



City of Pensacola

Planning Board

Agenda - Final

Tuesday, October 10, 2023, 2:00 PM

Hagler-Mason Conference Room,
2nd Floor

QUORUM / CALL TO ORDER

1. [23-00786](#) OATH OF OFFICE.

APPROVAL OF MEETING MINUTES

2. [23-00715](#) PLANNING BOARD MEETING MINUTES FROM SEPTEMBER 12, 2023.

Attachments: [Planning Board Minutes 9.12.23](#)

REQUESTS

3. [23-00716](#) REQUEST FOR FINAL PLAT APPROVAL - JAVELIN LANDING SUBDIVISION

Attachments: [Javelin Landing Images](#)
[Final Plat Javelin Landing Application and Plat 9.13.2023](#)
[2022 Javelin Landing Pre Plat for Comparison](#)
[Review Comments Javelin Landing](#)
[Sec. 12 3 8. Commercial land use district. \(1\)](#)
[Sec. 12 3 105. Conventional subdivision.](#)
[Sec. 12 7 3. Procedure for subdivision approval. \(2\)](#)

4. [23-00717](#) PROPOSED AMENDMENT OF THE LAND DEVELOPMENT CODE - BUILDING HEIGHT BONUSES

Attachments: [Sec. 12 3 121. Design standards and guidelines. AMENDED FC](#)
[Sec. 12 3 109. Residential density bonuses. \(2\)](#)

OPEN FORUM

DISCUSSION

5. [23-00718](#) DISCUSSION ON THE GATEWAY REDEVELOPMENT DISTRICT

Attachments: [Sec. 12 3 12. Redevelopment land use district.](#)

ADJOURNMENT

If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

ADA Statement

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 850-435-1670 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.

If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 23-00786

Planning Board

10/10/2023

TO: Planning Board Members

FROM: Gregg Harding, Planning & Zoning Assistant Division Manager

DATE: 10/7/2023

CITY COUNCIL DISTRICT: ALL

SUBJECT:

Oath of Office.

BACKGROUND:

The following board member has been reappointed to serve on the Planning Board:

- Charletha Powell



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 23-00715

Planning Board

10/10/2023

TO: Planning Board Members

FROM: Gregg Harding, Assistant Planning & Zoning Division Manager

DATE: 9/13/2023

CITY COUNCIL DISTRICT: ALL

SUBJECT:

Planning Board Meeting Minutes from September 12, 2023.



MINUTES OF THE PLANNING BOARD

September 12, 2023

MEMBERS PRESENT: Chairperson Paul Ritz, Vice Chairperson Larson, Board Member Grundhoefer, Board Member Van Hoose

MEMBERS ABSENT: Board Member Powell, Board Member Sampson

STAFF PRESENT: Planning & Zoning Manager Cannon, Assistant Planning & Zoning Manager Harding, Development Services Coordinator Statler, Assistant City Attorney Lindsay, Deputy City Administrator Forte, Parking Services Director Dees, Help Desk Technician Russo, Executive Assistant Chwastyk

STAFF VIRTUAL: Development Services Director Morris

OTHERS PRESENT: Christina Cabassa, Chance Gaston, Gabriel Herring, Clint Herring, John Singley

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from August 8, 2023
- **New Business:**
- Aesthetic Review Application – 524 E. Romana Street – Gateway Redevelopment District
- Aesthetic Conceptual Review Application – 801 E. Gregory Street – Gateway Redevelopment District
- Request for License to Use City Right of Way – 801 E. Gregory Street – Gateway Redevelopment District
- Open Forum
- Discussion
- Adjournment

Call to Order / Quorum Present

Chairperson Paul Ritz called the meeting to order at 2:02 pm with a quorum present and explained the procedures of the Board meeting including requirements for audience participation.

Approval of Meeting Minutes – Vice Chairperson Larson made a motion to approve

the August 8, 2023 minutes, seconded by Board Member Van Hoose, and it carried 4:0.

New Business –

Aesthetic Review Application – 524 E. Romana Street – Gateway Redevelopment District – District 6

Assistant Planning & Zoning Manager, Harding introduced the item, Christy Cabassa is requesting site plan and aesthetic approval for a new single-family residence and a detached accessory dwelling unit over a garage in the Aragon subdivision. The buildings will have Hardi Cedarmill siding with galvalume metal roofs, windows will be metal clad with exterior grilles, and doors will be fiberglass. Approval has been received from the Aragon Architectural Review Board, along with a variance to the Aragon Design Code allowing the accessory structure to be closer than 12' to the primary structure and allowing the front stoop to encroach into the front setback due to FEMA flood plain requirements. This request has been routed through the various City departments and utility providers. Board Member Grundhoefer inquired as to why applicant was seeking variance for stairs to come down into the setback, doing so in order to meet the new requirements set by FEMA. Chairperson Ritz stated her submittal package was clear, concise, and clean, Board Member Grundhoefer agreed. **Board Member Grundhoefer made a motion to approve, seconded by Vice Chairperson Larson and it carried 4:0.**

Aesthetic Conceptual Review Application – 801 E. Gregory Street – Gateway Redevelopment District – District 6

Assistant Planning & Zoning Manager, Harding introduced the item, Keriorth Corporation, Inc. is seeking conceptual site plan and aesthetic review for new construction of a Homewood Suites by Hilton. The proposed development will be a 6-story 132-key extended stay hotel. Since the property is in the Gateway Redevelopment District, development is subject to Sec. 12-3-12(1) concerning development guidelines. Additionally, and since this application is for conceptual review, a final development plan will return to the board in the near future. Final plans will also be subject to Sec. 12-3-120, *Development plan requirements*. This request has been routed through the various City departments and utility providers. The applicant is here looking for feedback from the board on general designs, placement and how it may or may not compliment the district and surrounding properties. Clint Herring of Keriorth Corporation feels this project is a great redevelopment opportunity. The hotel went from 5 stories to 6 stories due to an ECUA sanitary sewer easement that did not make sense to move it, reduced footprint to go from the 5 stories to the 6 stories. Chairperson Ritz stated that the older buildings around do not look as good aesthetically as this new hotel. Clint Herring mentioned there's an 18-inch sewer interceptor that ECUA did not want to move so they moved the building north to not allow any coverage over the sanitary sewer which could have overburdened and possibly caused a settlement condition, they also had to move the pool to the east of the building to avoid close proximity to that sanitary sewer. Stormwater retention will be underground, under the north parking lot and on the southside as well. The water table has been taken into account by their engineer. This project has gone through the Development Review and the City Engineer has viewed the project and FDOT has reviewed the project in that same meeting. The total combined green space is right at the limit of 25.4, included in that calculation is a small adjacent portion owned by FDOT that is considered green space. Board Member Grundhoefer took issue with the colors not being

contrasting colors, Clint Herring said they are open to color recommendations. They will color samples the next meeting that they are before the board. Board Member Van Hoose feels the size of the building makes the area congested. They are within the confines of the code, the 100-foot maximum height allowed. Clint Herring stated that studies show buildings adjacent to a street begins to create traffic calming, which is what they are trying to accomplish. The trash receptacles are specifically designed for this area, they will be located on the West side of the building. Board Member Grundhoefer asked that they be careful with the size of their signage, that will be reviewed later, he also would like more green space or open space. **Board Member Van Hoose made a motion to approve, seconded by Vice Chairperson Larson, the motion was amended. Board Member Van Hoose made a motion to approve with the condition that the applicant address the colors, use of permanent materials, and more open spaces, seconded by Vice Chairperson Larson and it carried 4:0.**

Request for License to Use City Right of Way – 801 E. Gregory Street – Gateway Redevelopment District – District 6

Assistant Planning & Zoning Manager, Harding introduced the item, Kerioth Corporation, Inc. is requesting approval for a license to use for additional parking and improvements within the N. 13th Avenue and E. DeLeon Street rights-of-way. The additional parking is being requested in connection with a proposed 132-room hotel. Per Sec. 12-4-1(2), Parking requirements for specific land uses, hotels require 1 parking space per room. In addition to being located in the Gateway Redevelopment District and the Dense Business District, this property is also in the CRA Urban Core where certain land uses are eligible for reduced parking, and where “lodging” may apply a 35% reduction. However, the applicants do not wish to apply the reduction and are seeking the license to use to meet their full 132-parking calculation requirement. If granted, the license to use would allow the owners to designate the on-street parking for their exclusive use. Additionally, the applicants would be responsible for all right-of-way improvements, maintenance, insurance coverage, and an annual fee.

The plans currently reflect the following parking calculation:

- 111 parking stalls proposed on-site
- 13 parking stalls proposed in 13th Avenue right-of-way (requiring a license to use)
- 8 parallel parking stalls proposed in 13th Avenue right-of-way (requiring a license to use)

This request has been routed through the various City departments and utility providers. No matter what their recommendation will be, the item will go before City Council on October 12th. Postcards were mailed out to all property owners within a 300 foot radius, they were mailed to the property owner of record no matter where they may live. Clint Herring stated the Gateway Redevelopment District is in a redevelopment stage, but shared parking concept is not offered at this time. The existing parking on 13th Avenue is there today, East DeLeon is in relative disrepair. They plan on making necessary improvements and introduce pedestrian friendly activity and traffic calming to the area. Gabriel Herring addressed the board; a meeting was held with Hilton and a representative wanted to make sure they met the one space per room parking count. Chance Gaston, representing Another Broken Egg Café addressed the board. Parking is a premium and the public is already parallel parking along the street, 13th and 14th Avenue are already congested on the weekends to get into his business. They have a great relationship with the Hotel next to his business and his customers use some of the Hotel’s parking. Parking

Services Director Dees wanted it clarified that the applicant qualifies for a parking reduction of 35%. Parking is in high demand; the city is looking at how they have historically looked at LTU's for parking. Additionally, the City is concerned about perception, what is perceived as a city street and should be used for citizen parking if they have exclusive rights how are they going to enforce parking if a citizen going to Another Broken Egg parks in one of their spaces. Clint Herring doesn't feel there will be a problem with Another Broken Egg customers taking those spaces, they would post signs stating, "Hotel Parking Only". He feels that both parties, the Hotel and Another Broken Egg would benefit from getting LTU's. Parking Services Director Dees remarked that there's more of a need for parking yet we are at a deficit. Additionally, parking is now given a value in the city. Clint Herring responded that the project doesn't make feasible sense without the parking. Also, they started this project in 2019, did their due diligence with the city and knew the availability of an LTU. There was a different ordinance in existence when they bought the property and started the project and now there's a different thought process regarding LTU's that puts them at a disadvantage. Assistant Planning & Zoning Manager Harding informed the board that Another Broken Egg has 58 spaces, it's required they have 65, but they are allowed to count on street parking. Vice Chairperson Larson inquired if they don't pay the money every year for the LTU is the contract valid, if it is not paid the city can rescind the LTU. At that point Vice Chairperson Larson made a motion to approve the LTU, seconded by Chairperson Ritz. Before the vote took place Board Member Grundhoefer inquired of the applicant, if you don't receive the LTU are you going to make changes and improvements to the spaces. Clint Herring replied he will only improve the spaces if they get the LTU, if not approved they may not do the project in general since they wouldn't have the spaces they need. Additionally, the employees would park in the 132 spaces they are seeking for the project. This item will still go before city council if the applicant proceeds with the process regardless of the board's recommendation. **Vice Chairperson Larson made a motion to approve, seconded by Chairperson Ritz and no consensus was reached due to a vote of 2-2 (Board Members Grundhoefer and Van Hoose dissenting).**

Upon making a motion to deny the LTU, the board began a further discussion of the item. Again, the board only makes a recommendation, the item will still go before the city council. Clint Herring inquired as to why the two board members made a denial. Board Member Grundhoefer reiterated that it sets a precedence for businesses to take over public property for their exclusive use. Board Member Van Hoose stated they would cause some bad feeling with the people of Pensacola by putting their name on the parking spaces. Clint Herring felt the board was not giving any alternatives, he's willing to address practical issues. Parking Services Director Dees stated the project still works with a parking reduction, from a city perspective they meet all the requirements, from his side those spaces are still there it's just not the exclusive use. Does there have to be exclusivity where you have to enforce it somewhere down the road or can there be a compromise, where you all know the spaces are there you all just don't have to put up signs and actually enforce it. Assistant City Attorney Lindsay stated that there project requires them to have 132 spaces, that's why they are asking for exclusive use which is the point of an LTU. Additionally, the board acts in an advisory capacity only, their advice moves forward to the City Council. Clint Herring stated their style is to get consensus, he doesn't really want to use parking meters. Applicant would like to reach a consensus without reducing the number of

rooms as well. Currently an LTU is being worked on for parking at 1154 North 12th Avenue, prior to that there was another location on 12th that was requesting an LTU but that project did not go through. Assistant City Attorney informed the board that if there is a consensus that can be reached they can vote again on the item. A discussion continued as to whether they could make stipulations in the contract, such as not posting signs and not towing vehicles. The language can be crafted to serve everyone's goals if they understand what everyone wants. Board Member Grundhoefer's concerns are that the enforcement might be too punitive towards the public, such as towing or booting their cars. Clint Herring agreed to happy medium which is to post signage, then put a sticker on the vehicle with a 24-hour time frame to move their vehicle before towing. Assistant City Attorney Lindsay advised the board if they can't iron out the logistics today, if they don't think they've reached a point where they can approve the LTU request with the ideas discussed that's acceptable. She can work with Planning staff to craft an LTU that meets everyone's goals. The board members continued to discuss whether or not they can come to a consensus. Assistant City Attorney Lindsay informed the board only if the two negative voters have a motion to purpose should they continue, they have already made their decision. Additionally, if one of the two nays would like to propose an alternative, then they can be recognized for a motion, otherwise, again they have already made their decision. Parking Services Director Dees added that she doesn't want to see this project not happen, but the City is making changes internally and we need to look at each LTU individually to make sure they're being done the best way possible for the City. Assistant City Attorney Lindsay informed the board as the their council that at this point since they have made their decision they need to end the discussion. Clint Herring wanted it known, for the record he did everything he could do to reach a consensus. Chairperson Ritz reiterated that City Council is not guaranteed to follow this board, they can accept, reject, or modify.

Open Forum – The board had discussions regarding future items coming before the board and white papers, parking, and the purpose of the Gateway Review District and how it can be re-envisioned.

Discussion – None

Adjournment – With no further business, the Board adjourned at 4:48 p.m.

Respectfully Submitted,



Gregg Harding, RPA
Assistant Planning & Zoning Manager
Secretary of the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 23-00716

Planning Board

10/10/2023

TO: Planning Board Members

FROM: Gregg Harding, Assistant Planning & Zoning Division Manager

DATE: 9/13/2023

CITY COUNCIL DISTRICT: 2

SUBJECT:

Request for Final Plat Approval - Javelin Landing Subdivision

BACKGROUND:

Rebol-Battle & Associates is requesting final plat approval for the Javelin Landing Subdivision located along Lansing Drive which is near the intersection of Lanier Drive and Creighton Road. These properties are located within the C-1 and C-3 zoning districts of which three (3) parcels will be subdivided into thirty (30) lots to accommodate single-family attached residences.

- Per Sec. 12-3-105: subdivision of 5 lots or more constitutes a major subdivision.
- Property area: 1.87 acres.
- Maximum density: 35 dwelling units per acre.
- Setback requirements: there shall be no yard requirements, except that where any nonresidential use is contiguous to a residential zoning district there shall be a 20-foot yard unless the two districts are separated by a public street, body of water, or similar manmade or natural buffer of equal width.

The preliminary plat was approved in September 2022. This application has been routed through the various City departments and utility providers. The comments received to date have been provided within your packet.

RECOMMENDED CODE SECTIONS

Sec. 12-3-8. Commercial land use district -

https://library.municode.com/fl/pensacola/codes/code_of_ordinances?nodeId=PTIICOOR_TITXILADECO_CH12-3ZODI_ARTIINGE_S12-3-8COLAUSDI

Sec. 12-3-105. Conventional subdivision -

https://library.municode.com/fl/pensacola/codes/code_of_ordinances?nodeId=PTIICOOR_TITXILADECO_CH12-3ZODI_ARTVIDEOP_S12-3-105COSU

Sec. 12-7-3 Procedure for subdivision approval

https://library.municode.com/fl/pensacola/codes/code_of_ordinances?nodeId=PTIICOOR_TITXILADECO_CH12-7SU_S12-7-3PRSUAP

Javelin Landing Final Subdivision Plat



SUBDIVISION PLAT

Preliminary Plat

Fee: \$1,000.00 + \$25/lot

Final Plat

Fee: \$1,500.00 + \$25/lot

1. *Applicable Parks/Open Space Fees are due prior to recording the Final Plat;*
2. *Resubmittal: 1/2 the initial fee;*
3. *Rescheduling of Planning Board/City Council: \$250.00*

Applicant Information	Owner Information (If Different from Applicant)
Name: <u>Rebol-Battle & Associates, LLC / Paul Battle</u>	Name: <u>Andrews Property, LLC / Carl Spear</u>
Address: <u>2301 N 9th Avenue, Suite 300, Pensacola, FL 32503</u>	Address: <u>113 N Palafox Street, Pensacola, FL 32502</u>
Phone: <u>850-438-0400</u>	Phone: <u>850-393-6953</u>
Email: <u>paulb@rebol-battle.com</u>	Email: <u>chspear@gmail.com</u>

Property Information

Location Address: 1700 BLK Lansing Drive, Pensacola, FL 32504

Subdivision Name: Javelin Landing

Parcel ID #: 31 - 1S - 30 - 1901 - 060 - 003 ; 062-003; 015-003

of EXISTING Parcels to be Subdivided: 3 # of PROPOSED Lots: 30 Total Acreage: 1.88

Type of Subdivision: XX Residential Non-Residential/Commercial

Legal Description: Attached a full legal description from deed or survey

Will a Variance from the Subdivision Regulations be requested for the project (Sec. 12-7-7)? YES XX NO

If YES, Please specify the exact Variance requested: _____

I, the undersigned applicant, understand that payment of these fees does not entitle me to approval of this plat and that no refund of these fees will be made. Also, I understand that any resubmissions based upon non-compliance with the City subdivision and/or development requirements will result in one-half (1/2) the initial application fee. I have reviewed a copy of the applicable zoning and subdivision requirements and understand that I must be present on the date of the Planning Board meeting.

Signature of Owner:  Date: 7/12/23

For Office Use Only		
Zoning: _____	FLUM: _____	Council District: _____
Date Received: _____	Case Number: _____	
Application Fee: _____	Receipt #: _____	
Open Space Requirement (acres or \$): _____	Receipt #: _____	
Planning Board date: Prelim: _____ FINAL: _____	Recommendation: _____	
City Council date: _____	Council Action: _____	
Recording Date: _____	Map BK/PG: _____	

Planning Services
222 W. Main Street, Pensacola, Florida 32502
(850) 435-1670
Email: PlanningApplications@CityOfPensacola.com
Mail to: P.O. Box 12910 * Pensacola, Florida 32521

SUBDIVISION PLAT

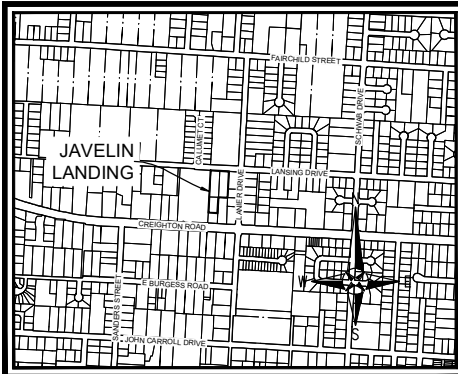
Sec. 12-7-6. Sites for public use.

- (a) *School sites.* The planning board may, where necessary, require reservation of suitable sites for schools; and further, which sites shall be made available to the county school board for their refusal or acceptance. If accepted by the school board, it shall be reserved for future purchase by the school board from the date of acceptance for a period of one year.
- (b) *Sites for park and recreation or open space.* Each subdivision plat shall be reviewed by the planning and leisure services departments in order to assess the following: park and recreational or open space needs for the recreation service area within which the subdivision is located and for the city as a whole; and characteristics of the land to be subdivided for its capability to fulfill park, recreation or open space needs. Based on this review the city staff shall recommend one of the following options:
 - (1) *Dedication of land for park, recreation or open space needs.* The subdivider or owner shall dedicate to the city for park and recreation or open space purposes at least five percent of the gross area of the residential subdivision. In no case shall the aggregate acreage donated be less than one-quarter acre.
 - (2) *Payment of money to an escrow account for park, recreation or open space needs in lieu of dedication of land.* The subdivider or owner shall pay unto the city such sum of money equal in value to five percent of the gross area of the subdivision thereof, which sum shall be held in escrow and used by the city for the purpose of acquiring parks and developing playgrounds and shall be used for these purposes and no others. The aforementioned value shall be the value of the land subdivided without improvements and shall be determined jointly by the mayor and the subdivider. If the mayor and subdivider cannot agree on a land value, then the land value shall be established by arbitration. The mayor shall appoint a professional land appraiser, the subdivider shall appoint a professional land appraiser, and these two shall appoint a third.
- (c) *Public streets.* All streets delineated on all plats submitted to the city council shall be dedicated to all public uses including the use thereof by public utilities, unless otherwise specified herein.

