



The regular meeting of the **City Planning Board** will be held on **Tuesday, January 14, 2020 at 2:00 P.M.** in the Hagler-Mason Conference Room, Mezzanine Level, City Hall, 222 West Main Street.

AGENDA

- Quorum/Call to Order
- Approval of Meeting Minutes from December 10, 2020.
- **New Business:**
 1. **Consider Amendments to the City's Comprehensive Plan**
 2. **Discussion on the Proposed Amendment to the Tree Ordinance**
- Open Forum
- 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.

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.

222 West Main Street Pensacola, Florida 32502
www.cityofpensacola.com



MINUTES OF THE PLANNING BOARD

December 10, 2019

MEMBERS PRESENT: Chairperson Paul Ritz, Vice Chairperson Kurt Larson, Board Member Grundhoefer, Board Member Powell, Board Member Sampson, Board Member Wiggins

MEMBERS ABSENT: Board Member Murphy

STAFF PRESENT: Assistant Planning Services Administrator Cannon, Assistant City Attorney Lindsay, Planning Services Administrator Morris, Senior Planner Statler, Transportation Planner-Complete Streets Ziarnek, Neighborhoods Administrator Powell, Council Executive Kraher

OTHERS PRESENT: Will Dunaway, Carrie Stevenson, Eric Fears, Chris & Tracy Gonsoulin, Steve Corbae

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from November 18, 2019.
- **New Business:**
 1. **Consider Rezoning for Community Maritime Park Parcels to WRD-1**
 2. **Consider Zoning and Future Land Use Map Amendment for Baptist Annexation Parcels**
 3. **Consider Baptist Request for Vacation of Right-of-Way**
 4. **Consider Amendment to the CRA Urban Overlay District Boundary**
 5. **Discussion on the Proposed Amendment to the Tree Ordinance**
- Open Forum
- Adjournment

Call to Order / Quorum Present

Chairperson Ritz called the meeting to order at 2:03 pm with a quorum present and explained the procedures of the Board meeting.

Approval of Meeting Minutes

Board Member Larson made a motion to approve the November 18, 2019 minutes, seconded

by Board Member Powell, and it carried unanimously.

New Business

Consider Rezoning for Community Maritime Park Parcels to WRD-1

Staff received a request to amend the zoning map for the Community Maritime Park (CMP) parcels to WRD-1. This is consistent with the existing Future Land Use Map (FLUM) classification for the CMP which is "Redevelopment".

On October 8, 2019 the Planning Board approved a request to modify the Redevelopment Land Use District WRD by establishing a subcategory which would become the WRD-1. The proposed WRD-1 is a standalone section with the intent of optimizing the future development of the City's CMP parcels.

To reinforce, Chairperson Ritz stated the previous Board meeting was to establish the WRD-1 subcategory and was not specific to a piece of property, so today it is actually being applied to a particular parcel. WRD-1 was approved by the Board and Council, and today's agenda item is to apply it to a particular parcel. He also clarified there were multiple parcels.

Mr. Rothfeder with Studer Properties addressed the Board and stated he thought the first process with the Board was to rezone these parcels and did not realize it would be done in a two-step process – create the zoning district and then rezone the parcels. Chairperson Ritz clarified that any parcel within the WRD designation had that option. Mr. Rothfeder deferred to the City to determine the parcels to be rezoned. Assistant Planning Services Administrator Cannon explained that WRD-1 was being applied to the vacant parcels. But if it was the applicant's desire to apply that to the entire park, the Board would have that latitude to make that change. Chairperson Ritz advised it did not make any difference to him but from a development standpoint, it captured the end goal of this project. He also clarified these were the remaining undeveloped parcels.

Mr. Gonsoulin who owns a few lots north of Main Street asked if the rezoning would affect his properties. Chairperson Ritz advised it would not but could not attest to the property values going better or worse, but it would definitely not affect his zoning or setback lines. He was notified because of his location to these parcels (within 500' public notification).

Board Member Grundhoefer made a motion to approve, seconded by Board Member Wiggins. The motion carried unanimously.

Consider Zoning and Future Land Use Map Amendment for Baptist Annexation Parcels

Baptist Health Care officially requested Annexation into the City of Pensacola on October 17, 2019. Approval of the annexation request by City Council necessitated an amendment

to the City's Zoning and Future Land Use maps to include the subject properties. The recommended designation of C-3 is consistent with the adjacent industrially and commercially zoned properties currently located within the City limits.

Chairperson Ritz explained because this was not property belonging to the City prior to the annexation, it did not have a City zoning designation, and the County rules were in effect. It was not a part of the City, and this agenda item was to apply a zoning designation to the newly annexed City property. C-3 is very consistent with the surrounding properties. Board Member Larson had been concerned that it was not going C-1, but understood that C-3 allowed for greater height, and he was good with allowing that for Baptist's capabilities. Mr. Rebol represented the hospital and confirmed that the C-3 designation was primarily to allow for the building height.

