



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Agenda

Community Redevelopment Agency

The City of Pensacola Community Redevelopment Agency was created by the City Council and is a dependent special district in accordance with the Florida State Statutes Chapter 189 (Resolution No. 55-80 adopted on September 25, 1980; and amended Resolution No. 22-10 adopted on August 19, 2010.)

Tuesday, January 18, 2022

3:30 PM

Hagler-Mason Conference Room, 2nd Floor

Immediately following City Council Agenda Conference starting at 3:30 P.M.

Members of the public may attend the meeting in person. City Council encourages those not fully vaccinated to wear face coverings that cover their nose and mouth.

Members of the public may also attend and participate via live stream or phone.
Live meeting video: cityofpensacola.com/428/Live-Meeting-Video. Public input form here: www.cityofpensacola.com/CRAInput.

CALL MEETING TO ORDER

Members: Teniade Broughton, Chairperson, Casey Jones, Vice Chairperson, Jennifer Brahier, Ann Hill, Jared Moore, Sherri Myers, Delarian Wiggins

BOARD MEMBER DISCLOSURE

Board Members disclose ownership or control of interest directly or indirectly of property in the Community Redevelopment Area

CHAIRMAN'S REPORT

APPROVAL OF MINUTES

1. [22-00049](#) CRA MEETING MINUTES - 11/15/2021 & 12/13/2021

Sponsors: Delarian Wiggins

Attachments: [Draft CRA Minutes - 11/15/21](#)
[Draft CRA Minutes - 12/13/21](#)

PRESENTATIONS

2. [22-00027](#) HAWKSHAW REDEVELOPMENT PROJECT UPDATE

Sponsors: Teniade Broughton

Attachments: [Design Development Package](#)
 [Contractor Candidates](#)
 [4th Amendment to CCRs](#)

ACTION ITEMS**DISCUSSION ITEMS****3. [22-00029](#) AMENDMENT TO CRA URBAN DESIGN OVERLAY DISTRICT STANDARDS**

Sponsors: Teniade Broughton

Attachments: [Proposed Ordinance No. 03-22](#)
 [Planning Board Minutes 12-14-21](#)

OPEN FORUM**ADJOURNMENT**

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 436-5640 (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.



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 22-00049

Community Redevelopment Agency

1/18/2022

SUBJECT:

CRA MEETING MINUTES - 11/15/2021 & 12/13/2021



City of Pensacola
Community Redevelopment Agency
Meeting Minutes

November 15, 2021

5:09 P.M.

Hagler Mason Conference Rm, 2nd Fl

The Community Redevelopment Agency (CRA) meeting was called to order by Chairperson Wiggins at 5:09 P.M. (Immediately following the 3:30 P.M. City Council Agenda Conference).

CALL MEETING TO ORDER

Present: Jared Moore, Ann Hill, Casey Jones (left at 7:28 P.M.), Delarian Wiggins, Jennifer Brahier, Sherri Myers, Teniade Broughton

Absent: None

Public participation was available as follows:

Members of the public may attend the meeting in person. City Council encourages those not fully vaccinated to wear face coverings that cover their nose and mouth.

Members of the public may also attend and participate via live stream or phone.

Live meeting video: cityofpensacola.com/428/Live-Meeting-Video. Public input form here: www.cityofpensacola.com/CRAInput.

BOARD MEMBER DISCLOSURE**BOARD MEMBERS DISCLOSE OWNERSHIP OR CONTROL OF INTEREST DIRECTLY OR INDIRECTLY OF PROPERTY IN THE COMMUNITY REDEVELOPMENT AREA**

CRA Members Hill and Wiggins disclosed ownership or control of interest directly or indirectly of property in the Community Redevelopment Area.

CHAIRMAN'S REPORT

APPROVAL OF MINUTES

1. 21-00929 CRA MEETING MINUTES - 10/11/2021

A motion was made by Ann Hill, seconded by Jared Moore.

The motion carried by the following vote:

Yes: 6 Jared Moore, Ann Hill, Casey Jones, Delarian Wiggins, Sherri Myers, Teniade Broughton

No: 0 None

PRESENTATIONS

4. 21-01007 BRUCE BEACH WATERFRONT CONNECTIVITY PROJECT UPDATE

CRA Administrator Helen Gibson introduced Allen Vinson of HDR Engineering and SCAPE design cons Sophie Riedel and Jess Guinto of SCAPE Architecture to make a presentation. The presenters and CRA Administrator Gibson responded accordingly to questions.

3. 21-01012 EAST GARDEN DISTRICT PROJECT UPDATE

CRA Administrator Gibson introduced Tosh Belsinger, representative for the East Garden District project, to make a presentation. Mr. Belsinger and CRA Administrator Gibson responded accordingly to questions.

2. 21-01005 HAWKSHAW REDEVELOPMENT PROJECT UPDATE

No presentation was provided.

ACTION ITEMS

5. 21-00889 AMENDMENT TO CRA URBAN DESIGN OVERLAY DISTRICT STANDARDS

Recommendation: That the Community Redevelopment Agency refer revisions to the CRA Urban Design Overlay District Standards as described in Proposed Ordinance No. 45-21 with the addition of a provision to preserve heritage trees and broadening of the architect advisor role, to the City of Pensacola Planning Board.

A motion was made by Jared Moore, seconded by Jennifer Brahier.

CRA Administrator Gibson introduced Assistant CRA Administrator Victoria D'Angelo to provide an overview of the item. Staff responded accordingly to questions.

The motion carried by the following vote:

Yes: 7 Jared Moore, Ann Hill, Casey Jones, Delarian Wiggins, Jennifer Brahier, Sherri Myers, Teniade Broughton

No: 0 None

6. 21-00913 CRA COMMERCIAL FAÇADE IMPROVEMENT PROGRAM AWARD - HISTORIC MYRT'S BEAUTY SHOP

Recommendation: That the Community Redevelopment Agency (CRA) approve a commercial facade improvement program funding award, in an amount, not to exceed, \$60,000, to Sylvia E. Tisdale for eligible improvements to the property located at 601 West La Rua Street, Pensacola Florida, commonly known as the Historic Myrt's Beauty Shop. The property is located in historic Belmont-DeVilliers. Further, that the CRA Board authorize the CRA Chairperson to take all actions necessary to complete the project pursuant to the program documents.

A motion was made by Jared Moore, seconded by Ann Hill.

CRA Administrator Gibson introduced Assistant CRA Administrator D'Angelo to provide an overview of the item. Staff responded accordingly to questions.

The motion carried by the following vote:

Yes: 6 Jared Moore, Ann Hill, Delarian Wiggins, Jennifer Brahier, Sherri Myers, Teniade Broughton

No: 0 None

7. 21-00914 JACKSON STREET MASTER PLAN CONSULTANT SELECTION

Recommendation: That the Community Redevelopment Agency accept Escambia County's selection of consulting firm, WSP USA, Inc. for development of the Jackson Street Transportation Master Plan.

A motion was made by Jared Moore, seconded by Jennifer Brahier.

Assistant CRA Administrator D'Angelo provided an overview of the item. Staff responded accordingly to questions.

The motion carried by the following vote:

Yes: 6 Jared Moore, Ann Hill, Delarian Wiggins, Jennifer Brahier, Sherri Myers, Teniade Broughton

No: 0 None

8. 2021 -09 CRA SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-09 CRA - FINAL AMENDMENT TO THE FISCAL YEAR 2021 BUDGET

Recommendation: That the Community Redevelopment Agency adopt Supplemental Budget Resolution NO. 2021-09 CRA.

A RESOLUTION OF THE PENSACOLA COMMUNITY REDEVELOPMENT AGENCY APPROVING AND CONFIRMING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Jared Moore, seconded by Jennifer Brahier.

CRA Administrator Gibson provided an overview of the item. Staff responded accordingly to questions.

The motion carried by the following vote:

Yes: 6 Jared Moore, Ann Hill, Delarian Wiggins, Jennifer Brahier, Sherri Myers, Teniade Broughton

No: 0 None

DISCUSSION ITEMS

None.

OPEN FORUM

None.

ADJOURNMENT

7:39 P.M.

Approved: _____



City of Pensacola
Community Redevelopment
Agency
Meeting Minutes

December 13, 2021

5:50pm

Hagler/Mason Conference Rm, 2nd Fl

The Community Redevelopment Agency (CRA) meeting was called to order by Chairperson Wiggins at 5:50 P.M. (Immediately following the 3:30 P.M. City Council Agenda Conference).

CALL MEETING TO ORDER

Present: Jared Moore, Ann Hill, Casey Jones, Delarian Wiggins, Jennifer Brahier, Sherri Myers, Teniade Broughton

Absent: None

Public participation was available as follows:

Members of the public may attend the meeting in person. City Council encourages those not fully vaccinated to wear face coverings that cover their nose and mouth.

Members of the public may also attend and participate via live stream or phone.

Live meeting video: cityofpensacola.com/428/Live-Meeting-Video. Public input form here: www.cityofpensacola.com/CRAInput.

BOARD MEMBER DISCLOSURE**BOARD MEMBERS DISCLOSE OWNERSHIP OR CONTROL OF INTEREST DIRECTLY OR INDIRECTLY OF PROPERTY IN THE COMMUNITY REDEVELOPMENT AREA**

CRA Members Hill and Wiggins disclosed ownership or control of interest directly or indirectly of property in the Community Redevelopment Area.

CHAIRMAN'S REPORT**APPROVAL OF MINUTES**

None.

PRESENTATIONS

1. 21-01087 HAWKSHAW REDEVELOPMENT PROJECT UPDATE

CRA Administrator Helen Gibson introduced Brian Spencer of SMP Architecture and project developer, Robert Montgomery to provide the presentation. Mr. Spencer, Mr. Montgomery and CRA Administrator Gibson responded accordingly to questions.

ACTION ITEMS

2. 21-01049 ACCEPTANCE OF DEO COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT

Recommendation: That the Community Redevelopment Agency (CRA) accept a Florida Department of Economic Opportunity (DEO) Community Planning Technical Assistance Grant, in the amount of \$40,000, for development of the Jackson Street Transportation Master Plan. Further, that the CRA authorize the CRA Chairperson to take all actions necessary to accept the grant and appropriate the funding. Finally, that the CRA adopt a supplemental budget resolution to appropriate the grant funds.

A motion was made by Casey Jones, seconded by Jared Moore.

CRA Administrator Helen Gibson provided an overview of the item.

The motion carried by the following vote:

Yes: 7	Jared Moore, Ann Hill, Casey Jones, Delarian Wiggins, Jennifer Brahier, Sherri Myers, Teniade Broughton
No: 0	None

3. 2021 -11 CRA SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-11 CRA - DEOCOMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT

Recommendation: That the Community Redevelopment Agency adopt Supplemental Budget Resolution No. 2021-11 CRA:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022, PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Jared Moore, seconded by Ann Hill.

CRA Administrator Helen Gibson provided an overview of the item.

The motion carried by the following vote:

Yes: 7 Jared Moore, Ann Hill, Casey Jones, Delarian Wiggins, Jennifer
Brahier, Sherri Myers, Teniade Broughton

No: 0 None

4. 2021 -10 CRA SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-10 CRA -
CONTRACTS PAYABLE

Recommendation: That the Community Redevelopment Agency adopt
Supplemental Budget Resolution No. 2021-10 CRA.

A RESOLUTION OF THE PENSACOLA COMMUNITY REDEVELOPMENT
AGENCY APPROVING AND CONFIRMING REVISIONS AND
APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022;
PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Jared Moore, seconded by Casey Jones.

CRA Administrator Helen Gibson provided an overview of the item.

The motion carried by the following vote:

Yes: 7 Jared Moore, Ann Hill, Casey Jones, Delarian Wiggins, Jennifer
Brahier, Sherri Myers, Teniade Broughton

No: 0 None

5. 2021 -12 CRA SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-12 CRA -
NON-ENCUMBERED CARRYOVER RESOLUTION

Recommendation: That the Community Redevelopment Agency adopt
Supplemental Budget Resolution No. 2021-12 CRA.

A RESOLUTION OF THE PENSACOLA COMMUNITY REDEVELOPMENT
AGENCY APPROVING AND CONFIRMING REVISIONS AND
APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022;
PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Jennifer Brahier, seconded by Casey Jones.

CRA Administrator Helen Gibson provided an overview of the item and responded
accordingly to questions.

The motion carried by the following vote:

Yes: 7 Jared Moore, Ann Hill, Casey Jones, Delarian Wiggins, Jennifer
Brahier, Sherri Myers, Teniade Broughton

No: 0 None

DISCUSSION ITEMS

None

OPEN FORUM

None

ADJOURNMENT

6:30 P.M.

Approved: _____



Memorandum

File #: 22-00027

Community Redevelopment Agency

1/18/2022

PRESENTATION ITEM

FROM: Teniade Broughton, Chairperson

SUBJECT:

HAWKSHAW REDEVELOPMENT PROJECT UPDATE

REQUEST:

That the Community Redevelopment Agency (CRA) receive a presentation to update the status of the Hawkshaw Redevelopment Project at 9th Avenue and Romana Street.

SUMMARY:

On October 11, 2021, the Community Redevelopment Agency (CRA) approved the 4th Amendment to the Declaration of Conditions, Covenants and Restrictions for the Hawkshaw Redevelopment Project, in accordance with the revised project components and conceptual design plans presented on June 14, 2021.

The 4th Amendment includes a requirement that the developer provide monthly updates on the project's status. Additionally, the 4th Amendment requires that the developer have completed the Schematic Design Development Package and provide the General Contractor Candidates by December 27, 2021. Both these have been met. A presentation will be made by Brian Spencer of SMP, the project architect, representing the development team.

PRIOR ACTION:

November 6, 2017 - CRA approved the development agreement/contract for sale of the Hawkshaw property to Robert Montgomery, LLC.

February 26, 2018 - The deed for sale of Hawkshaw property to Hawkshaw Developers, LLC was filed in Escambia County Official Records.

June 10, 2019 - The CRA approved extension of the commencement deadline for the Hawkshaw redevelopment project at 9th Avenue and Romana Street to September 30, 2019 and granted extension of the construction commencement deadline.

August 5, 2019 - The CRA approved the revised design plans, revised construction timeline and changes to the Hawkshaw Redevelopment, LLC. Development Team.

May 10, 2021 - The CRA directed staff to send a letter to the developer requesting a presentation during its June meeting, as well as written documentation of the developer's diligent and continuous prosecution of construction on the project and previously requested items from the CRA Chairman's letter dated December 17, 2019.