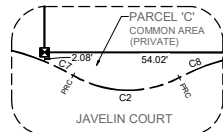
(Code 1986, § 12-8-6; Ord. No. 9-96, § 14, 1-25-1996; Ord. No. 16-10, § 223, 9-9-2010)

Open Space Requirements <i>(only applicable to residential subdivision)</i>	
Sec. 12-7-6 requires (a) the dedication of 5% of the gross area for open space purposes, or (b) a fee in lieu of land dedication. Please calculate and check the preferred method of meeting the requirement:	
(a) Total Land Area: <u>1.88</u> acres	
5% for land dedication: <u>00</u> acres	
(may NOT equal less than 1/4 acre)	
(b) Value of Land (per Escambia County Property Appraiser)	\$ <u>168,030</u>
Fee in lieu of land dedication (5% of land value)	\$ <u>8,401.50</u>
(Check payable to the City of Pensacola. Due after plat approval, <u>prior to receiving signatures</u>)	

Planning Services
222 W. Main Street, Pensacola, Florida 32502
(850) 435-1670
Email: PlanningApplications@CityOfPensacola.com
Mail to: P.O. Box 12910 * Pensacola, Florida 32521

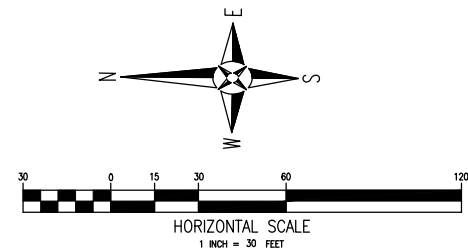


VICINITY MAP
SCALE: 1" = 1,000'

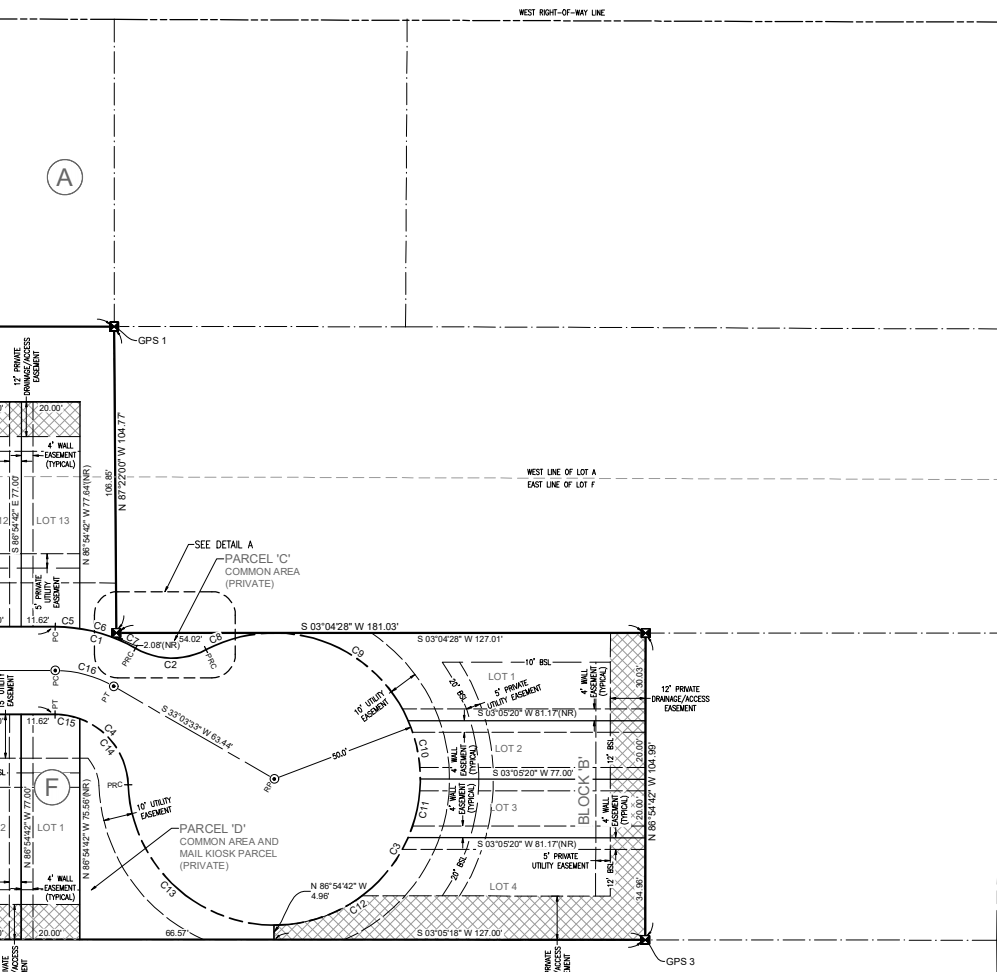


DETAIL A
SCALE: 1" = 20'

PREPARED BY
RBA
REBOL-BATTLE & ASSOCIATES
Civil Engineers and Surveyors
2301 N. Ninth Avenue, Suite 300
Pensacola, Florida 32503
Telephone 850.438.0400
EO 0000957, LB 7916
RBA Project No. 2020.193



LANIER DRIVE
(66' PUBLIC RIGHT-OF-WAY)



Curve Table

Curve #	Length	Radius	Central Angle	Chord	Chord Bearing
C1	28.77	55.00	29°58'15"	28.44	S 18°04'26" W
C2	25.21	25.00	57°46'59"	24.15	S 04°10'20" W
C3	257.82	50.00	289°32'18"	53.33	N 56°16'27" E
C4	38.28	25.00	87°44'24"	34.65	N 46°57'30" E
C5	8.41	55.00	8°45'25"	8.40	N 07°28'06" E
C6	13.06	55.00	13°36'10"	13.03	S 18°38'58" W
C7	7.30	55.00	7°36'30"	7.30	N 28°15'18" E
C8	24.25	50.00	27°47'04"	24.01	N 10°49'03" W
C9	57.88	50.00	66°28'10"	54.78	S 36°17'33" W
C10	20.58	50.00	23°54'41"	20.43	S 81°17'58" W
C11	20.58	50.00	23°54'41"	20.43	N 79°01'33" W
C12	57.86	50.00	66°28'10"	54.77	N 30°02'20" W
C13	76.57	50.00	87°44'23"	69.30	N 46°57'30" E
C14	29.74	25.00	68°09'54"	28.02	S 56°44'45" W
C15	8.54	25.00	19°34'30"	8.50	S 12°52'33" W
C16	20.92	40.00	29°58'15"	20.69	S 18°04'26" W

STATE PLANE COORDINATES
HORIZONTAL DATUM: NORTH AMERICAN DATUM 83 (2011) FLORIDA NORTH ZONE
VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM 1988

STATION	NORTHING	EASTING	LATITUDE (NORTH)	LONGITUDE (WEST)	SCALE FACTOR	CONVERGENCE ANGLE	ELEVATION	ELEVATION FACTOR	COMBINED SCALE FACTOR
GPS No. 1	554344.0633	1116498.6240	N030° 29' 47.346 1"	W087° 12' 19.4098"					
GPS No. 2	554654.9102	1118305.3798	N030° 29' 50.376 7"	W087° 12' 21.7023"					
GPS No. 3	554173.7618	1116279.4190	N030° 29' 45.609 4"	W087° 12' 21.8685"					

- LEGEND:**
- ⊙ SET NAIL & DISK (No. 7916) PERMANENT CONTROL POINT
 - ⊠ SET 4"x4" CONCRETE MONUMENT (PRM No. 7916)
 - ⊡ FOUND 4"x4" CONCRETE MONUMENT (No. 7916)
 - ⊓ FOUND 4"x4" CONCRETE MONUMENT (NO ID)
 - Ⓐ DENOTES PLATTED LOT NUMBER (ABB SUBDIVISION)
 - BSL DENOTES BUILDING SETBACK LINE
 - C# DENOTES CURVE NUMBER (SEE TABLE)
 - DIA DENOTES DIAMETER
 - EB DENOTES ENGINEER BUSINESS LICENSE
 - GPS DENOTES GLOBAL POSITIONING SYSTEM
 - ID DENOTES IDENTIFICATION
 - L# DENOTES LINE NUMBER (SEE TABLE)
 - LB DENOTES SURVEYOR BUSINESS LICENSE
 - No. DENOTES NUMBER
 - (NR) DENOTES NON-RADIAL
 - PC DENOTES POINT OF CURVATURE
 - PRC DENOTES POINT OF REVERSE CURVATURE
 - PRM DENOTES PERMANENT REFERENCE MONUMENT
 - PT DENOTES POINT OF TANGENCY
 - RP DENOTES RADIUS POINT

Line Table

Use #	Length	Direction
L1	11.85	S 48°15'18" W
L2	11.78	N 47°54'42" W

Digitally signed by Paul A. Battle Date: 2023.07.11 15:46:16 -0500

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL, IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

FINAL PLAT OF
JAVELIN LANDING
A RESIDENTIAL SUBDIVISION BEING A RE-SUBDIVISION OF BLOCK 3, ABB SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 82, BEING A PORTION OF GOVERNMENT LOT 3, SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA
JULY 2023

OWNER AND DEVELOPER
ANDREWS PROPERTY, LLC
A LIMITED LIABILITY COMPANY
113 N PALAFOX ST
PENSACOLA, FL 32502
CIVIL ENGINEER
PAUL A. BATTLE, P.E.
PROFESSIONAL SURVEYOR AND MAPPER
MARK A. NORRIS, P.S.M.

DESCRIPTION:
THE NORTH 300' OF THE WEST 105' OF THE EAST 243' OF SOUTH 652' OF BLOCK 3, ABB SUBDIVISION AND THE NORTH 482' OF THE WEST 105' OF THE EAST 348' OF THE SOUTH 652' OF BLOCK 3, ABB SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 82, BEING A PORTION OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY (R/W) LINE OF LANIER DRIVE (66' PUBLIC R/W) AND THE SOUTH R/W LINE OF LANSING DRIVE (66' PUBLIC R/W); THENCE PROCEED NORTH 86°57'06" WEST ALONG SAID SOUTH R/W LINE FOR A DISTANCE OF 105.71 FEET FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH R/W LINE, PROCEED SOUTH 03°06'39" WEST FOR A DISTANCE OF 300.13 FEET; THENCE PROCEED NORTH 87°22'00" WEST FOR A DISTANCE OF 104.77 FEET; THENCE PROCEED SOUTH 03°04'28" WEST FOR A DISTANCE OF 181.03 FEET; THENCE PROCEED NORTH 86°54'42" WEST FOR A DISTANCE OF 104.99 FEET; THENCE PROCEED NORTH 03°05'18" EAST FOR A DISTANCE OF 481.85 FEET TO THE AFORESAID SOUTH R/W LINE OF LANSING DRIVE; THENCE PROCEED SOUTH 86°57'06" EAST FOR A DISTANCE OF 209.83 FEET TO THE POINT OF BEGINNING.
LYING AND BEING A PORTION OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, AND CONTAINING 1.88 ACRES MORE OR LESS.

- GENERAL NOTES:**
- NORTH AND SOUTH DATUM SHOWN HEREON IS BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (FLORIDA NORTH ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83)-(2011)-(EPOCH 2010.0000) HAVING A BEARING OF SOUTH 86 DEGREES 57 MINUTES 06 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY (R/W) LINE OF LANSING DRIVE (66' PUBLIC R/W); AND WERE DERIVED UTILIZING A GLOBAL POSITIONING SYSTEM (GPS) TOPCON HIPER V GEODETIC DUAL FREQUENCY RECEIVER. THE RECEIVER WAS UTILIZED IN A REAL-TIME KINEMATIC (RTK) MODE UTILIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION FLORIDA PERMANENT REFERENCE NETWORK (FPRN), FLORIDA'S GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) REFERENCE STATION NETWORK; COPY OF BOUNDARY SURVEY OF AN EASTERLY ADJUTING PARCEL AS PREPARED BY THIS FIRM, PROJECT NUMBER 2020.081, DATED 6/10/2020; COPY OF THE RECORD PLAT OF ABB SUBDIVISION AS RECORDED IN PLAT BOOK 1 AT PAGE 82 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; COPY OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) MAPS, SECTION NO. 48013-2507, SR 742 (CREIGHTON ROAD) FROM SR 291 (DAVIS HIGHWAY) TO SR 289 (NINTH AVENUE), REVISED 08/17/2011; DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
 - IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBIA COUNTY, FLORIDA, COMMUNITY PANEL NUMBER 12033003800, EFFECTIVE DATE OF SEPTEMBER 29, 2006.
 - GRAPHIC SYMBOLISM FOR FEATURES SUCH AS MONUMENTATION, FENCES, TREES, TREE LINES, UTILITIES ETCETERA MAY BE EXAGGERATED IN SIZE FOR CLARITY PURPOSES. DIMENSIONS TO EXAGGERATED FEATURES WILL SUPERSEDE SCALED MEASUREMENTS.
 - ALL LOT CORNERS, PERMANENT REFERENCE MONUMENTS AND PERMANENT CONTROL POINTS WILL BE PLACED IN ACCORDANCE WITH THE PROVISIONS OF THE FLORIDA PLAT ACT, CHAPTER 177, SECTIONS 177.011 - 177.151.
 - A PLAT CERTIFICATION LETTER WAS PERFORMED BY ALLIANT NATIONAL TITLE INSURANCE COMPANY, ANTIC FILE NUMBER: 20104847, DATED JUNE 13, 2023 AND PROVIDED TO THIS FIRM FOR THE PREPARATION OF THIS PLAT.
 - THE 4' WALL EASEMENTS AS SHOWN HEREON ARE FOR THE PURPOSE OF MAINTAINING THE COMMON PARTY WALL BETWEEN RESIDENTIAL TOWNHOMES TO BE CONSTRUCTED UPON THE LOTS AS SHOWN HEREON.
 - MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND ARE EXPRESSED IN DECIMAL OF FEET.
 - ALL SIDE LOT LINES ARE RADIAL UNLESS OTHERWISE INDICATED AS NON-RADIAL (NR).

DEDICATION:
KNOW ALL MEN BY THESE PRESENTS THAT ANDREWS PROPERTY, LLC, OWNERS OF THE LAND HEREIN DESCRIBED AND PLATTED HEREIN KNOWN AS JAVELIN LANDING, WHICH IS PART OF THIS PLAT, AND DO HEREBY MAKE THE FOLLOWING DEDICATIONS:
A. TO THE JAVELIN LANDING OWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, PARCEL A (COMMON AREA, PRIVATE), PARCEL C (COMMON AREA, PRIVATE), PARCEL D (COMMON AREA AND MAIL KIOSK, PRIVATE), PARCEL E (COMMON AREA, PRIVATE); FOR PURPOSES OF OWNERSHIP AND RESPONSIBILITY OF OPERATION AND MAINTENANCE.
B. TO THE JAVELIN LANDING OWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, ALL 12' PRIVATE DRAINAGE/ACCESS EASEMENTS ON THE REAR OF ALL LOTS; THE 20' PRIVATE DRAINAGE/ACCESS EASEMENTS ON THE WEST 10' OF LOT 9, BLOCK A AND LOT 5, BLOCK C, AND THE EAST 10' OF LOT 8, BLOCK A AND LOT 6, BLOCK C; FOR PURPOSES OF OPERATION AND MAINTENANCE.
C. TO THE CITY OF PENSACOLA, ITS SUCCESSORS AND ASSIGNS, JAVELIN COURT (30' RIGHT-OF-WAY, PUBLIC), PARCEL B (DRY STORMWATER POND, PUBLIC); FOR PURPOSES OF OWNERSHIP AND RESPONSIBILITY OF OPERATION AND MAINTENANCE.
D. TO ALL UTILITY PROVIDERS, THE 10' & 15' WIDE UTILITY EASEMENTS LOCATED ADJACENT TO JAVELIN COURT (30' RIGHT-OF-WAY, PUBLIC); FOR PURPOSES OF OPERATION AND MAINTENANCE.
E. TO FLORIDA POWER AND LIGHT, THE 5' WIDE UTILITY EASEMENT LOCATED ADJACENT TO THE FRONT AND REAR SETBACK LINES, FOR THE PURPOSES OF OPERATION AND MAINTENANCE.

IN WITNESS WHEREOF, ANDREWS PROPERTY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, QUALIFIED TO DO BUSINESS IN THE STATE OF FLORIDA HAS CAUSED THESE PRESENTS TO BE MADE AND SIGNED IN ITS NAME BY ITS AUTHORIZED AGENT.

WITNESSES
OWNER
SIGNATURE: CARL SPEAR
AMBR
ANDREWS PROPERTY, LLC,
PRINT
SIGNATURE
PRINT

NOTARY PUBLIC:
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF PHYSICAL PRESENCE OF ONLINE NOTARIZATION, THIS DAY OF _____, 2023, BY _____ AS THE _____ OF ANDREWS PROPERTY, LLC, HE/SHE IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

SIGNATURE _____ COMMISSION NO. _____
PRINT NAME _____ MY COMMISSION EXPIRES: _____ SEAL
NOTARY PUBLIC, STATE OF: _____

CERTIFICATE OF COUNTY CLERK:
I, PAM CHILDERS, CLERK OF COURTS OF ESCAMBIA COUNTY, FLORIDA HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH ALL THE REQUIREMENTS OF THE PLAT ACT CHAPTER 177 FLORIDA STATUTES AND THE SAME WAS RECORDED ON THE _____ DAY OF _____, 2023 IN PLAT BOOK _____ AT PAGE _____ OF THE PUBLIC RECORDS OF SAID COUNTY.

PAM CHILDERS, CLERK OF COURTS
ESCAMBIA COUNTY, FLORIDA

CITY COUNCIL CERTIFICATE:
I, ERICKA L. BURNETT, CITY CLERK OF THE CITY OF PENSACOLA, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS PRESENTED TO THE CITY COUNCIL OF SAID CITY AT ITS MEETING HELD ON THE _____ DAY OF _____, 2023, AND WAS APPROVED BY SAID COUNCIL.

ERICKA L. BURNETT
CITY CLERK OF THE CITY OF PENSACOLA

CITY OF PENSACOLA PROFESSIONAL SURVEYOR AND MAPPER STATEMENT:
THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER 177, FLORIDA STATUTES, BY THE UNDERSIGNED PROFESSIONAL SURVEYOR AND MAPPER FOR THE CITY OF PENSACOLA.

LESLIE D. ODOM
PROFESSIONAL SURVEYOR & MAPPER
LICENSE NO. 6520
DATE _____
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SURVEYOR'S CERTIFICATE:
THE UNDERSIGNED HEREBY CERTIFIES THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND DESCRIBED HEREIN, THAT SAID LAND HAS BEEN SUBDIVIDED AS INDICATED, THAT PERMANENT REFERENCE MONUMENTS (P.R.M.) HAVE BEEN PLACED AS INDICATED, THAT THE SURVEY WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT THE SURVEY DATA COMPLIES WITH ALL REQUIREMENTS OF THE PLAT ACT CHAPTER 177.011-177.151 FLORIDA STATUTES, SIGNED ON THE _____ DAY OF _____, 2023.

Mark A. Norris, PSM
PROFESSIONAL SURVEYOR & MAPPER
LICENSE NO. 6211, LB 7916
REBOL-BATTLE & ASSOCIATES
2301 N 9TH AVENUE, SUITE 300
PENSACOLA, FL 32503
2023.07.11 15:35:15 -0500
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

DECLARATION OF RESTRICTIVE COVENANTS,
OFFICIAL RECORDS BOOK: _____, PAGE(S): _____ PLAT BOOK: _____, PAGE: _____

This instrument prepared by,
record and return to:
Kerry Anne Schultz, Esquire
Schultz Law Group, P.L.L.C.
2779 Gulf Breeze Parkway
Gulf Breeze, Florida 32563

Pam Childers
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY FLORIDA
INST# 2023072830 9/7/2023 11:00 AM
OFF REC BK: 9037 PG: 295 Doc Type: TESM
Recording \$27.00

TERMINATION OF EASEMENT

THIS TERMINATION OF EASEMENT (the "Agreement") is given as of this 5th day of ~~August~~ September 2023, by and between **CARL SPEAR** (Grantor) and the **CITY OF PENSACOLA d/b/a PENSACOLA ENERGY**, a Municipal Corporation (Grantee).

WHEREAS, the Grantor is now the owner of certain real property more particularly described in Exhibit "A" attached hereto ("the Parcel"); and

WHEREAS, an easement for the purpose of installing a gas pipeline on the parcel was granted to the City of Pensacola, a municipal corporation from Warren H. Ralya and Ruth G. Ralya, former owners of the Parcel, and recorded in Book 1413, Page 0635, of the Official Records of Escambia County, Florida ("the Easement"); and

WHEREAS, the Grantor and the Grantee herby desire to release and terminate the Easement.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor and Grantee mutually hereby terminate, release and declare the Easement null, void and no longer of any further force or effect.

IN WITNESS WHEREOF, this Agreement has been executed on this 5th day of ~~August~~ September 2023.

WITNESSES:

[Signature]
Print: Lindsay Mahoney
[Signature]
Print: Jennifer J. Bass

GRANTOR:

[Signature]
CARL SPEAR

STATE OF FLORIDA
COUNTY OF Escambia

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 28 day of August 2023, by **CARL SPEAR**, who is personally known to me or who has produced _____ as identification and has not taken oath.

AMANDA NEEL
MY COMMISSION #HH264350
EXPIRES: MAY 24, 2026
Bonded through 1st State Insurance

[Signature]
NOTARY PUBLIC
Commission No.: HH264350
My Commission Expires: May 24, 2026

WITNESSES:

Kaycee Lagarde
Print: Kaycee Lagarde

Aimee Dumas
Print: Aimee Dumas

GRANTEE:

[Signature]
CITY OF PENSACOLA d/b/a PENSACOLA ENERGY, a Municipal Corporation
By: D.C. Reeves
Its: Mayor

STATE OF FLORIDA
COUNTY OF Escambia

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 1st day of September 2023, by **D.C. REEVES**, as Mayor, on behalf of the **CITY OF PENSACOLA d/b/a PENSACOLA ENERGY**, a Municipal Corporation, who is personally known to me or who has produced _____ as identification and has not taken oath.



CAROLYN BARNES
Notary Public, State of Florida
My Comm. Expires Oct. 4, 2024
Commission No. HH 50373

Carolyn Barnes
NOTARY PUBLIC
Commission No.: HH50373
My Commission Expires: Oct 4, 2024

Attest:
Trisha L. Burnett
City Clerk

Approved as to substance:

[Signature]
Director of Pensacola Energy

Legal in form and valid as drawn:

[Signature]
Asst. City Attorney

EXHIBIT A

That portion of Lot 3, Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: Commence at a concrete monument at the point of intersection of the center lines of two rights-of-way (Creighton Road, a 100' right-of-way and Lanier Avenue, a 66' right-of-way) lying and being at right angles to each other; thence North along the centerline of said Lanier Avenue for a distance of 50.00 feet to a point on the North right-of-way line of said Creighton Road; thence West along said North right-of-way line for a distance of 243.00 feet to a point; thence North at a right angle for a distance of 301.00 feet to the point of beginning; thence West at a right angle for a distance of 105.00 feet to a point; thence North at a right angle for a distance of 301.00 feet to a point on the South right-of-way line of Lansing Drive (a 66' right-of-way); thence East along said South right-of-way line, at a right angle, for a distance of 210.00 feet to a point; thence South at a right angle, for a distance of 300.00 feet to a point; thence West at a right angle for a distance of 105.00 feet to a point; thence South at a right angle for a distance of 1.00 foot to the point of beginning, said point also being the point of termination of this easement.

PRELIMINARY PLAT OF

JAVELIN LANDING

A RESIDENTIAL SUBDIVISION BEING A RE-SUBDIVISION OF THE NORTH 300' OF THE WEST 105' OF THE EAST 243' OF SOUTH 652' OF BLOCK 3, ABB SUBDIVISION AND THE WEST 105' OF THE EAST 348' OF THE SOUTH 652' OF BLOCK 3, ABB SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 82, BEING A PORTION OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA

AUGUST, 2022

PREPARED BY



REBOL-BATTLE & ASSOCIATES

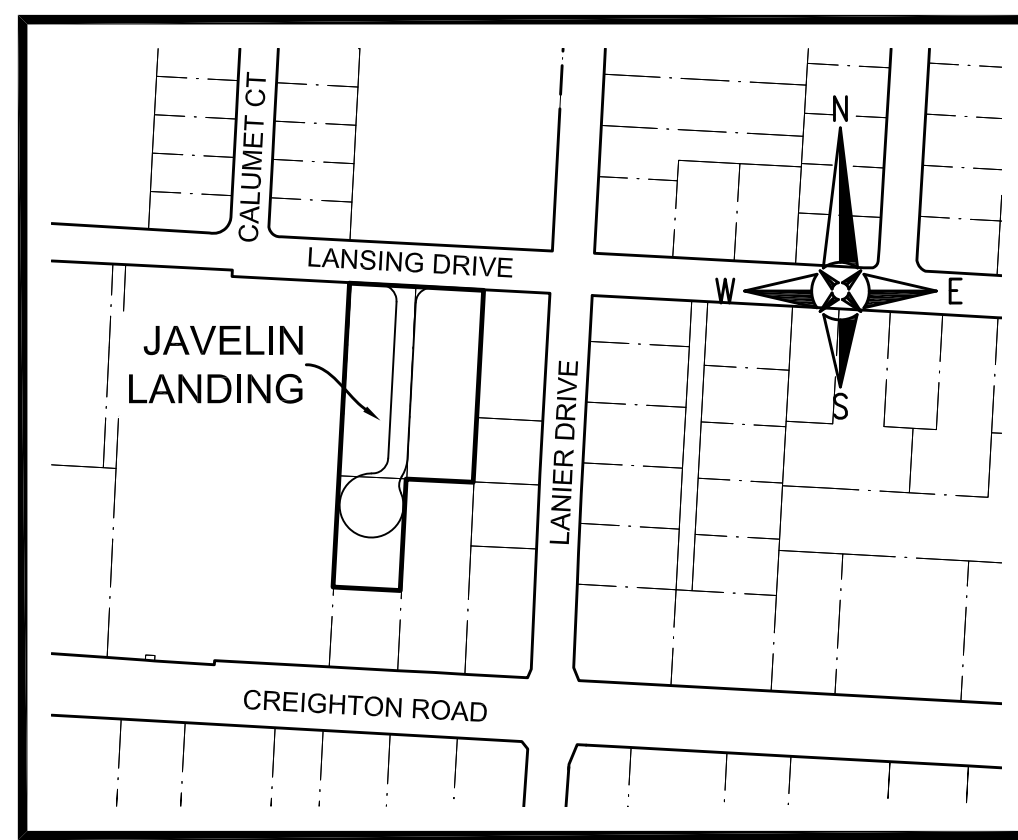
Civil Engineers and Surveyors

2301 N. Ninth Avenue, Suite 300
Pensacola, Florida 32503
Telephone 850.438.0400
Fax 850.438.0448
EB 00009657 LB7916

OWNER AND DEVELOPER
ANDREWS PROPERTY LLC
113 N PALAFOX ST
PENSACOLA, FL 32502

CIVIL ENGINEER
PAUL A. BATTLE, P.E.