Board Member Powell made a motion to approve, seconded by Board Member Larson. The motion carried unanimously.

Consider Baptist Request for Vacation of Right-of-Way

Subsequent to the approval of the Baptist Health Care Annexation and rezoning request is a request for vacation of the following rights-of-way within the annexed area: Rawson Lane from Brent Lane to Corday Street, Corday Street from Dixie Drive to I-110 and Joe Elliot Way in its entirety.

Assistant Planning Services Administrator Cannon explained that Baptist had reassured that they were working with ECUA and AT&T in maintaining the utility easements for those areas. Board Member Larson felt the plan gave more flexibility to Baptist for development of whatever they needed.

Board Member Larson made a motion to approve, seconded by Board Member Wiggins.

Chairperson Ritz agreed this would greatly benefit Baptist Hospital. He explained in the vacation of right-of-ways, the City could not just sell the property to Baptist since that property was owned collectively by the citizens of Pensacola, therefore, the citizens must grant the vacation to give the property to Baptist. Board Member Grundhoefer asked if there were any streets where Baptist did not own adjacent property. Assistant City Attorney Lindsay advised they own all the adjacent property. Assistant Planning Services Administrator Cannon pointed out the proper notification had been met. She also explained there would be full width easements for those utilities to be maintained as necessary, and Baptist had been working with ECUA and AT&T from the beginning. The language presented to Council would contain that easement language.

The motion then carried unanimously.

Consider Amendment to the CRA Urban Overlay District Boundary

Please consider a request to redefine the boundary of the CRA Urban Overlay District. The current CRA boundary includes industrial uses located on the outer edge of the district that were not intended to be included in the overlay district.

Chairperson Ritz advised he had visited the area and noted the larger parcels were heavy industrial uses and would not fit with what the CRA was intended to accomplish. He did not think the rail yard would change in the near future and supported redefining the boundary. Assistant City Attorney Lindsay explained the request was coming from the

design requirements of the CRA Urban Overlay and that City staff was requesting the Board to consider removing these parcels. Board Member Grundhoefer questioned the three parcels north of Chase close to the Global Learning Academy. Assistant City Attorney Lindsay explained those parcels were in close proximity to Gulf Power, and their boundary was with the Wildlife Refuge Center. In order to encourage development there, industrial use was the only thing anticipated to occur at that location and something that would not have to meet the urban requirements. She offered who would want to make that capital investment to meet the urban design overlay to encourage foot traffic there. Assistant Planning Services Administrator Cannon explained the uses would not change, but they were only removing the additional layer of design in this industrial area.

Board Member Wiggins made a motion to approve, seconded by Board Member Sampson. The motion carried unanimously.

Discussion on the Proposed Amendment to the Tree Ordinance

Assistant Planning Services Administrator Cannon explained no new information had been received regarding the timeline for Board Member Murphy's charrettes. Board Member Wiggins asked if there was a reason for charrettes rather than a Board workshop; she felt more comfortable with the Board taking the lead due to public access. Chairperson Ritz explained Board Member Murphy wanted to reach out more strongly to the community for those who chose not to participate in the first workshop. He believed the consensus of the Board was to allow that to happen but to have additional information available to the public forum prior to any kind of vote. He explained the Board was keeping it as a discussion item on the agenda, and if Board Member Murphy was unable to bring those constituencies together in her outside charrettes, the Board would fall back to the normal process. Board Member Wiggins' only concern was that the business community was involved as well. Board Member Grundhoefer had not been aware of the City's EAB who might have more scientific basis for discussion. Board Member Sampson emphasized that was the reason this Board had decided to involve them in this process. Chairperson Ritz explained this Board would have the final say, and the final draft could be something totally different than what was presented to the Board, and hopefully at that time, the Board would have more information on which to base the decision. Board Member Powell asked if editing was an option, and it was determined to be a choice. Board Member Grundhoefer pointed out the document which had been presented had revised the existing ordinance. Board Member Powell asked if the current document could be reviewed. In the workshop, information was obtained from the scientific and professional community. Chairperson Ritz stated the workshop ultimately brought up more questions with tree funds, tree choices, etc. Assistant Planning Services Administrator Cannon stated in modifying language in an existing code, you need clear knowledge of what you are trying to solve, and the stakeholder groups need to be on the same page. Board Member Grundhoefer offered the focus was on building up the Tree Fund and making it more difficult to tear down heritage trees by developers. He explained our current ordinance protects the trees but doesn't have enough incentive for developers to build around the trees and pay into the Tree Fund. Assistant City Attorney Lindsay commented that Board Member Murphy had intended that the charrettes address the questions that were raised, and that she was open to making sure the Board's questions were addressed. However, she also thought the Board was having another workshop after the charrettes. It

was determined that the Board had postponed the workshop until the additional feedback was received, and the item was maintained as a discussion item for review. Chairperson Ritz explained if the ordinance needed to be addressed, it would be in due time. Board Member Larson hoped to formulate his questions based on the feedback from the charrettes. Chairperson Ritz explained with more information coming, there was time to reassess as the Board moved from additional workshops to an agenda vote.

