjacent to existing or planned school sites shall be required to provide a right-of-way and an access path for pedestrian travel.

Policy 15.A.4.5: Sidewalk Requirements for Residential Development near Schools

New residential developments within 2 miles of an existing or planned school, as measured by the nearest traveled route over which a pedestrian can walk to the nearest entrance to the school measured by an automobile having an odometer that has been certified for accuracy, shall be required to provide sidewalks along all roads interior to the subdivision. In addition, sidewalks shall be placed along all collector, arterial, and local roads abutting the subdivision to the subdivision property line, where it has been determined that the most direct route from the

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subdivision to the school is along those roadways. The location, width and other details of the sidewalks shall be as set forth in the Land Development Code.

Policy 15.A.4.6: Sidewalks for Commercial Development near Schools

New commercial developments within 2 miles of an existing or planned school, as measured by the nearest traveled route over which a pedestrian can walk to the nearest entrance to the school measured by an automobile having an odometer that has been certified for accuracy, are encouraged to provide sidewalks along their street frontage. The location, width and other details of the sidewalks shall be as set forth in the Land Development Code.

Policy 15.A.4.7: Coordination with FL-AL TPO

Continue to coordinate with the FL-AL TPO to ensure funding for safe access to schools including participation in the Bicycle Pedestrian Advisory Committee and the Community Traffic Safety Team.

OBJECTIVE 15.A.5: COORDINATE FUTURE LAND USE MAP AMENDMENTS TO MAINTAIN SCHOOL CAPACITY

It is the objective of Escambia County to coordinate petitions for future land use changes to maintain adequate school capacity to meet future growth needs. This objective will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the County's authority for land use, including the authority to approve or deny petitions for comprehensive plan amendments, re-zonings or final plat and site plans that generate students and impact the Escambia County school system.

Policy 15.A.5.1: School Board Review and Input

As per Section 7.6 of the Interlocal Agreement, the County shall take the School Board comments and findings on the availability of adequate school capacity into consideration when reviewing comprehensive plan amendments and other land use decisions.

Policy 15.A.5.2: Determining Impact of Future Land Use Changes

The School Board shall use the adopted student generation rates to estimate the potential impact of a proposed future land use change on available school capacity. When such analysis projects a potential deficiency, the School Board shall include in its comments how it will propose to meet the projected demand. The County will take these comments into consideration per Policy 15.A.5.1 prior to approving or denying any future land use change.

OBJECTIVE 15.A.6: ADDRESS CORRECTIONS TO EXISTING SCHOOL FACILITIES DEFICIENCIES AND FACILITIES NEEDED TO MEET FUTURE NEEDS

The Escambia County School Board shall make reasonable attempts to address existing school facility deficiencies and make attempts to meet and plan for existing and future needs.

Policy 15.A.6.1: Coordination with School District Capital Projects Planning

The School Board shall make every effort to ensure that capital projects designed to address capacity/Level of Service (LOS) deficiencies are shared with County Planning Staff via periodic Tentative District Educational Facilities Plan reviews as set forth in Interlocal Agreement Subsection 3.1.

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Policy 15.A.6.2: Working Group Coordination with School District

The staff working group established in Interlocal Agreement Subsection 1.1 will assist the School Board in an advisory capacity in the preparation of all updates to the Educational Plant Survey. The staff working group will evaluate and make recommendations regarding the location and need for new, significant renovation or expansion, and closures of educational facilities, and the consistency of such plans with the local government comprehensive plan and relevant issues listed in subsections 5.3, 7.6, 7.7, and 8.1 of the Interlocal Agreement.

Policy 15.A.6.3: Address Access to Capital Improvements Elements

The County is required to implement the adoption of annual plan amendments adding a new fifth year, updating the financially feasible public schools capital facilities program, coordinating the program with the 5-year district facilities work plan, the plans for other local governments, and, as necessary, updates to the concurrency service area map. The annual plan amendments shall ensure that the capital improvements program continues to be financially feasible and that the level of service standards will continue to be achieved and maintained. (Section 163.3177(12)(g)1, Florida Statutes; Rule 9J-5.025(3)(c)2, Florida Administrative Code.)

GOAL 15.B: IMPLEMENT SCHOOL CONCURRENCY

The School Board will coordinate with the County to assure the future availability of public school facilities to serve new development will be consistent with the adopted level of service standards. This goal will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the County's authority for land use, including the authority to approve or deny comprehensive plan amendments, re-zonings or other development orders that generate students and impact the County's school system.