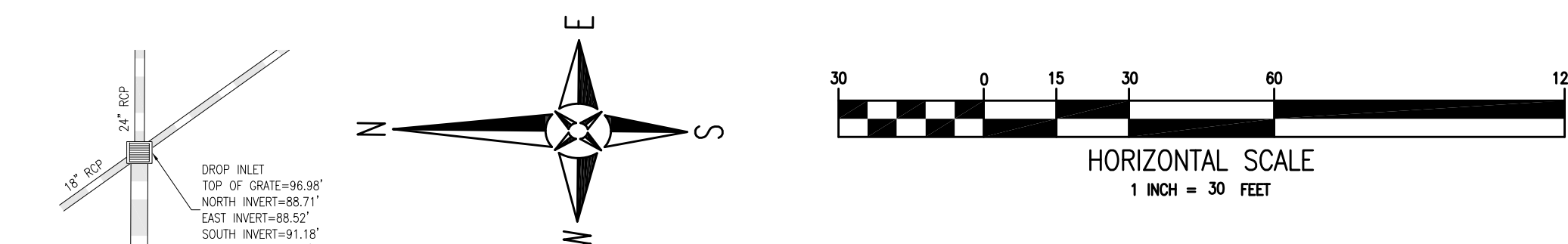
PROFESSIONAL SURVEYOR AND MAPPER
MARK A. NORRIS, P.S.M.



VICINITY MAP
SCALE: 1" = 300'

SITE INFORMATION	
PROPERTY ZONING:	COMMERCIAL (C-1) PER ORDINANCE NO.
FUTURE LAND USE:	COMMERCIAL (C) PER ORDINANCE NO.
PROPERTY REFERENCE ID:	31-15-30-1901-015-003 31-15-30-1901-002-003 APD 31-15-30-1901-000-003
PROPERTY AREA:	1.872 ACRES
FLOOD MAP & ZONE:	ZONE "X" MAP 12033C0380G, DATED 09/29/06
EXISTING BUILDING SETBACKS:	FRONT YARD - 0 FEET SIDE YARD - 0 FEET REAR YARD - 0 FEET
PROPOSED BUILDING SETBACKS:	FRONT YARD - 20 FEET SIDE YARD - 0 FEET REAR YARD - 12 FEET
MAXIMUM DENSITY:	35 UNITS PER ACRE
MAX. BUILDING HEIGHT:	45 FEET
No. OF PROPOSED LOTS:	30
TYPICAL LOT WIDTH:	20 FEET
AVERAGE LOT AREA:	1,723 SQUARE FEET

STATE PLANE COORDINATES HORIZONTAL DATUM: NORTH AMERICAN DATUM 83 (2011) FLORIDA NORTH ZONE						
STATION	NORTHING	EASTING	LATITUDE (NORTH)	LONGITUDE (WEST)	SCALE FACTOR	CONVERGENCE ANGLE
GPS No. 1	554643.78	1116514.91	N 03° 29' 50.3157"	W 087° 12' 19.3050"	0.99996496	-001° 21' 34.2530"
GPS No. 2	554654.92	1116305.37	N 03° 29' 50.3767"	W 087° 12' 21.7025"	0.99996496	-001° 21' 35.4578"



DESCRIPTION: (PREPARED BY REBOL-BATTLE AND ASSOCIATES, INC.)
 COMMENCE AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY (R/W) LINE OF LANIER DRIVE (66' PUBLIC R/W) AND THE SOUTH R/W LINE OF LANSING DRIVE (66' PUBLIC R/W); THENCE PROCEED NORTH 86°57'06" WEST ALONG SAID SOUTH R/W LINE FOR A DISTANCE OF 105.71 FEET FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH R/W LINE, PROCEED SOUTH 03°06'39" WEST FOR A DISTANCE OF 300.13 FEET; THENCE PROCEED NORTH 87°22'00" WEST FOR A DISTANCE OF 104.77 FEET; THENCE PROCEED SOUTH 03°04'28" WEST FOR A DISTANCE OF 174.45 FEET; THENCE PROCEED NORTH 86°54'42" WEST FOR A DISTANCE OF 104.99 FEET; THENCE PROCEED NORTH 03°05'18" EAST FOR A DISTANCE OF 475.27 FEET TO THE AFOREMENTIONED SOUTH R/W LINE OF LANSING DRIVE; THENCE PROCEED SOUTH 86°57'06" EAST FOR A DISTANCE OF 209.83 FEET TO THE POINT OF BEGINNING.
 LYING IN AND BEING A PORTION OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, AND CONTAINING 1.87 ACRES MORE OR LESS.

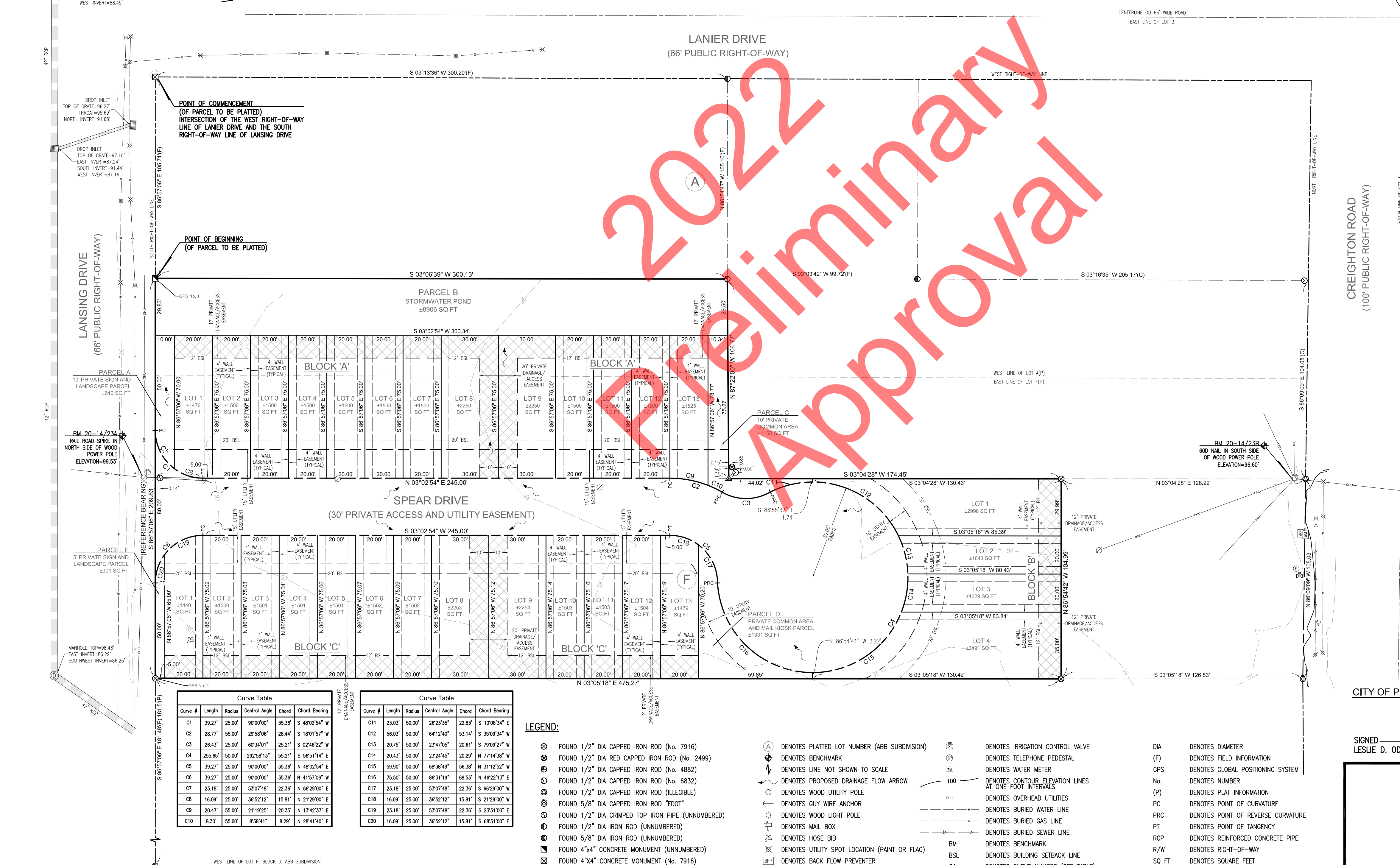
- GENERAL NOTES:**
- NORTH AND THE SURVEY DATUM SHOWN HEREON IS BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (FLORIDA NORTH ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83)-(2011)-(EPOCH 2010.0000) HAVING A BEARING OF SOUTH 86 DEGREES 57 MINUTES 06 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY (R/W) LINE OF LANSING DRIVE (66' PUBLIC R/W); AND WERE DERIVED UTILIZING A GLOBAL POSITIONING SYSTEM (GPS) TOPCON HIPER II GEODETIC DUAL FREQUENCY RECEIVER. THE RECEIVER WAS UTILIZED IN A REAL-TIME KINEMATIC (RTK) MODE UTILIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION FLORIDA PERMANENT REFERENCE NETWORK (FPRN), FLORIDA'S GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) REFERENCE STATION NETWORK; COPY OF BOUNDARY SURVEY OF AN EASTERLY ADJUTING PARCEL AS PREPARED BY THIS FIRM, PROJECT NUMBER 2020.081, DATED 6/10/2020; COPY OF THE RECORD PLAT OF ABB SUBDIVISION AS RECORDED IN PLAT BOOK 1 AT PAGE 82 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; COPY OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) MAPS, SECTION NO. 48013-2507, SR 742 (CREIGHTON ROAD) FROM SR 291 (DAVIS HIGHWAY) TO SR 289 (NINTH AVENUE), REVISED 08/17/2011; DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
 - ELEVATIONS AS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND ARE REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) VERTICAL CONTROL NETWORK BENCH MARK NUMBER 48-11-E04V HAVING A PUBLISHED ELEVATION OF 110.19 FEET (LOCATED VIA RBA PROJECT NO. 2017.208).
 - IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBIA COUNTY, FLORIDA, COMMUNITY PANEL NUMBER 12033C0380G, EFFECTIVE DATE OF SEPTEMBER 29, 2006.
 - NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY NOR PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
 - GRAPHIC SYMBOLISM FOR FEATURES SUCH AS MONUMENTATION, FENCES, TREES, TREE LINES, UTILITIES ETCETERA MAY BE EXAGGERATED IN SIZE FOR CLARITY PURPOSES. DIMENSIONS TO EXAGGERATED FEATURES WILL SUPERSEDE SCALED MEASUREMENTS.
 - MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND ARE EXPRESSED IN DECIMAL OF FEET.

UTILITY SERVICE NOTES:

POTABLE WATER:
AFTER RECEIVING ALL APPROVALS FROM ECUA AND THE CITY OF PENSACOLA, THE DEVELOPMENT WILL CONNECT TO ECUA'S EXISTING SYSTEM.

SANITARY SEWER:
AFTER RECEIVING APPROVALS FROM ECUA AND THE CITY OF PENSACOLA, THE DEVELOPMENT WILL CONNECT TO ECUA'S EXISTING SYSTEM.

ELECTRIC, GAS, TELEPHONE, CABLE TELEVISION:
THESE SERVICES WILL BE INSTALLED AND MAINTAINED BY THE ASSOCIATED UTILITY COMPANY.



Curve Table				
Curve #	Length	Radius	Central Angle	Chord
C1	39.27	25.00	90°00'00"	35.36
C2	28.77	55.00	29°58'04"	28.44
C3	26.43	25.00	60°34'01"	25.21
C4	255.65	50.00	292°58'13"	55.21
C5	39.27	25.00	90°00'00"	35.36
C6	39.27	25.00	90°00'00"	35.36
C7	23.18	25.00	53°07'48"	22.36
C8	16.09	25.00	36°52'12"	15.81
C9	20.47	55.00	21°19'25"	20.35
C10	8.30	55.00	8°36'41"	8.29

- LEGEND:**
- FOUND 1/2" DIA CAPPED IRON ROD (No. 7916)
 - FOUND 1/2" DIA RED CAPPED IRON ROD (No. 2499)
 - ⊙ FOUND 1/2" DIA CAPPED IRON ROD (No. 4882)
 - ⊙ FOUND 1/2" DIA CAPPED IRON ROD (No. 6832)
 - ⊙ FOUND 1/2" DIA CAPPED IRON ROD (ILLEGIBLE)
 - ⊙ FOUND 5/8" DIA CAPPED IRON ROD "FOOT"
 - ⊙ FOUND 1/2" DIA CRIMPED TOP IRON PIPE (UNNUMBERED)
 - ⊙ FOUND 1/2" DIA IRON ROD (UNNUMBERED)
 - FOUND 5/8" DIA IRON ROD (UNNUMBERED)
 - ⊙ FOUND 4"x4" CONCRETE MONUMENT (UNNUMBERED)
 - ⊙ FOUND 4"x4" CONCRETE MONUMENT (No. 7916)
 - ⊙ FOUND NAIL & DISK (No. 4082)

- A DENOTES PLATTED LOT NUMBER (ABB SUBDIVISION)
- ⊕ DENOTES BENCHMARK
- ⊙ DENOTES LINE NOT SHOWN TO SCALE
- DENOTES PROPOSED DRAINAGE FLOW ARROW
- ⊙ DENOTES WOOD UTILITY POLE
- ⊙ DENOTES WIRE ANCHOR
- ⊙ DENOTES WOOD LIGHT POLE
- ⊙ DENOTES BURIED
- ⊙ DENOTES HOSE BIB
- ⊙ DENOTES UTILITY SPOT LOCATION (PAINT OR FLAG)
- ⊙ DENOTES BACK FLOW PREVENTER
- ⊙ DENOTES ELECTRIC OUTLET
- ⊙ DENOTES IRRIGATION CONTROL VALVE
- ⊙ DENOTES TELEPHONE PEDESTAL
- ⊙ DENOTES WATER METER
- ⊙ DENOTES CONTOUR ELEVATION LINES AT ONE FOOT INTERVALS
- ⊙ DENOTES OVERHEAD UTILITIES
- ⊙ DENOTES BURIED WATER LINE
- ⊙ DENOTES BURIED GAS LINE
- ⊙ DENOTES BURIED SEWER LINE
- BM DENOTES BENCHMARK
- BSL DENOTES BUILDING SETBACK LINE
- C1 DENOTES CURVE NUMBER (SEE TABLE)
- ⊙ DENOTES DIAMETER
- (F) DENOTES FIELD INFORMATION
- GPS DENOTES GLOBAL POSITIONING SYSTEM
- No. DENOTES NUMBER
- (P) DENOTES PLAT INFORMATION
- PC DENOTES POINT OF CURVATURE
- PRC DENOTES POINT OF REVERSE CURVATURE
- PT DENOTES POINT OF TANGENCY
- RCP DENOTES REINFORCED CONCRETE PIPE
- R/W DENOTES RIGHT-OF-WAY
- SO FT DENOTES SQUARE FEET

CITY OF PENSACOLA PROFESSIONAL SURVEYOR AND MAPPER:
 SIGNED _____ DATE _____
 LESLIE D. ODOM, P.S.M. No. 6520

Department:	Comments:
Planning	No comments.
FIRE	No comments provided.
PW/E	No comments provided.
Surveyor	No comments provided.
Inspection Svcs	No comments provided.
Pensacola Energy	No comments provided.
ECUA	The final plat appears acceptable in regards to conveying the proper utility easements for operation/maintenance of the water and sewer systems. Please have the developer continue to work with their ECUA reviewer for more comments/final acceptance.
FPL	No comments provided.
ATT	No comments provided.
Legal	No comments provided.
CRA	No comments provided.
Parking	No comments provided.

Sec. 12-3-8. Commercial land use district.

The regulations in this section shall be applicable to the retail and downtown commercial and wholesale and light industry zoning districts: C-1, C-2A, C-2, and C-3.

(1) *Purpose of district.*

- a. The commercial land use district is established for the purpose of providing areas of commercial development ranging from compact shopping areas to limited industrial/high intensity commercial uses. Conventional residential use is allowed as well as residential uses on upper floors above ground floor commercial or office uses and in other types of mixed-use development. New development and redevelopment projects are strongly encouraged to follow the city's design standards and guidelines contained in section 12-3-121.
- b. The C-1 zoning district's regulations are intended to provide for conveniently supplying the immediate needs of the community where the types of services rendered and the commodities sold are those that are needed frequently. The C-1 zoning district is intended to provide a transitional buffer between mixed-use neighborhood commercial areas and more intense commercial zoning. The downtown and retail commercial (C-2A and C-2) zoning districts' regulations are intended to provide for major commercial areas intended primarily for retail sales and service establishments oriented to a general community and/or regional market. The C-3 wholesale and light industry zoning district's regulations are intended to provide for general commercial services, wholesale distribution, storage and light fabrication.
- c. The downtown retail commercial (C-2A) zoning district's regulations are intended to provide a mix of restaurants, retail sales, entertainment, and service establishments with an emphasis on pedestrian-oriented ground floor shops and market spaces.
- d. The commercial retail (C-2) zoning district's regulations are intended to provide for major commercial areas intended primarily for retail sales and service establishments oriented to a general community and/or regional market.
- e. The C-3 wholesale and light industry zoning district's regulations are intended to provide for general commercial services, wholesale distribution, storage and light fabrication.

(2) *Uses permitted.*

- a. *C-1, retail commercial zoning district.* Any use permitted in the R-NC district and the following uses, with no outside storage or repair work permitted:
 1. Retail sales and services.
 2. Motels/hotels.
 3. Vending machine when as accessory to a business establishment and located on the same parcel of land as the business.
 4. Car washes.
 5. Movie theaters, except drive-in theaters.
 6. Open air sales of trees, plants and shrubs. The business shall include a permanent sales or office building (including restrooms) on the site.
 7. Pet shops with all uses inside the principal building.
 8. Parking lots and parking garages.
 9. Pest extermination services.

-
10. Animal hospitals and veterinary clinics with fully enclosed kennels and no outside runs or exercise areas.
 11. Business schools.
 12. Trade schools.
 13. Medical marijuana dispensary.
 14. Recreation or amusement places operated for profit.
 15. Accessory buildings and uses customarily incidental to the above uses.
- b. *C-2A, downtown retail commercial district*. Any use permitted in the C-1 district with the exception of manufactured home parks, and conditional uses. The following uses with no outside storage or repair work permitted:
1. Bars.
 2. Pool halls.
 3. Newspaper offices and printing firms.
 4. Marinas.
 5. Major public utility buildings and structures including radio and television broadcasting station.
 6. Accessory buildings and uses customarily incidental to the above uses.
- c. *C-2, commercial district (retail)*. Any use permitted in the C-2A district and the following uses with no outside storage or repair work permitted:
1. Cabinet shops and upholstery shops.
 2. Electric motor repair and rebuilding.
 3. Garages for the repair and overhauling of automobiles.
 4. Sign shop.
 5. Accessory buildings and uses customarily incidental to the above uses.
- d. *C-3, commercial zoning district (wholesale and limited industry)*.
1. Any use permitted in the C-2 district. Outside storage and work shall be permitted for those uses and the following uses, but shall be screened by an opaque fence or wall at least eight feet high at installation. Vegetation shall also be used as a screen and shall provide 75 percent opacity. The vegetative screen shall be located on the exterior of the required fence.
 2. Outside kennels, runs or exercise areas for animals subject to regulations in section 12-3-83.
 3. Growing and wholesale of retail sales of trees, shrubs and plants.
 4. Bakeries, wholesale.
 5. Ice cream factories and dairies.
 6. Quick-freeze plants and frozen food lockers.
 7. Boat sales and repair.

8. Outdoor theaters.
9. Industrial research laboratories and pharmaceutical companies.
10. Truck sales and repair.
11. Light metal fabrication and assembly.
12. Contractors shops.
13. Adult entertainment establishments subject to the requirements of chapter 7-3.
14. Industrial laundries and dry cleaners using combustible or flammable liquids or solvents with a flash point of 190 degrees Fahrenheit or less which provide industrial type cleaning, including linen supply, rug and carpet cleaning, and diaper service.
15. Retail lumber and building materials.
16. Warehouses.
17. Plumbing and electrical shops.
18. New car and used car lots, including trucks which do not exceed 5,000 pounds.
19. Car rental agencies and storage, including trucks which do not exceed 5,000 pounds.
20. Pawnshops and secondhand stores.
21. Mini-storage warehouses.
22. Advanced manufacturing and/or processing operations provided that such use does not constitute a nuisance due to emission of dust, odor, gas, smoke, fumes, or noise.
23. Accessory buildings and uses customarily incidental to the above uses.

(3) *Regulations.* All developments are required to comply with design standards and are strongly encouraged to follow design guidelines as established in section 12-3-121. Table 12-3.7 describes height, area and yard requirements for the C-1, C-2, C-2A and C-3 commercial zoning districts:

TABLE 12-3.7. REGULATIONS FOR THE COMMERCIAL ZONING DISTRICTS

Standards	C-1	C-2A	C-2 and C-3
Minimum Yard Requirements (Minimum Building Setbacks)	There shall be no yard requirements, except that where any nonresidential use is contiguous to a residential zoning district there shall be a 20-foot yard unless the two districts are separated by a public street, body of water, or similar manmade or natural buffer of equal width. Inside the C-2A District and Dense Business Area: There shall be a maximum allowed front yard setback of 10 feet.		
Maximum Building Height	No building shall exceed 45 feet in height at the property or setback lines. (See Note 1)	No building shall exceed 100 feet in height at the property or setback lines. (See Note 1)	
Lot Coverage Requirements (The maximum combined area occupied by all	Shall not exceed 75 percent of the total site area for buildings up to 100 feet in height. For	Shall not exceed 100 percent of the total site area for buildings up to 100 feet in height. For	Inside the dense business area: shall not exceed 100 percent of the total site area for

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(Supp. No. 3)

principal and accessory buildings)	buildings over 100 feet in height, lot coverage shall not exceed 65 percent.	buildings over 100 feet in height, lot coverage shall not exceed 90 percent.	buildings up to 100 feet in height. For buildings over 100 feet in height, lot coverage shall not exceed 90 percent (with the exception of the C-2A zoning district). Outside the dense business area: shall not exceed 75 percent of the total site area for buildings up to 100 feet in height. For buildings over 100 feet in height, lot coverage shall not exceed 65 percent.
Maximum Density Multiple-Family Dwellings	35 dwelling units per acre.	135 dwelling units per acre.	Inside the dense business area: 135 dwelling units per acre. Outside the dense business area: 35 dwelling units per acre.
Note 1: Three feet may be added to the height of the building for each foot the building elevation is stair-stepped or recessed back from the property or setback lines beginning at the height permitted up to a maximum height of 150 feet.			

- (4) *Additional regulations.* In addition to the regulations established above in subsection (3) of this section, all developments within the commercial zoning districts will be subject to, and must comply with, the following regulations:
- a. Supplementary district regulations subject to regulations in sections 12-3-55 through 12-3-69.
 - b. Off-street parking subject to regulations in chapter 12-4.
 - c. Signs subject to regulations in chapter 12-5.
 - d. Tree/landscape regulations subject to regulations in chapter 12-6.
 - e. Stormwater management and control of erosion, sedimentation and runoff subject to regulations in chapter 12-8.
 - f. Alcoholic beverages regulations subject to chapter 7-4.

(Code 1986, § 12-2-8; Ord. No. 25-92, § 1, 7-23-1992; Ord. No. 6-93, § 6, 3-25-1993; Ord. No. 29-93, § 6, 11-18-1993; Ord. No. 3-94, § 4, 1-13-1994; Ord. No. 44-94, § 1, 10-13-1994; Ord. No. 33-95, § 2 (exh. 1), 8-10-1995; Ord. No. 40-99, §§ 2, 3, 10-14-1999; Ord. No. 17-06, § 1, 7-27-2006; Ord. No. 11-09, § 1, 4-9-2009; Ord. No. 13-12, § 1, 6-14-2012; Ord. No. 12-13, § 1, 5-9-2013; Ord. No. 40-13, § 1, 11-14-2013; Ord. No. 01-16, § 1, 1-14-2016; Ord. No. 06-17, § 1, 3-9-2017; Ord. No. 12-19, § 1, 5-16-2019)

Sec. 12-3-105. Conventional subdivision.