Open Forum – Ms. Bennett addressed the Board and mentioned the Crepe Myrtles which do not provide a food supply or nesting for birds. Ms. Stephenson with the Escambia County Extension Office offered her input if the Board had specific questions. She also had information from the public survey done for the County as well as information from the University of Florida on hurricane- resistant tree species and the life span of trees. She also explained that in general, root systems are within the first 18” of the soil, going two to three times as wide as the canopy. She was encouraged to send her information to Planning staff to compare with the current Ordinance. Board Member Grundhoefer also encouraged her to attend the charrettes given by Board Member Murphy; Assistant Planning Services Administrator Cannon advised she would keep Ms. Stephenson informed of the progress.

Adjournment – With no further business, Chairperson Ritz adjourned the meeting at 3:00 pm.

Respectfully Submitted,

Assistant Planning Services Administrator Cynthia Cannon
Secretary to the Board



MEMORANDUM

TO: Planning Board Members

FROM: Cynthia R. Cannon, AICP, Assistant Planning Director

DATE: January 7, 2020

SUBJECT: City of Pensacola Comprehensive Plan Updates

The City's Land Development Code (LDC) contains the same building height and lot coverage maximums that are currently cited in the Future Land Use Element of the City's Comprehensive Plan. As the Comprehensive Plan is a long range "big picture" planning document, and the LDC is intended to be more detail-intensive, there are a variety of definitions and processes in the LDC that allow for variations to these maximums. While this has not been deemed to be a conflict, in order to avoid confusion, it is preferable that this level of specificity be eliminated from our Comprehensive Plan.

City staff has spoken with staff at the Florida Department of Economic Opportunity (DEO) to confirm that this is an appropriate amendment to proceed with for consideration. The Planning Board recommendation will be forwarded to City Council for final approval before transmittal to the DEO.

CHAPTER 1

FUTURE LAND USE

GOAL FLU-1: Maximize the use of land both from an economic standpoint, and from the standpoint of minimizing threats to the health, safety and welfare of residents and to the continued well-being of the natural environment.

Objective FLU-1.1: Specify the desired development pattern through a land use category system that provides for the location, type, density and intensity of development and redevelopment based on natural conditions and dependent on the availability of services as shown on the Future Land Use Map and controlled through the adopted Land Development Code.

Policy FLU-1.1.1: All development orders and building permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet adopted level of service standards are available concurrent with the impacts of the development.

Policy FLU-1.1.2: The City will amend its Land Development Code as needed to remain consistent with the requirements of Chapter 163.3202, Florida Statutes and Chapter 9J-5.022 and 9J-5.023, F.A.C. so that future growth and development will continue to be managed through the preparation, adoption, implementation and enforcement of land development regulations that are consistent with the Comprehensive Plan.

Policy FLU-1.1.3: The Land Development Code will be evaluated during the EAR-based amendment process to identify revisions that are needed to implement the goals, objectives and policies of the Comprehensive Plan. The Land Development Code includes:

1. Zoning District Regulations
2. Neighborhood Preservation Standards
3. Off-Street Parking
4. Signage
5. Tree/Landscape Regulations
6. Subdivisions
7. Control of Erosion, Sedimentation and Runoff
8. Flood Plain Management
9. Airport Zoning

Policy FLU-1.1.4: Each future land use category shall have a set of zoning districts that may be permitted within that future land use category, and zoning that is not consistent with the category shall not be approved. The zoning ordinances shall include a table which sets forth the different zoning districts

which are permitted within each future land use category, and designations which are not consistent with the table shall not be approved.

Policy FLU-1.1.5: Future land use categories, including densities and intensities of use for each category, shall be established as follows:

Conservation District: The Conservation Land Use District is established to preserve open space as necessary for protecting water resources, preserving scenic areas, preserving historic sites, providing parklands and wilderness reserves, conserving endemic vegetation, preventing flood damage and soil erosion. This future land use category shall apply to environmentally sensitive areas identified on the Future Land Use Map and protected from development pursuant to site plan review. The following generalized uses are permitted:

- (a) Wildlife and vegetation conservation:
Wildlife refuge, nature trails and related facilities
- (b) Recreational facilities:
Passive recreation
Bike trails
Jogging trails
- (c) Other similar and compatible conservation and recreational uses:
Boat moorings, fishing piers, drainage areas, etc.