OBJECTIVE 15.B.1: LEVEL OF SERVICE STANDARDS

The County will coordinate with the School Board to ensure that the capacity of schools is sufficient to support residential development at the adopted level of service (LOS) standards within the period covered by the 5-year schedule of capital improvements, and the long range planning period. The adopted LOS standards shall be achieved by the conclusion of the first 5-year schedule of capital improvements and the LOS standards shall be maintained each subsequent year. These standards shall be consistent with the Interlocal Agreement agreed upon by the School Board, the County, and the local municipalities.

Policy 15.B.1.1: Consistency

The LOS standards set forth herein shall be applied consistently by all local governments within Escambia County and by the School Board to all schools of the same type.

Policy 15.B.1.2: Level of Service Standards

Consistent with the Interlocal Agreement, the County and School Board agree to the following level of service standards for school concurrency in Escambia County, based on Florida Inventory of School Houses (FISH) permanent capacity and maximum school size by type. In calculating achievement of LOS, modular capacity is considered permanent FISH capacity and relocatables/portables are not considered permanent FISH capacity. Permanent FISH capacity includes permanent buildings and Modular Capacity for modular buildings, which are Type II Non-combustible and have a 40 year life span. School enrollment shall be based on the annual enrollment of each school based on actual counts reported to the Department of Education in October of each year.

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TYPE OF SCHOOL	LEVEL-OF-SERVICE STANDARD
Existing or New Schools	100% of permanent FISH capacity
Centers (Special Purpose)	100% of permanent FISH capacity or the level of service based on the student/teacher ratios dictated by specific programs, whichever is lowest.

Policy 15.B.1.3: Amending Level of Service Standards

Potential amendments to the LOS standards shall be considered at least annually at the staff working group meeting referenced in Policy 13.A.3.4. If there is consensus to amend any level of service, it shall be accomplished by the execution of an amendment to the Interlocal Agreement by all parties and the adoption of amendments to the County, City and Town’s comprehensive plans. The amended LOS shall not be effective until all plan amendments are effective and the amended Interlocal Agreement is fully executed.

Policy 15.B.1.4: Financial Feasibility of LOS

No LOS standard shall be amended without a showing that the amended LOS standard is financially feasible, supported by adequate data and analysis, and can be achieved and maintained through the five-year schedule for capital improvements.

OBJECTIVE 15.B.2: SCHOOL CONCURRENCY SERVICE AREAS

The School Board shall establish School Concurrency Service Areas as the areas within which an evaluation is made to determine if adequate school capacity exists based on the adopted level of service standards. Concurrency service areas shall be designed so that the adopted level of service will be achieved within the period covered by the first five years of the 5-year schedule of capital improvements. After the first 5-year schedule of capital improvements, the level of service must be maintained within each year of subsequent 5-year schedules of capital improvements.

Policy 15.B.2.1: Concurrency Service Areas

The Concurrency Service Area (CSA) is the area within which capacity determinations are made as part of the concurrency management system. The PSFE establishes the (CSAs) as the entire school district by service level, elementary, middle, and high school (district-wide). (District-wide: Elementary grades k – 5, District-wide: Middle grades 6 – 8, and District-wide: High grades 9 – 12). For special purpose centers, charter schools, and magnet schools the concurrency service area shall also be district-wide.

Policy 15.B.2.2: Maximize Capacity Utilization

Concurrency service areas shall maximize capacity utilization, taking into account transportation costs, limiting maximum student travel times, achieving socio-economic, racial and cultural diversity objectives, and other relevant factors as related to the School Board’s policy on maximization of capacity.

Policy 15.B.2.3: Amending Concurrency Service Areas

Potential amendments to the concurrency service areas shall be considered annually at the staff working group meeting referenced in Policy 13.A.3.4. If there is consensus to amend the concurrency service areas to establish boundaries other than those stipulated above, it shall be accomplished by a written execution of an amendment to

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the Interlocal Agreement by all parties and by the amendment to the County, City and Town's comprehensive plans. The amended concurrency service areas shall not be effective until the amended Interlocal Agreement is fully executed and comprehensive plan amendments are in effect. Amendments to the concurrency service areas that keep the CSAs District-wide by service level shall be agreed upon by all parties and shall not require comprehensive plan amendments.

OBJECTIVE 15.B.3: STUDENT GENERATION RATES

The School Board will work with the County, City of Pensacola, and Town of Century to establish student generation rates that will be used to determine the impact of development on public school facilities.