- (a) *Purpose.* The conventional subdivision requirements are intended to provide for the division of a parcel of land into two or more parcels for development or redevelopment, when the development or redevelopment complies with all zoning regulations for the zoning district in which it is located.
- (b) *Location and permitted uses.* Conventional subdivision development is permitted within any zoning district for any land use permitted within the zoning district.
- (c) *Minimum size of development.* There are no minimum size requirements for a conventional subdivision development. Subdivision of four or less lots constitute a minor subdivision; five or more constitute a major subdivision.
- (d) *Requirements.* All lots in a conventional subdivision must comply with width and area requirements for the zoning district. Chapter 12-7 describes the platting and review requirements for a conventional subdivision.

(Code 1986, § 12-2-76)

Sec. 12-7-3. Procedure for subdivision approval.

(a) *Procedure for subdivision requiring a plat.*

(1) *Approval of preliminary plat by the planning board.*

- a. Any person desiring to divide land into three or more lots shall first file with the planning services department an application and a preliminary plat of the subdivision prepared in accordance with the requirements of section 12-7-8 and F.S. § 472.027.
- b. Accompanying the application and preliminary plat shall be a general location sketch map showing the relationship of the proposed subdivision to existing community facilities that serve or influence it. On such sketch map shall show, the main traffic arteries, shopping centers, schools, parks, and playgrounds within one quarter of a mile.
- c. Where the preliminary plat submitted covers only a part of the total contiguous property under the subdivider's ownership, a sketch of the prospective future street system of the unsplit part shall be required if not shown on a previously approved conceptual plan or plans for the entire property. The street system of the unsplit portion shall be planned to coordinate and connect with the street system of the split portion.
- d. A master drainage plan at a scale not smaller than one inch equals 200 feet, shall be provided. The master drainage plan shall be for the entire property and shall be reviewed by the city engineer in relation to the entire drainage basin. It is the specific intent of this requirement that rights-of-way and easements of all drainage improvements, including, but not limited to, retention ponds, ditches, culverts, channels, and the like required for the drainage of the site for both on-site and off-site improvements, shall be provided for in the master drainage plan. Instruments shall be submitted fully executed in sufficient form for recording for all off-site drainage rights-of-way and easements not included on the final plat. These instruments shall be submitted with the final plat for recordation.
- e. The preliminary plat shall be submitted to the planning services department at least 30 calendar days prior to the meeting at which it is to be considered.
- f. Prior to the examination of the preliminary plat, the planning board shall be furnished with reports from the city engineer, the city traffic engineer, Pensacola Energy, Emerald Coast Utilities Authority, fire department, and the secretary to the planning board to the effect that said plat does or does not conform to the comprehensive plan, the provisions of this chapter, and with sound principles and practices of planning and engineering and with such other items that may affect the health, safety and welfare of the people.
- g. When, after examination, the planning board finds as fact that the aforementioned requirements have been met, the preliminary plat may be approved; however, such approval shall not constitute an approval of the final plat. If the preliminary plat is rejected, the planning board shall provide the applicant in writing a detailed list of reasons for rejection. The applicant shall resubmit revised documents to the planning services department with a review fee to obtain approval according to the process in this chapter.

(2) *Approval of final plat by the planning board and city council.*

- a. The final plat shall conform substantially to the preliminary plat. The applicant shall submit only that portion of the approved preliminary plat that he or she proposes to record and develop. Such portion shall conform to all requirements of this chapter. Such final plat shall be submitted within one year (365 days) of the date of the approval of the preliminary plat. If more than one year has elapsed since the approval of the preliminary plat, the applicant must resubmit to the

planning services department a new application, new application fee, and revised documentation to begin the process in this chapter.

- b. The final plat and release for construction plans shall be submitted to the planning services department at least 30 calendar days prior to the meeting of the planning board at which it is to be considered. Before granting final approval of the plat, the planning board shall receive reports from the secretary to the planning board, the city engineer, the city traffic engineer, Pensacola Energy, Emerald Coast Utilities Authority and the fire department.
- c. After approval by the planning board, the final plat shall be transmitted to the city council for approval. Approval of the plat shall be granted by the city council upon its finding that all the requirements of this chapter have been met.

(b) *Procedure for division of land requiring a boundary survey.*

(1) A division of land into no more than two lots fronting on an existing public street, or an access easement not involving any new street or road, or the extension of governmental facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision of this Code or the comprehensive plan, may be reviewed and approved by the city engineer and planning services department.

(2) *Submission requirements.*

- a. Any person desiring to divide land into no more than two lots shall first submit a metes and bounds description and a boundary survey (equal to that required by F.S. § 472.027, pertaining to the Standards of Practice for surveys) to the planning services department. The boundary survey shall depict all information required by sections 12-7-8(1) through (11).
- b. If an access easement is required for the subdivision, this document shall be attached to the boundary survey.
- c. Prior to development of residential properties, the owner or owner's agent shall provide a proposed lot grading and erosion control plan. The plan shall be to scale and must demonstrate that the flow of stormwater surface drainage from the development is diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. The grading plan should clearly exhibit that the proposed development neither creates nor exacerbates flooding on any adjacent properties. Commercial properties shall fall under the subdivision language of the Land Development Code and comply with all stormwater drainage requirements set forth therein.
- d. The planning services department shall notify the applicant of the approval or disapproval of the metes and bounds description or the boundary survey within ten working days from submission.
- e. If the metes and bounds description or the boundary survey is rejected, the planning services department shall provide the applicant, in writing, a detailed list of the reasons for the rejection.
- f. The applicant shall resubmit revised documents to the planning services department with a review fee and begin the process set forth at section 12-7-3(b) of this chapter.

(3) *Final approval.*

- a. After the survey has been approved by city staff one copy of the survey shall be filed with the planning services department. In addition, one copy each of any applicable recorded access easements shall be filed with the planning services department.
- b. No building permit shall be issued until the survey has been approved by city staff and any accompanying documentation has been filed in accordance with section 12-7-3(b)(3)a.

(Code 1986, § 12-8-3; Ord. No. 35-92, § 2, 10-22-1992; Ord. No. 21-93, § 5, 8-16-1993; Ord. No. 9-96, § 13, 1-25-1996; Ord. No. 12-09, § 2, 4-9-2009; Ord. No. 29-21, § 4, 12-16-2021)

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City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 23-00717

Planning Board

10/10/2023

TO: Planning Board Members

FROM: Gregg Harding, Assistant Planning & Zoning Division Manager

DATE: 9/22/2023

CITY COUNCIL DISTRICT: ALL

SUBJECT:

Proposed Amendment of the Land Development Code - Building Height Bonuses

BACKGROUND:

The Mayor's Office is requesting an amendment to Sec. 12-3-121 of the Land Development Code to provide a provision for building height bonuses. The request is to add subsection (9) which would provide the option for building height bonuses above the limit otherwise established by a zoning district, so long as the overall height of the building does not exceed 150 feet. This bonus would be in exchange for the construction of affordable housing and/or as an incentive to achieve superior building and site design, preserve environmentally sensitive lands and open space, and/or provide public benefit uses. Additionally, standards for approval have been provided and all applications would be subject to review and approval by the City's Planning Board.

RECOMMENDED CODE SECTIONS

Sec. 12-3-121 Design standards and guidelines (provided as part of application packet)

https://library.municode.com/fl/pensacola/codes/code_of_ordinances?nodeId=PTIICOOR_TITXIILADECO_CH12-3ZODI_ARTVIIDEPLREDESTGU_S12-3-121DESTGU

Sec. 12-3-109 Residential density bonuses (for comparison of other available bonuses)

https://library.municode.com/fl/pensacola/codes/code_of_ordinances?nodeId=PTIICOOR_TITXIILADECO_CH12-3ZODI_ARTVIDEOP_S12-3-109REDEBO

Sec. 12-3-121. Design standards and guidelines.

- (a) *Purpose.* The requirements set forth in this section are intended to coordinate land development in accordance with orderly physical patterns; to implement goals, objectives and policies of the comprehensive plan; to provide for adequate access to building sites for ingress and egress; to improve the physical appearance of the city; and to preserve the environmental character of the city.
- (b) *Applicability.* This section shall be applicable to all new construction, additions to existing structures or additional structures on a developed site. For the purposes of this section, the term "shall" indicates a regulatory requirement or standard, and the term "should" indicates a suggested guideline that is not considered a regulatory requirement.
- (c) *Design standards.* Except where specific approval is granted by the city engineer and planning services department due to unique and peculiar circumstances or needs resulting from the size, configuration or location of a site requiring a modification of the standards as set forth below, the minimum standards shall be as follows:
 - (1) *Streets and rights-of-way.* Whenever public or private streets, rights-of-way, pedestrian ways, bikeways or driveway approaches are to be constructed as part of any development after the effective date of this chapter, they shall be designed in accordance with the requirements of this subsection. Whenever existing public or private streets, rights-of-way, pedestrian ways, bikeways or driveway approaches abutting a development do not meet the requirements of this subsection, the city engineer may require that they be improved to conform to these requirements.

a. *Driveway approaches and curb cuts.*

- 1. *Width (residential except multifamily).* In properties developed for residential use (except multifamily), curb cuts and driveway approach shall conform to the following requirements:

	Minimum Driveway	Maximum Driveway
Driveway	12 feet	24 feet
Joint-use driveway	20 feet	24 feet

- 2. *Width (residential multifamily).* Properties developed for residential multifamily use shall have curb cuts for driveways not less than 24 feet wide and not more than 40 feet wide.
- 3. *Width (nonresidential).* Properties developed for commercial use shall have curb cuts for driveways not less than 12 feet nor more than 40 feet wide.
- 4. *Distance from drainage inlet.* No curb cut shall be made within three feet of a drainage inlet.
- 5. *Spacing.* Where more than one curb cut is to be located on any single property, the minimum distance between such curb cuts on local streets shall be 42 feet, and on all arterial and collector streets shall be in accordance with the requirements set forth in subsection (c)(2) of this section.
- 6. *Number and location on midblock properties.* Except where specific approval is granted as provided above, there shall be no more than two curb cuts for the use of any single property fronting any single local street, and no more than one curb cut for the use of any single property fronting on any single arterial or collector.

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7. *Number and location on corner properties.* Where property is located on a corner lot fronting more than one street, not more than one curb cut for the benefit of such property shall be made on each street except where specific approval is granted as provided above. Corner safety islands shall be provided at all corners and no curb cuts or driveway shall be constructed or maintained on the radius of any curved curbing nor closer to the point of curvature than 15 feet on a local street and not within 30 feet on the point of curvature of an intersecting arterial or collector street.
 8. *Sidewalk section.* All driveway approaches constructed in areas of the city with existing or required sidewalks shall contain a sidewalk section of the width and grade and minimum construction standards established by the city engineer for sidewalks in such areas.
 9. *Pavers.* Any new pavers to be set in the City right-of-way shall be underlain with six (6) inches of concrete.
 10. *Removal.* All existing driveways or aprons not being reused shall be removed from the site.
 11. *Joint use driveways.* No curb cut for a driveway approach shall be made within one foot of the extended side property line of the property to be serviced by the driveway unless a joint-use driveway for the two adjoining properties shall be located on the common property line by written agreement running with the land, recorded in the public records of the county and signed by all the owners of the adjoining property using the common driveway. The execution of the said agreement must be notarized. The city engineer shall be authorized to require the establishment of joint-use driveways in connection with the reduction of the driveway spacing requirements of subsection (c)(1)a.5 of this section and of subsection (c)(2) of this section.
 12. *Authority to alter curb cuts.* Where the use, convenience and necessity of the public require, the city engineer shall have the authority to order the owners or agents in charge of property adjacent to which curb cuts are maintained, to alter the curb cut in such manner as he or she shall find reasonably necessary under the circumstances. The notice required by this section shall require compliance by permittee within 30 days of such notice; be in writing; and be served upon permittee as required by law.
 13. *Right-of-way construction.* Nothing shall be constructed in the city's right-of-way without first obtaining either a right-of-way permit or a License-to-Use permit (LTU). Any work done in the city's right-of-way must meet the specifications of the city engineer and the city's standard details. It is the responsibility of the individual to ensure that they have the most recent city standard detail.
 14. *Duty to repair and replace.* Any existing curb or sidewalk, along the frontage of a parcel, which was damaged before or during construction shall be the responsibility of the property owner to repair or replace during construction.
- b. *Vehicular access for multifamily, office, commercial or industrial developments.* Direct or indirect vehicular access to local residential streets shall not be permitted, other than from corner lots, for the uses described above when adequate access is available from either collector or arterial streets.
 - c. *Dedication of streets and rights-of-way.* No site plan shall be approved unless it is accompanied by a dedication of all streets and rights-of-way that are required to be dedicated under this section. The exception to this is private streets, which shall be provided for by the developer in accordance with the requirements of section 12-3-61. Any land lying within a proposed development that is necessary to widen or extend local streets, arterials or collectors as required to meet city standards shall be dedicated.

- d. *Street improvements.* All streets and public ways shall be paved and curbed in accordance with standards established by the city engineer and the following requirements:
1. *Additional improvements for existing thoroughfares.* Where any existing arterial or collector lying within or abutting a proposed development requires construction of additional lanes or other improvements to meet the standards of the city engineer, the amount of construction required (or money escrowed) for such improvements shall be commensurate with the impact of the proposed development.
 2. *Missing arterial or collector links.* Where there are missing segments in the arterial or collector system or new arterials or collectors are to be constructed that are designated in the comprehensive plan, such segments lying within or abutting the proposed development shall be improved (or money escrowed in an appropriate manner) by the developer along with other required improvements. Where such construction creates an undue hardship in a particular case, appeals are available in accordance with chapter 12-12.
 3. *Traffic control devices.* Intersection improvements and traffic control devices such as acceleration, deceleration, and turning lanes, signalization devices, and other traffic control devices required by the development shall be installed at the developer's expense in accordance with the State of Florida Manual for Uniform Traffic Control Devices.
 4. *Improvements required to nearest acceptable paved public street.* Each development shall abut, or have as its primary access, a street improved to the minimum requirements of the city engineer. Wherever the abutting street does not meet these requirements, the developer shall construct the street where it abuts the development and to the nearest structurally acceptable paved public street as determined by the city engineer.
 5. *Street cut and patch.* The cut and patch of city streets shall comply with the city standard cut and patch detail. Should there be multiple adjacent patches, the entire road (width and length) shall be milled and overlaid in accordance with the city standard cut and patch detail. The contractor shall provide density testing results from a certified geotechnical laboratory for each cut and patch inspection prior to final approval.
- e. *Sidewalks.* For any new nonresidential, commercial, and industrial developments, all street frontages are required to have five feet (minimum) wide sidewalks with handicap ramps in the right-of-way adjacent to the proposed project. Proposed sidewalks shall be designed and constructed in accordance with the Florida Accessibility Code, City Standards, and any other state laws applicable to sidewalk design and construction. In addition, the physical location of the proposed sidewalks shall be depicted on the site plans submitted to the city.
- (2) *Driveway and curb cut design along arterial and collector streets.* Recognizing that the traffic movement function of arterial and collector streets can be compromised by the provision of unlimited access to individual properties. Whenever any building site will require vehicular access from an arterial or collector street as designated on the city's adopted Future Traffic Circulation Map, the development shall be designed in accordance with the requirements of this subsection.
- a. *Driveways and curb cuts.* In addition to any applicable driveway approach and curb cut requirements of subsection (c)(1) of this section, the following standards shall apply:
1. *Curb cut spacing.* The minimum distance between curb cuts on any one block face, whether or not such curb cuts are located on the same property, shall be based upon the posted speed of the thoroughfare, in accordance with the following schedule:

Posted Speed	Minimum Spacing
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30 mph	125 ft.
35 mph	150 ft.
40 mph	175 ft.
45 mph	200 ft.
50+ mph	250 ft.

2. *Spacing reductions and joint-use driveways.* Where the existing configuration of properties and curb cuts in the vicinity of the building site precludes spacing of a curb cut access in accordance with the schedule above, the city engineer shall be authorized to reduce the spacing requirement if he or she finds that all of the following conditions have been met: wherever feasible, the city engineer shall require the establishment of a joint-use driveway serving two abutting building sites, with cross-access easements provided; the property owner shall agree to close and eliminate any pre-existing curb cuts on the building site after the construction of both sides of the joint-use driveway; and where feasible, the building site shall incorporate unified access and circulation in accordance with the requirements of subsection (c)(2)a.3 of this section.
 3. *Unified access and circulation.* The planning services director, in coordination with the city engineer, shall be authorized to designate cross-access corridors on properties adjacent to arterial or collector streets. Such designation may be made in connection with the approval of any site plan within the affected area, or as part of an overall planning program. The planning services director, in coordination with the city engineer, shall be authorized to modify the requirements of this subsection where he or she finds that abutting properties have been so developed that it is clearly impractical to create a unified access and circulation system within part or all of the affected area.
- (3) *Public facilities.* All developments shall be provided with sufficient utility easements including potable water, sanitary sewer, electric power and light, telephone, natural gas, cable television, and any other franchised utilities, including access for maintenance. Sufficient easements shall be provided for stormwater management facilities, including access for maintenance. All public and private street networks and parking lots shall be designed to allow easy access for solid waste disposal and emergency service vehicles. In addition to new development, any remodeling, enlargement, reconstruction or redesign of any existing building site for specific uses and within the gateway redevelopment district and the resource protection overlay districts shall require submittal of a drainage plan to ensure that stormwater management requirements are met pursuant to chapter 12-8.
 - (4) *Private recreation and open space facilities for multifamily residential developments.* Multifamily residential developments, with the exception of those located within the boundaries of the city's dense business area, are required to reserve five percent of the total lot area for recreation and open space facilities. This land area requirement shall be provided in addition to the 20 percent landscaping area requirement established in section 12-6-4. In the event a buffer yard is required between the multifamily development and an adjacent single-family land use or zoning district, the buffer yard land area requirements may be credited toward the recreation/open space land area requirement.
 - (5) *Solid waste disposal facilities for multifamily residential, nonresidential, office, commercial or industrial developments.*
 - a. Dumpsters, centralized garbage storage areas, compactors and similar solid waste disposal facilities associated with the land uses described above shall not be allowed any closer than ten feet to either the property line or zoning district boundary line of a single-family or duplex residential development or zoning district.

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- b. Solid waste disposal facilities shall not be located within public street rights-of-way of arterial or collector streets in any zoning district, and they shall not be located within local street rights-of-way in mixed residential/office, residential/commercial or redevelopment zoning districts without the mayor's approval.
 - c. Solid waste facilities must be screened from adjoining property and from public view.
- (6) *Mechanical equipment.* Mechanical equipment for multifamily residential, nonresidential, office, commercial or industrial developments shall not be allowed any closer than ten feet to either the property line or zoning district boundary line of a single-family or duplex residential development or zoning district; and shall be screened from adjoining property and from public view. Roof-mounted electrical, mechanical, air conditioning and communications equipment shall be completely screened from adjacent properties and public view from the public right-of-way. The equipment screening shall be such that the equipment is not visible within a 200-foot radius. The radius shall be measured from the exterior side of the screen to a point ten feet above finished grade.
- (7) *Parking.*
- a. The city discourages construction of more than the minimum number of parking spaces required by this title, in order that more natural vegetation may be preserved and in order to control stormwater runoff in a more natural manner. Parking in excess of more than ten spaces or ten percent (whichever is greater) above the parking total dictated by chapter 12-4 will require an administrative waiver as described in this subsection (c).
 - b. The use of permeable paving materials is encouraged for use in parking lots, especially for "overflow" parking or parking spaces in excess of the requirements of this title.

Site design should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.
 - c. The following are some examples of techniques used to minimize the impacts of driveways and parking lots:
 - 1. Locate surface parking at the rear or side of the zoning lot.
 - 2. Break large parking lots into multiple smaller ones.
 - 3. Minimize the number and width of driveways and curb cuts.
 - 4. Share driveways with abutting zoning lots.
 - 5. Locate parking in less visible areas of the site.
 - 6. Locate driveways so they are visually less dominant.
 - 7. Provide special pavers or other surface treatments to enhance and separate pedestrian areas from vehicle maneuvering and parking areas.
 - 8. Parking located along a commercial street front where pedestrian traffic is desirable lessens the attractiveness of the area to pedestrians and compromises the safety of pedestrians along the street. On-site surface parking on a commercial street front should be minimized and where possible should be located behind a building.
- (8) *Building facade finish.* Metal curtain walls shall be limited to a maximum of 30 percent per elevation of a building in the R-2 and R-NC districts, 40 percent per elevation in the remaining commercial districts (with the exception of historic and special aesthetic districts which have their own guidelines for review), and 75 percent per elevation of a building in industrial districts. The remaining percentage of each facade elevation shall have a finish treatment. Planning board may grant requests to exceed this

maximum standard on a case-by-case basis with consideration being given to developments that incorporate design guidelines suggested in this section and exhibit superior site design.

- (9) *Nonresidential site lighting.* Nonresidential and multiple-family developments shall be designed to provide safe and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the entire site (including outparcels). Lighting shall be designed so as to enhance the visual impact of the project and/or should be designed to blend into the surrounding landscape. Lighting design and installation shall ensure that lighting accomplishes on-site lighting needs without intrusion on adjacent properties and shall meet the following design requirements:
- a. *Fixture (luminaire).* When feasible, the light source shall be completely concealed within an opaque housing and shall not be visible from any street right-of-way or adjacent properties.
 - b. *Light source (lamp).* Only florescent, LED, metal halide, or color corrected high-pressure sodium may be used. The same light source type must be used for the same or similar types of lighting on any one site throughout any development.
 - c. *Mounting.* Fixtures shall be mounted in such a manner that the maximum candela from each fixture is contained on-site and does not cross any property line of the site.
 - d. *Limit lighting to periods of activity.* The use of controls such as, but not limited to, photocells, occupancy sensors or timers to activate lighting during times when it will be needed may be required by the planning services department to conserve energy, provide safety, and promote compatibility between different land uses.
 - e. *Illumination levels.*
 - 1. All site lighting levels shall be designed per the most recent IESNA (Illumination Engineering Society of North America) recommended standards and guidelines.
 - 2. Minimum and maximum levels are measured on the pavement within the lighted area. Average level is the overall, generalized ambient light level, and is measured as a not-to-exceed value calculated using only the area of the site intended to receive illumination.
 - 3. Lighting for automated teller machines shall be required to meet the standards of F.S. § 655.962.
 - f. *Excessive illumination.*
 - 1. Lighting unnecessarily illuminates another lot if it clearly exceeds the requirements of this section.
 - 2. All outdoor lighting shall be designed and located such that the maximum illumination measured in footcandles at the property line does not exceed 0.2 on adjacent residential sites, and 0.5 on adjacent commercial sites and public rights-of-way. These values may be adjusted based on unique and/or unusual needs of specific projects.
 - 3. Lighting shall not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of drivers on such streets.
 - 4. Fixtures used to accent architectural features, landscaping or art shall be located, aimed or shielded to minimize light spill into the night sky.
 - 5. Reflectors and/or refractors within fixtures or fixtures with a top shield shall be utilized to assist in eliminating "sky glow."
- (d) *Design guidelines.* Most development in the city is located on infill or redevelopment sites; therefore, projects should take their surroundings into account. These recommended design guidelines are intended as

suggested methods to improve the character and fit of new development and to encourage respect for how architecture, landscape features, and public improvements help establish context, and steadily improve the quality of the city's residential and commercial neighborhoods. These guidelines are intended for designers and developers to look closely at the area surrounding their specific project and create developments that enhance and complement the built and natural environment. The design guidelines are flexible in their application and may be applied to specific projects during review by city staff and any applicable review boards. The intent is to create the highest level of design quality while providing the needed flexibility for creative site design. Use of the following design guidelines is a means for addressing aesthetic and environmental concerns in the development process:

- (1) Site planning.
 - a. The construction of roads across isolated wetlands shall be limited, and any roads that are built should be constructed on pilings or with adequate culverts to allow the passage of flood waters.
 - b. Runoff shall not be discharged directly into open waters. Vegetated buffers, swales, vegetated watercourses, wetlands, underground drains, catch basins, ponds, porous pavements and similar systems for the detention, retention, treatment and percolation of runoff should be used as appropriate to increase time of concentration, decrease velocity, increase infiltration, allow suspended solids to settle and remove pollutants.
 - c. Natural watercourses shall not be filled, dredged, cleared, deepened, widened, straightened, stabilized or otherwise altered.
 - d. The use of drainage facilities and vegetated buffer zones as open space, recreation and conservation areas is encouraged.
- (2) Building design and architectural elements. The placement of buildings should respond to specific site conditions and opportunities such as irregular-shaped lots, location on prominent intersections, views, or other natural features. On-site surface parking should be visually minimized and where possible should be located behind a building. Site characteristics to consider in building design include, but are not limited to, the following:
 - a. Site buildings to avoid or lessen the impact of development on environmentally sensitive and critical areas such as wetlands, stream corridors, fragile vegetation and wildlife areas, etc.
 - b. The design and placement of a structure and its massing on the site should enhance solar exposure for the project and consider the shadow impacts on adjacent buildings and public areas.
 - c. The placement of buildings and other development features should enable the preservation of significant or important trees or other vegetation.
 - d. Where a new structure shares a site with an existing structure, or a major addition to an existing structure is proposed, the design of the new should be designed to be compatible with the original structure. This is particularly important if the original structure has historical or architectural merit to the community.
 - e. The placement and massing of a building should preserve desirable public views that would otherwise be blocked by the new development.
 - f. The placement and orientation of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the public right-of-way. For example, a multi-story mixed-use building proposed for a downtown corner zoning lot should reinforce the existing streetscape by utilizing the ground level for pedestrian oriented retail and restaurants and maintaining a consistent building edge abutting the sidewalk.