Residential Districts: The Residential Land Use Districts are established for the purpose of providing and preserving areas of predominantly low, medium or high residential development. A variety of residential uses shall be allowed, based on zoning classification, at the following maximum densities:

- * Low Density Residential - 5 or fewer residential dwelling units per acre.
- * Medium Density Residential - 18 or fewer residential dwelling units per acre. Conditional use permits for the following land uses may be approved in the Medium Density Residential Land Use District based on site plan review and public notification procedures: Residential design manufactured homes, bed and breakfast, day care centers and accessory office units subject to intensity standards for the Office and Residential/Neighborhood Commercial Land Use Districts.
- * High Density Residential - 35 or fewer residential dwelling units per acre allowed pursuant to lot coverage, landscape area, parking and recreational area development requirements provided in the adopted Land Development Code. ~~No building shall exceed a height of 150'. This height limitation shall not apply to buildings for which preliminary development plan approval was granted by the City Council on or before December 31, 1994.~~

Office District: The Office Land Use District is established for the purpose of providing for a mixture of residential and office uses, developed separately or within the same structure. When located in older, developed areas of the City, the district is intended to provide for residential or office infill development at a density, character and scale compatible with the surrounding area. In newer, vacant areas of the City, the district is also intended as a transition area between residential and commercial uses. Residential and office uses are allowed at the following maximum densities and intensities:

- * Residential - density not to exceed 35 dwelling units per acre.
- * ~~Office - the maximum combined area occupied by all principal and accessory buildings on a lot shall be 30% for a one to four story building, 25% for a five to seven story building and 20% for any building over eight stories. No building shall exceed a height of 100'.~~

Residential/Neighborhood Commercial District: The Residential/ Neighborhood Commercial Land Use District is established for the purpose of providing for a mixture of residential, professional and certain types of neighborhood convenience-shopping-retail sales and service uses. Residential and office or commercial uses shall be allowed within the same structure. When located in older sections of the community in which by custom and tradition the intermixing of such uses has been found to be necessary and desirable, the districts intended to provide for infill development at a density, character and scale compatible with the surrounding area. When located in newer developing areas where it is necessary and desirable to create a transition zone between a residential and a commercial district, the district is intended to provide for mixed office, commercial and residential development. Residential, office and low-intensity commercial uses are allowed at the following maximum densities and intensities:

- * Residential - density not to exceed 35 dwelling units per acre.
- * ~~Office and Commercial - the maximum combined area occupied by all principal and accessory buildings on a lot shall be 30% for a one to four story building, 25% for a five to seven story building and 20% for any building over eight stories. No building shall exceed a height of 100'.~~
- * Commercial uses shall be restricted to a maximum floor area subject to regulations set forth in the adopted Land Development Code.

Commercial District: 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. Light industrial uses such as fabrication, assembly and warehousing are permitted.

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. Residential, office and commercial uses are allowed at the following maximum densities and intensities:

- * Residential - density not to exceed 35 dwelling units per acre outside the dense business area and density not to exceed 135 dwelling units per acre in the dense business area.
- * ~~Office and Commercial in the dense business area the maximum combined area occupied by all principal and accessory buildings shall be 100% of lot size (subject to compliance with parking provisions) up to a height of 100'. Developments of over 100' in height shall be required to reduce the lot coverage by 10%. No building shall exceed a height of 150'.~~
- * ~~Office and Commercial outside of the dense business area the maximum combined area occupied by all principal and accessory buildings shall be 75% of lot size up to a height of 100'. Developments of over 100' in height shall be required to reduce the lot coverage by 10%. No building shall exceed a height of 150'.~~

Industrial District: The Industrial Land Use District is established for the purpose of providing areas for industrial development for community and regionally oriented service areas. The district is intended to facilitate the more intense, large-scale manufacturing, warehousing, distribution, wholesaling and other industrial functions of the City and the region. The uses in this district would typically be of a scale and intensity that are more likely to be capable of having an adverse affect (through sound, vibration, odor, etc) on adjacent properties if they are not of a compatible character (i.e. residential, office, and general commercial land uses). Office, commercial and a mixture of light industrial, heavy industrial and industrial park uses are allowed, ~~with maximum building coverage of 75% of lot size up to a maximum height of 100 feet.~~

Neighborhood District: The Neighborhood Land Use District is established to provide for land uses and aesthetic considerations which are distinctive and unique to neighborhoods defined by specific geographic boundaries on the Future Land Use Map.