June 14, 2021 - The development team made a presentation to the CRA.

July 12, 2021 - The CRA authorized negotiation of a 4th Amendment to Declaration of Conditions, Covenants and Restrictions for the Hawkshaw Redevelopment Project.

October 11, 2021 - The CRA approved the 4th Amendment to the Declaration of Conditions, Covenants and Restrictions for the Hawkshaw Redevelopment Project including a requirement for monthly project updates.

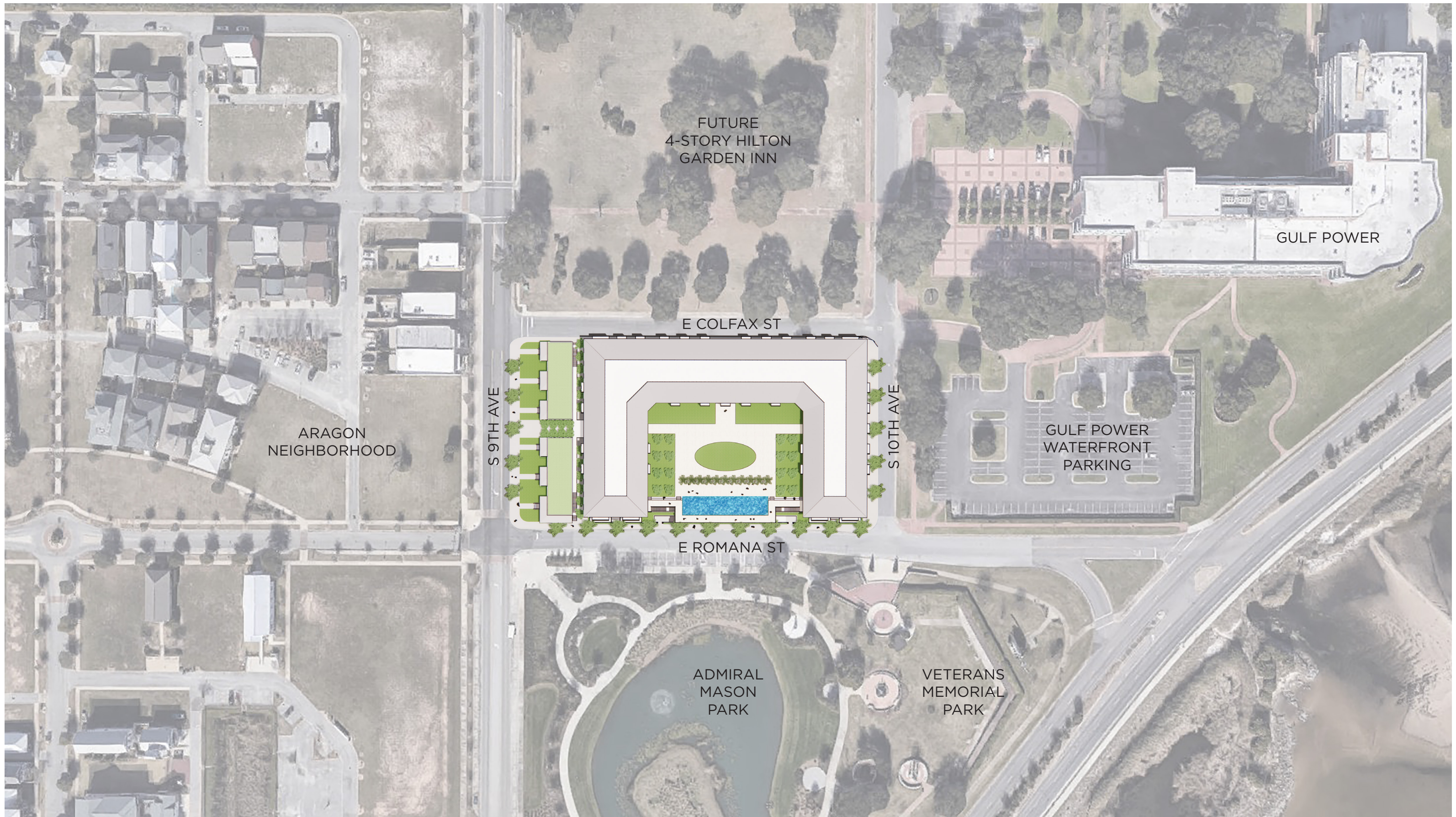
STAFF CONTACT:

David Forte, Deputy City Administrator - Community Development
Sherry Morris, Development Services Director
M. Helen Gibson, AICP, CRA Administrator

ATTACHMENTS:

- 1) Design Development Package
- 2) Contractor Candidates
- 3) 4th Amendment to CCRs

PRESENTATION: Yes











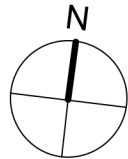
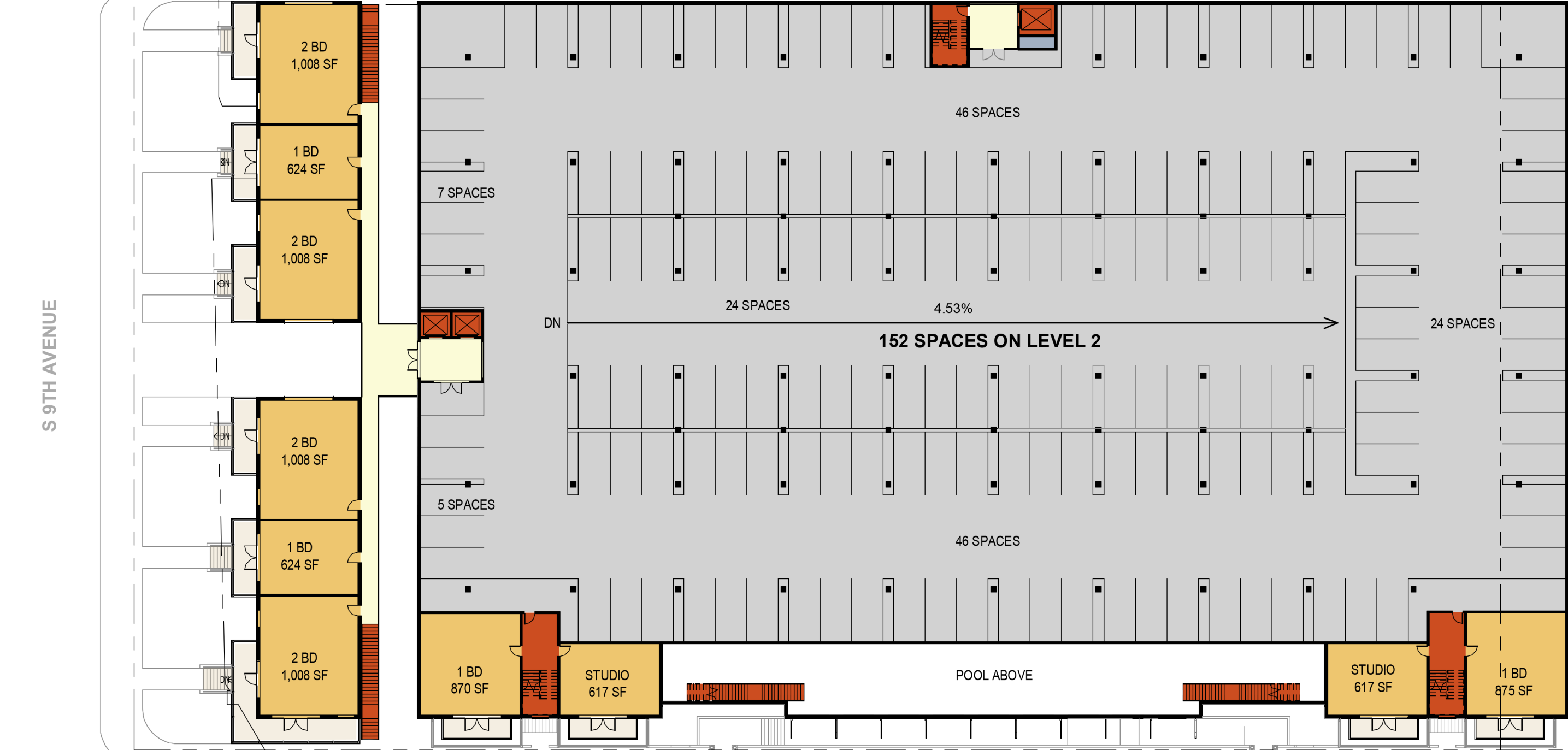


E COLFAX STREET

S 9TH AVENUE

S 10TH AVENUE

E ROMANA STREET



S 9TH AVENUE

S 10TH AVENUE

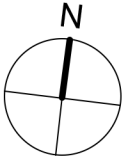
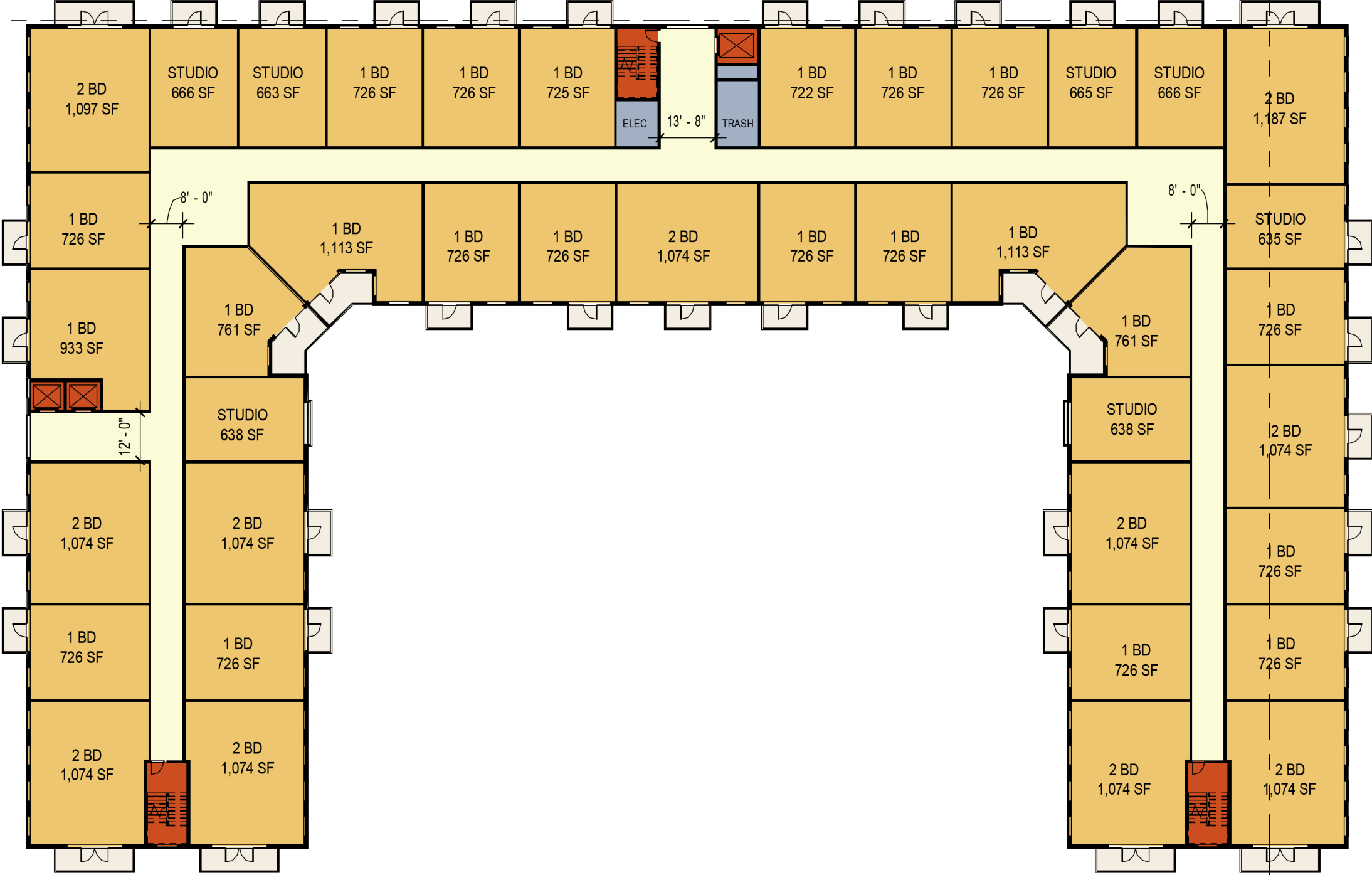