Policy 15.B.3.1: Student Generation Rates

Consistent with the Interlocal Agreement, the School Board staff, working with the County staff and municipal staffs, will develop and apply student generation multipliers for residential developments by dwelling unit type (single family or multi-family) for each school type (elementary, middle, K-8, high, or center), considering past trends in student enrollment in order to project future public school enrollment.

Policy 15.B.3.2: Calculating Student Generation Rates

The student generation rates shall be calculated by the School Board and the County, in accordance with professionally accepted methodologies. The student generation rates shall be determined annually, with input from the staff working group.

OBJECTIVE 15.B.4: PROCESS FOR SCHOOL CONCURRENCY IMPLEMENTATION

In coordination with the School Board, the County will establish a joint process for implementation of school concurrency that includes applicability, capacity determination, and availability standards. The County shall manage the timing of residential subdivision and site plan approvals to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.

Policy 15.B.4.1: Applicability Standards

School concurrency implementation applies to residential development or a phase of residential development requiring an approval of subdivision plat, site plan, or its functional equivalent, proposed or established. Prior to the adoption of the land development regulations, the County shall use the comprehensive plan policies as the development regulations as set forth in Interlocal Agreement Subsection 4.3.

Policy 15.B.4.2: Exempted Development

The following residential development shall be considered exempt from the school concurrency requirements:

1. Single family lots of record and master plans that have received final subdivision plat approval prior to the effective date of the PSFE; Single family subdivision plats actively being reviewed or that have received preliminary plat approval at the time of adoption of the PSFE.
2. Residential developments that have received final site plan approval prior to the effective date of the PSFE, or residential site plans actively being reviewed at the time of adoption of the PSFE.

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3. Amendments to residential site plans or subdivisions, which were previously approved prior to the effective date of the PSFE, and which do not increase the number of students generated by the development based on the adopted student generation rates.
4. Age restricted developments that are subject to deed restrictions prohibiting the permanent occupancy of a resident under the age of fifty-five (55). Such deed restrictions must be recorded and must be irrevocable for a period of at least thirty (30) years.
5. Group quarters that do not generate students, including facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, college dorms exclusive of married student housing, and religious non-youth facilities.

Policy 15.B.4.3: Capacity Determination Standards

The County shall adopt LDC provisions to establish the application procedure and process for evaluating school capacity and making concurrency determinations consistent with the Interlocal Agreement. The School Board shall be responsible for conducting concurrency reviews. The School Board may choose to provide an informal assessment of school concurrency at the time of pre-application. The test of concurrency shall be at preliminary plat, site plan, or functional equivalent approval.

Policy 15.B.4.4: School Board Findings

The School Board's findings and recommendations shall address whether adequate capacity exists for each affected concurrency service area, based on the level of service standards. If adequate capacity does not exist, the School Board findings shall address whether appropriate mitigation can be accepted. If mitigation can be accepted, the School Board's findings shall identify the accepted form of mitigation that is consistent with the policies set forth herein.

Policy 15.B.4.5: Determination of Insufficient Capacity

For the review process, the School Board shall use the first three years of the Five-Year Work Facilities Program for determinations. Any relevant programmed improvements in years four or five of the five-year schedule of improvements shall not be considered available capacity for the project unless funding for the improvement is assured through School Board funding to accelerate the project, through proportionate fair share mitigation, or some other means of assuring adequate capacity will be available within the first three years. The School Board may choose to use relocatable classrooms to provide temporary capacity while funded schools or school expansions are being constructed. In the event that the School Board finds that there is not sufficient capacity in the affected concurrency service area(s) to address the impacts of a proposed development, the following standards shall apply:

The project must provide capacity enhancement sufficient to meet its impacts through proportionate share mitigation; or

Approval of the site plan or final plat (or functional equivalent) must be delayed to a date when the capacity enhancement necessary to maintain level of service can be assured; or

A condition of approval of the site plan or final plat (or functional equivalent) shall be that the project's development order and/or building permits shall be delayed to a date when the capacity enhancement necessary to maintain level of service can be assured.

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Policy 15.B.4.6: Availability Standard

Where capacity will not be available to serve students generated by a residential development the County shall use the lack of school capacity as a basis for denial of petitions for final plats, site plans or functional equivalents. However, the County shall not deny a petition for a final plat, site plan, or functional equivalent due to a failure to achieve and maintain the adopted level of service for public school capacity where:

Adequate school facilities will be in place or under actual construction within three years after the issuance of the final plat or site plan or functional equivalent; or

The developer executes a legally binding commitment with the School Board to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan (or functional equivalent) as provided in the Interlocal Agreement.