A variety of residential, office and commercial uses will be allowed at the following maximum densities or intensities:

- * Residential – density not to exceed 35 dwelling units per acre.
- * ~~Office and Commercial – the maximum combined area occupied by all principal and accessory buildings shall be 75% of lot size up to a maximum height of 100'.~~

Historic and Preservation District: The Historic and Preservation Land Use District is established to preserve the development pattern and distinctive architectural character of these unique areas through the restoration of existing buildings and construction of compatible new buildings. These buildings and historic sites and their period architecture make the district unique and worthy of continuing preservation efforts. 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 districts. The district is an established business area, residential neighborhood and tourist attraction, containing historic sites and museums, a variety of specialty retail shops, restaurants, small offices, and residences.

A variety of residential, office and commercial uses will be allowed at the following maximum densities or intensities:

- * Residential – density not to exceed 35 dwelling units per acre in the Pensacola (Seville) Historic District, the North Hill Preservation District and the Old East Hill Preservation District and density not to exceed 135 dwelling units per acre in the Palafox Historic Business District.
- * ~~Office and Commercial in the Pensacola (Seville) Historic District, the North Hill Preservation District and the Old East Hill Preservation District – buildings shall not exceed a maximum height of 45'. Lot coverage shall be regulated by use of front, side and rear yard requirements pursuant to regulations in the Land Development Code and based on existing development.~~
- * ~~Office and Commercial in the Palafox Historic Business District – the maximum combined area occupied by all principal and accessory buildings shall be 100% of lot size (subject to compliance with parking provisions) up to a height of 100'. Developments of over 100' in height shall be required to reduce the lot coverage by 10%. No building shall exceed a height of 150'.~~

Redevelopment District: The Redevelopment Land Use District is established to promote the orderly redevelopment of the southern gateway to the City and portions of the Pensacola Bay waterfront area in order to enhance visual appearance, preserve unique shoreline vistas, provide public shoreline access, preserve or provide working waterfront activities, improve traffic safety and encourage a high quality of site planning. Site specific analysis of each development proposal within the district is intended to ensure that the scenic orientation and open space image of the shoreline is maintained, that the development characteristics are upgraded and the boundary of the adjacent special districts are positively reinforced.

A variety of residential, office and commercial uses will be allowed at the following densities or intensities:

- * Residential - density not to exceed 100 dwelling units per acre in the Gateway Redevelopment District and 60 dwelling units per acre in the Waterfront Redevelopment District.
- * ~~Office and Commercial in the Gateway Redevelopment District the maximum combined area occupied by all principal and accessory buildings shall be 75% of lot size up to a maximum height of 100'.~~
- * ~~Office and Commercial in the Waterfront Redevelopment District the maximum combined area occupied by all principal and accessory buildings shall be 75% of lot size up to a maximum height of 60'.~~

Business District: The Business Land Use District is established to promote the compatible redevelopment of the City's historic downtown waterfront by encouraging high quality site planning and architectural design which is compatible with both the historic character of the existing structures and the waterfront activities.

- * Residential - density not to exceed 108 dwelling units per acre in the South Palafox Business District.
- * ~~Office and Commercial in the South Palafox Business District the maximum combined area occupied by all principal and accessory buildings shall be 100% of lot size up to a maximum height of 80'.~~

Airport District: The Airport Land Use District is established to regulate land owned by the Pensacola Regional Airport or immediately adjacent to the airport which is considered sensitive due to its relationship to the runways and its location within noise zones. Land owned by the City allows only open space, recreational or commercial and industrial uses customarily related to airport operations. Low density residential and a variety of office and commercial uses will be allowed on privately owned land, based on the zoning classification and subject to the requirements of Chapter 333 of the Florida Statutes, at the following maximum densities:

- * Residential - density not to exceed 5 dwelling units per acre.
- * Office and Commercial - ~~the maximum combined area occupied by all principal and accessory buildings shall be 50%. No building shall exceed a height of 45';~~ subject to airport height limitations.

Interstate Corridor District: The Interstate Corridor Land Use District is established to provide for non-highway land uses both below and adjoining the Interstate I-110 corridor on land owned by the Florida Department of Transportation and leased by the City of Pensacola as shown in the Site Development Plan in the DOT *Corridor Location, Design and Multiple Use Report: Interstate 110, Pensacola, Escambia County, Florida, 1972*. The

following land uses are allowed at the land use mix composition shown below, with site plan review and City Council approval:

- * Residential – density not to exceed 35 dwelling units per acre up to a maximum 3% of the developable land.
- * Service, tourist and community commercial and light industrial uses up to a maximum 25% of developable land.
- * Recreation and open space facilities, and community centers owned and operated by the City up to a maximum 35% of developable land.
- * Public utilities, City government buildings and facilities and public transportation facilities up to a maximum 37% of developable land.