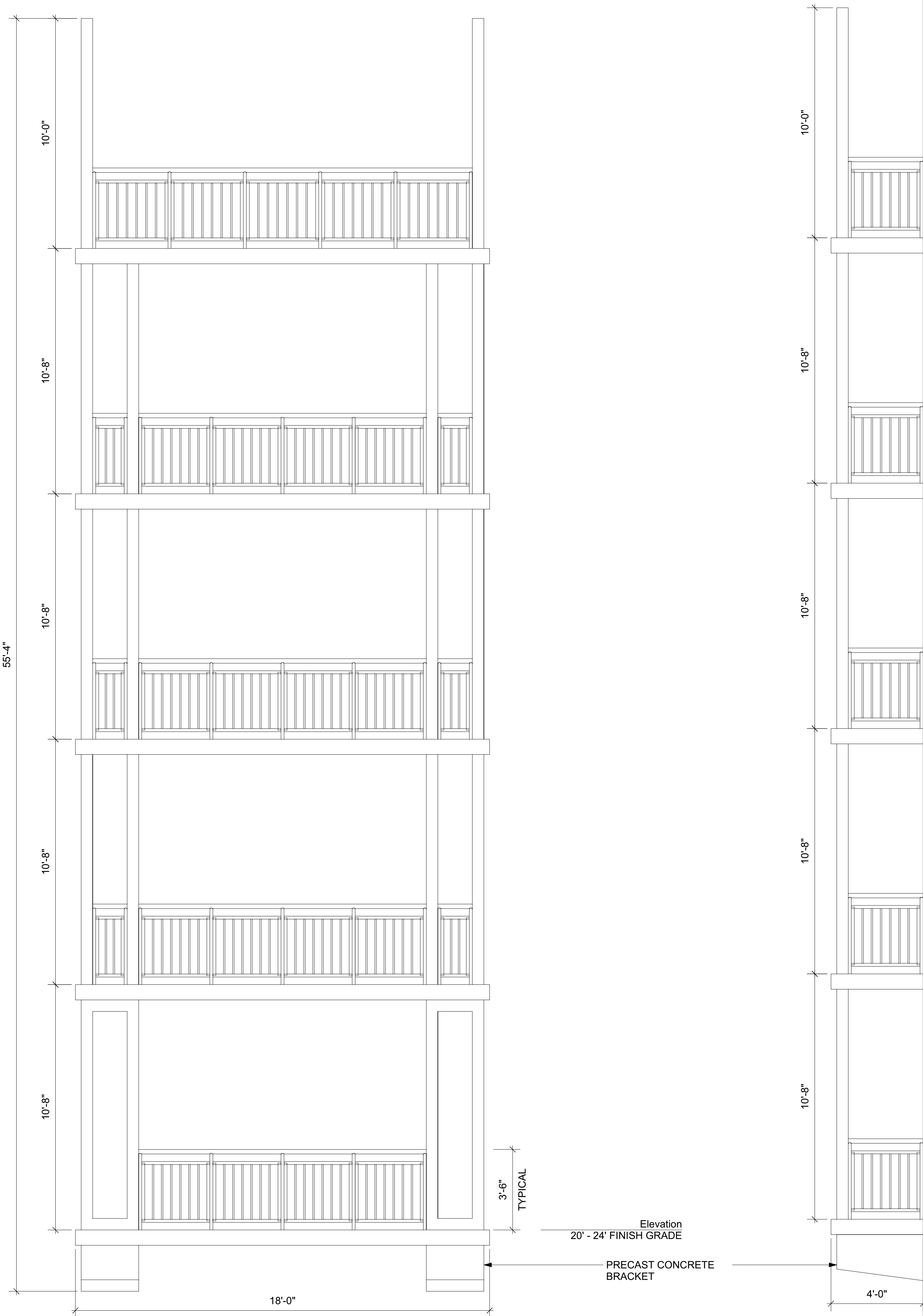
E COLFAX STREET

S 9TH AVENUE

S 10TH AVENUE

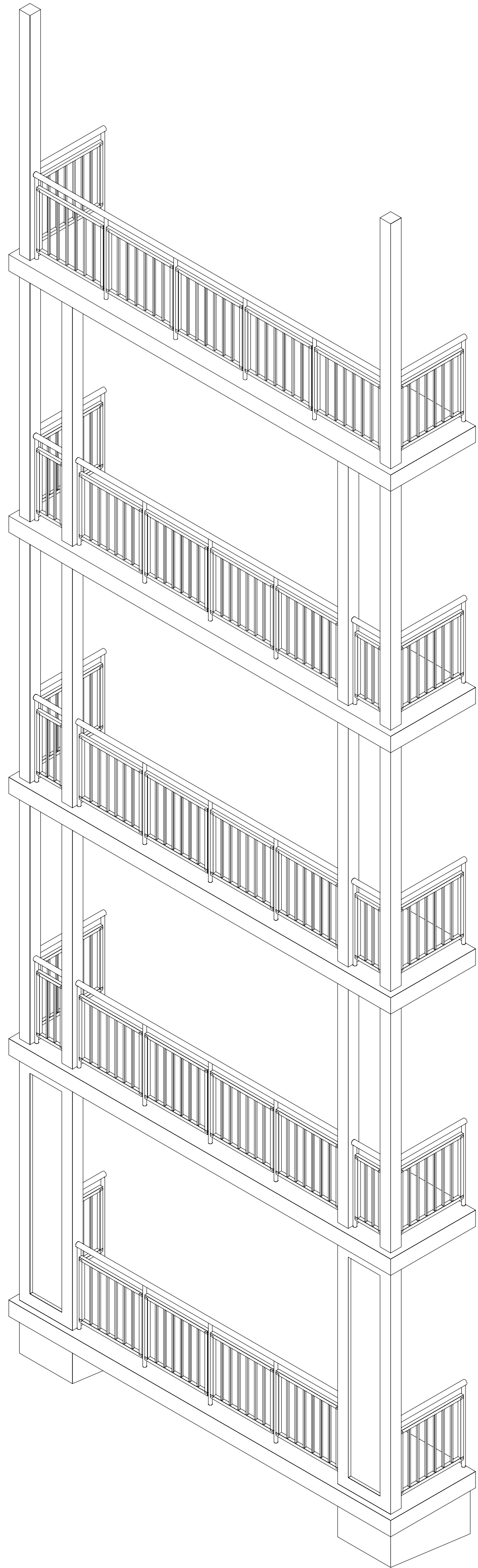
E ROMANA STREET



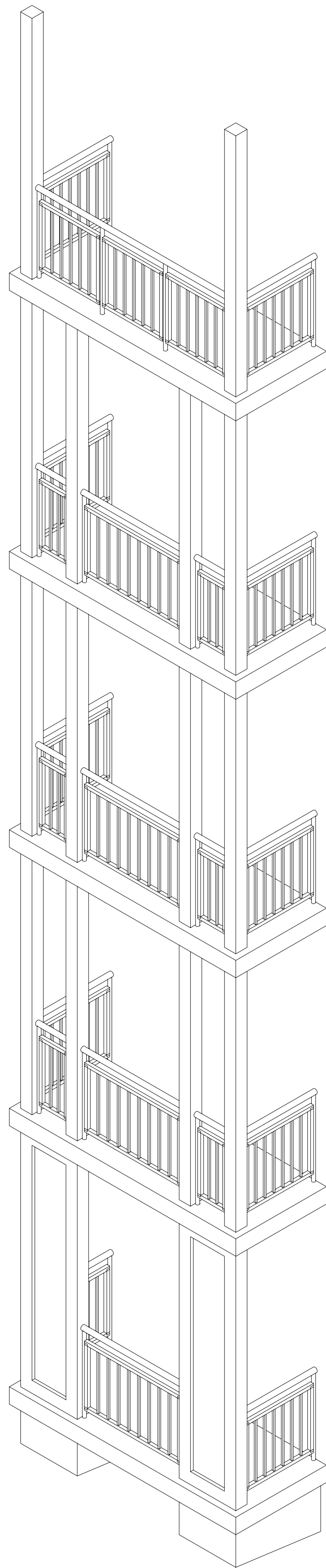
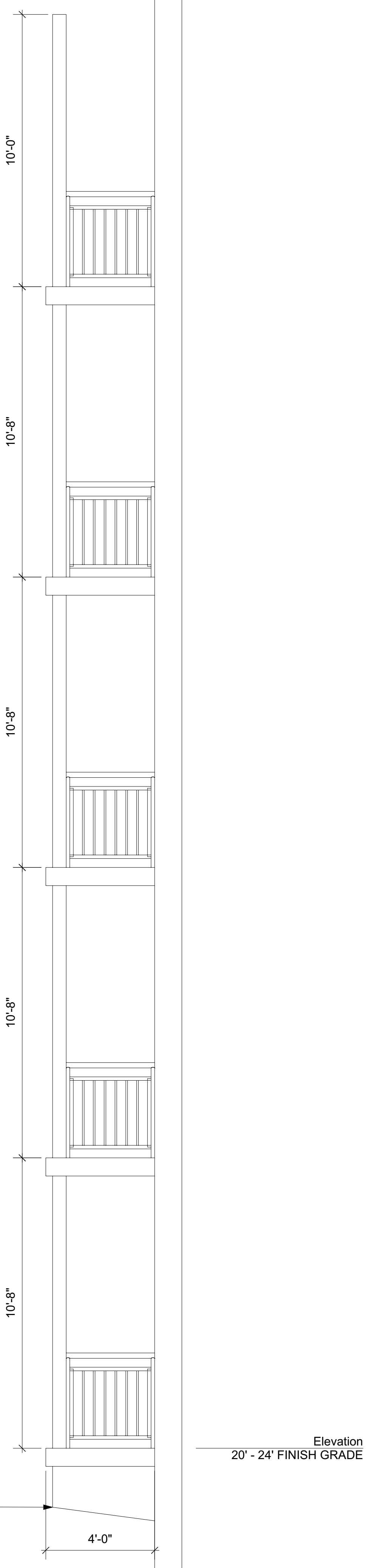
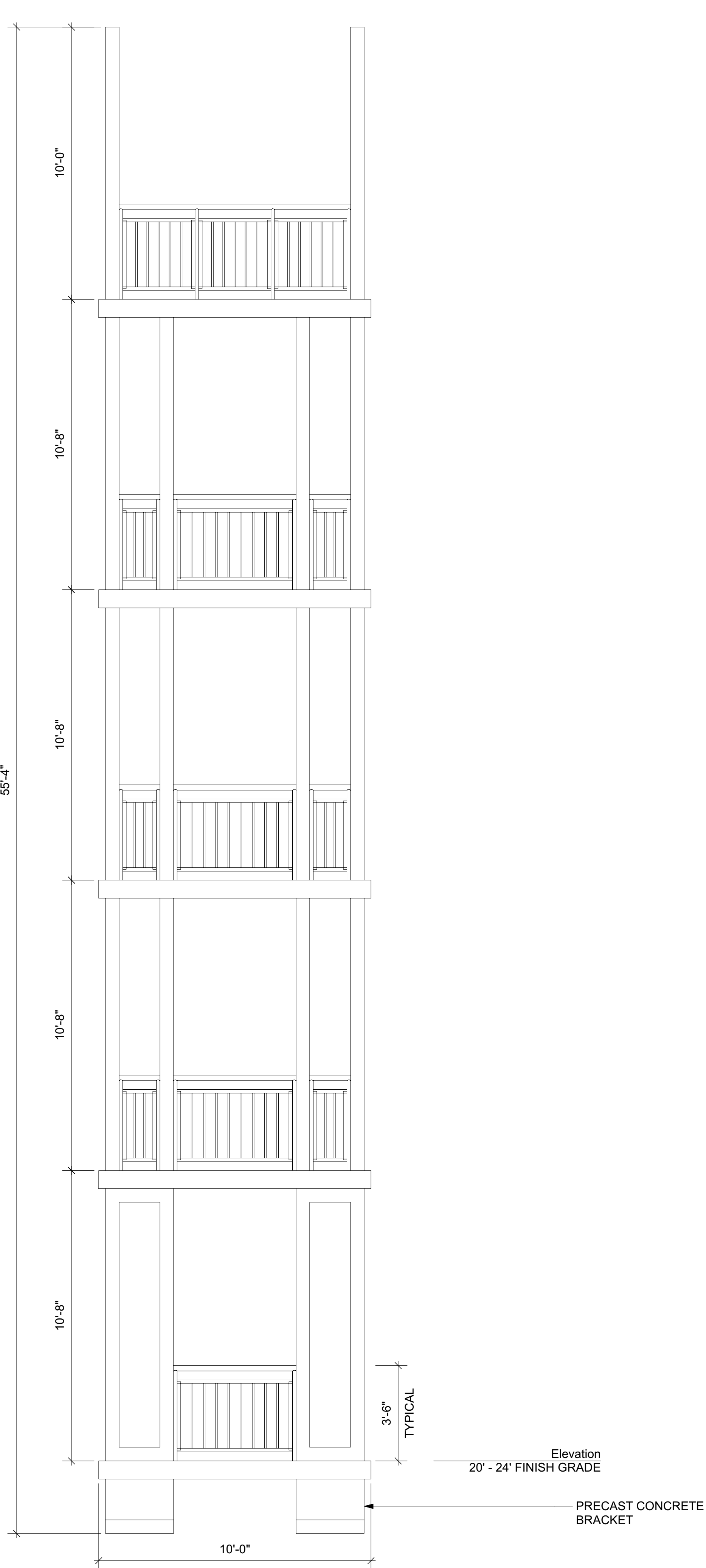


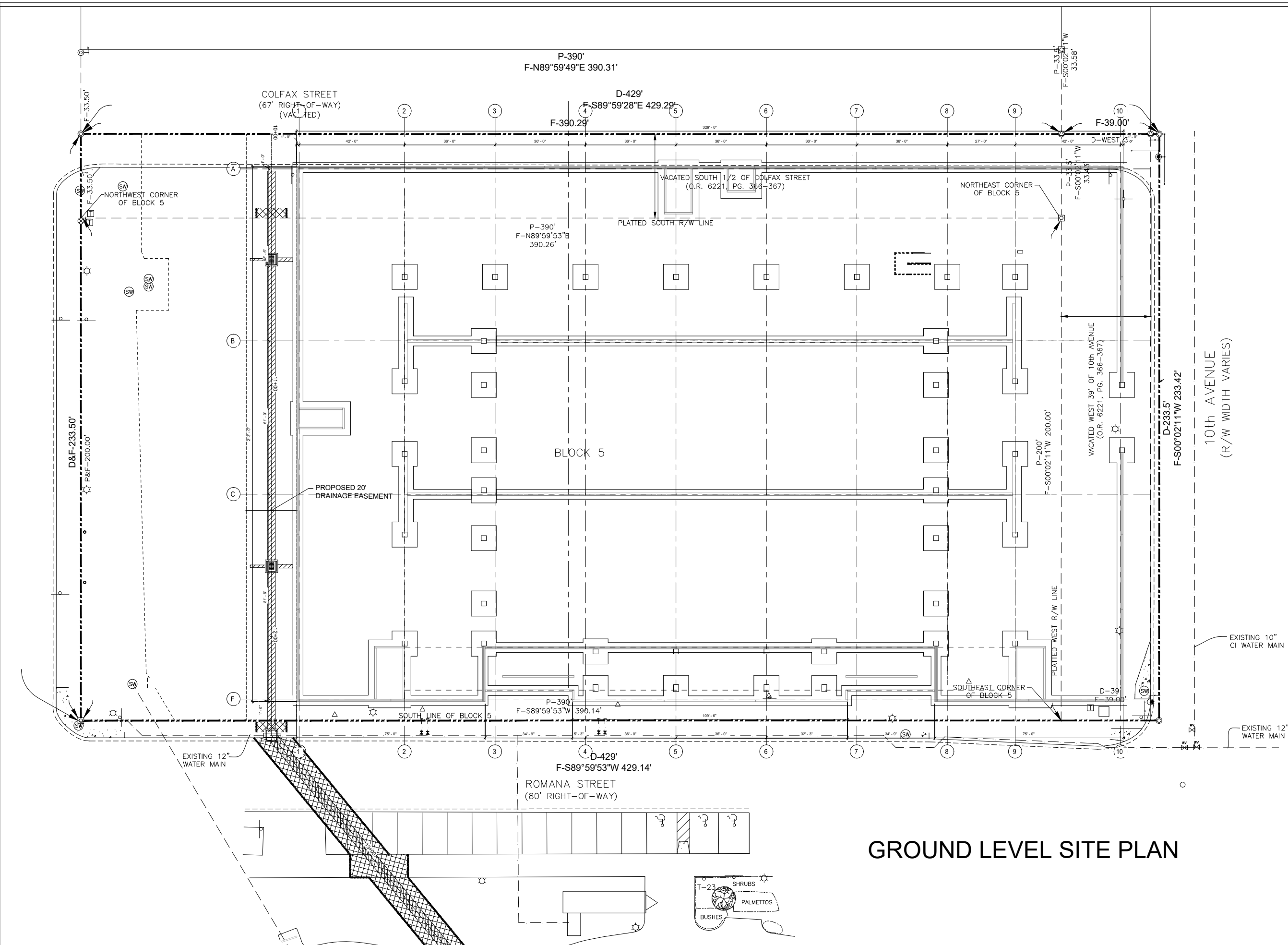
1 Hawkshaw - Balcony Type A Front Elevation
Scale: 3/8" = 1'-0"

2 Hawkshaw - Balcony Type A Side Elevation
Scale: 3/8" = 1'-0"



3 Hawkshaw - Balcony Type A Iso
Scale: 3/8" = 1'-0"





GROUND LEVEL SITE PLAN

smp.
SMP Architecture, P.A.
40 S. PALAFOX STREET • SUITE 202
PENSACOLA, FLORIDA 32502 • P 850.432.7772
www.smp-arch.com • AAC001828

Listen. Interpret. Translate.