OBJECTIVE 15.B.5: PROPORTIONATE SHARE MITIGATION

The County shall coordinate with the School Board to provide proportionate share mitigation alternatives that are financially feasible and will achieve and maintain the adopted level of service standard consistent with the School Board's adopted financially feasible Five-Year Facilities Work Program.

Policy 15.B.5.1: Acceptable Mitigation

The School Board shall allow mitigation for developments that would otherwise cause the LOS standards to be exceeded. Mitigation options shall include the following: contribution of, or payment for, acquisition of new or expanded school sites; construction or expansion of permanent school facilities; mitigation banking, the creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell excess capacity credits within the same concurrency service area; and charter schools, provided they are constructed to State Requirements for Educational Facilities (SREF) standards, so that they can be relied on over the longer term as public school capacity, designed to whatever minimum size and specifications established by the School Board to ensure that if the School Board is required, it can efficiently operate the school, or such mitigation options acceptable to all parties.

Policy 15.B.5.2: CIP and Proposed Mitigation

Proposed mitigation must be directed toward a permanent capacity improvement identified in the School Board's financially feasible Five-Year Facilities Work Program. However, the School Board may accept mitigation in the form of an improvement not identified on the Five-Year Facilities Work Program and commit to add the needed improvement to the Five-Year Facilities Work Program. The School Board must find that any proposed mitigation will satisfy the demands created by the proposed development consistent with the adopted level of service standards, and the mitigation shall be assured by a legally binding development agreement between the School Board, the County, and the applicant executed prior to the issuance of the final plat, site plan or functional equivalent.

Policy 15.B.5.3: Shifting Impacts

The School Board shall evaluate how the impacts of a development shall be shifted. Measures to maximize capacity, including modifications to concurrency service areas in lieu of shifting development impacts, can be considered.

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Policy 15.B.5.4: Relocatable Classrooms

Relocatable classrooms will not be accepted as mitigation. Modular classrooms are not considered relocatable for purposes of acceptable mitigation.

Policy 15.B.5.5: Calculation Proportionate Share Mitigation

The applicant's total proportionate-share mitigation obligation to resolve a capacity deficiency shall be based on the following formula for each school level: multiply the number of new student stations required to serve the new development by the average cost per student station, as determined by the Department of Education's most current cost per student station applicable to Escambia County plus land costs. The average cost per student station shall include school facility development costs and land costs. The applicant's proportionate-share mitigation obligation will be credited toward any other impact fee or exaction imposed by local ordinance for the same need, on a dollar-for-dollar basis, at fair market value.

Policy 15.B.5.6: School Facility Maps

Consistent with Section 163.3177(12)(h), Florida Statutes (2008), the Public School Facilities Element shall include future conditions maps showing existing and, where practical, anticipated schools over the five-year and long-term planning periods. The maps of necessity may be general over the long-term planning period and do not prescribe a land use on a particular parcel of land. The school facilities maps are attached herein to the PSFE.

Policy 15.B.5.7: Long Range Public School Facility Map

The County is to address coordination of the long range public school facility map with the local government's comprehensive plan, including the future land use map. (Section 163.3177(12)(g)9, Florida Statutes; Rule 9J-5.025(3)(c)6, Florida Administrative Code.)

(Ord. No. 2009-12, 4-30-2009)

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Chapter 16 ADOPTION

Chapter 16 ADOPTION

Sec. 16.01 Adoption.

Section 16.01 Adoption.

DONE AND ADOPTED this 20th day of October, 1993.

TABLE INSET:

	BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA
	BY:
	_____ STEVE DEL GALLO, CHAIRMAN

ATTEST: JOE A. FLOWERS
COMPTROLLER

BY:

CLERK

(SEAL)

STATE OF FLORIDA
COUNTY OF FLORIDA

I, JOE A. FLOWERS, COMPTROLLER, and ex-officio clerk to the board of county commissioners in and for the county and state aforesaid, do hereby certify that the above and foregoing is a true and correct copy of an ordinance as the same was duly adopted and passed at a public hearing of the board on the 20th day of October, 1993, and as the same appears on record in my office.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this _____ day of _____, 1993.

TABLE INSET:

(SEAL)	JOE A. FLOWERS, COMPTROLLER AND EX-OFFICIO CLERK TO THE BOARD OF COUNTY COMMISSIONER OF ESCAMBIA COUNTY, FLORIDA
	BY _____ CLERK

(Ord. No. 2009-12, 4-30-2009)

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