~~The maximum combined area occupied by all principal and accessory buildings shall be 50%. No building shall exceed a height of 45'. Buildings subject to DOT height limitations.~~

Policy FLU-1.1.6: The following uses shall be allowed in all future land use districts, except for Conservation and Interstate Corridor, subject to regulations set forth in the adopted Land Development Code, and Chapter 333 of the Florida Statutes: Community residential homes, schools with curriculum the same as public schools, libraries, churches, home occupations and accessory structures incidental to any permitted use. Parks and playgrounds and utility structures shall be allowed in every district.

Policy FLU-1.1.7: Adaptive reuse of vacant public, semipublic, institutional or historically significant structures within the Medium and High Density Residential Land Use Districts and the Residential Neighborhood Commercial Land Use District shall be allowed subject to issuance of a conditional use permit.

Applicants for a conditional use permit must submit development plans, undergo site review process through the Planning Board, provide for public notification of property owners within an established radius and obtain approval from the City Council. To ensure the compatibility of the conditional use development with the surrounding residential neighborhood the City Council may prescribe appropriate conditions and safeguards as follows:

- * Limit or otherwise designate the following: the manner in which the use is conducted; the height, size or location of a building or other structure; the number, size, location, height or lighting of signs; the location and intensity of outdoor lighting or require its shielding.
- * Establish special or more stringent buffer, yard or other open space requirements.
- * Designate the size, number, location or nature of vehicle access points.

- * Require berming, screening, landscaping or similar methods to protect adjacent or nearby property and designate standards for installation or maintenance of the facility.
- * Designate the size, height, location or materials for a fence or wall.

Objective FLU-1.2: Existing nonconforming land uses which are incompatible or inconsistent with the Future Land Use Plan will not be allowed to expand, to be enlarged, or to be rebuilt or reopened if destroyed, pursuant to provisions adopted in the Land Development Code and consistent with the requirements of Chapter 163, F.S.

Policy FLU-1.2.1: Expansion or replacement of land uses, which are incompatible with the Future Land Use Plan, shall be prohibited. Existing nonconforming uses will be permitted as provided in the City's Land Development Code.

Policy FLU-1.2.2: Land uses which are potentially incompatible due to type of use and/or intensity of use, shall be buffered from one another through the use of physical and/or natural vegetative barriers within required yards established in the adopted Land Development Code.

Objective FLU-1.3: The City shall protect its natural resources and its historic, architectural and archaeological resources in accordance with the City's Land Development Code.

Policy FLU-1.3.1: Continue to protect natural open space areas within the City as designated in the Recreation and Open Space Element.

Policy FLU-1.3.2: Public access to the waterfront shall be maintained or improved by the City (i.e., boat ramps, street rights-of-way). Private property rights will be protected in providing public access to the waterfront.

Policy FLU-1.3.3: Wetlands and other natural vegetative and wildlife habitats identified, as Conservation Districts on the City's Future Land Use Map will be protected from development through provisions in the Land Development Code.

Policy FLU-1.3.4: Regulate the location of hazardous waste disposal, storage and treatment facilities within the City through enforcement of land development regulations.

Policy FLU-1.3.5: The City shall coordinate with West Florida Historic Preservation, Inc. by providing technical assistance in its efforts to identify, designate and preserve historic architectural resources and shall continue to enforce the regulations in the adopted Historic District zoning ordinance.

Policy FLU-1.3.6: The City shall abide by the guidelines of its archaeological resolution whenever development is planned for City-owned property.

Policy FLU-1.3.7: The City shall utilize maps contained in the *Wellhead Protection Area Delineation In Southern Escambia County, Florida, Water Resources Special Report 97-4, December 1997*, prepared by the Northwest Florida Water Management District, as may be amended, and included by reference, to identify wellhead protection areas around existing water wells and shall continue to cooperate with the Escambia County Utilities Authority in reviewing land use regulations within these areas.

Policy FLU-1.3.8: Land uses delineated by the Future Land Use element shall be permitted based on the availability of water supplies in addition to the availability of public water facilities consistent with the requirements of Chapter 163, F.S.

Objective FLU-1.4: All development and redevelopment in the Coastal High Hazard Area shall be consistent with the Coastal Management Element and shall be coordinated with appropriate regional hurricane evacuation plans.

Policy FLU-1.4.1: For City-funded developments, water-dependent and water-related activities shall be given a higher priority for permit approval.

Policy FLU-1.4.2: Public access to the waterfront shall be encouraged in all developments utilizing City funds except for industrial developments.

Policy FLU-1.4.3: Future residential land use developments in the CHHA shall be limited to the following densities by location:

- * Low density - along Escambia Bay north of Hyde Park Road and south of Gadsden Street, and along both shores of Bayou Texar.
- * Medium density - along Pensacola Bay (except for the Historic District), and along Bayou Chico.
- * High density - Historic District.