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- g. Building entrances should be clearly visible from the street. Using entries that are visible from the street makes a project more approachable and creates a sense of association with neighboring structures.
 - h. New development should be sited and designed to encourage human activity on the street. To accomplish this end, entrances, porches, balconies, decks, seating and other elements can be designed to promote use of the street front and provide places for human interaction. For example, for commercial developments such elements can include shop front windows, outdoor seating/dining, rooftop decks, balconies, and canopies that protect pedestrians from the elements.
 - i. Development projects that are adjacent to a less-intensive zoning district with differing development standards, may create substantial adverse impacts that result from inappropriate height, bulk and scale relative to their neighbors. Careful siting and design treatments can help mitigate some height, bulk and scale impacts; in other cases, actual reduction in the height, bulk and scale of a project are advisable to adequately mitigate adverse effects. In some instances, careful siting and design treatment may be sufficient to achieve reasonable transition and mitigation of height, bulk and scale differences. Some techniques for achieving compatibility are:
 - 1. Use of architectural style, details (such as rooflines or fenestration), exterior colors or materials that derive from the less intensive zone district.
 - 2. Creative use of landscaping or other screening.
 - 3. Location of features on-site to facilitate transition, such as locating required open space on the zone district edge so the building is located farther from the lesser intensity zone district.
 - 4. In a mixed-use project, siting the more compatible uses near the zone district edge.
 - j. The exterior architectural elements of buildings and structures (i.e., components which define the appearance of a building, such as roofs, windows, porches, modulations, entries, materials, balconies and details). New buildings developed in an established neighborhood with an identifiable character may be viewed as undesirable intrusions unless they respond positively to the architectural characteristic of existing buildings. Therefore, guidelines for architectural elements encourage new development in established neighborhoods to complement neighboring buildings and consider how design gives a neighborhood its identity. This does not mean that new buildings must excessively mimic older existing buildings. Rather, the guidelines suggest that new buildings use some traditional building concepts or elements. New buildings can successfully relate to older buildings while still looking contemporary, not stifling the designer's creativity and responding to changing societal needs and design opportunities.
 - k. Architectural context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.
 - 1. Architectural features. Taking note of the architectural characteristics of surrounding buildings can help new buildings be compatible with their neighbors when a consistent pattern is already established by similar building articulation; building scale and proportions; architectural styles; roof forms, building details and fenestration patterns; or materials. Even when there is no consistent architectural pattern, building design and massing can be used to complement and enhance certain physical conditions of existing surrounding development.

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2. In cases where an existing context is either not well defined, or may be undesirable, a well-designed new project has the opportunity to establish a pattern or identity that future redevelopment can build on.
- (3) Human scale. The design of new buildings should incorporate architectural features, elements and details that achieve a desirable human scale through the use of human-proportioned architectural features and site design elements clearly oriented to human activity. Building elements that may be used to achieve human scale are as follows:
 - a. Pedestrian-oriented storefront windows and doors directly facing the street or publicly accessible open space such as courtyards, gardens, patios, or other unified landscaped areas.
 - b. Window patterns, building articulation and other exterior treatments that help identify individual units in a multifamily building or mixed-use building.
 - c. Stepping back upper stories (generally above the third or fourth floor).
 - d. Porches or covered entries that offer pedestrian weather protection such as canopies, awnings, arcades, or other similar elements wide enough to protect at least one person.
 - (4) Structured parking garages.
 - a. The presence and appearance of structured parking garages and their entrances should be minimized so they do not dominate the street frontage. Ramps should be visually screened from streets and adjacent residential zoning districts and oriented towards the interior of the lot within a project where possible. Ramps profiles should be hidden on the exterior elevations. Roof top parking should be visually screened with articulated parapet walls or other architectural treatment. Exterior lighting should utilize fixtures provided with cut off shielding in order to eliminate glare and spillage onto adjacent properties and roadways. The openings of the garage should be designed in a manner that obscures parked vehicles. Decorative architectural elements on the ground floor level should be designed to accommodate the pedestrian scale. Parking levels above the ground floor should maintain the same vertical and horizontal articulation or rhythm and incremental appearance established on the ground floor.
 - b. Due to the requirements of a particular land use or structural needs, parking garages or the garage portion of the building may request an increase from the building frontage requirements (to a maximum of 100 percent for all floors) or a waiver from the setback requirements for portions of the structure subject to the following: The garage or garage portion of the building elevation provides unified design elements with the main building through the use of similar materials and color, vertical and horizontal elements, and architectural style.
 - c. Architectural features should be incorporated into the facade to mitigate the building's mass and bulk and along portions of the building adjacent to street rights-of-way.
 - (5) Rooftop mechanical equipment. All rooftop mechanical equipment should be screened from public view from both above and below by integrating it into building and roof design.
 - (6) Blank walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, due to the requirements of a particular land use or structural needs, they shall not exceed a length of 50 feet, or 20 percent of the length of the building facing the street, whichever is less, and should receive design treatment to increase pedestrian comfort and interest.
 - (7) Utilities and service areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front wherever possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located near pedestrian routes.

(8) All telephones, vending machines, or any facilities dispensing merchandise, or a service on private property, should be confined to a space built into the building or buildings or enclosed in a separate structure compatible with the main building. All exterior forms, attached or not to buildings should be in conformity to and secondary to the building. They should be an asset to the aesthetics of the site and to the neighborhood.

(9) Building height bonuses. Building height bonuses above the limit otherwise established by a zoning district may be approved, so long as the overall height of the building does not exceed 150 feet, in exchange for the construction of affordable housing and/or as an incentive to achieve superior building and site design, preserve environmentally sensitive lands and open space, and/or provide public benefit uses. Standards for approval shall be as follows:

a. Building height bonuses for superior building and site design, preservation of environmentally sensitive lands and open space, and/or provision of public benefit uses shall be based upon clear and convincing evidence that the proposed design will result in a superior product that is compatible with the surrounding land uses and produce a more desirable product than the same development without the bonus.

b. Building height bonuses for the provision of affordable housing shall be based upon ratios of the amount of affordable housing to market rate housing within a proposed residential development and shall include mechanisms to assure that the units remain affordable for a reasonable timeframe such as resale and rental restrictions and rights of first refusal.

c. All height bonus applications shall be submitted for review and approval by the City Planning Board.

(Code 1986, § 12-2-82; Ord. No. 11-94, § 3, 4-14-1994; Ord. No. 45-96, § 6, 9-12-1996; Ord. No. 13-06, § 15, 4-27-2006; Ord. No. 16-10, § 211, 9-9-2010; Ord. No. 25-10, § 1, 10-14-2010; Ord. No. 06-18, § 1, 4-12-2018; Ord. No. 29-21, § 1, 12-16-2021)

Sec. 12-3-109. Residential density bonuses.

Residential density bonuses. Residential density bonuses above the limit otherwise established by future land use category may be approved in exchange for the construction of affordable housing and as an incentive to achieve superior building and site design, preserve environmentally sensitive lands and open space, and provide public benefit uses including access to the waterfront. Standards for approval shall be as follows:

- (1) Density bonuses and transfers for superior building and site design, preservation of environmentally sensitive lands and open space, and provision of public benefit uses shall not exceed 10% of the limit otherwise established by land use category and shall be available to residential developments in the medium density residential land use district, high density residential land use district, office land use district, residential/neighborhood commercial land use district, commercial land use district, redevelopment land use district and business land use district.
- (2) Density transfers of up to 50% of the limit otherwise established by the land use category of the donor site may be approved for superior building and site design, preservation of archeologically and environmentally sensitive lands and open space, and provision of public benefit uses, and shall be available to residential developments in the medium density residential land use district, high density residential land use district, office land use district, residential/neighborhood commercial land use district, commercial land use district, redevelopment land use district and business land use district.
- (3) Density bonuses and transfers for superior building and site design, preservation of environmentally sensitive lands and open space, and provision of public benefit uses shall be based upon clear and convincing evidence that the proposed design will result in a superior product that is compatible with the surrounding land uses and produces a more desirable product than the same development without the bonus.
- (4) Density bonuses for the provision of affordable housing shall not exceed 25% of the limit otherwise established by land use category and shall be available to residential developments in the medium density residential land use district, high density residential land use district, office land use district, residential/neighborhood commercial land use district, commercial land use district, redevelopment land use district and business land use district.
- (5) Density transfers of up to 50% of the limit otherwise established by land use category of the donor site may be permitted for the provision of affordable housing, and shall be available to residential developments in the medium density residential land use district, high density residential land use district, office land use district, residential/neighborhood commercial land use district, commercial land use district, redevelopment land use district and business land use district.
- (6) Density bonuses and transfers for the provision of affordable housing shall be based upon ratios of the amount of affordable housing to market rate housing within a proposed residential development and shall include mechanisms to assure that the units remain affordable for a reasonable timeframe such as resale and rental restrictions and rights of first refusal.
- (7) Density transfers of up to 50% of the limit otherwise established by the land use category of the donor site may be permitted for proposed developments that are compatible with adopted neighborhood and Community Redevelopment Area plans, and shall be available to residential developments in the medium density residential land use district, high density residential land use district, office land use district, residential/neighborhood commercial land use district, commercial land use district, redevelopment land use district and business land use district.
- (8) The maximum combined density bonus for superior building and site design, preservation of environmentally sensitive lands and open space, provision of public benefit uses and affordable

housing provided to any single development shall not exceed 35% of the limit otherwise established by land use category.

(9) Density transfers shall be a direct transfer of up to 100% of unutilized residential density from a donor site to a receiving site, subject to applicable land use regulations and site requirements.

(10) All density bonuses and density transfers shall be approved by the City Planning Board.

(Code 1986, § 12-2-80; Ord. No. 13-13, § 1, 5-9-2013; Ord. No. 20-21 , § 1, 9-23-2021)



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 23-00718

Planning Board

10/10/2023

TO: Planning Board Members

FROM: Gregg Harding, Assistant Planning & Zoning Division Manager

DATE: 9/13/2023

CITY COUNCIL DISTRICT: 6

SUBJECT:

Discussion on the Gateway Redevelopment District

BACKGROUND:

At the September 2023 Planning Board meeting, the board requested a discussion item to be placed on the next agenda related to the purpose and future of the Gateway Redevelopment District. Sec. 12-3-12 has been provided for reference which includes subsection 1, pertaining to the Gateway commercial corridor, and subsection 2, pertaining to the Aragon redevelopment area.

RECOMMENDED CODE SECTIONS

Sec. 12-3-12 Redevelopment land use district -

https://library.municode.com/fl/pensacola/codes/code_of_ordinances?nodeId=PTIICOOR_TITXII LADECO_CH12-3ZODI_ARTIINGE_S12-3-12RELAUSDI

Sec. 12-3-12. Redevelopment land use district.

The regulations in this section shall be applicable to the gateway and waterfront redevelopment zoning districts: GRD and WRD.

(1) *GRD, Gateway Redevelopment District.*

- a. *Purpose of district.* The gateway redevelopment district is established to promote the orderly redevelopment of the southern gateway to the city in order to enhance its visual appearance, preserve a unique shoreline vista, improve traffic safety, and encourage a high quality of site planning and architectural design. Site specific analysis of each development proposal within the gateway district is intended to ensure that the scenic orientation and open space image of the Bayfront Parkway is maintained, the development character of the Chase-Gregory corridor is upgraded, and the boundary of the adjacent historic district is positively reinforced.
- b. *Uses permitted.*
 1. Single-family residential (attached or detached) at a maximum density of 17.4 units per acre. Multifamily residential at a maximum density of 100 dwelling units per acre.
 2. Home occupations, subject to regulations in section 12-3-13.
 3. Offices.
 4. Adult entertainment establishments subject to the requirements of chapter 7-3 when located within the dense business area as defined in chapter 12-13, Definitions.
 5. All commercial uses permitted in the C-2A zone, with no outside storage or repair work allowed, with the exception:
 - i. Mortuaries and funeral parlors.
 - ii. Appliance and repair shops.
 - iii. Public parking lots and parking garages.
 - iv. New car lots or used car lots.
 - v. Public utility plants, transmission and generating stations, including radio and television broadcasting stations.
 - vi. Car or truck rental agencies or storage facilities.
 6. Family day care homes licensed by the state department of children and family services as defined in state statutes.
- c. *Procedure for review of plans.*
 1. *Plan submission.* All development plans must comply with development plan requirements set forth in section 12-3-120(c) and (d), and design standards and guidelines established in section 12-3-121. Every application for a new certificate of occupancy or a building permit to erect, construct, demolish, renovate or alter a building or sign, or exterior site work (i.e., paving and landscaping of off-street parking areas), located or to be located in the gateway redevelopment district shall be accompanied with drawings or sketches with sufficient detail to show, as far as they relate to exterior appearances, the architectural design of the building, sign, or exterior work (both before and after the proposed work is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plot plan or site layout including all site

improvements or features such as walls, fences, walks, terraces, plantings, accessory buildings, paved areas, signs, lights, awnings, canopies and other appurtenances.

2. *Review and approval.* All plans shall be subject to the review and approval of the planning board established in chapter 12-12. At the time of review the board may require that any aspect of the overall site plan which does not meet the standards established in this section be incorporated and brought into compliance within a time limit approved by the board.
 3. *Abbreviated review.* Sign requests, paint colors, fencing, and emergency repairs that are consistent with the regulations and guidelines set forth in this section, may be approved by letter to the building official from the planning board secretary and the chairperson of the board. This provision is made in an effort to save the applicant and the board time for routine approval matters. If agreement cannot be reached as it pertains to such requests by the board secretary and chairperson, then the matter will be referred to the board for a decision.
 4. *Final development plan.* If the planning board approves a preliminary development plan, the owner shall submit a final development plan in accordance with the procedure set forth below within six months of the date of approval of the preliminary plan of development. For good cause shown, the planning board may, in its discretion, extend the time within which to file the final development plan for successive periods, the total of which shall not be more than an additional six months. The final development plan shall be in basic conformity with the preliminary plan of development and comply with the other provisions of section 12-3-120 pertaining to the final development plan. If the applicant submits a final development plan that conforms to all the conditions and provisions of this chapter, then the planning board shall conclude its consideration at its next regularly scheduled meeting.
- d. *Regulations.* Except where specific approval is granted by the planning board for a variance due to unique and peculiar circumstances or needs resulting from the use, size, configuration or location of a site, requiring the modification of the regulations set forth below the regulations shall be as follows:
1. Signs. Refer to sections 12-5-2 and 12-5-3 for general sign regulations and for a description of sign area calculations. In addition, the following regulations shall be applicable to signs only in the gateway redevelopment district:
 - i. *Number of signs.* Each parcel under single ownership shall be limited to one sign per street adjacent to the parcel; provided, however, if there exists more than one establishment on the parcel, there may be one attached sign per establishment.
 - ii. *Signs extending over public property.* Signs extending over public property shall maintain a clear height of nine feet above the sidewalk and no part of such signs shall be closer than 18 inches to the vertical plane of the curb line or edge of pavement.
 - iii. *Permitted signs.*
 - (a) Gregory, Chase and Alcaniz Streets, 9th Avenue.
 - (1) *Attached signs.*
 - a. *Height.* No sign may extend above the roof line of the building to which it is attached. For purposes of this section roof

surfaces constructed at an angle of 75 degrees or more from horizontal shall be regarded as wall space.

- b. *Size.* Ten percent of the building elevation square footage (wall area) which fronts on a public street, not to exceed 50 square feet.

(2) *Freestanding signs.*

- a. Maximum sign height—20 feet.
- b. Maximum area for sign face—50 square feet.

(b) Bayfront Parkway.

(1) *Attached signs.*

- a. *Height.* No sign shall extend above the roof line of a building to which it is attached.
- b. *Size.* Ten percent of the building elevation square footage (wall area) which fronts on a public street, not to exceed 50 square feet.

(2) *Freestanding signs.*

Distance from Curb (Feet)	Maximum Area Sign Face (Square Feet)	Maximum Sign Height (Feet)
10	20	5
20	35	7
30	50	9

(c) All other streets and areas within the gateway redevelopment district:

(1) *Attached signs.*

- a. *Height.* No sign shall extend above the main roof line of a building to which it is attached.
- b. *Size.* Ten percent of the building elevation square footage (wall area) which fronts on a public street, not to exceed 25 square feet.

(2) *Freestanding signs.*

Distance from Curb (Feet)	Maximum Area Sign Face (Square Feet)	Maximum Sign Height (Feet)
10	20	5
20	35	7
30	50	9

iv. *Other permitted signs.*

- (a) Signs shall not exceed three square feet in size.

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- (b) Official traffic signs or signals, informational signs erected by a government agency and temporary signs indicating danger.
 - v. *Submission and review of sign plans.* It shall be the responsibility of the contractor or owner requesting a sign permit to furnish two plans of sign drawn to scale, including sign face area calculations, wind load calculations and construction materials to be used.
 - vi. *Review of sign plans.* All permanent signs within the gateway redevelopment district shall be reviewed as follows:
 - (a) The contractor or owner shall submit sign plans for the proposed sign as required herein. The planning services department shall review the sign based on the requirements set forth in this section and the guidelines set forth in subsection (1)e.2.vii of this section and forward a recommendation to the planning board.
 - (b) The planning board shall review the planning staff recommendation concerning the sign and approve, or disapprove, the sign, it shall give the owner written reasons for such action.
 - (c) The owner shall have the right to appeal an adverse decision of the planning board to the city council within 30 days of the decision of the planning board.
 - vii. *Prohibited signs.* Refer to section 12-5-7 for prohibited signs. In addition the following signs are prohibited within the gateway redevelopment district:
 - (a) Portable signs are prohibited except as permitted in section 12-5-6(5).
 - (b) Signs that are abandoned or create a safety hazard are not permitted. Abandoned signs are those advertising a business that becomes vacant and is unoccupied for a period of 90 days or more.
 - (c) Signs that are not securely fixed on a permanent foundation are prohibited.
 - (d) Signs that are not consistent with the standards of this section are not permitted.
 - viii. *Temporary signs.* Only the following temporary signs shall be permitted in the gateway redevelopment district:
 - (a) Temporary banners indicating that a noncommercial special event, such as a fair, carnival, festival or similar happening, is to take place, are permitted with the following conditions:
 - (1) Such signs may be erected no sooner than two weeks before the event.
 - (2) Such signs must be removed no later than three days after the event.
 - (3) Banners extending over street rights-of-way require approval from the mayor.
 - (b) One non-illuminated sign per street frontage advertising the sale, lease or rental of the lot or building upon which the sign is located. Such sign shall

not exceed 12 square feet in size, and shall be removed immediately after occupancy.

- (c) One non-illuminated sign not more than 50 square feet in area in connection with the new construction work and displayed only during such time as the actual construction work is in progress.
- (d) Temporary signs permitted in section 12-5-6(8).

ix. *Nonconforming signs.*

- (a) *Compliance period.* All existing signs that do not conform to the requirements of this section shall be made to comply by April 24, 1991. Provided, however, existing portable signs must be removed immediately.
- (b) *Removal of nonconforming signs.* The building official shall notify the owner of a nonconforming sign in writing of compliance period specified above. Nonconforming signs shall either be removed or brought up to the requirements stated herein within the period of time prescribed in the compliance schedule. Thereafter, the owner of such sign shall have 30 days to comply with the order to remove the nonconforming sign, or bring it into compliance. Upon expiration of the 30-day period, if no action has been taken by the owner, he or she shall be deemed to be in violation of this section and the building official may take lawful enforcement action.

2. Off-street parking. The following off-street parking requirements shall apply to all lots, parcels or tracts in the gateway redevelopment district:

- i. Off-street parking requirements in the district shall be based on the requirements set forth in chapter 12-4. The required parking may be provided off-site by the owner/developer as specified in section 12-4-1(4).
- ii. Off-street parking and service areas are prohibited within the Bayfront Parkway setback described in subsection (1)d.3 of this section, unless these requirements cannot be met anywhere else on the site due to its size or configuration.
- iii. Screening. Screening shall be provided along the edges of all parking areas visible from street rights-of-way. The screening may take the form of:

A solid wall or fence (chain-link fences are prohibited) with a minimum height of four feet that is compatible in design and materials with on-site architecture and nearby development; or an earth berm approximately three feet in height that is landscaped to provide screening effective within three years; or a combination of walls or fences and landscape screening; or landscape screening designed to provide positive screening within three years.

3. Street setback. The following building setbacks shall apply to the district:

- i. Bayfront Parkway setback/height requirements. All buildings located adjacent to the Bayfront Parkway shall be set back a minimum of 50 feet from the northern parkway right-of-way line. At this minimum setback, building height may not exceed 50 feet. Above 50 feet in height, an additional one-foot setback shall be required for each additional two feet in building height. This setback is

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- intended as a landscaped buffer zone that preserves the open space character of the parkway.
- ii. Gregory, Alcaniz and Chase Streets, 9th Avenue. Ten feet from the right-of-way line.
 - iii. All other streets. Five feet from the right-of-way line.
4. Street frontage. Every lot, tract, or parcel of land utilized for any purpose permitted in this district shall have a street frontage of not less than 50 feet. Any lot of record on the effective date of this title which is less than 50 feet may be used as a site for only one establishment listed as a permitted use in subsection (1)b of this section.
 5. Building height. No building shall exceed a maximum height of 100 feet.
 6. Vehicular access. Access to the following streets shall be limited as follows:
 - i. Bayfront Parkway. No access shall be permitted from the parkway unless no other means exist for ingress and egress from the site.
 - ii. Gregory Street, Chase Street, Alcaniz Street, 9th Avenue and 14th Avenue. For each lot, tract, or parcel under single ownership, the maximum number of access points shall not exceed two per street footage if driveway spacing standards can be met pursuant to section 12-3-121(c)(2).
 7. Landscaping. Landscaping requirements in the gateway redevelopment district shall be based on applicable requirements of chapter 12-6. All service areas (i.e., trash collection containers, compactors, loading docks) shall be screened from street and adjacent buildings by one of the following techniques:
 - i. Fence or wall, six feet high;
 - ii. Vegetation, six feet high (within three years);
 - iii. A combination of the above.
 8. Underground utility services. All new building construction or additions of floor area to existing structures along Bayfront Parkway, Chase Street, Gregory Street, 9th Avenue and all property fronting Salamanca Street, shall be required to install underground utilities.
 9. Lot coverage. The total coverage of all development sites within the gateway redevelopment district, including all structures, parking areas, driveways and all other impervious surfaces, shall not exceed 75 percent.
 10. Sidewalks. Developers of new construction or redevelopment projects shall repair, reconstruct, or construct new sidewalks on all sides of property fronting on a street.
 11. Consideration of floodprone areas. Portions of the district are within the 100-year floodplain. Site planning shall consider the special needs of floodprone areas.
 12. Storm drainage. Adequate storm drainage must be provided to prevent flooding or erosion. The surface drainage after development should not exceed the surface drainage before development. Flexibility in this guideline shall be considered by the city engineer based on capacity of nearby off-site stormwater drainage systems, the surrounding topography and the natural drainage pattern of the area.
 13. All mechanical equipment, satellite dishes and other similar equipment should be completely screened by the architecture of the structure, or fences, walls, or vegetation.