CERTIFICATION :

HAWKSHAW

ALL DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND MAY NOT BE DUPLICATED IN ANY PART WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

REVISIONS :

DRAWN BY :

CHECKED BY :

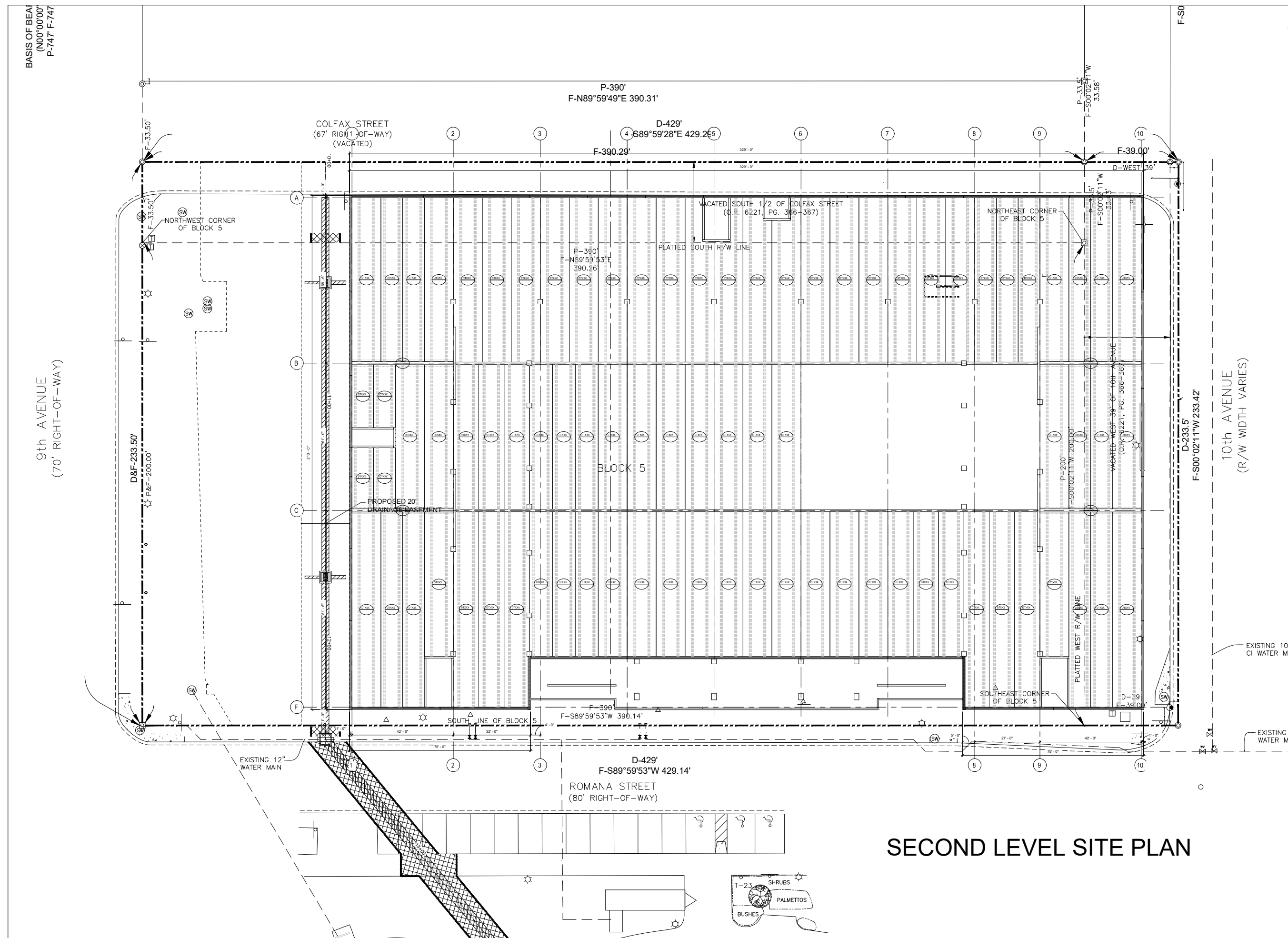
PROJECT NO. 2116

DATE: 12/28/2021

SHEET TITLE :
GROUND LEVEL SITE PLAN

SHEET NO. :

©2020 SMP ARCHITECTURE



Listen. Interpret. Translate.

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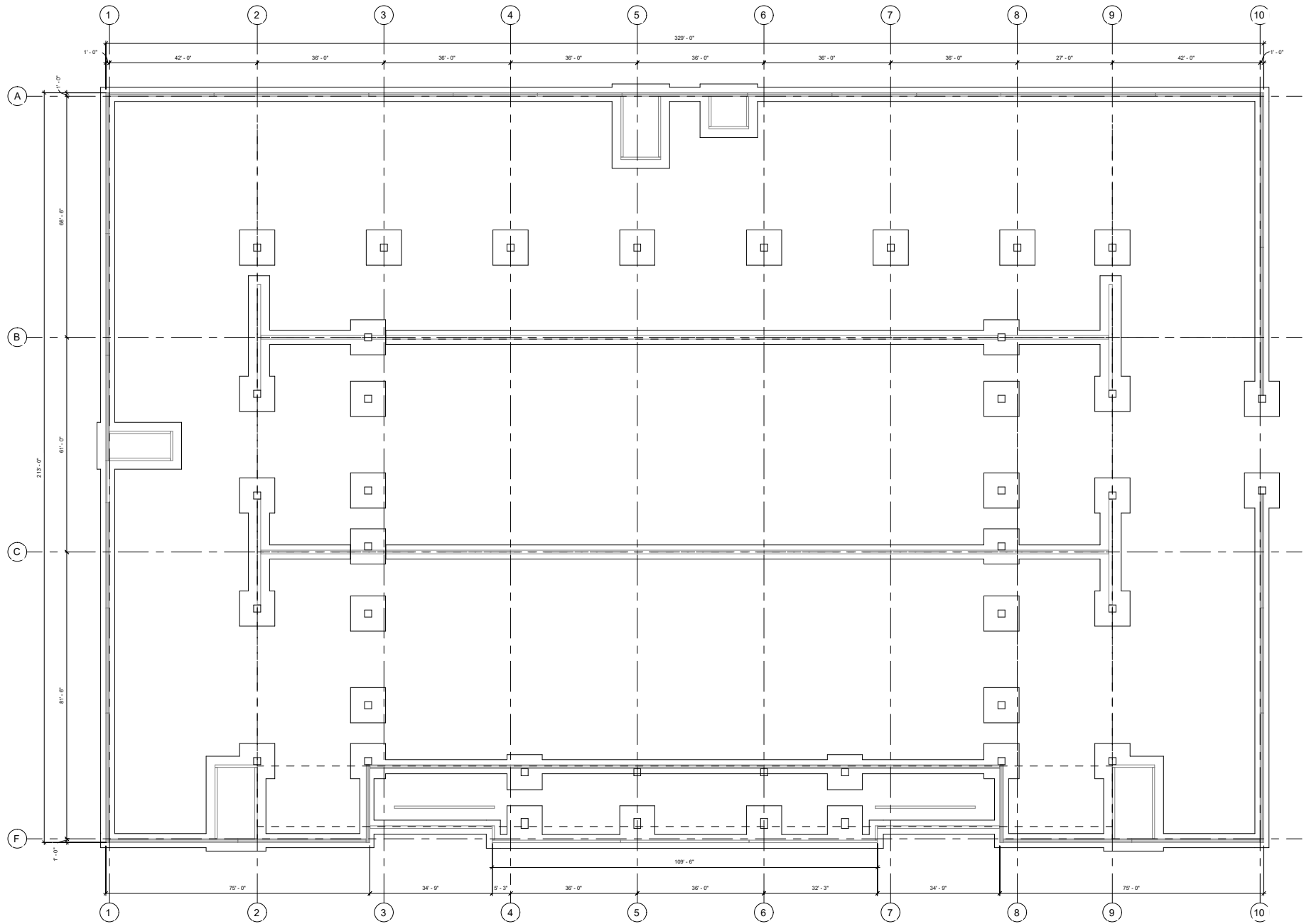
CHECKED BY :

PROJECT NO. 2116

DATE : 12/28/2021

SHEET TITLE :

SHEET NO. :



GROUND LEVEL PLAN

Listen. Interpret. Translate.

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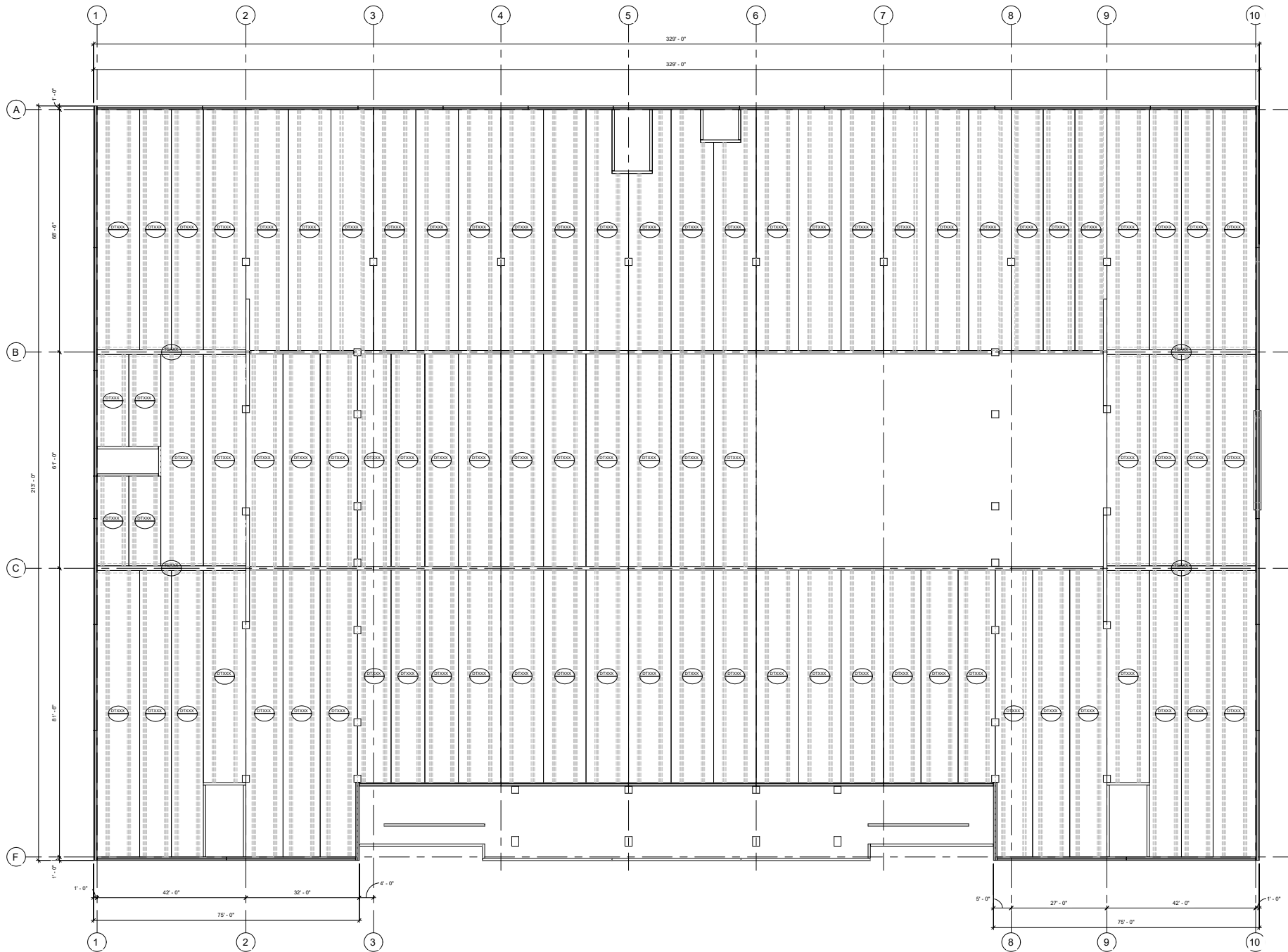
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PROJECT NO. 2116

DATE : 12/28/2021

SHEET TITLE :

SHEET NO. :



SECOND LEVEL PLAN

Listen. Interpret. Translate.