Policy FLU-1.4.4: Future residential land use developments in the dense business area constructed in the CHHA shall be limited to medium density (18 or fewer residential dwelling units per acre). Allowable density above the medium density limit established by future land use category may be transferred to portions of the development site outside the CHHA.

Objective FLU-1.5: The City shall coordinate with other local governments and agencies to reduce or minimize adverse impacts in the region due to development in the City.

Policy FLU-1.5.1: The City shall develop procedures for review of requests for development orders which might affect or be affected by another government or agency and coordinate appropriately.

Policy FLU-1.5.2: The City shall review and contribute to any updates of the Comprehensive Plans in surrounding jurisdictions and other policy plans that would affect implementation of local resource protection goals.

Objective FLU-1.6: Ensure that suitable land is available for utilities necessary to support proposed developments through enforcement of subdivision ordinances which require the provision of adequate land for utilities infrastructure.

Policy FLU-1.6.1: Pursue an interlocal agreement and an informal coordination mechanism, to the extent possible, with Emerald Coast Utilities Authority and other utilities providers in locating public facilities and utilities to maximize the efficiency of services provided, to minimize their cost and to minimize their impacts on the natural environment.

Objective FLU-1.7: Facilitate efficient and reliable delivery of electric service.

Policy FLU-1.7.1: New electric distribution substations shall be a permitted use in all land use categories and zoning districts within the City except those designated as preservation, conservation, or historic preservation on the future land use map or duly adopted ordinance pursuant to F.S. 163.3208.

Policy FLU-1.7.2: Standards for set-backs, landscaping, buffering, screening, and other aesthetic compatibility-based standards shall apply to new distribution electric substations pursuant to F.S. 163.3208 to achieve compatibility with adjacent and surrounding land uses to the maximum extent practicable.

Policy FLU-1.7.3: The City shall grant or deny a properly completed application for a permit to locate a new distribution electric substation within a residential land use category or zoning district pursuant to the requirements of F.S. 163.3208.

Objective FLU-1.8: Provide for effective land development opportunities while allowing for innovative solutions through the Land Development Code.

Policy FLU-1.8.1: The land development regulations shall be modified and/or expanded to reflect the goals, objectives and policies of all the Comprehensive Plan elements.

Policy FLU-1.8.2: Land development regulations shall allow flexibility, within some zoning districts to provide for affordable housing and other redevelopment opportunities.

Policy FLU-1.8.3: Land development regulations shall include standards for residential density bonuses and density transfers above the limit otherwise established by future land use category 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.

- Density bonuses 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.
- Density bonuses 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.
- 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.
- Density 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.
- 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.
- Density transfers shall be a direct transfer of unutilized density from a donor site to a receiving site, subject to the City's land development and density transfer regulations.

- All density bonuses and density transfers shall be approved by the City Planning Board.

Objective FLU-1.9: Direct development in the City to areas where infrastructure exists to reduce development outside of the City limits which would cause further urban sprawl.

Policy FLU-1.9.1: Promote infill development of vacant and underutilized parcels within City limits through use of appropriate land development regulations, and provision of effective urban services.

Policy FLU-1.9.2: Encourage mixed-use development as a means to increase density in the designated urban core and inner-city redevelopment areas of the City in accordance with adopted redevelopment area plans through EAR-based amendments of the Comprehensive Plan and revisions of the Land Development Code.

Policy FLU-1.9.3: Support increased density in proximity to existing and proposed urban elementary schools, and seek to use such schools as neighborhood focal points by collocating public facilities such as parks and community centers with schools to the extent possible.

Policy FLU-1.9.4: Continue to encourage mixed use development through the use of innovative land development techniques such as planned unit developments, cluster housing, mixed-uses on individual parcels and other approaches as provided in the land development code.

Policy FLU-1.9.5: Promote innovative arrangements of development types and promote a complimentary mix of residential/commercial/recreation uses along primary vehicular corridors of neighborhoods so as to minimize the impacts of new development on existing resources and facilities by allowing a variety of uses in close proximity to one another.

Policy FLU-1.9.6: Allow development of a mixture of residential, commercial and office land uses in the mixed residential/office/commercial zoning districts along primary vehicular corridors of the Urban Core and inner-city Community Redevelopment Areas, through review and revision of the Land Development Code.

Objective FLU-1.10: Increase and enhance Traditional Neighborhoods

Policy FLU-1.10.1: Identify and revise incompatible zoning designations and approved land uses to ensure suitable development in support of existing traditional neighborhoods and a cohesive urban fabric.