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14. Exemptions. All detached single-family and duplex residential development proposals are exempt from the provisions of this section and shall be developed in accordance with R-1A regulations set forth in section 12-3-4(5), with the exception of the height requirements.
- e. *Development guidelines.* The gateway redevelopment district is characterized by a variety of architectural styles with no common theme. The intent of these guidelines is to reduce the level of contrast between buildings and to create a more compatible appearance in architectural design, scale, materials and colors. All development within the gateway redevelopment district is encouraged to follow design guidelines as established in section 12-3-121(d). In addition, the following site planning guidelines shall be used by the planning board in the review and approval of all development plans:
1. *Site planning.* The integration of site features such as building arrangement, landscaping and parking lot layout is critical in producing a pleasant and functional living or working environment. In reviewing development proposals, the following guidelines shall be taken into consideration.
 - i. *Maximum preservation of bay views.* Considering the bayfront location within the district, the placement of buildings, signs, service areas, parking and landscaping shall be planned to maximize the preservation of views of the bay and to protect the bayfront's scenic open space character. To prevent the effect of a "wall" of development along the inland edge of the parkway, the long axis of all buildings located on the corridor should be oriented parallel to the inland street grid, rather than parallel to the parkway itself. The preservation of ample open space between buildings, and the creation of a campus-like development pattern, are encouraged especially in the bayfront area. In addition, site planning throughout the district should recognize existing topographical variations and maximize this variation to maintain bay views.
 - ii. *Development coordination.* The preservation of bay views and the creation of a campus character development pattern cannot be achieved through the site planning of any single development; all development efforts within the district must be coordinated to achieve these objectives.
 - iii. *Off-street parking and service.* Off-street parking shall be discouraged within all street setbacks. Where possible, any service areas (i.e. trash collection, loading docks) shall be located to be screened by the building itself; otherwise, walls, fences, landscaping and earth berms shall be used to achieve effective screening.
 2. *Architectural design and building elements.*
 - i. Buildings or structures that are part of a present or future group or complex shall have a unity of character and design. The relationship of forms and the use, texture, and color of materials shall be such as to create a harmonious whole.
 - ii. Buildings or structures located along strips of land or on single sites and not a part of a unified multibuilding complex shall strive to achieve visual harmony with the surroundings. It is not to be inferred that buildings must look alike or be of the same style to be compatible with the intent of the district. Compatibility can be achieved through the proper consideration of scale, proportions, site planning, landscaping, materials and use of color.

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- iii. Materials such as metal and plastic shall be discouraged on exterior surfaces of buildings.
 - iv. Severe or angular roof lines that exceed a pitch of 12-12 (45-degree angle) are discouraged. Exceptions to this guideline (i.e., churches) shall be considered on a case-by-case basis.
 - v. Bright colors and intensely contrasting color schemes are discouraged within the district.
 - vi. Proposed development adjacent to the historic district should give special consideration to visual compatibility in scale and architectural design in order to positively reinforce the character of the historic area and provide a buffer and transition.
 - vii. The following guidelines concerning design, materials, lighting, landscaping, and positioning of permitted signs shall be considered:
 - (a) Design/materials. The architectural character of the building to which the sign relates should be reflected in the lettering of the sign, the materials used for the supporting structure and the sign face.
 - (b) Lighting. Indirect and internal lighting is encouraged. Neon and exposed fluorescent lighting is not encouraged.
 - (c) Landscaping. The landscaping and positioning of the sign should compliment the overall site plan and landscaping of the development.
- f. *Maintenance standards.* The following maintenance standards shall be applied to all structures and land parcels respectively, whether occupied or vacant within the gateway redevelopment district, subject to review and approval by the planning board. Properties that do not conform to the maintenance standards described in subsections (1)f.1 through 7 of this section shall be made to comply as required by the city inspections office based on regular inspections or complaints.
- 1. *Building fronts, rears, and sides abutting streets and public areas.* Rotten or weakened portions shall be removed, repaired or replaced.
 - 2. *Windows.* All windows must be tight-fitting. All broken and missing windows shall be replaced with new glass.
 - 3. *Show windows and storefronts.* All damaged, sagging or otherwise deteriorated storefronts, show windows or entrances shall be repaired or replaced.
 - 4. *Exterior walls.*
 - i. Existing miscellaneous elements on the building walls, such as empty electrical conduit, unused signs and/or sign brackets, etc., shall be removed.
 - ii. Sheet metal gutters, downspouts and copings shall be repaired or replaced as necessary and shall be neatly located and securely installed.
 - iii. All exterior finishes and appurtenances such as paint, awnings, etc., shall be kept in a state of repair.
 - 5. *Roofs.*
 - i. All auxiliary structures on the roofs shall be kept clean, repaired or replaced.

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- ii. Roofs shall be cleaned and kept free of trash, debris or any other elements that are not a permanent part of the building.
 - 6. *Front, rear, and side yards, parking areas and vacant parcels.*
 - i. When a front, rear or side yard, parking area or vacant parcel exists or is created through demolition, the owner may utilize the space in accordance with the provisions of the zoning district; provided, however, that the site shall be properly maintained free of weeds, litter, and garbage.
 - ii. Any landscaping that was installed to comply with regulations of this subsection must be maintained.
 - 7. *Walls, fences, signs.* Walls, fences, signs and other accessory structures shall be repaired and maintained.
- (2) *GRD-1, Gateway redevelopment district, Aragon redevelopment area.*
- a. *Purpose of district.* The gateway redevelopment district, Aragon redevelopment area is established to promote the orderly development of the southern gateway to the city in order to enhance its visual appearance, preserve a unique shoreline vista, improve traffic safety, and encourage a high quality of site planning and architectural design. Site specific analysis of development proposed within the district is intended to ensure that the scenic orientation and open space image of the Bayfront Parkway is maintained and the boundary of the adjacent historic district is positively reinforced. Zoning regulations are intended to ensure that future development is compatible with and enhances the pedestrian scale of the existing structures and period architectural character of the adjacent historic district.
 - b. *Urban character of the district.* The Aragon redevelopment area is characterized by integration of houses, shops, and work places. Mixed land use is encouraged by allowing home occupations and first floor work spaces with apartments and townhouses above. The historic district is the basis for district architectural guidelines, which reflect the scale and lot sizes, and the list of permitted uses is similar to those uses permitted in the historic district to the south.
 - c. *Uses permitted.*
 - 1. *GRD-1, residential uses.*
 - i. Single-family and multifamily residential (attached or detached) at a maximum overall density of 17.4 units per acre.
 - ii. Bed and breakfast (subject to section 12-3-84).
 - iii. Home occupations allowing: not more than 60 percent of the floor area of the total buildings on the lot to be used for a home occupation; retail sales shall be allowed limited to uses listed as conditional uses in subsection (2)c.3.i of this section; two nonfamily members as employees in the home occupation; and a sign for the business not to exceed three square feet shall be allowed.
 - iv. Community residential homes licensed by the state department of children and family services with six or fewer residents providing that it is not to be located within 1,000 feet of another such home. If it is proposed to be within 1,000 feet of another such home, measured from property line to property line, it shall be permitted with city council approval after public notification of property owners in a 500-foot radius.
 - v. Limited office space allowed only with residential use occupying a minimum of 50 percent of total building square footage of principal and outbuildings.

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- vi. Family day care homes licensed by the state department of children and family services as defined in state statutes.
- 2. *GRD-1, public uses.*
 - i. Meeting hall, U.S. Post Office pavilion, buildings used for community purposes, not to exceed 5,000 square feet.
 - ii. Publicly owned or operated parks and playgrounds.
 - iii. Churches, Sunday school buildings and parish houses.
 - 3. *GRD-1, commercial uses.*
 - i. The following uses limited to a maximum area of 5,000 square feet:
 - (a) Antique shops.
 - (b) Art galleries.
 - (c) Bakeries whose products are sold at retail and only on the premises.
 - (d) Banks (except drive-through).
 - (e) Barbershops and beauty shops.
 - (f) Child care facilities (subject to section 12-3-87).
 - (g) Health clubs, spas, and exercise centers.
 - (h) Jewelers.
 - (i) Laundry and dry-cleaning pick-up stations.
 - (j) Office buildings.
 - (k) Restaurants (except drive-ins).
 - (l) Retail sales and services.
 - (m) Retail food and drugstore.
 - (n) Specialty shops.
 - (o) Studios.
 - 4. *GRD-1, miscellaneous uses.*
 - i. Outbuildings and uses can include:
 - (a) Garage apartments.
 - (b) Carriage houses.
 - (c) Studios.
 - (d) Granny flats.
 - (e) Storage buildings.
 - (f) Garages.
 - (g) Swimming pools.
 - (h) Hot tubs.
 - (i) Offices.

Refer to Aragon Urban Regulations in Aragon Design Code for maximum impervious surface per lot type.

ii. Minor structures for utilities (gas, water, sewer, electric, telephone).

d. *Procedure for review.*

1. *Review and approval by the planning board.* All activities regulated by this subsection, including preliminary and final site plan review, shall be subject to review and approval by the planning board as established in section 12-12-2. Abbreviated review for paint colors, minor repairs and minor deviations in projects already approved by the board shall be in accordance with section 12-12-2(11). If agreement cannot be reached as it pertains to such request for abbreviated review by the board secretary and chairperson then the matter will be referred to the planning board for a decision.

2. *Decisions.*

i. *General consideration.* The board shall consider plans for buildings based on regulations described herein. In their review of plans for new construction, the board shall consider exterior design and appearance of the building, including the front, sides, rear and roof; materials, textures and colors; plot plans or site layout, including features such as walls, walks, terraces, off-street paved areas, plantings, accessory buildings, signs and other appurtenances; and relation of the building to the immediate surroundings and to the district in which it is located. The term "exterior" shall be deemed to include all of the outer surfaces of the building and exterior site work, including painting, and is not restricted to those exteriors visible from a public street or place.

ii. *Rules governing decisions.* Before approving the plans for any proposed building located or to be located in a district, the board shall find:

(a) In the case of a proposed new building, that such building will not, in itself or by reason of its location on the site, impair the architectural or historic value of buildings in the immediate vicinity. No plans for new building will be approved if that building will be injurious to the general visual character of the district in which it is to be located considering visual compatibility standards such as height, proportion, shape, scale, style, materials and colors.

(b) In the case of a proposed alteration or addition to an existing building, that such alteration or addition will not impair the architectural value of the building.

3. *Plan submission.* Every activity that requires plans in order to erect, construct, demolish, renovate or alter an exterior of a building, sign or exterior site work, located or to be located in the GRD-1 district shall be accompanied with drawings or sketches. All drawings must be drawn to scale and be legible. The minimum size scale for site plans is 1" = 20'0"; the minimum scale for floor plans is 1/8" = 1'0"; and the minimum scale for exterior elevations is 1/8" = 1'0". The scale for other items, such as signs and details, shall be as large as necessary to fully define the detail of those items. Major projects with very large buildings may vary from the scale referenced above for ease of presentation.

i. *Site plan.*

(a) Indicate overall property dimensions and building size, and building setback line and building frontage zone.

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- (b) Indicate relationship of adjacent buildings, if any.
 - (c) Indicate layout of all driveways and parking on the site including materials.
 - (d) Indicate all fences, including materials, dimensions, architectural elements and color, and signs, with dimensions as required to show exact locations.
 - (e) Indicate existing trees and existing and new landscaping.
- ii. *Floor plan.*
 - (a) Indicate locations and sizes of all exterior doors and windows.
 - (b) Indicate all porches, steps, ramps and handrails.
 - (c) For renovations or additions to existing buildings, indicate all existing conditions and features as well as the revised conditions and features and the relationship of both.
- iii. *Exterior elevations.*
 - (a) Indicate all four elevations of the exterior of the building.
 - (b) Indicate the relationship of this project to adjacent structures, if any.
 - (c) Indicate exposed foundation walls, including the type of material, screening, dimensions, and architectural elements.
 - (d) Indicate exterior wall materials, including type of materials, dimensions, architectural elements and color.
 - (e) Indicate exterior windows and doors, including type, style, dimensions, materials, architectural elements, trim, and colors.
 - (f) Indicate all porches, including ceilings, steps, and ramps, including type of materials, dimensions, architectural elements and color.
 - (g) Indicate all porch, stair, and ramp railings, including type of material, dimensions, architectural elements, trim, and color.
 - (h) Indicate roofs, including type of material, dimensions, architectural elements, associated trims and flashing, and color.
 - (i) Indicate all signs, whether they are building-mounted or freestanding, including material, style, architectural elements, size and type of letters, and color. The signs must be drawn to scale in accurate relationship to the building and the site.
- iv. *Miscellaneous.*
 - (a) Show enlarged details of any special features of either the building or the site that cannot be clearly depicted in any of the above-referenced drawings.
4. *Submission of photographs.*
- i. Provide photographs of the site for the proposed new construction in sufficient quantity to indicate all existing site features, such as trees, fences, sidewalks, driveways, and topography.

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- ii Provide photographs of the adjoining "street scape," including adjacent buildings to indicate the relationship of the new construction to these adjacent properties.
5. *Submission of descriptive product literature/brochures.*
- i. Provide samples, photographs, or detailed, legible product literature on all windows, doors and shutters proposed for use in the project. The information must be sufficiently detailed to show style, dimensions, detailing, material type, and color.
 - ii. Provide descriptive literature, samples, or photographs showing specific detailed information about signs and letters, if necessary, to augment or clarify information shown on the drawings. The information must be sufficiently detailed to show style, dimensions, detailing, material type, and color.
 - iii. Provide samples or descriptive literature on roofing material and type to augment the information on the drawings. The information must indicate dimensions, details, material, color and style.
 - iv. Provide samples or literature on any exterior light fixtures or other exterior ornamental features, such as wrought iron, railings, columns, posts, balusters, and newels. Indicate size, style, material, detailing and color.
- e. *Regulations for any development within the GRD-1 zoning district.* These regulations are intended to address the design and construction of elements common to any development within the GRD-1 zoning district which requires review and approval by the planning board. Regulations and standards that relate specifically to new construction and/or structural rehabilitation and repairs to existing buildings, applicable to building heights, setbacks, architectural elements and construction types, are established below. The Aragon Design Code describes the building types and architectural styles that are considered to be compatible with the intent of the GRD-1 regulations. This definition of styles should be consulted to ensure that the proper elements are used in combination in lieu of combining elements that are not appropriate for use together on the same building. Amendments to the Aragon Design Code may be made by the city council following a recommendation of the planning board and a public hearing before the city council, without necessity for amending this chapter.
- 1. *Building height limit.* No building shall exceed the following height limits: Type I Townhouses and Type III Park Houses shall not exceed 55 feet or 3½ stories. Type II Cottages, Type IV Sideyard House, Type V Small Cottage, and Type VI Row House shall not exceed 45 feet or 2½ stories. No outbuilding shall exceed 35 feet or 2½ stories. Refer to Aragon Design Code.
 - 2. *Landscaping.*
 - i. Landscaping requirements in the GRD-1 district shall be based on Aragon Design Code.
 - ii. All service areas (i.e., dumpsters or trash handling areas, service entrances or utility facilities, loading docks or space) must be screened from adjoining property and from public view by one of the following:
 - (a) Fence or wall, six feet high;
 - (b) Vegetation, six feet high (within three years);
 - (c) A combination of the above.

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3. *Protection of trees.* It is the intent of this section to recognize the contribution of shade trees and certain flowering trees to the overall character of the Aragon redevelopment area and to ensure the preservation of such trees as described below:
- i. Any of the following species having a minimum trunk diameter of eight inches (25.1 inches in circumference) at a height of one foot above grade: Live Oak and Water Oak; Magnolia having a minimum trunk diameter of six inches (18.8 inches in circumference) at a height of one foot above grade; and
 - ii. Any of the following flowering trees with a minimum trunk diameter of four inches (12.55 inches in circumference) at a height of one foot above grade: Redbud, Dogwood, and Crape Myrtle.

No person, organization, society, association or corporation, or any agent or representative thereof, directly or indirectly, shall cut down, destroy, undertake tree removal, or effectively destroy through damaging, any specimen or flowering tree, whether it be on private property or right-of-way within the GRD-1 district, without first having obtained a permit from the city to do so. Refer to section 12-6-7 for tree removal permit application procedures and guidelines.

4. *Fences.*
- i. Original fences in the older sections of the city were constructed of wood with a paint finish in many varying ornamental designs, or may have been constructed of brick or wrought iron. The style of the fence and the materials used typically related directly to the style and type of materials used for the building on the property. Refer to Aragon Design Code for required types of fences at different locations.
 - ii. On every corner lot on both public and private streets intersecting 9th Avenue a sight triangle described by the intersection of the projection of the outer curb (next to the driving lane) lines extended, and a line joining the points on those lines 30 feet from said intersection shall be clear of any structure, solid waste container, parked vehicles, including recreational vehicles, or planting of such nature and dimension as to obstruct lateral vision, provided that this requirement shall generally not apply to tree trunks trimmed of foliage to eight feet, and newly planted material with immature crown development allowing visibility, or a post, column, or similar structure that is no greater than one foot in cross-section diameter. Lateral vision shall be maintained between a height of three feet and eight feet above grade. All other streets and intersections within the GRD-1 district shall be exempt from the requirements of section 12-3-58, Required Visibility Triangle. In addition the following provisions apply:
 - (a) Chain-link, exposed masonry block and barbed wire are prohibited fence materials in the GRD-1 district. Approved materials will include but not necessarily be limited to wood, brick, stone (base only) and wrought iron, or stucco. Materials can be used in combination.
 - (b) All wood or wrought iron fences shall be painted if the principal building is painted. Wood fences shall be constructed utilizing one of a variety of designs, especially a design that will reflect details similar to those on the building. It is recommended that the use of wrought iron or brick fences be constructed in conjunction with buildings that use masonry materials in their construction or at locations requiring them. "Dog ear pickets" are not acceptable. Refer to Architectural Standards in Aragon Design Code.

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- (c) Fences in the required front yard will be no higher than four feet and six feet, six inches in the side and rear yards. On corner lots, fences constructed within the required street side yard shall not exceed four feet in height if the fence would obstruct the visibility from an adjacent residential driveway. Otherwise fences within the required street side yard may be built to a maximum of six feet, six inches.

5. *Signage.*

- i. Informational signs. All informational signs, even if erected on private property, are subject to regulations contained in this section.
- ii. Commercial signs. It is the intent of the Aragon redevelopment area to recapture the turn-of-the century feeling of commerce in Aragon's core neighborhood. To this end, special consideration will be given to a variety of painted signs on brick and stucco walls, building cornices, canopies and awnings, even on sidewalks and curbs.
- iii. Sign style shall be complementary to the style of the building on the property. In the older sections of the city the support structure and trim work on a sign was typically ornamental, as well as functional.

Refer to sections 12-5-2 and 12-5-3 for general sign standards and criteria and for a description of sign area calculations. In addition to the prohibited signs listed below, all signs listed in section 12-5-7 are prohibited within the GRD-1 district. The design, color scheme and materials of all signs shall be subject to approval by the planning board. Only the following signs shall be permitted in the GRD-1 district:

(a) Permitted signs.

(1) Temporary accessory signs.

- a. One non-illuminated sign advertising the sale, lease, or rental of the lot or building, said sign not exceeding two square feet in area.
- b. One non-illuminated sign per street frontage, not more than 32 square feet in area in connection with new construction work related to Aragon's development, community sites, parks, or Privateer's Alley.

(2) Permanent accessory signs.

- a. Each mixed-use or commercial property shall be limited to one sign per lot for Type II through VI. The sign may be placed on the street side or alley frontage. Type I shall be limited to one sign per street and one for alley frontage. The sign may be projected from the building, a wall-mounted sign, or a painted sign. Signs projecting from a building or extending over public property shall maintain a clear height of nine feet six inches above the public property and shall not extend above the roof line on which it is attached. The sign may be mounted to or painted on the face of a wall of the building, hung from a bracket that is mounted to a wall of a building, or hung from other ornamental elements on the building. Attached or wall signs may be placed on the front or one side

of the building. The sign may be illuminated provided the source of light is not visible beyond the property line of the lot on which the sign is located.

- b. Advertising display area.
 - 1. GRD-1, Type II through Type VI residential home occupation and mixed-use lots are not to exceed ten square feet.
 - 2. GRD-1, Type I commercial lots are not to exceed 35 square feet per street front.
 - 3. A combination of two attached wall signs may be used, but shall not exceed a total of 35 square feet.
 - 4. If fronting an alley the size shall not exceed 12 square feet.
- c. One non-illuminated nameplate designating the name of the occupant of the property; the nameplate shall not be larger than three square feet and shall be attached flat against the wall of the building.
- d. Municipal or state installed directional signs, historical markers and other signs of a general public interest when approved by the mayor and board.

(b) Prohibited signs.

- (1) Any sign using plastic materials for lettering or background.
- (2) Internally illuminated signs.
- (3) Portable signs.
- (4) Nonaccessory signs.
- (5) Back lit canvas awnings.
- (6) Flashing, strobe, or neon signs.
- (7) Neon signs placed inside a window.

6. *Driveways and sidewalks.* The following regulations and standards apply to driveways and sidewalks in the GRD-1 district:

- i. Driveways shall be allowed at locations indicated in the Aragon Design Code.
 - (a) Where asphalt or concrete is used as a driveway material, the use of an appropriate coloring agent is allowed.
 - (b) From the street pavement edge to the building setback the only materials allowed shall be brick, concrete pavers, colored or approved stamped concrete or poured concrete.
- ii. Sidewalks, construction, repair and maintenance of sidewalks are all required on public rights-of-way within the district. Sidewalks shall be constructed of concrete, a combination of concrete and either brick, concrete pavers or concrete poured and stamped with an ornamental pattern or smooth finish.

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7. *Off-street parking.* Off-street parking is required in the GRD-1 district. The requirements for off-street parking in this district recognize that the Aragon redevelopment area forms a transition neighborhood between the adjacent historic district to the south, where off-street parking is not required in the historic commercial zoning districts and the remainder of the gateway redevelopment district where conventional off-street parking requirements apply. The off-street parking requirements in the GRD-1 district reflect a land use pattern that encourages small scale commercial land uses adjacent to residential uses that are accessible through a network of pedestrian improvements, such as sidewalks, plazas and open spaces. Because parking areas were not a common land use in the older sections of the city, their location is set forth in the standards.
- i. Residential uses.
 - (a) Single-family and accessory unit—One space/unit.
 - (b) Townhouse and multifamily—One space/unit.
 - (c) Bed and breakfast—One space per owner plus one space/sleeping room.
 - (d) Home occupation—One space/nonfamily employee.
 - (e) Community residential home—One space/two beds.
 - ii. Public uses.
 - (a) Meeting hall, U.S. Post Office pavilion, buildings used exclusively for federal, state, county or city governments for public purposes—One space/500 square feet.
 - (b) Publicly owned or operated parks and playgrounds—None required.
 - (c) Churches, Sunday school buildings and parish houses—One space/four fixed seats.
 - iii. Commercial uses.
 - (a) Antique shops—One space/500 square feet.
 - (b) Art galleries—One space/500 square feet.
 - (c) Bakeries (retail only)—One space/500 square feet.
 - (d) Barbershops and beauty shops—One space/station and one space/employee.
 - (e) Day care centers—One space/employee plus one space/classroom.
 - (f) Health clubs, spas and exercise centers—One space/300 square feet.
 - (g) Jewelers—One space/500 square feet.
 - (h) Laundry and dry-cleaning pick-up stations—One space/employee.
 - (i) Office buildings—One space/500 square feet.
 - (j) Restaurants (except drive-ins)—One space/500 square feet.
 - (k) Retail sales and services—One space/500 square feet.
 - (l) Retail food and drugstore—One space/500 square feet.
 - (m) Specialty shops—One space/500 square feet.