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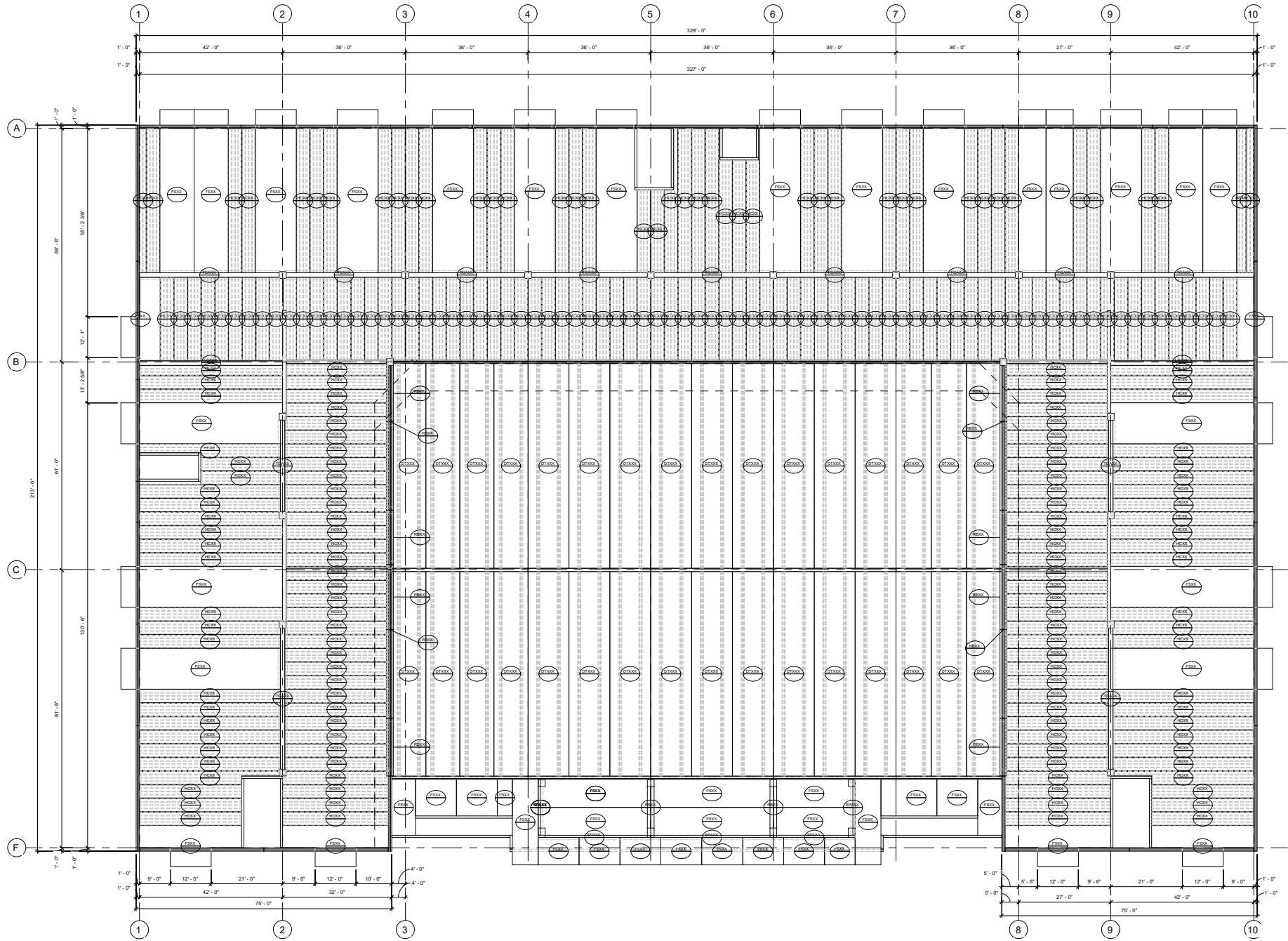
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PROJECT NO. 2116

DATE : 12/28/2021

SHEET TITLE :

SHEET NO. :



THIRD LEVEL PLAN

Listen. Interpret. Translate.

CERTIFICATION :

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OF THE ARCHITECT.

REVISIONS :

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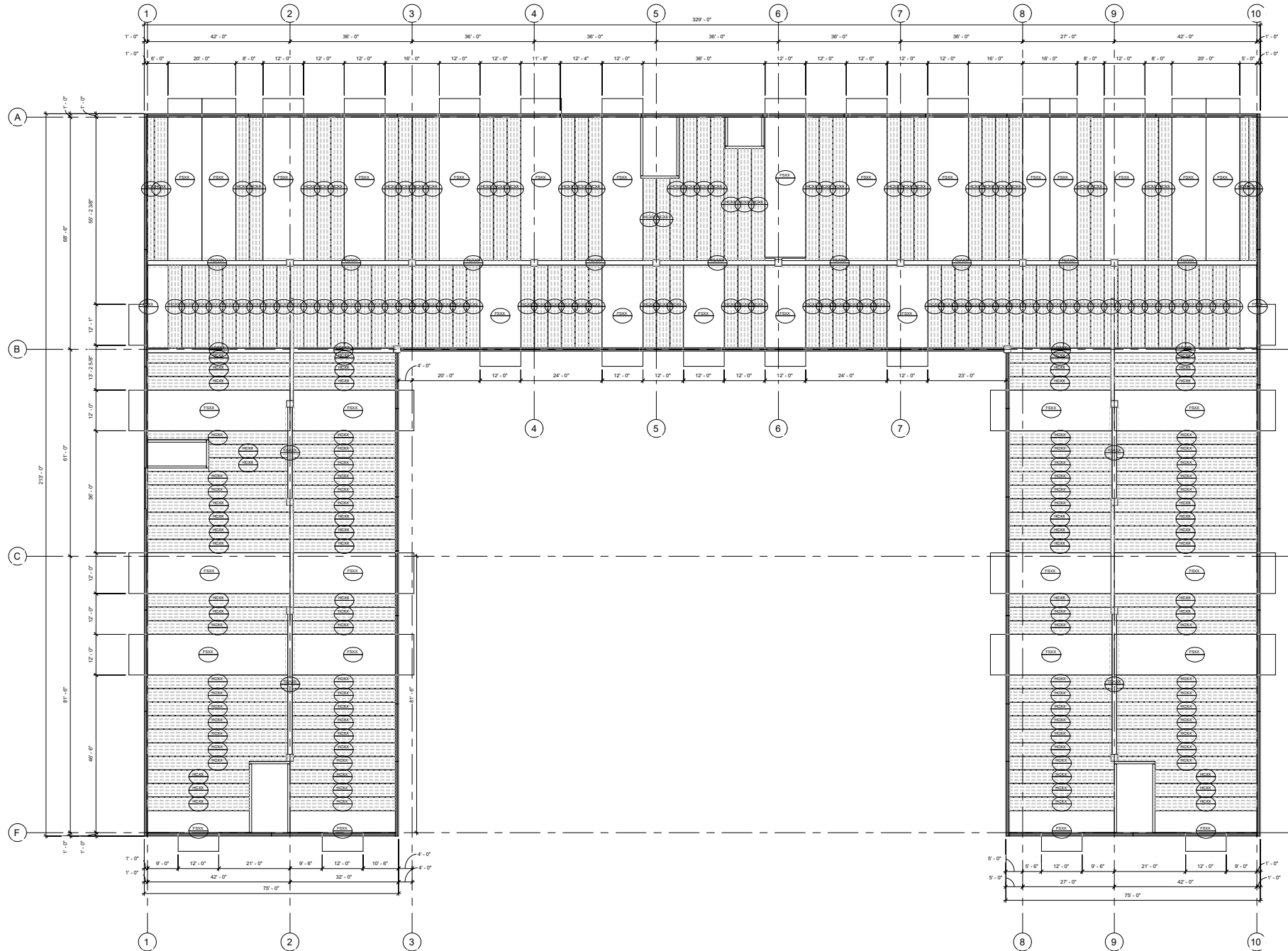
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PROJECT NO. 2116

DATE : 12/28/2021

SHEET TITLE :

SHEET NO. :



FOURTH LEVEL PLAN

Listen. Interpret. Translate.

CERTIFICATION :

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OF THE ARCHITECT.

REVISIONS :

DRAWN BY :

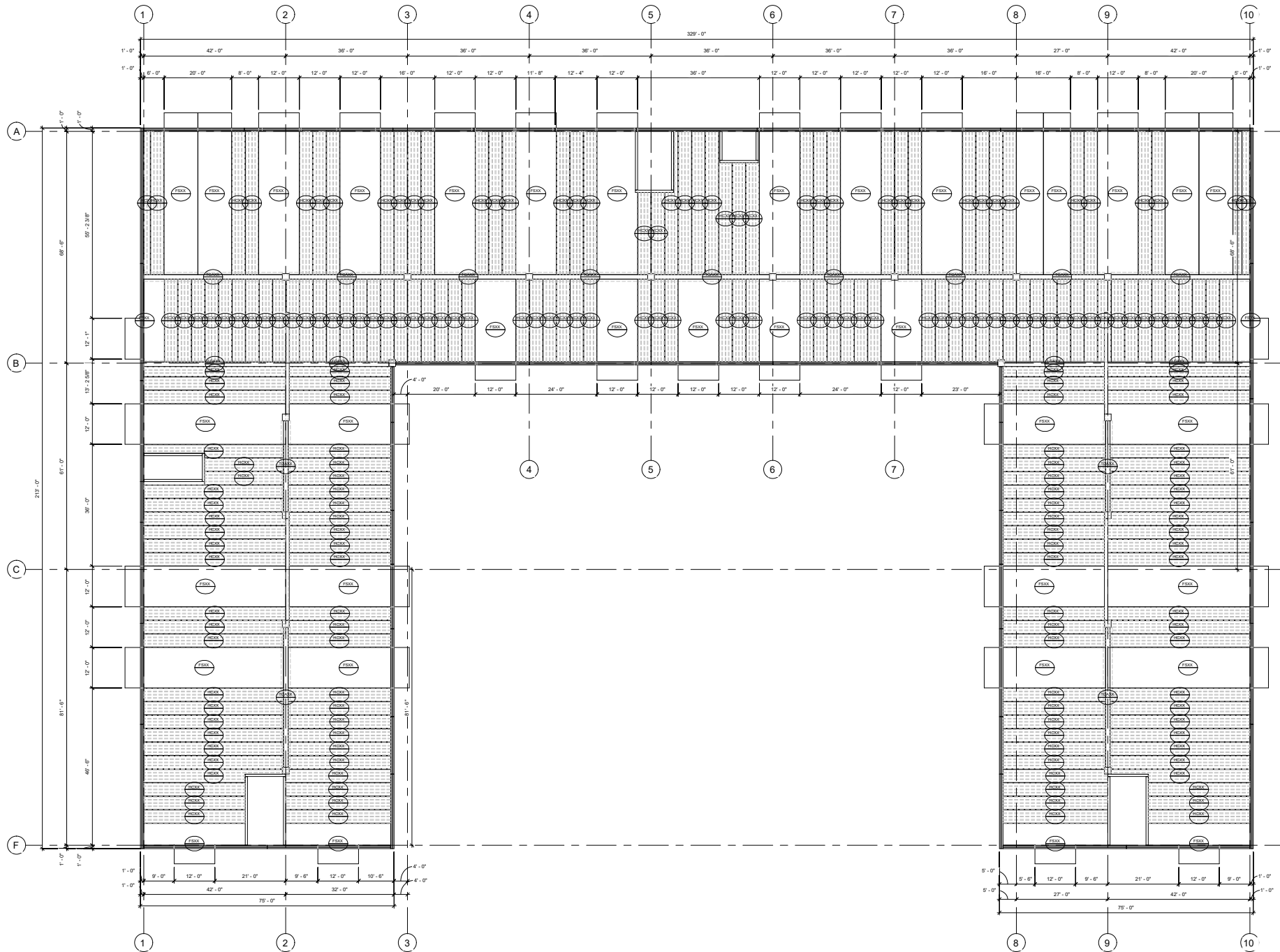
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PROJECT NO. 2116

DATE : 12/28/2021

SHEET TITLE :

SHEET NO. :



FIFTH LEVEL PLAN

Listen. Interpret. Translate.

CERTIFICATION :

HAWKSHAW

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PART WITHOUT THE WRITTEN CONSENT
OF THE ARCHITECT.

REVISIONS :

DRAWN BY :

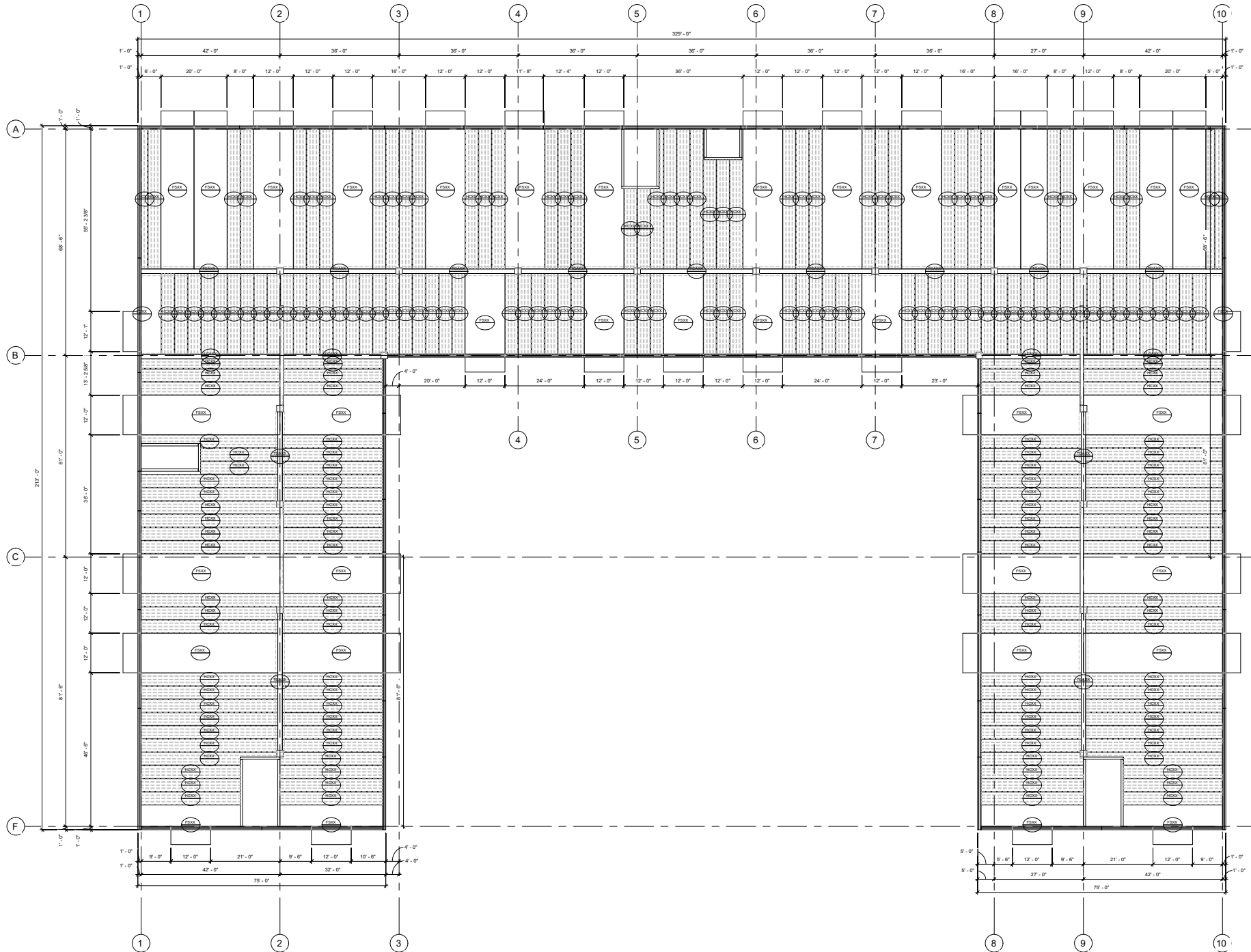
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PROJECT NO. 2116

DATE : 12/28/2021

SHEET TITLE :

SHEET NO. :



SIXTH LEVEL PLAN

Listen. Interpret. Translate.