Policy FLU-1.10.2: Encourage new Neo-Traditional Neighborhood Development and compatibly designed infill within the urban core and inner-city redevelopment areas through review, and revision where necessary, of the land use regulations in the Land Development Code.

Policy FLU-1.10.3: Explore Neighborhood Conservation Overlay Districts to ensure compatible infill development in existing traditional neighborhoods.

Policy FLU-1.10.4: Explore the use of State and Federal redevelopment programs to encourage Neo-Traditional Neighborhood Developments that include a mix of uses and provide housing for a range of incomes.

Objective FLU 1.11: Promote development in the downtown urban core areas of the City.

Policy FLU-1.11.1: Promote through the redevelopment process, the introduction of mixed-use development to enhance retail viability, establish truly pedestrian-oriented shopping districts, create more attractive buildings and public spaces, support transit viability, and reduce vehicle trips.

Policy FLU-1.11.2: Review land use regulations in the Land Development Code and revise where necessary to support walkability and pedestrian activity, arts, and entertainment uses in the City's downtown.

Policy FLU-1.11.3: Review land use regulations in the Land Development Code and revise where necessary to encourage the vertical and horizontal integration of a complementary mix of commercial, service and other non- residential uses that address the needs of families and other household types living in downtown neighborhoods.

Policy FLU-1.11.4: Pursue the establishment of a downtown railroad "quiet zone" to facilitate downtown development.

Policy FLU-1.11.5: Continue to coordinate with the Downtown Improvement Board on parking enforcement and management to provide adequate parking for downtown patrons.

Policy FLU-1.11.6: Continue to waive off-street parking requirements in the HC-1 and HC-2 districts, for residential land uses in the dense business area, and for qualifying buildings in the South Palafox Business District and C-2A district to encourage downtown and urban core development.

Policy FLU-1.11.7: Continue to allow the off-site provision of parking through a shared parking agreement in qualifying zoning districts to promote downtown and urban core development.

Objective FLU-1.12.: Implement plans for redevelopment and renewal of blighted areas in Census Tracts 1 through 8, and particularly in the downtown urban core and inner-city Community Redevelopment Areas.

Policy FLU-1.12.1: Continue to undertake redevelopment projects and programs as outlined in the *Urban Core Community Redevelopment Plan* (2010 Update), the *Pensacola Waterfront Redevelopment Plan* (2000/Update 2010), the *Pensacola Historic District Master Plan*, (2004) and the *Belmont DeVilliers Land use Plan* (2004) and promote increased density.

Policy FLU-1.12.2: Continue to engage in redevelopment activities within the designated Urban Infill and Redevelopment Area in accordance with the *Urban Infill and Redevelopment Area Plan*.

Policy FLU-1.12.3: Implement redevelopment efforts as identified in the *Westside Community Redevelopment Area Plan* (2007).

Policy FLU-1.12.4: Encourage Brownfield and grayfield redevelopment and adaptive reuse within the urban core and inner-city development areas.

Policy FLU-1.12.5: Promote redevelopment of existing automobile-oriented corridors and the upgrading of existing commercial development to create vibrant, mixed-use boulevards that balance efficient movement of motor vehicles with the creation of attractive pedestrian-friendly districts that serve the adjoining neighborhoods as well as passing motorists pursuant to adopted redevelopment plans.

Policy FLU-1.12.6: Provide infrastructure improvements as part of a redevelopment program in the above mentioned areas in such a way that will not strain the economic resources of the City's existing and new residents.

Policy FLU-1.12.7: Provide for some economic incentives for development in the cited neighborhoods including the following:

- * Establishing lower level of service standards for some facilities in developed neighborhoods so that costs of upgrading facilities will not be prohibitive; and
- * Establishing lower or abolishing impact fee assessments in these neighborhoods if the use of impact fees are adopted in the Plan.

Objective FLU-1.13: Opportunity for dispute resolution in consideration of revisions to the Comprehensive Plan.

Policy FLU-1.13.1: Opportunity shall be afforded, pursuant to F.S. 163.3181 (4), for informal mediation or other alternative dispute resolution to a property owner who's request for an amendment to the Comprehensive Plan pertaining to his

property is denied. The costs of the mediation or other alternative dispute resolution shall be borne equally by the local government and the property owner. If the owner requests mediation, the time for bringing a judicial action is tolled until the completion of the mediation or 120 days, whichever is earlier.

Policy FLU-1.13.2: Prior to an administrative hearing conducted pursuant to review of the comprehensive plan or plan amendment by the state land planning agency, opportunity to mediate or otherwise resolve the dispute of any affected person who intervenes as a party to that proceeding shall be afforded pursuant to F.S. 163.3184 (10)(c). The costs of the mediation or other alternative dispute resolution shall be borne equally by all the parties to the proceeding.