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- (n) Studios—One space/50 square feet unless owner occupied.
 - iv. For Type I Townhouse the uses identified in subsections (2)e.7.i through iii of this section, on-street parking on Romana Street and 9th Avenue within 500 feet of the building may be used towards this requirement for nonemployee parking only. One off-street parking space shall be required for each employee in the building.
 - v. Parking shall be screened from view of adjacent property and the street by fencing, landscaping or a combination of the two approved by the board, except in alley locations.
 - vi. Materials for parking areas shall be concrete, concrete or brick pavers, asphalt, oyster shells, clam shells or #57 granite, pea gravel or marble chips. Where asphalt or concrete are used, the use of a coloring agent is allowed. The use of acceptable stamped patterns on poured concrete is encouraged.
 - viii. For Type I Townhouse as an option to providing the required off-street parking as specified in subsections (2)e.7.i through iii of this section, the required parking may be provided off-site by the owner/developer as specified in section 12-4-1(4).
8. *Paint colors.* The planning board has adopted palettes of colors considered compatible with historic colors from several paint manufacturers that represent acceptable colors for use in the GRD-1 district. Samples of these palettes can be reviewed at the office of the building inspector or the secretary of the GRD board.
9. *Outbuildings.* Outbuildings shall not exceed a maximum height of 35 feet. The accessory structure shall match the style, roof pitch, and other design features of the main residential structure.
10. *Architectural review standards.*
- i. *Exterior lighting.* Exterior lighting in the district will be post-mounted street lights and building-mounted lights adjacent to entryways or landscaping lights that are shielded. Lamps shall be typically ornamental in design and appropriate for the building style. Refer to Aragon Design Code, Architectural Standards.
 - (a) Exterior lighting fixtures must be appropriate for building style. Refer to Aragon Design Code, Architectural Standards.
 - (b) Exterior. Where exterior lighting is allowed to be detached from the building, the fixtures visible from off-premises (other than landscape lighting that is permitted) shall be post-mounted and used adjacent to sidewalk or driveway entrances or around parking. If post-mounted lights are used, they shall not exceed 12 feet in height. Exterior lights shall be placed so that they do not shine directly at neighbors.
 - (c) The light element itself shall be a true gas lamp or shall be electrically operated using incandescent, halogen, metal halide or high pressure sodium lamps. Fluorescent and mercury vapor lamps are prohibited.
 - (d) The use of pole mounted high pressure sodium utility/security lights is prohibited.

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- ii. *Exterior building walls.* Exterior treatments will be of wood, cedar shingles, wood clapboard, board and batten or board on board, fiber-cement smooth lap siding (Hardiplank), brick, stone for Craftsman style buildings, or stucco. Building wall finish must be appropriate for building style (Refer to Aragon Design Code, Architectural Standards). Individual windows and porch openings, when rectangular, shall be square or vertical proportion and have multiple lights, unless architectural style dictates other combinations. Chimneys shall be architecturally compatible with the style. All primary structures are required to elevate their first finished floor 18 to 36 inches above grade, except Type I Townhouse. Base treatment shall be articulated.
 - (a) Vinyl or metal siding is prohibited.
 - (b) Wood siding and trim shall be finished with paint or stain, utilizing colors approved by the board.
 - (c) Foundation piers shall be exposed brick masonry or sand textured plaster over masonry. If in-fill between piers is proposed, piers shall be skirted and screened in an opaque manner. It is encouraged that in-fill panels of wood lattice be utilized or brick screens where appropriate.
 - iii. *Roofs.* Roofs may be of metal, wood shake, dimensional asphalt shingle, slate, diamond shape asphalt shingles or single ply membrane or built up (for flat roofs), and must be of the appropriate architectural style. Roof pitch for sloped roofs above the main body shall be at least eight on 12 on one- and two-story buildings and six on 12 on buildings with three stories, unless architectural style dictates other slope, for example Craftsman. Eaves shall be appropriate for the architectural style. Shed roofs shall be allowed only against a principal building or perimeter wall. Flat roofs shall not be permitted without parapets, cornices, eaves overhangs boxed with modillions, dentrils, or other moldings. The maximum size of the roof deck, window's walks, towers, turrets, etc., is 200 square feet, with the maximum height of ten feet above the maximum allowable building height.
 - (a) Eaves and soffits may be: wood, painted or stained; smooth finish or sand textured stucco soffits, if detailed appropriately; or fiber-cement, if detailed appropriately ("Hardisoffit" or Hardipanel" vertical siding panels). Eaves shall be appropriate for architectural style and type.
 - (b) Flashing may be anodized or pre-finished aluminum, galvanized steel or naturally weathered copper.
 - (c) Gutters and downspouts may be anodized or pre-finished aluminum, galvanized steel or naturally weathered copper.
 - iv. *Balconies and porches.* Front porches are required for all Type II through Type V principal structures, and porches or balconies are required for Type I and Type VI principal structures. Type I principal structure balconies supported by columns, the outside edge of the columns shall be located at the outside edge of the public sidewalk, and the balcony shall not extend past the columns. Balconies shall not be cantilevered more than eight feet. See the below figures for balcony and porch dimensions.
 - v. *Doors.* Entrance doors with an in-fill of raised panels below and glazed panels above were typically used in older sections of the city. Single doorways with a

glazed transom above allows for both light and ventilation to enter the entrance way or entrance foyer of the building. Double doors are usually associated with a larger home or building layout.

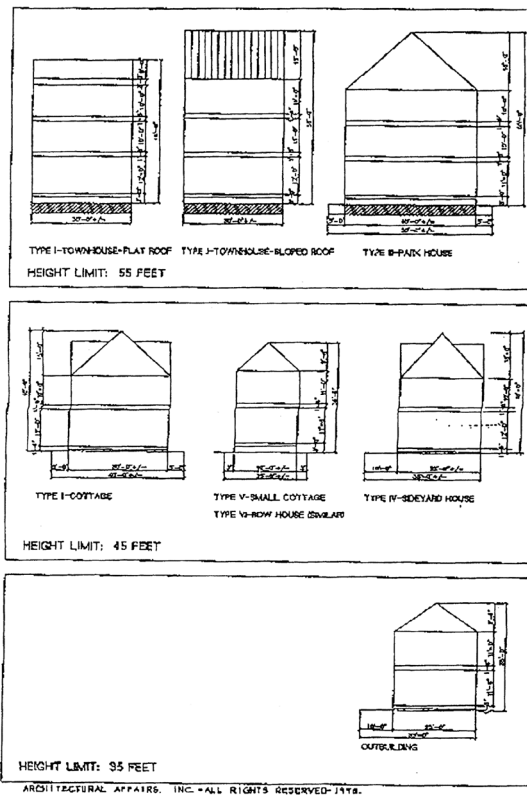
- (a) Doors are to be appropriate for building style and type. Entrance doors shall be fabricated of solid wood, metal, or fiberglass. Refer to Aragon Design Code, Architectural Standards and Architectural Styles.
- vi. *Windows.* Individual windows shall have vertical proportion.
- (a) Windows are to be fabricated of wood or vinyl clad wood windows. Solid vinyl windows may be used if the components (jamb, sash, frame, sill, etc.) are sized and proportioned to duplicate wood. Steel or aluminum windows are prohibited.
 - (b) All individual windows shall conform to vertical proportions of not less than 1:1.5, unless architectural styles dictate otherwise. Assemblage of complying window units to create large window openings is acceptable. Kitchen and bathroom windows are considered exceptions and are not regulated by vertical proportions, but are subject to approval if they detract from the overall vertical orientation.
 - (c) Window sections shall be appropriate for style. Refer to Aragon Design Code.
 - (d) The window frame will be given a paint finish appropriate to the color scheme of the exterior of the building.
 - (e) Window trim or casing is to be a nominal five-inch member at all sides, head and sill.
 - (f) Glass for use in windows shall typically be clear, but a light tinted glass will be given consideration by the planning board.
 - (g) Highly reflected glazing is prohibited. Insulated glass units are encouraged.
- vii. *Shutters.* Shutters are an exterior ornamental and functional architectural feature that have traditionally been used on windows, and occasionally, on doors.
- (a) Shutters may be operable or fixed.
 - (b) If shutters are to be used on a project, they must be dimensioned to the proper size so that they would completely cover the window both in width and height if they were closed.
 - (c) The style of the shutters must be louvered, flat vertical boards or paneled boards, with final determination being based on compatibility with the overall building design.
 - (d) Shutters to be fabricated of wood or vinyl.
 - (e) Shutters are to be appropriate for building style and type. Refer to Aragon Design Code, Architectural Styles.
- viii. *Chimneys.* Chimneys constructed of brick masonry, exposed or cement plastered, are architecturally compatible.

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- (a) The chimneys are to be constructed of masonry with the exposed surface to be brick or sand textured plaster. Rough texture stucco is prohibited.
 - (b) The finished exposed surface of chimneys are to be left natural without any paint finish, unless the chimney is plastered or stuccoed.
 - (c) Flashing shall consist of galvanized steel, copper sheet metal or painted aluminum.
 - (d) The extent of simplicity or ornamentation shall be commensurate with the overall style and size of the building on which the chimney is constructed.
- ix. *Trim and miscellaneous ornament.*
- (a) Trim and ornament, where used, is to be fabricated of wood, stucco or stone.
 - (b) Trim and ornament will be painted to match, or be coordinated with, door and window casings, porch railings, porch columns, and basic projecting elements of the building.
- x. *Miscellaneous mechanical equipment.*
- (a) Air conditioning condensing units shall not be mounted on any roof where they are visible from any street.
 - (b) Air conditioning condensing units that are mounted on the ground shall be in either side yards or rear yards.
 - (c) Visual screening consisting of ornamental fencing or landscaping shall be installed around all air conditioning condensing units to conceal them from view from any adjacent street or property owner.
 - (d) Exhaust fans or other building penetrations as may be required by other authorities shall be allowed to penetrate the wall or the roof but only in locations where they can be concealed from view from any street. No penetrations shall be allowed on the front of the building. They may be allowed on side walls if they are properly screened. It is desirable that any penetrations occur on rear walls or the rear side of roofs.
- xi. *Accessibility ramps and outdoor stairs.*
- (a) Whenever possible, accessibility ramps and outdoor stairways shall be located to the side or the rear of the property.
 - (b) The design of accessibility ramps and outdoor stairs shall be consistent with the architectural style of the building.
 - (c) Building elements, materials and construction methods shall be consistent with the existing structure.
- xii. *Outbuildings.*
- (a) Outbuildings shall be detailed in a manner similar to the house. Detached garages are strongly encouraged.
 - (b) Accessory dwelling units are permitted and encouraged, and shall be detailed in a manner similar to the house.

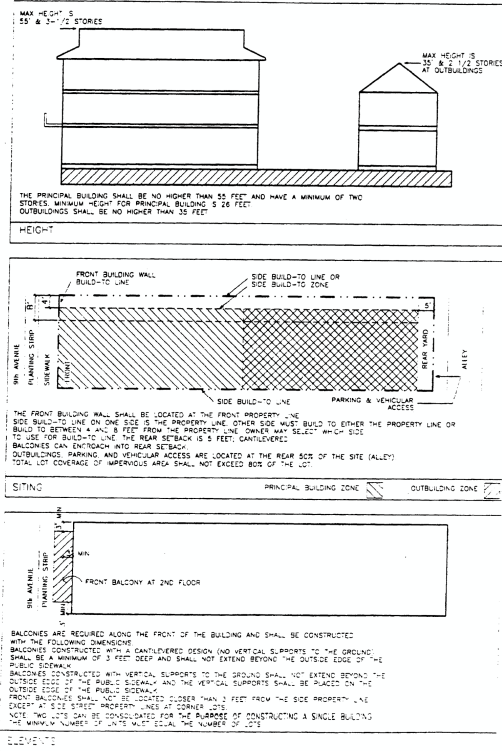
11. *Additional regulations.* In addition to the regulations established above in subsections (2)e.1 through 10 of this section, any permitted use within the GRD-1 zoning district where alcoholic beverages are ordinarily sold is subject to the requirements of chapter 7-4, Alcoholic Beverages.

- f. *Procedures for review of renovation, alterations, and additions to structures within the GRD-1 district.* The regulations and standards established in subsections (2)a through e of this section, shall apply to all plans for the renovation, alteration and addition to structures within the GRD-1 district.
1. Abbreviated review. Sign requests, paint colors, fencing, and emergency repairs that are consistent with the regulations and standards set forth in subsection (2) of this section may be approved by letter to the building official from the board secretary and the chairperson of the planning board. If agreement cannot be reached as it pertains to such request for abbreviated review by the board secretary and chairperson, then the matter will be referred to the entire board for a decision.

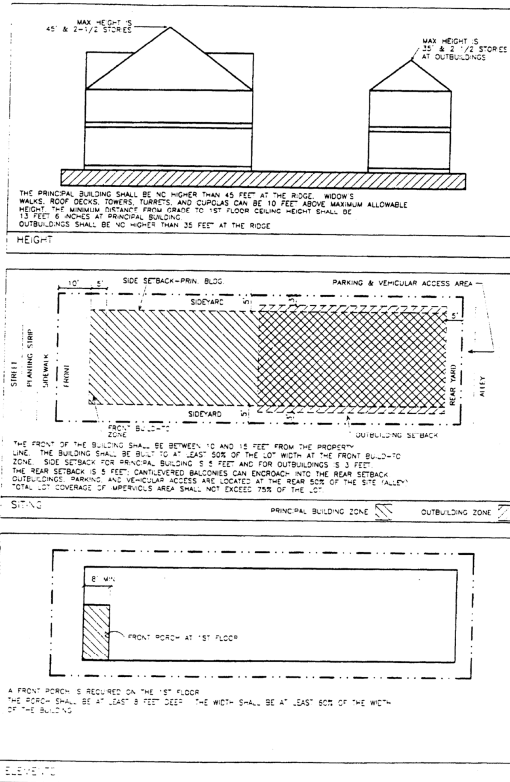
ARAGON MAXIMUM HEIGHTS



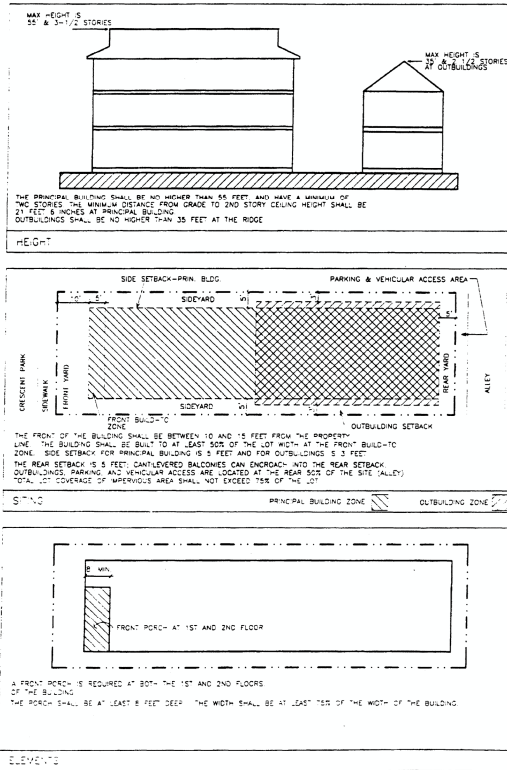
ARAGON TOWNHOUSE-TYPE I



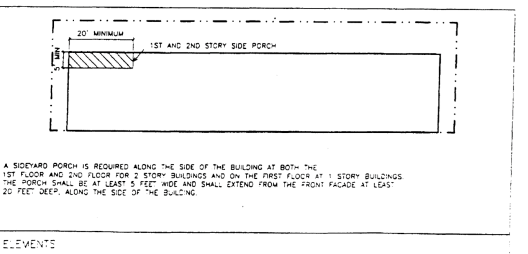
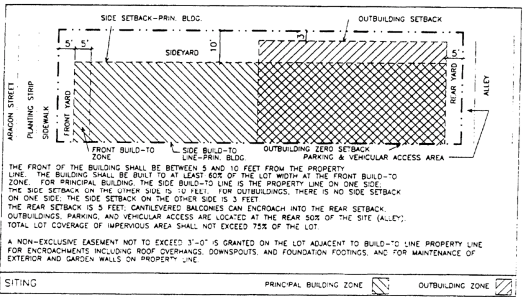
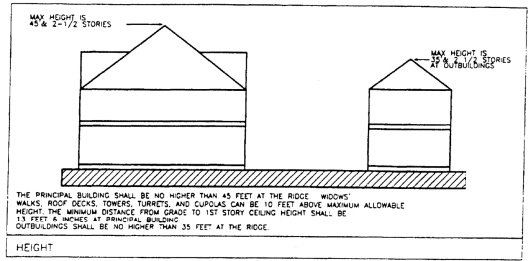
ARAGON COTTAGE-TYPE II



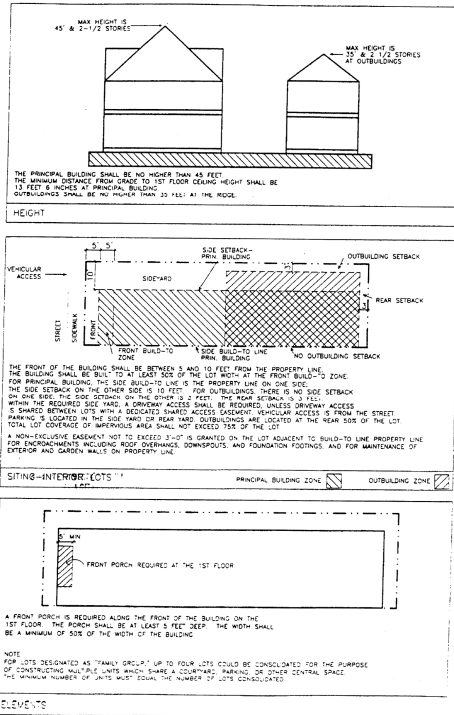
ARAGON PARK HOUSE-TYPE III



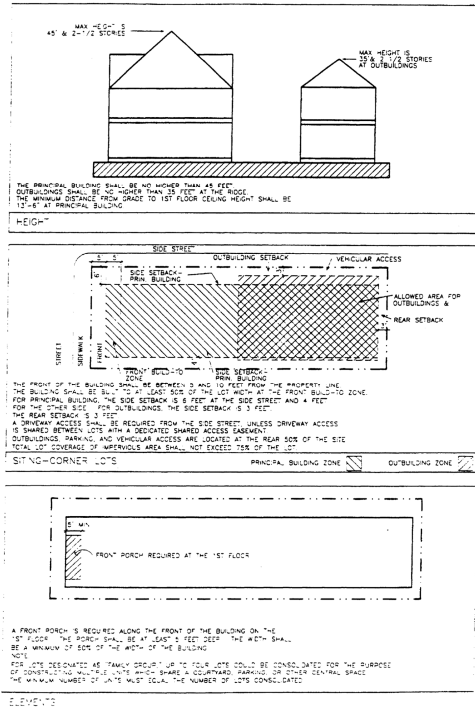
ARAGON SIDEYARD HOUSE WITH ALLEY
ACCESS-TYPE IVA



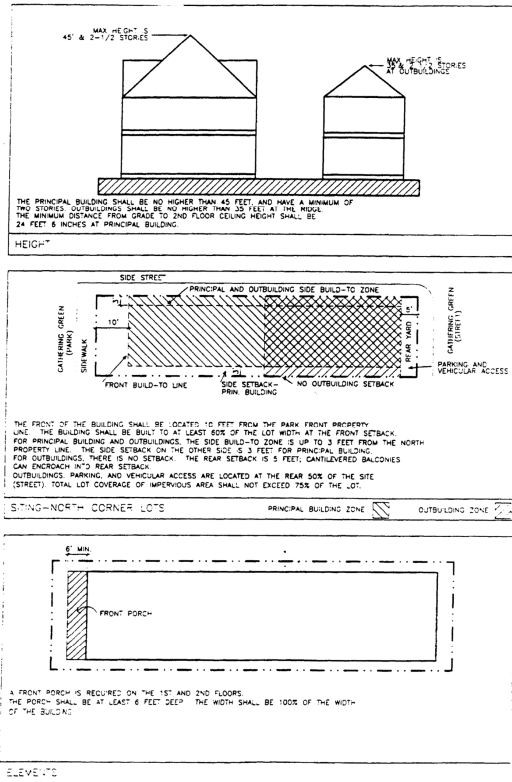
ARAGON SIDEYARD HOUSE WITH STREET ACCESS-TYPE IVB-INTERIOR LOTS



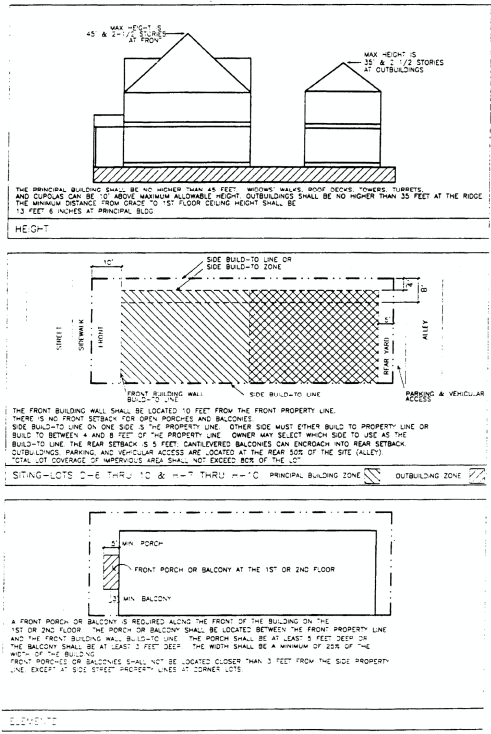
ARAGON SIDEYARD HOUSE WITH STREET ACCESS-TYPE IVB-CORNER LOTS



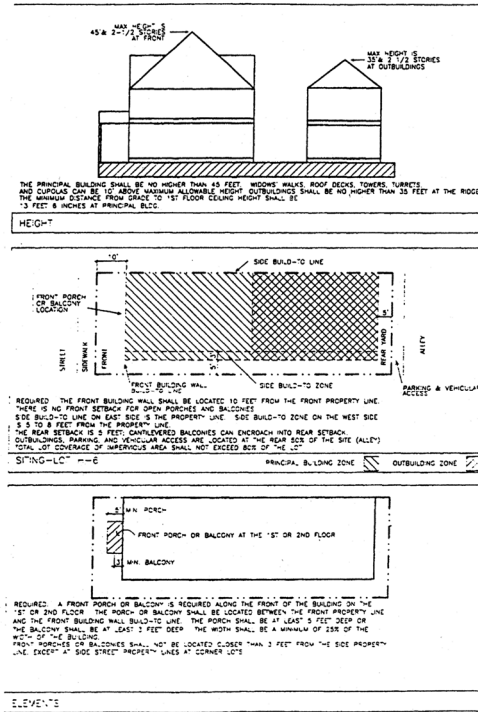
ARAGON SMALL COTTAGE-TYPE V-NORTH CORNER LOTS



ARAGON ROW HOUSE-TYPE VI-LOTS D-1 THRU D-5



ARAGON ROW HOUSE-TYPE VI LOT H-6



(3) *WRD, waterfront redevelopment district.*

a. *Purpose of district.* The waterfront redevelopment district is established to promote redevelopment of the city's downtown waterfront with a compatible mixture of water-dependent and water-related uses that preserve the unique shoreline vista and scenic opportunities, provide public access, create a cultural meeting place for the public, preserve the working waterfront activities historically located in the waterfront area, and encourage a high quality of site planning and architectural design. Site specific analysis of each development proposal within the district is intended to ensure that the scenic vistas and marine-oriented image of the district are maintained, that the development character of the waterfront is upgraded and that the boundaries of the adjacent special districts are positively reinforced.

b. *Uses permitted.*

1. Single-family residential (attached or detached) at a maximum density of 17.4 units per acre. Multifamily residential at a maximum density of 60 dwelling units per acre.
2. Home occupations, subject to regulations in section 12-3-57.
3. Offices.
4. Libraries and community centers opened to the public and buildings used exclusively by the federal, state, county and city government for public purposes.
5. Hotels/motels.
6. Marinas.
7. Parking garages.