CERTIFICATION :

HAWKSHAW

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OF THE ARCHITECT.

REVISIONS :

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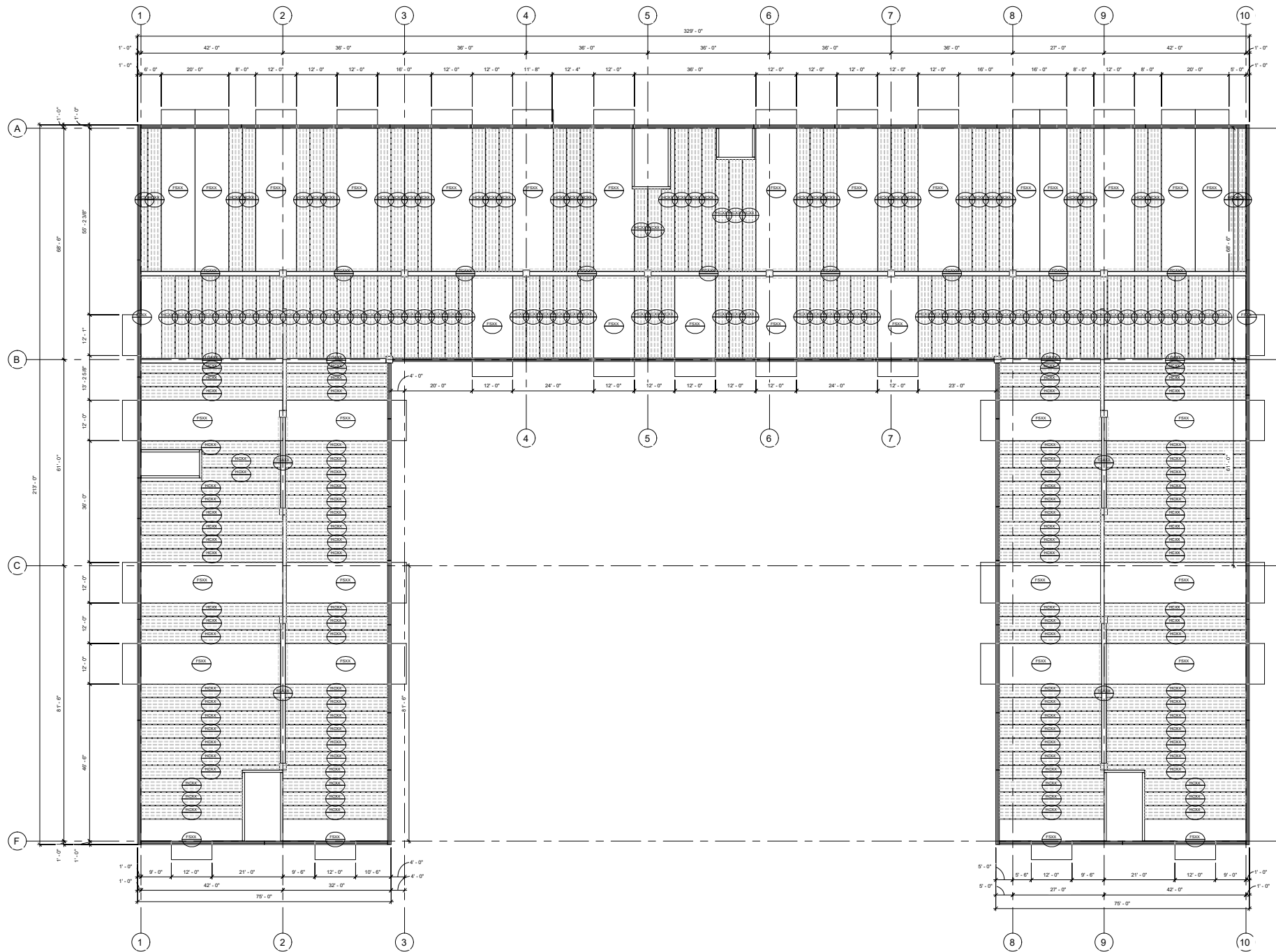
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PROJECT NO. 2116

DATE : 12/28/2021

SHEET TITLE :

SHEET NO. :



SEVENTH LEVEL PLAN



Savannah Row House Precedent



Amenity Deck Precedent



U-Shaped Building Form Precedent





Savannah Row House Precedent



Savannah Row House Precedent



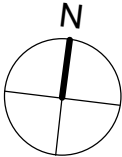
Hawkshaw Urban Design Guidelines Precedent



FUTURE
HILTON
GARDEN
INN

UNIT MIX		
UNIT TYPE		Count
1 BD		
1 BD	106	51%
2 BD		
2 BD	62	30%
STUDIO		
STUDIO	41	19%
209 TOTAL UNITS		

PARKING
138 LEVEL 1 PARKING SPACES
152 LEVEL 2 PARKING SPACES
290 TOTAL PARKING SPACES



Helen Gibson

From: Brian Spencer <brian@smp-arch.com>
Sent: Monday, January 3, 2022 12:50 PM
To: Helen Gibson; Bob Montgomery; Stephen Moorhead
Cc: Charlie Peppler; Heather Lindsay; Sherry Morris
Subject: [EXTERNAL] RE: Response from Brian Spencer / Final 4th Amendment-Hawkshaw10122021.pdf

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

January 3, 2022

Happy New Year to you as well, Helen.

I am taking the liberty to respond without the benefit of collaborating with Bob Montgomery, so please know that he has not weighed in on this reply.

However, I am hopeful that upon review of recordings of previous presentations to the CRA that you and staff will consider offering latitude in the identification of a specific General Contractor of the project. We, instead, were (and remain hopeful) that you will allow us to identify the QUALIFIED GENERAL CONTRACTOR CANDIDATES that are well suited, capable, and can represent their availability to construct this project. At a previous CRA meeting, I believe I shared w/ CRA that while there certainly is potential efficiency with matching this project w/ Baptist Health Care's GC, Brasfield & Gorrie, there could also be efficiency in contracting with Pinkerton & Laws, the GC that is currently constructing Hawkshaw's neighboring project, Hilton Garden Inn. We are currently contracted with Pinkerton & Laws to construct the stormwater infrastructure that is underway.

At the most recent update presentation, I shared with the CRA that the Hawkshaw Development Group was evaluating two distinctly different building envelope options which are:
Insulated Concrete Form (ICF) construction and Pre-Cast Concrete Panel construction. The Pre-Cast Panel construction solution was selected by Baptist Health Care. There are pros and cons, including cost differentials, associated with both systems. Both options are more expensive than conventional steel and wood frame construction. There are GC's (construction companies) that are better equipped to do specific building envelope solutions. Since we are in the process of evaluating optional solutions, it would be premature for us to make a final decision about the GC. Finally, I am additionally hopeful that my previous presentation educated the CRA and attendees about financing commitments and how a finance commitment letter that specifies the project and project cost will need to occur AFTER the competitive pricing process is completed and a selection of GC (general contractor) has occurred, none of which can be adequately done prior to completion of permit documents.

I am more than happy to meet with you, Sherry, legal staff, and/or the CRA Chair to discuss.

Respectfully submitted,
Brian Spencer

From: Helen Gibson <HGibson@cityofpensacola.com>
Sent: Monday, January 3, 2022 12:28 PM
To: Bob Montgomery <robert@montgomeryrealtors.com>; Brian Spencer <brian@smp-arch.com>; Stephen Moorhead <smoorhead@moorheadlaw.com>
Cc: Charlie Peppler <CPeppler@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>

Subject: Final 4th Amendment-Hawkshaw10122021.pdf

Importance: High

Good Afternoon, Bob and Brian. Happy New Year.

Pursuant to Article 3.01(a) of the 4th amendment to Declaration of Conditions, Covenants & Restrictions pertaining to the Hawkshaw redevelopment project, please forward evidence of the selection of the General Contractor for the project.

Thank you,
Helen



STEPHEN R. MOORHEAD
Board Certified Real Estate Lawyer
smoorhead@moorheadlaw.com
Direct Line: (850) 696-0438

October 12, 2021

VIA HAND DELIVERY

M. Helen Gibson, AICP
CRA Administrator
222 W Main St.
Pensacola, FL 32502

RE: Hawkshaw Development Group, LLC – Fourth Amendment to the Declaration of Conditions, Covenants, and Restrictions
Our File No. 171279

Dear Ms. Gibson:

Enclosed please find the Fourth Amendment to the Declaration of Conditions, Covenants, and Restrictions ("Fourth Amendment") pertaining to the Hawkshaw project as approved by the CRA. Once executed on behalf of the CRA, please email a fully executed Fourth Amendment to me for my records.

Please let me know if you have any questions or if I can be of further assistance.

Sincerely,

Stephen R. Moorhead

SRM/als
Enclosure

Prepared by:
Stephen R. Moorhead, Esquire
Moorhead Real Estate Law Group
127 Palafox Place, Suite 200
Pensacola, FL 32502
RE-17-1279

**FOURTH AMENDMENT TO THE DECLARATION OF
CONDITIONS, COVENANTS, AND RESTRICTIONS**

STATE OF FLORIDA
COUNTY OF ESCAMBIA

This Fourth Amendment to the Declaration of Conditions, Covenants, and Restrictions is made this ___ day of October, 2021, by Community Redevelopment Agency of the City of Pensacola, a public body, corporate and politic, of the State of Florida ("Declarant"), whose address is 222 West Main Street, Pensacola, FL 32502, and Hawkshaw Development Group, LLC, a Florida limited liability company ("Owner"), whose address is 657 E. Romana St., Pensacola, FL 32502. Defined terms shall have the meaning ascribed to them in the Declaration.

WITNESSETH:

WHEREAS, on February 21, 2018, Declarant executed a Declaration of Conditions, Covenants, and Restrictions, which was recorded in Official Records Book 7860, at Page 540 of the public records of Escambia County, Florida, encumbering the Property therein described (as amended, as set forth below, the "Declaration");

WHEREAS, the Declaration was amended by First Amendment to Declaration of Conditions, Covenants and Restrictions dated April 18, 2019, and recorded in Official Records Book 8080, at Page 1546; by Second Amendment to Declaration of Conditions, Covenants and Restrictions dated June 28, 2019 and recorded in Official Record Book 8140, at Page 471; and by Third Amendment to Declaration of Conditions, Covenants and Restrictions dated August 15, 2019, and recorded in Official Records Book 8151, at Page 1137; all of the public records of Escambia County, Florida;

WHEREAS, the Declarant has the absolute right to amend the Declaration in accordance with Article Six, Section 6.4, by a written instrument executed by Declarant, its successors or assigns and the then-current Owner;

WHEREAS, the Declarant and Owner desire to amend the Declaration to modify the requirements of the Project;

WHEREAS, the parties desire to reduce the terms of their agreements and understandings into this Declaration and for the covenants and terms of the Purchase and Sale Agreement dated November 14, 2017 ("Purchase Agreement") to merge into this Declaration;

NOW, THEREFORE, Declarant and Owner hereby amend the Declaration as follows, with the intent and purpose that the amendments will encumber the Property and will run with the land and be binding on and inure to the benefit of the Owner.

1. Recitals. The above and foregoing recitals are true and correct and adopted herein.
2. Amendment of Article Two. Article Two shall hereby be deleted in its entirety with the following substituted in its place:

ARTICLE TWO
DEVELOPMENT OF THE PROPERTY

2.01 The Property shall be used and developed only as a multi-family residential development complying with the requirements of this Article (the "Project"), and only improvements complying with the requirements of this Article shall be constructed and allowed to remain on the Property.

(a) The Project shall consist of:

- (i) between 195 and 210 units of 175,000 to 185,000 rentable square feet;
- (ii) 2 levels of structured parking under podium, concealed from streetview, consistent with the plan shared in June 2021 with the Declarant;
- (iii) a 5-level building above parking; and
- (iv) 2-level residential buildings along S. 9th Avenue.

(b) The buildings shall be elevated to meet current and anticipated revised minimum flood elevations.

(c) The Project shall contain paved parking with sufficient parking spaces to satisfy, at a minimum, applicable building code, zoning, and land use regulations.

(d) The outward appearance of the buildings shall be substantially in accordance with the renderings presented to the Declarant at its June 14, 2021 meeting, to include the following: six, two-story row houses on the west portion of the block and a seven-story multi-family complex in the center, with proposed aesthetics drawing on Savannah- and Gulf Coast-style architecture with an overall modern design to compliment the adjacent developments to the west, as well as future developments to the north. A hidden parking garage will be located on levels 1 and 2, with amenities such as a club house, infinity pool, and fitness center on level 3. The early design phase façade shows a stucco and painted-brick exterior, exposed rafter tails, metal canopies, and large windows and French doors. A green wall system

is also shown along the E. Romana Street elevation which will visually tie into an outdoor plaza greenspace above.

(e) Landscaping shall include traditional streetscapes along South 9th Avenue and Romana Street, unique urban gardens fronting Admiral Mason Park, a mix of planted in-ground materials and materials set in architectural features such as planters, seating, and other urban elements. Owner shall ensure that the development team preserves existing street trees to the greatest extent feasible.

(f) No material deviation shall be made from any of the foregoing requirements of paragraphs (a) through (e), hereinabove, except with the prior written consent of the Declarant in its sole and absolute discretion.

3. Amendment of Article Three. Article Three shall hereby be deleted in its entirety with the following substituted in its place:

ARTICLE THREE
DEVELOPMENT MILESTONES

3.01 The Project shall be constructed upon the Property and the Owner shall provide to the Declarant written documentation of completion in accordance with the following:

(a) Complete Schematic Design Development Package for the Project and General Contractor Candidates selected by December 27, 2021.

(b) Total Project Cost Estimate based on the schematic design development package by January 18, 2022.

(c) Proof of Closing on Construction Financing by no later than thirty (30) days after Project costs are determined by a qualified general contractor (evidenced by documentation by a reliable institutional lender and accepted and executed by the Owner(s) and all project guarantors named in such document, together with evidence of Owner(s)' ability to pay the cost of construction of the Project in excess of such construction funding).

(d) The Owner shall submit final plans for permitting no later than May 31, 2022.

(e) Vertical construction shall begin within 60 days after the permit is issued. Vertical construction includes piling installation.

(f) The substantial completion of the Project shall be no more than 30 months following commencement of vertical construction. As used in this Article, the term "substantial completion of the Project" shall mean the date that a certificate of occupancy for the Project is issued by the City of Pensacola.

(g) The deadline set forth in paragraphs (a) – (f) above shall be extended day-for-day if Owner is unable to achieve such deadline by reason of delays caused by a Force Majeure Event (hereinafter defined); provided that prior to the applicable deadline, Owner shall give Declarant written notice of the occurrence of the Force Majeure Event, including the full particulars of the Force Majeure Event and the reasons for the Force Majeure Event preventing Owner from, or delaying Owner in, achieving the applicable deadline and provided, further, that Owner shall use its reasonable efforts to mitigate the effect of the Force Majeure Event. “Force Majeure Event” is defined as an event or circumstance which is beyond the control and without the fault or negligence of Owner or Owner’s architects, engineers or contractors and which by the exercise of reasonable diligence the party affected was unable to prevent, which events and circumstances shall include, without limitation, the following: (a) financial upheaval, riot, war, invasion, act of foreign enemies, hostilities (whether war be declared or not) acts of terrorism, civil war, rebellion, revolution, insurrection of military or usurped power, requisition or compulsory acquisition by any governmental or competent authority; (b) abnormal weather conditions, earthquakes, flood, tornado, hurricane, other physical natural disaster or other acts of God; and (c) labor or material shortages at regional or national levels, strikes at a national level or industrial disputes at a national level, or strike or industrial disputes by labor not employed by Owner, its architects, engineers or general contractors and which affect an essential portion of the development or construction of the Project.

3.02 If Owner fails to meet any of the deadlines required by paragraphs (a) – (f) above, Owner shall pay Declarant liquidated damages in the amount of \$2,500.00 per day for each day elapsing after each missed deadline until the missed deadline is achieved up to a total sum of \$100,000.00 for each deadline missed; this provision is not intended as a penalty but as an incentive to the Owner to prosecute construction in a timely manner. Owner, and all subsequent owners with an ownership interest in the Property or any portion thereof or interest therein at any time that a deadline above is missed, shall be jointly and severally liable to the Declarant for the payment of such liquidated damages.

4. Amendment of Article Four. Article Four shall hereby be deleted in its entirety with the following substituted in its place:

ARTICLE FOUR **REPORTING MILESTONES**

4.01 On a monthly basis, developer representatives shall meet with CRA representatives at mutually agreeable times, or at either party’s request, attend the CRA’s public meetings to provide an update regarding the status of plans, the selection of a general contractor, the project budget, financing, and continuing prosecution of construction.

4.02 Owner acknowledges and agrees that the identities of the persons who manage and control the property and the development process should be disclosed to the Declarant. Robert Montgomery is the sole manager of the limited liability company entity which is the Owner and shall retain managerial and voting control over the development process unless written approval is obtained from Declarant.

4.03 Owner discloses the following members of the development team: Robert B. Montgomery; Chan Cox; Foy Tatum; Zachary Biggs; Brian Spencer; Ray Russenberger. Owner shall disclose the legal address of any member of the development team as identified herein.

4.04 Prior to completion of construction, as evidenced by a certificate of occupancy, and not less than twenty-one (21) days prior to a regularly scheduled meeting of Declarant, Owner shall give written notice of any proposed change in the development team referenced in 4.03 above. Such notice shall state the names and addresses of all proposed new members as well as any change in control over the Project and shall include such other information as Declarant may reasonably request. Owner shall not make, suffer or permit any change in the development team without the prior written notice to Declarant, which approval shall not be unreasonably withheld, conditioned or delayed. Unless Declarant disapproves the requested change at the next regularly scheduled meeting of the Community Redevelopment Agency that is more than twenty-one (21) days after Owner gives the written notice required by this paragraph, the requested change shall be deemed approved.

4.05 Prior to completion of construction, as evidenced by a certificate of occupancy, and not less than twenty-one (21) days prior to a regularly scheduled meeting of Declarant, shall give written notice of any proposed change in the management or voting control of Owner. Such notice shall state the names and addresses of all proposed new managers and, in the event of a proposed change in voting control, the names and addresses of the person or persons who will have voting control of Owner as a result of such change, and their respective percentage ownership and voting rights and shall include such other information as Declarant may reasonably request. Owner shall not make, suffer or permit any change in the management or voting control of without the prior written notice to Declarant, which approval shall not be unreasonably withheld, conditioned or delayed. Unless Declarant disapproves the requested change at the next regularly scheduled meeting of the Community Redevelopment Agency that is more than twenty-one (21) days after Owner gives the written notice required by this paragraph, the requested change shall be deemed approved.

4.06 Prior to completion of construction, as evidenced by a certificate of occupancy, and not less than twenty-one (21) days prior to a regularly scheduled meeting of the Community Redevelopment Agency, Owner shall give written notice of any proposed transfer or assignment, in whole or in part, or of any of its legal or beneficial right, title or interest in the Property to any other person or entity. Such notice shall state the names and addresses of the proposed assignee and all principals, managers, officers and directors, as applicable, and those shareholders or members, as applicable, having voting control of the proposed assignee, and shall

include such other information as Declarant may reasonably request. Unless Declarant disapproves the requested transfer or assignment at the next regularly scheduled meeting of the Community Redevelopment Agency that is more than twenty-one (21) days after Owner gives the written notice required by this paragraph, the requested transfer or assignment shall be deemed approved.

4.07 Owner acknowledges and agrees that SMP Architecture, PA will continue to be the architect of record for the Project and that Owner will supervise the general contractor for the Project. Not less than twenty-one (21) days prior to a regularly scheduled meeting of Declarant, Owner shall give written notice of any proposed change in such architect of record or general contractor, together with such information as Declarant may reasonably request. Owner shall not change such architect of record or contractor without the prior written consent of Declarant, which consent shall not be unreasonably withheld, conditioned, or delayed. Unless Declarant disapproves the requested change at the next regularly scheduled meeting of Declarant that is more than twenty-one (21) days after Owner gives Declarant the written notice required by this Section, the requested change shall be deemed approved.

5. Article Five Deleted. Article Five shall hereby be deleted in its entirety.

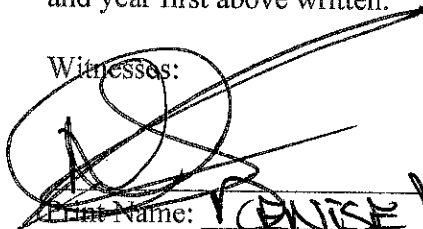
6. Ratification. Except as specifically set forth above, the Declaration is hereby ratified and confirmed.


7. Merger of Purchase Agreement. The Purchase Agreement merged into this Declaration and the other closing documents and shall have no further force or effect.

[End of text. Signature pages to follow.]

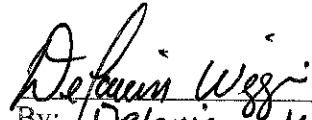
IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed the day and year first above written.

Witnesses:


Print Name: Denise Nydick

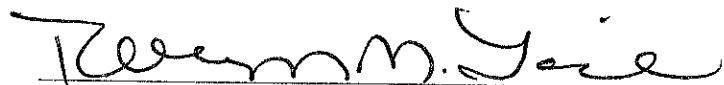

Print Name: Victoria D'Angelo

COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF PENSACOLA,
a public body, corporate and politic, of the
State of Florida

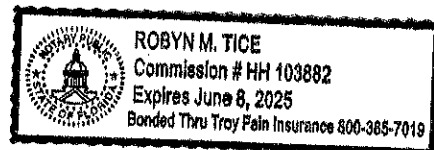

By: Delarian Wiggins
Its: CKA Chairman

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 13th day of October 2021, by
DELARIAN WIGGINS as CHAIR of Community Redevelopment Agency of
the City of Pensacola, a public body, corporate and politic, of the State of Florida.

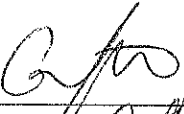

NOTARY PUBLIC
Print Name: ROBYN M. TICE

☒ Personally Known
OR
☐ Produced Identification
Type of Identification Produced _____

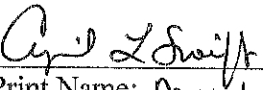



IN WITNESS WHEREOF, Owner has caused this Amendment to be executed the day and year first above written.

Witnesses:


Print Name: Catherine Alderman

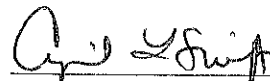
HAWKSHAW DEVELOPMENT GROUP,
LLC, a Florida limited liability company


Print Name: April L. Swift

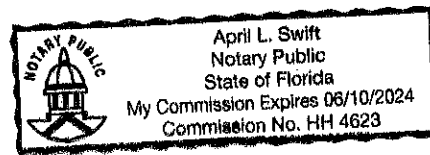

By: Robert B. Montgomery
Its: Manager

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 13th day of October 2021, by Robert B. Montgomery, as Manager of Hawkshaw Development Group, LLC, a Florida limited liability company, on behalf of the company.


NOTARY PUBLIC
Print Name: April L. Swift

☒ Personally Known
OR
☐ Produced Identification
Type of Identification Produced _____



JOINDER OF MORTGAGEE

BancorpSouth, as holder of a mortgage encumbering the Property, as described in the Declaration, hereby consents to and joins in this Fourth Amendment to the Declaration of Conditions, Covenants and Restrictions.

Nothing contained herein shall be deemed to or in any way limit or affect the mortgage held by BancorpSouth over the priority of the lien created thereby and the sole purpose of this Joinder is to acknowledge the consent of said mortgagee to the Declaration.

Signed, sealed and delivered in
our presence as witnesses:

BancorpSouth

Crystal Sweet
Print Name: Crystal Sweet

Veronica Robinson
Print Name: Veronica Robinson

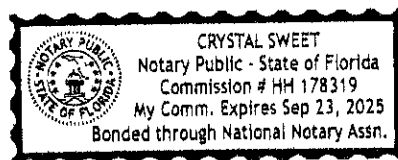
Norris F. McMahon
By: Norris F. McMahon
Its: Community President

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was sworn to and acknowledged before me this 12th day of October 2021 by Norris F. McMahon, as Community President of BancorpSouth on behalf of said bank.

Crystal Sweet
NOTARY PUBLIC
Print Name: Crystal Sweet

☒ Personally Known
OR
☐ Produced Identification
Type of Identification Produced _____





Memorandum

File #: 22-00029

Community Redevelopment Agency

1/18/2022

DISCUSSION ITEM

FROM: Teniade Broughton, Chairperson

SUBJECT:

AMENDMENT TO CRA URBAN DESIGN OVERLAY DISTRICT STANDARDS

SUMMARY:

The Urban Design Overlay Standards were adopted by the City Council in 2019 to provide development standards for the CRA neighborhoods not covered by a special design review board. The intent of these design standards was to preserve and maintain the traditional walkable, urban pattern and character of Pensacola's community redevelopment area neighborhoods.

At its December 13, 2021 meeting, the Community Redevelopment Agency (CRA) referred staff recommended revisions to the Urban Design Overlay Standards, as described in Proposed Ordinance No. 45-21, to the City of Pensacola Planning Board. Pursuant to its review and comments received from City Plan Review Staff, a revised ordinance was recommended by Planning Board.

The current proposed amendments are limited to development of a modification process and changes to the minimum glazing requirements. The Planning Board recommended the following amendments:

- Creation of a modification process through abbreviated review
- Glazing table is supplanted with a revised table which (1) reduces the requirement on residential secondary frontages to 15%, (2) addresses multiple frontages on non-residential uses, and (3) expanded the "uses" to include commercial as well as light industrial and storage classifications.

Further, the Planning Board recommended that an amendment to the overlay to create a provision to encourage the preservation of heritage trees by permitting, by right, additional setbacks for the purpose of preservation be instead considered city-wide. This topic will be an agenda item for the January 2022 Planning Board meeting.

It is anticipated that a subsequent amendment will be brought forth in the future following a comprehensive review of the earlier recommendations regarding changes to setbacks, parking and architectural features, etc. by the new Urban Design Specialist staff member.

PRIOR ACTION:

September 18, 2018 - The Planning Board held a public hearing and recommended adoption of the CRA Urban Design Standards.

January 15, 2019 - The CRA recommended that City Council adopt the CRA Urban Design Standards.

May 16, 2019 - City Council held a public hearing and approved Ordinance No. 10-19, creating the CRA Urban Design Overlay District on first reading.

May 30, 2019 - City Council adopted Ordinance No. 10-19, creating the CRA Urban Design Overlay District on second reading.

January 16, 2020 - City Council held a public hearing and approved on first reading an amendment redefining the boundary of the CRA Urban Design Overlay District.

February 13, 2020 - City Council adopted on second reading an amendment redefining the boundary of the CRA Urban Design Overlay District.

November 15, 2021 - The CRA referred revisions to the CRA Urban Design Overlay District Standards to the City of Pensacola Planning Board.

December 14, 2021 - The Planning Board recommended approval of revisions to the CRA Urban Design Overlay District Standards.

STAFF CONTACT:

David Forte, Deputy City Administrator - Community Development
Sherry Morris, Development Services Director
M. Helen Gibson, AICP, CRA Administrator
Victoria D'Angelo, Assistant CRA Administrator

ATTACHMENTS:

- 1) Proposed Ordinance No. 03-22
- 2) Planning Board Minutes 12-14-21

PRESENTATION: No

PROPOSED
ORDINANCE NO. 03-22

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 12-3-31 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, COMMUNITY REDEVELOPMENT AREA (CRA) URBAN DESIGN OVERLAY DISTRICT STANDARDS; REVISING SECTION 12-3-31 (6) MODIFICATIONS AND APPEALS AND TABLE 12-3-31.12 GLAZING REQUIREMENTS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 12-3-31 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 12-3-31. Community redevelopment area (CRA) urban design overlay district.