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8. The following retail sales and services:
 - i. Retail food and drug stores (including medical marijuana dispensaries and package liquor store).
 - ii. Personal service shops.
 - iii. Clothing stores.
 - iv. Specialty shops.
 - v. Banks.
 - vi. Bakeries whose products are sold at retail on the premises.
 - vii. Antique shops.
 - viii. Floral shops.
 - ix. Health clubs, spa and exercise centers.
 - x. Laundromats.
 - xi. Laundry and dry-cleaning pick-up stations.
 - xii. Restaurants.
 - xiii. Studios.
 - xiv. Art galleries.
 - xv. Sale or rental of sporting goods or equipment including instructions in skiing, sailing, or scuba diving.
 - xvi. Boat rentals waterside only with limited upland storage.
 - xvii. Bars.
 - xviii. Commercial fishing.
 - xix. Ferry and passenger terminals.
 - xx. Cruise ship operations.
 9. Family day care homes licensed by the state department of children and family services as defined in state statutes.
- c. *Procedure for review of plans.*
1. *Plan submission.* Every application to construct a new structure in the waterfront redevelopment district shall be subject to the development plan review and approval procedure established in section 12-3-120. Every application for a new certificate of occupancy or a building permit to erect, construct, demolish, renovate or alter a building or sign, or exterior site work (i.e., paving and landscaping of off-street parking areas), located or to be located in the waterfront redevelopment district shall be accompanied with drawings or sketches with sufficient detail to show, as far as they relate to exterior appearances, the architectural design of the building, sign, or exterior work (both before and after the proposed work is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plot plan or site layout including all site improvements or features such as walls, fences, walks, terraces, plantings, accessory buildings, paved areas, signs, lights, awnings, canopies and

other appurtenances. All developments within the waterfront redevelopment district must comply with design standards as established in section 12-3-121.

2. *Review and approval.* All plans shall be subject to the review and approval of the planning board established in chapter 12-12. At the time of review the board may require that any aspect of the overall site plan that does not meet the standards established in this section be incorporated and brought into compliance within a time limit approved by the board. Review by the planning board of applications for zoning variances shall be as provided for under section 12-12-2(6)f.
3. *Abbreviated review.* Sign requests, paint colors, fencing, and emergency repairs that are consistent with the regulations and guidelines set forth in this section, may be approved by letter to the building official from the planning board secretary and the chairperson of the board. This provision is made in an effort to save the applicant and the board time for routine approval matters. If agreement cannot be reached as it pertains to such requests by the board secretary and chairperson, then the matter will be referred to the board for a decision.

d. *Regulations.*

1. *Signs.* The following provisions shall be applicable to signs in the district:
 - i. *Number of signs.* Each parcel shall be limited to one sign per street frontage; provided, however, if there exists more than one establishment on the parcel, there may be one attached sign per establishment.
 - ii. *Signs extending over public property.* Signs extending over public property shall maintain a clear height of nine feet above the sidewalk and no part of such signs shall be closer than 18 inches to the vertical plane of the curb line or edge of the pavement.
 - iii. *Sign size and height limitations.*
 - (a) *Attached signs.*
 - (1) *Size.* Ten percent of the building elevation square footage (wall area) that fronts on a public street, not to exceed 50 square feet. Buildings exceeding five stories in height; one attached wall sign or combination of wall signs not to exceed 200 square feet and mounted on the fifth floor or above.
 - (2) *Height.* No sign may extend above the roof line of the building to which it is attached. For the purposes of this section roof surfaces constructed at an angle of 65 degrees or more from horizontal shall be regarded as walls.
 - (b) *Freestanding signs.*
 - (1) *Size.* Fifty square feet.
 - (2) *Height.* Ten feet (top of sign).
 - iv. *Other permitted signs.*
 - (a) Signs shall not exceed two square feet in size.
 - (b) Official traffic signs or signals, informational signs erected by a government agency and temporary signs indicating danger.

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- v. *Prohibited signs.* Refer to section 12-5-7 for a description of prohibited signs. In addition the following signs are prohibited within the district:
 - (a) Portable signs.
 - (b) Signs that are abandoned or create a safety hazard. Abandoned signs are those advertising a business that becomes vacant and is unoccupied for a period of 90 days or more.
 - (c) Signs that are not securely fixed on a permanent foundation.
 - (d) Strings of light bulbs, other than holiday decorations, streamers and pennants.
 - (e) Signs that present an optical illusion, incorporate projected images, or emit sound.
 - (f) Secondary advertising signs (i.e., signs that advertise a brand name product in addition to the name of the business).
 - vi. Temporary signs. The following temporary signs shall be permitted in the district:
 - (a) Temporary banners indicating that a noncommercial special event such as a fair, carnival, festival or similar happening is to take place, are permitted with the following conditions: Such banners may be erected no sooner than two weeks before the event and banners extending over street rights-of-way require approval from the mayor.
 - (b) One non-illuminated sign per street frontage advertising the sale, lease or rental of the lot or building upon which the sign is located. Such sign shall not exceed 12 square feet in size, and shall be removed immediately after occupancy.
 - (c) One non-illuminated sign not more than 50 square feet in area in connection with new construction work and displayed only during such time as the actual construction work is in progress.
2. *Off-street parking.* The following off-street parking requirement shall apply to all lots, parcels, or tracts in the district: Off-street parking requirements in the waterfront redevelopment district shall be based on the requirements set forth in chapter 12-4. The required parking may be provided off-site by the owner/developer as specified in section 12-4-1(4). Screening shall be provided along the edges of all parking areas visible from the street rights-of-way. This screening may take the form of:
- i. A solid wall or fence (chain-link fences are prohibited) with a minimum height of four feet that is compatible in design and materials with on-site architecture and nearby development;
 - ii. An earth berm approximately three feet in height that is landscaped to provide positive screening effective within three years; or
 - iii. A combination of walls or fences and landscape screening, or landscape screening designed to provide positive screening within three years.
3. *Vehicular access.* For each lot, tract or parcel under single ownership, the maximum number of access points shall not exceed two per street frontage.

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4. *Landscaping.* Landscaping requirements in the district shall conform to the requirements of chapter 12-6. All service areas (i.e., trash collection containers, compactors, loading docks) shall be screened with at least 75 percent opacity from the street and adjacent buildings by one of the following techniques:
 - i. Fence or wall and gate, six feet high;
 - ii. Vegetation, six feet high (within three years); or
 - iii. A combination of the above.
 5. *Underground utility services.* All new building construction or additions of floor area to existing structures shall be required to install underground utilities on the site.
 6. *Lot coverage.* The total coverage of the site including all structures, parking areas, driveways and all other impervious surfaces shall not exceed 75 percent.
 7. *Setback/height requirements.* No building shall exceed a maximum height of 60 feet in the waterfront redevelopment district.
 - i. *Shoreline setback/height requirements.* All buildings shall be set back a minimum of 30 feet from the shoreline or the bulkhead line. At this minimum setback line, the building height may not exceed 35 feet. Above 35 feet in height, an additional one foot in building height may be permitted for each additional one foot in setback with a maximum building height of 60 feet. The minimum setback from the shoreline may be decreased by the planning board and the council during the review process to permit reuse of existing buildings, structures or foundations with a lesser setback.
 - ii. *Main Street setback/height requirements.* All buildings shall be set back a minimum of 60 feet from the centerline of Main Street. At this minimum setback line, the building height may not exceed 60 feet.
 8. *Additional regulations.* In addition to the regulations established above in subsections (3)d.1 through 7 of this section, any permitted use within the WRD zoning district where alcoholic beverages are ordinarily sold is subject to the requirements of chapter 7-4.
 - e. *Regulations.* All developments within the waterfront redevelopment district are encouraged to follow the design guidelines established in section 12-3-121(d). In addition, the following site planning guidelines should be taken into consideration in the required development plans.
 1. *Site planning.* The integration of site features such as building arrangement, landscaping, parking lot layout, public access points, building orientation, and scenic vantage points is critical in producing a pleasant and functional living or working environment. In reviewing development proposals, the following guidelines shall be taken into consideration:
 - i. *Maximum preservation of waterfront views.* Considering the waterfront location of the district, the placement of buildings, signs, service areas, parking and landscaping shall be planned to maximize the preservation of views of the bay and to protect the waterfront scenic open space character. To prevent the effect of a "wall" of development along the edge of the waterfront and adjacent streets, open space should be encouraged between buildings and under elevated buildings. Pedestrian circulation systems should be designed to form a convenient, interconnected network through buildings, landscaped open spaces and public walkways. The longer side of each building should be sited perpendicular to the water's edge in order to preserve water views from the street.

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- ii. *Building orientation.* Buildings should be oriented to maximize the waterfront view potential within the district while maintaining quality facade treatment and design on the streetside. Structures should be positioned to provide viewing opportunities of the water and the shoreline edge between buildings. The location of solid waste receptacles, service entrances, loading docks, storage buildings and mechanical and air conditioning equipment and other items typically situated at the backside of buildings should be discouraged within the area between the building and the water's edge.
 - iii. *Off-street parking and service.* Off-street parking shall be discouraged within the shoreline setback area. Where possible, service areas (i.e., trash collection, loading docks) shall be located to be screened by the building itself; otherwise, walls, fences, landscaping and earth berms shall be used to achieve effective screening.
 2. *Aesthetic considerations.* Development projects within the district are not subject to special architectural review and approval. In lieu of a special separate review procedure, the following general architectural and aesthetic design criteria will be considered to enhance the character of the district:
 - i. Buildings or structures that are part of a present or future group or complex shall have a unity of character and design. The relationship of forms and the use, texture, and color of materials shall be such as to create a harmonious whole.
 - ii. Natural materials such as brick, wood and stucco should be encouraged. Materials such as metal and plastic shall be discouraged on exterior surfaces of buildings.
 - iii. All mechanical equipment, satellite dishes and other similar equipment should be completely screened by the architecture of the structure, or fences, walls or vegetation.
 - iv. Proposed developments within the waterfront redevelopment district that are located adjacent to a historic district should give special consideration to visual compatibility in scale and architectural design in order to positively reinforce the character of the historic area and provide a buffer and transition.
 - v. Projects should be encouraged that enhance the setting or provide for adaptive reuse of historic buildings and sites.
 3. *Landscaping guidelines.* Landscaping should be used to enhance waterfront views and vistas and to screen undesirable features. Low lying plant material should be used in open areas to retain views of the water. Trees should be selectively utilized and carefully located along the waterfront in both public and private developments in order to maintain existing views as much as possible. Plantings should be coordinated near buildings to provide view corridors.
 4. *Sign guidelines.*
 - i. *Design/materials.* The architectural character of the building to which the sign relates should be reflected in the lettering of the sign, and the materials used for the supporting structure and the sign face.
 - ii. *Lighting.* Indirect and internal lighting is encouraged. Neon and exposed fluorescent lighting is not encouraged.

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- iii. *Landscaping.* The landscaping and positioning of the sign should complement the overall site plan and landscaping of the development.

(4) *WRD-1, Waterfront Redevelopment District-1.*

- a. *Purpose of district.* The waterfront redevelopment district is established to promote redevelopment of the city's downtown waterfront with a compatible mixture of uses that further the goals of downtown Pensacola's comprehensive plan, encourage a walkable mixed-use urban environment, preserve the unique shoreline scenic opportunities, provide continuous public waterfront access, create cultural meeting places for the public, and encourage a high quality of site planning and architectural design. Site specific analysis of each development proposal within the district is intended to ensure that the scenic vistas of the district are maintained, that the development character of the waterfront is upgraded and that the boundaries of the adjacent special districts are positively reinforced.
- b. *Uses permitted.*
 - 1. Single-family residential (attached or detached) at a maximum density of 17.4 units per acre. Multifamily residential at a maximum density of 60 dwelling units per acre.
 - 2. Home occupations, subject to regulations in section 12-3-57.
 - 3. Offices.
 - 4. Libraries and community centers opened to the public and buildings used exclusively by the federal, state, county and city government for public purposes.
 - 5. Hotels/motels.
 - 6. Marinas.
 - 7. Parking garages.
 - 8. The following retail sales and services:
 - i. Retail food and drug stores (including medical marijuana dispensaries and package liquor store).
 - ii. Personal service shops.
 - iii. Clothing stores.
 - iv. Specialty shops.
 - v. Banks.
 - vi. Bakeries whose products are sold at retail on the premises.
 - vii. Antique shops.
 - viii. Floral shops.
 - ix. Health clubs, spa and exercise centers.
 - x. Laundromats.
 - xi. Laundry and dry-cleaning pick-up stations.
 - xii. Restaurants.
 - xiii. Studios.
 - xiv. Art galleries.

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- xv. Sale or rental of sporting goods or equipment including instructions in skiing, sailing, or scuba diving.
 - xvi. Boat rentals waterside only with limited upland storage.
 - xvii. Bars.
 - xviii. Commercial fishing.
 - xix. Ferry and passenger terminals.
 - x. Cruise ship operations.
9. Family day care homes licensed by the state department of children and family services as defined in state statutes.
- c. *Procedure for review of plans.*
- 1. *Plan submission.* Every application to construct a new structure in the waterfront redevelopment district-1 shall be subject to the development plan review and approval procedure established in section 12-3-120. Every application for a new certificate of occupancy or a building permit to erect, construct, demolish, renovate or alter a building or sign, or exterior site work (i.e., paving and landscaping of off-street parking areas), located or to be located in the waterfront redevelopment district-1 shall be accompanied with drawings or sketches with sufficient detail to show, as far as they relate to exterior appearances, the architectural design of the building, sign, or exterior work (both before and after the proposed work is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plot plan or site layout including all site improvements or features such as walls, fences, walks, terraces, plantings, accessory buildings, paved areas, signs, lights, awnings, canopies and other appurtenances. All developments within the waterfront redevelopment district must comply with design standards as established in section 12-3-121.
 - 2. *Review and approval.* All plans shall be subject to the review and approval of the planning board established in chapter 12-12. At the time of review the board may require that any aspect of the overall site plan that does not meet the standards established in this section be incorporated and brought into compliance within a time limit approved by the board. Review by the planning board of applications for zoning variances shall be as provided for under section 12-12-2(6)f.
 - 3. *Abbreviated review.* Sign requests, paint colors, fencing, and emergency repairs that are consistent with the regulations and guidelines set forth in this section, may be approved by letter to the building official from the planning board secretary and the chairperson of the board. This provision is made in an effort to save the applicant and the board time for routine approval matters. If agreement cannot be reached as it pertains to such requests by the board secretary and chairperson, then the matter will be referred to the board for a decision.
- d. *Regulations.*
- 1. *Signs.* The following provisions shall be applicable to signs in the district:
 - i. *Number of signs.* Each parcel shall be limited to one sign per street frontage; provided, however, if there exists more than one establishment on the parcel, there may be one attached sign per establishment. Additionally, retail sales and services may have an A-frame sign in addition to the one sign per frontage.

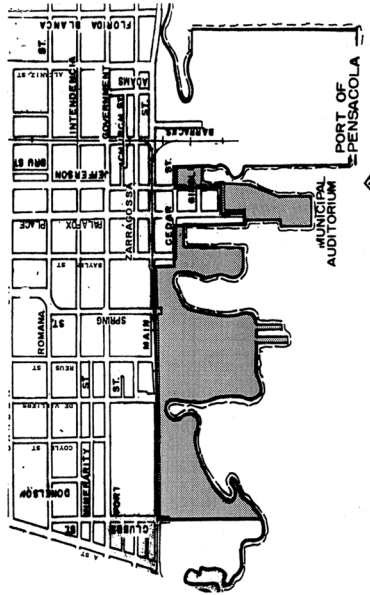
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- ii. *Signs extending over public property.* Signs extending over public property shall maintain a clear height of nine feet above the sidewalk and no part of such signs shall be closer than 18 inches to the vertical plane of the curb line or edge of the pavement.
 - iii. *Sign size and height limitations.*
 - (a) *Attached signs.*
 - (1) *Size.* Ten percent of the building elevation square footage (wall area) that fronts on a public street, not to exceed 50 square feet. Buildings exceeding five stories in height; one attached wall sign or combination of wall signs not to exceed 200 square feet and mounted on the fifth floor or above.
 - (2) *Height.* No sign may extend above the roof line of the building to which it is attached. For the purposes of this section roof surfaces constructed at an angle of 65 degrees or more from horizontal shall be regarded as walls.
 - (b) *Freestanding signs.*
 - (1) *Size.* Fifty square feet.
 - (2) *Height.* Ten feet (top of sign).
 - (c) *A-frame sign.*
 - (1) *Size.* Ten square feet.
 - (2) *Height.* Forty-two inches (top of sign).
 - iv. *Other permitted signs.*
 - (a) Signs shall not exceed two square feet in size.
 - (b) Official traffic signs or signals, informational signs erected by a government agency and temporary signs indicating danger.
 - v. *Prohibited signs.* Refer to section 12-5-7 for a description of prohibited signs. In addition the following signs are prohibited within the district:
 - (a) Signs that are abandoned or create a safety hazard. Abandoned signs are those advertising a business that becomes vacant and is unoccupied for a period of 90 days or more.
 - (b) Signs that present an optical illusion, incorporate projected images, or emit sound.
 - (c) Secondary advertising signs (i.e., signs that advertise a brand name product in addition to the name of the business).
 - vi. *Temporary signs.* The following temporary signs shall be permitted in the district:
 - (a) Temporary banners indicating that a noncommercial special event such as a fair, carnival, festival or similar happening is to take place, are permitted with the following conditions: Such banners may be erected no sooner than two weeks before the event and banners extending over street rights-of-way require approval from the mayor.

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- (b) One non-illuminated sign per street frontage advertising the sale, lease or rental of the lot or building upon which the sign is located. Such sign shall not exceed 12 square feet in size, and shall be removed immediately after occupancy.
 - (c) One non-illuminated sign not more than 50 square feet in area in connection with new construction work and displayed only during such time as the actual construction work is in progress.
 - 2. *Off-street parking.* The following off-street parking requirement shall apply to all lots, parcels, or tracts in the district: Off-street parking requirements in the waterfront redevelopment district-1 shall be based on the requirements set forth in section 12-4-1(4). The required parking may be provided off-site by the owner/developer as specified in section 12-4-1(4). Screening shall be provided along the edges of all parking areas visible from the street rights-of-way. This screening may take the form of:
 - i. A solid wall or fence (chain-link fences are prohibited) with a minimum height of four feet that is compatible in design and materials with on-site architecture and nearby development;
 - ii. Landscaping approximately three feet in height that is landscaped to provide positive screening effective within three years; or
 - iii. A combination of walls or fences and landscape screening, or landscape screening designed to provide positive screening within three years.
 - 3. *Vehicular access.* For each lot, tract or parcel under single ownership, the maximum number of access points shall not exceed two per street frontage.
 - 4. *Landscaping.* Landscaping requirements in the district shall conform to the requirements of chapter 12-6. All service areas (i.e., trash collection containers, compactors, loading docks) shall be screened with at least 75 percent opacity from the street and adjacent buildings by one of the following techniques:
 - i. Fence or wall and gate, six feet high;
 - ii. Vegetation, six feet high (within three years); or
 - iii. A combination of the above.
 - 5. *Underground utility services.* All new building construction or additions of floor area to existing structures shall be required to install underground utilities on the site.
 - 6. *Lot coverage.* The total coverage of the site including all structures, parking areas, driveways and all other impervious surfaces shall not exceed 95 percent.
 - 7. *Setback/height requirements.* No building shall exceed a maximum height of six stories in the waterfront redevelopment district-1, as defined in section 12-3-31, community redevelopment area (CRA) urban design overlay district.
 - i. *Shoreline setback/height requirements.* All buildings shall be set back a minimum of 30 feet from the shoreline or the bulkhead line. The minimum setback from the shoreline may be decreased by the planning board and the council during the review process to permit reuse of existing buildings, structures or foundations with a lesser setback.

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- ii. *Main Street setback/height requirements.* All buildings shall be set back a minimum of 60 feet from the centerline of Main Street. At this minimum setback line, the building height may not exceed six stories.
 - iii. All other setbacks shall be as specified on the regulating plan.
 - 8. *Additional regulations.* In addition to the regulations established above in subsections (3)d.1 through 7 of this section, any permitted use within the WRD-1 zoning district where alcoholic beverages are ordinarily sold is subject to the requirements of chapter 7-4.
 - e. *Regulations.* All developments within the waterfront redevelopment district-1 are encouraged to follow the design guidelines established in section 12-3-121(d). In addition, the following site planning guidelines should be taken into consideration in the required development plans:
 - 1. *Site planning.* The integration of site features such as building arrangement, landscaping, parking lot layout, public access points, building orientation, and scenic vantage points is critical in producing a pleasant and functional living or working environment. In reviewing development proposals, the following guidelines shall be taken into consideration:
 - i. *Maximum preservation of waterfront views.* Considering the waterfront location of the district, the placement of buildings, signs, service areas, parking and landscaping shall be planned to maximize the preservation of views of the bay and to protect the waterfront scenic open space character. To prevent the effect of a "wall" of development along the edge of the waterfront and adjacent streets, open space should be encouraged between buildings and under elevated buildings. Pedestrian circulation systems should be designed to form a convenient, interconnected network through buildings, landscaped open spaces and public walkways. The longer side of each building should be sited perpendicular to the water's edge in order to preserve water views from the street.
 - ii. *Building orientation.* Buildings should be oriented to maximize the waterfront view potential within the district while maintaining quality facade treatment and design on the streetside. Structures should be positioned to provide viewing opportunities of the water and the shoreline edge between buildings. The location of solid waste receptacles, service entrances, loading docks, storage buildings and mechanical and air conditioning equipment and other items typically situated at the backside of buildings should be discouraged within the area between the building and the water's edge.
 - iii. *Off-street parking and service.* Off-street parking shall be discouraged within the shoreline setback area. Where possible, service areas (i.e., trash collection, loading docks) shall be located to be screened by the building itself; otherwise, walls, fences, landscaping and earth berms shall be used to achieve effective screening.
 - 2. *Aesthetic considerations.* Development projects within the district are not subject to special architectural review and approval, however compliance with the CRA Overlay Standards and Guidelines as defined in section 12-3-31, community redevelopment area (CRA) urban design overlay district, is encouraged. In lieu of a special separate review procedure, the following general architectural and aesthetic design criteria will be considered to enhance the character of the district:

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- i. Buildings or structures should have a unity of character and design. The relationship of forms and the use, texture, and color of materials shall be such as to create a harmonious whole.
 - ii. Natural materials such as brick, wood and stucco should be encouraged. Materials such as metal and plastic shall be discouraged on exterior surfaces of buildings.
 - iii. All mechanical equipment, satellite dishes and other similar equipment should be completely screened by the architecture of the structure, or fences, walls or vegetation.
 - iv. Proposed developments within the waterfront redevelopment district-1 which are located adjacent to a historic district should give special consideration to visual compatibility in scale and architectural design in order to positively reinforce the character of the historic area and provide a buffer and transition.
 - v. Projects should be encouraged that enhance the setting or provide for adaptive reuse of historic buildings and sites.
 3. *Landscaping guidelines.* Landscaping should be used to enhance waterfront views and vistas and to screen undesirable features. Low lying plant material should be used in open areas to retain views of the water. Trees should be selectively utilized and carefully located along the waterfront in both public and private developments in order to maintain existing views as much as possible. Plantings should be coordinated near buildings to provide view corridors.
 4. *Sign guidelines.*
 - i. *Design/materials.* The architectural character of the building to which the sign relates should be reflected in the lettering of the sign, and the materials used for the supporting structure and the sign face.
 - ii. *Lighting.* Indirect and internal lighting is encouraged. Neon and exposed fluorescent lighting is not permitted.
 - iii. *Landscaping.* The landscaping and positioning of the sign should complement the overall site plan and landscaping of the development.

WATERFRONT DEVELOPMENT DISTRICT



(Code 1986, § 12-2-12; Ord. No. 25-92, § 2, 7-23-1992; Ord. No. 6-93, § 9, 3-25-1993; Ord. No. 21-93, § 1, 8-16-1993; Ord. No. 29-93, §§ 13, 14, 11-18-1993; Ord. No. 33-95, §§ 4, 5, 8-10-1995; Ord. No. 9-96, § 9, 1-25-1996; Ord. No. 45-96, § 3, 9-12-1996; Ord. No. 33-98, § 2, 9-10-1998; Ord. No. 40-99, §§ 10—13, 10-14-1999; Ord. No. 43-99, § 1, 11-18-1999; Ord. No. 12-00, § 1, 3-9-2000; Ord. No. 50-00, § 3, 10-26-2000; Ord. No. 3-01, § 2, 1-11-2001; Ord. No. 6-01, §§ 1—3, 1-25-2001; Ord. No. 6-02, § 2, 1-24-2002; Ord. No. 13-06, § 10, 4-27-2006; Ord. No. 17-06, §§ 2, 3, 7-27-2006; Ord. No. 16-10, §§ 200—202, 9-9-2010; Ord. No. 06-16, §§ 1, 2, 2-11-2016; Ord. No. 20-19, § 3, 9-26-2019; Ord. No. 27-19, § 1, 11-14-2019)