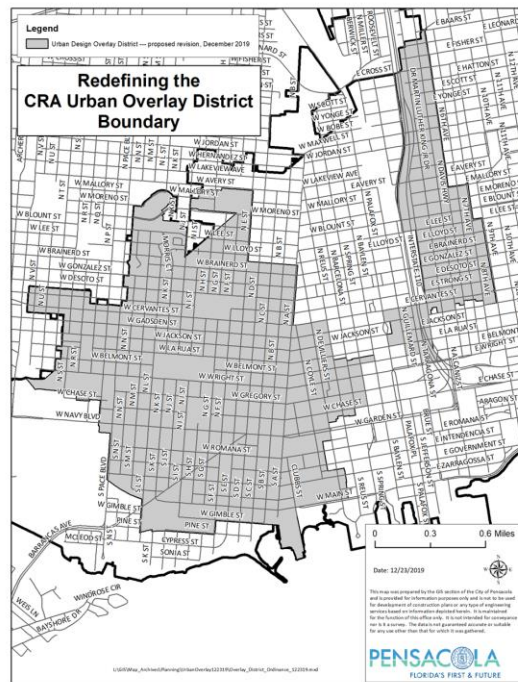
The regulations in this section shall be applicable to the community redevelopment area (CRA) urban design overlay district (CRAUDOD).

(1) *Intent.* The requirements set forth in this section are intended to:

- a. Preserve and maintain the urban pattern and architectural character of Pensacola's community redevelopment areas, while encouraging new construction that is compatible with that heritage, but also reflective of its time.
- b. Improve the physical appearance of the community redevelopment areas with urban design standards that provide more predictable results in terms of the form and character of buildings.
- c. Support the removal of blight within the community redevelopment areas by encouraging quality redevelopment.
- d. Support the future growth of the city, to ensure compatible and cohesive development, to remain resilient long-term, and to support the goals, objectives and policies of the city's comprehensive plan and community redevelopment area master plans.
- e. Coordinate the placement, orientation, and design of buildings to ensure a coherent and walkable streetscape and traditional urban character by creating well-defined street edges with continuous building walls, articulated facades, and architectural features that create visual interest and an attractive pedestrian environment.

- f. Capitalize on opportunities to attract and grow a variety of residential building types, retail, service, and cultural establishments to serve local needs, create regional attractions and a robust economic base.
 - g. Enable and encourage mixed-use development within the community redevelopment areas in support of viable and diverse locally-oriented business and cultural institutions.
 - h. Achieve context-based development and complete streets.
- (2) *Boundaries of the district.* The boundaries of the CRA urban design overlay district shall be as outlined on Figure 12-3-31.1. A more detailed map of the boundaries of the overlay is on file in the office of the city clerk.

FIGURE 12-3-31.1. CRA URBAN DESIGN
OVERLAY DISTRICT BOUNDARIES



- (3) *Applicability.*
- a. These standards shall apply to all new construction within the CRA urban design overlay district. For purposes of this section, "new construction" includes construction on a parcel that is vacant or becomes vacant following demolition of an existing structure on the parcel; it also includes construction of a freestanding accessory building and ancillary improvements on a parcel, but does not include an addition to a current structure.
 - b. This section shall apply as an overlay to the underlying land development regulations. The land development regulations contained within this title shall apply unless pre-empted by this section. Where a conflict exists

between this section and the underlying land development regulations, contained within this title, this section shall prevail.

- c. Standards, activated by "shall," are regulatory in nature, as defined within section 12-1-8 (general interpretative terms). Deviations from these standards shall only be permitted by variance in accordance with section 12-11-2 (appeals and variances).
 - d. Guidelines, activated by "should," are encouraged and recommended but not mandatory, as defined within section 12-1-8 (general interpretative terms). Developments subject to this overlay district are encouraged to incorporate them as appropriate in order to enhance and complement the built and natural environment. The intent is to create the highest level of design quality while providing the needed flexibility for creative site design.
 - e. Figures, tables and illustrations shall be interpreted as defined in section 12-1-8 (general interpretative terms) unless the context clearly indicates otherwise.
 - f. The provisions of this section are not intended to supersede, conflict with or replace any requirement in federal or state law pertaining to design, construction or accommodation requirements pertaining to persons with disabilities, and it is hereby declared to be the intent of the city that such requirements in federal or state law shall prevail over any provisions of this section to the extent of any conflict.
- (4) *Existing conditions.* Existing buildings and structures that do not conform to the requirements of this overlay district may be occupied, operated, repaired, renovated or otherwise continue in use in their existing nonconforming state unless demolished and rebuilt.
- (5) *Procedure for review.* All development regulated by this subsection shall be subject to the submission requirements contained within sections 12-11-5 (building permits), 12-3-120 (development plan requirements), and 12-3-121 (design standards and guidelines), as applicable. In addition to the plan submission requirements listed in sections 12-11-5 and 12-3-120, drawings illustrating compliance with this section shall be provided. Plans shall include drawings or sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of the building, including proposed materials, textures, and colors, and the plat plan or site layout, including all site improvements or features such as walls, fences, walkways, terraces, landscaping, accessory buildings, paved areas, signs, lights, awnings, canopies, screening, and other appurtenances. Facade and frontage yard types shall be specified along frontages in accordance with Table 12-3-31.10 (Facade Types) and Table 12-3-31.9 (Frontage Yard Types).
- (6) Modifications and ~~a~~Appeals and variances. ~~Appeals and variances shall be subject to section 12-11-2 (appeals and variances).~~ The standards established in this section are intended to achieve the principles outlined in subsection (1). However, specific site features, physical barriers or easement, and challenging

characteristics affiliated with a particular site or type of use may create conditions that make compliance with a specific standard impractical or undesirable. In such instances alternative design solutions that achieve the principles defined in subsection 1 of this section may be considered. This section establishes the procedures for considering requests for a modification to the standards.

Modifications shall be approved through an abbreviated review process. This process shall require review by an architect advisor appointed by the City Council, the Chair of the applicable redevelopment board representing the redevelopment district for which the project is located and the Urban Design Specialist. City Council shall appoint two architects to serve as the architect advisor(s), a primary and an alternate. In the absence of the architect advisor or in the event of a conflict of interest, the alternate architect shall serve in the capacity of the architect advisor. The appointed architects shall not be employed by the same firm or have any other relationship that would constitute a conflict of interest between them.

1. Review shall consider the principles defined in subsection (1) of this section.
2. The decision to approve, deny or approve with modifications shall be based on the following considerations:
 - i. The physical conditions of the property such as flood plain, drainage or small or irregular lot shape making compliance to the specific standard physically impossible and this hardship is not created by the applicant; and/or
 - ii. If by its nature, including its function and intensity, the development constitutes a special use or presents a particular circumstance that causes challenges integrating into an urban, walkable, neighborhood environment; and
 - iii. The modification will not significantly impact adjacent property owners, the character of the area, traffic conditions, parking, public infrastructure, water quality, or other matters affecting the public health, safety and general welfare; and
 - iv. The modification will not result in a substantial departure from the key principles that buildings should:
 - (a) Front the street and be located close to the street edge
 - (b) Provide interest to those walking and biking past by avoiding blank walls
 - (c) Create a human-scaled street edge and add value to the walkability of streets
 - (d) Include key architectural features which reflect traditional neighborhood character

3. Appeals shall be referred to the Zoning Board of Adjustments.

(7) *Urban design standards and guidelines.*

a. *Building height.*

1. Intent. Within the overlay district, height for single-family residential types will be measured in feet and multifamily, mixed-use and nonresidential buildings will be measured in stories. Measuring height in stories rather than feet has numerous benefits which include:
 - i. To provide greater creativity for a natural variety of roof forms;
 - ii. To recognize the need of different users, as commercial floor plates are different than residential floor plates;
 - iii. To remove the incentive to create short floorplates, and instead encourage more gracious floor-to-ceiling heights for environmental health, without penalizing property owners; and
 - iv. To protect the historical proportions of Pensacola's community redevelopment areas.
2. Maximum building heights for principal and accessory buildings shall be as defined by the form standards in Tables 12-3-31.3 to 12-3-31.8.
3. Building height is measured as follows:
 - i. Where maximum height is specified, the measurement shall be taken from the finished grade at the front of the building.
 - ii. Building height shall be measured in feet for single-family residential types as defined in the form standards in Tables 12-3-31.3 to 12-3-31.8 and as follows:
 - (a) For pitched roof buildings, to the bottom of the lowest eave of the principal structure.
 - (b) For flat roof buildings, to the bottom of the parapet.
 - (c) Minimum floor to ceiling height in single-family residential types shall be nine feet per floor.
 - iii. Building height shall be measured in stories for multifamily, mixed-use and nonresidential buildings as follows:
 - (a) Multifamily buildings shall be limited by ground floor story and above ground story height in accordance with Table 12-3-31.1.

TABLE 12-3-31.1. MULTIFAMILY STORY HEIGHT REQUIREMENTS

Zoning Category	Ground Floor Story Height		Above Ground Story Height
	Max.	Min.	Max.
R-2A through C-3	16 ft.	12 ft.	14 ft.

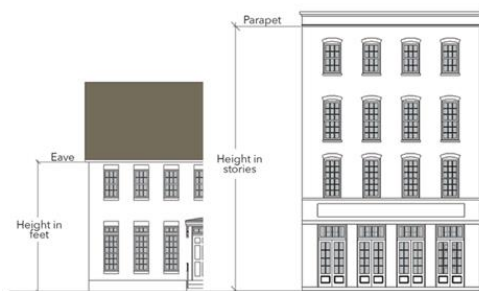
- (b) Mixed-use and nonresidential buildings shall be limited by ground floor story and above ground story height in accordance with Table 12-3-31.2.

TABLE 12-3-31.2. MIXED-USE/NONRESIDENTIAL STORY HEIGHT REQUIREMENTS

Zoning Category	Ground Floor Story Height		Above Ground Story Height
	Max.	Min.	Max.
R-1AAA through R-2A	16 ft.	12 ft.	14 ft.
R-NC, R-NCB and R-2	20 ft.	14 ft.	14 ft.
C-1, C-2, C-2A and C-3	24 ft.	14 ft.	14 ft.

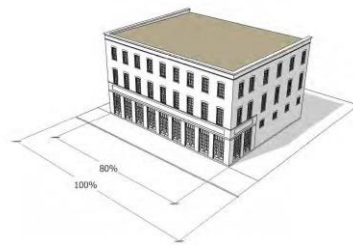
- (c) Stories are measured from finished floor to finished floor with the exception of one-story buildings that shall be measured floor to ceiling.
- (d) Story heights that exceed the maximum permitted height specified in Tables 12-3-31.1 and 12-3-31.2 shall count as two stories. Height defined within this subsection shall not supersede height as defined by the Florida Building Code.
- iv. See Illustration 12-3-3.1 for a depiction of height measurements in feet and stories.

ILLUSTRATION 12-3-3.1. MEASURING BUILDING HEIGHT



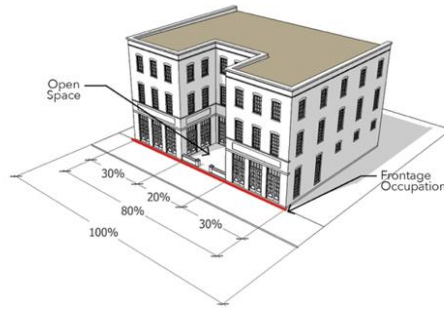
4. Parking garages shall not exceed the height of the principal building on the site. Parking garages shall not be subject to floor to floor height requirements according to subsection (7)a.3.iii of this section. Stand-alone parking garages shall only conform to the number of stories permitted within the form standards in Tables 12-3-31.3 to 12-3-31.8.
 5. Roof pitch.
 - i. Gable or hipped roofs shall have a minimum pitch of 6:12 and a maximum pitch of 12:12.
 - ii. Shed roofs shall have a minimum pitch of 4:12.
- b. *Building orientation.*
1. Intent. Buildings should have their principal pedestrian entrance along a street, pedestrian way or open space, with the exception of entrances off a courtyard, visible from public rights-of-way.
 2. Building frontage occupation shall conform to the form standards in Tables 12-3-31.3 to 12-3-31.8.
 3. Buildings shall be oriented so that the principal facade is parallel to the street it faces for the minimum building frontage occupation required in the form standards in Tables 12-3-31.3 to 12-3-31.8. See Illustration 12-3-31.2 for a depiction of minimum frontage occupation requirements.

ILLUSTRATION 12-3-31.2. MINIMUM BUILDING FRONTAGE OCCUPATION



4. Lot width shall be measured along the right-of-way at the front property line. Lot width measurements at the building setback line and minimum lot area shall not apply.
5. Forecourts, courtyards and other such defined open spaces shall count towards minimum frontage requirements. See Illustration 12-3-31.3 for an illustration depicting minimum frontage occupation requirements with open space.

ILLUSTRATION 12-3-31.3. MINIMUM BUILDING FRONTAGE OCCUPATION WITH OPEN SPACE

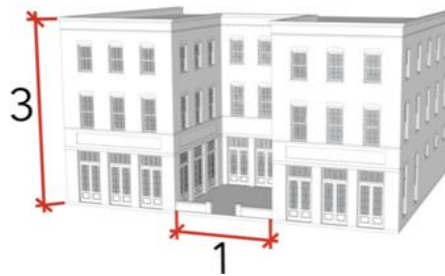


6. Ground floor units in multifamily residential buildings shall provide landscaping, walls, and/or fences that provide some privacy for the building.

c. *Building massing.*

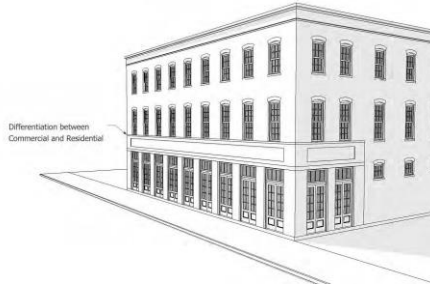
1. Intent. Buildings should be designed in proportions that reflect human-scaled pedestrian movement, and to encourage interest at the street level.
2. Where provided, multifamily building courtyards shall maintain a minimum width to height ratio of 1 to 3 in at least one dimension in order to avoid light well conditions. Courtyards should be wider than the minimum where possible. See Illustration 12-3-31.4 for depiction of courtyard ratio measurements.

ILLUSTRATION 12-3-31.4. COURTYARD HEIGHT TO WIDTH RATIO MEASUREMENTS



3. The design and facade treatment of mixed-use buildings shall differentiate commercial from residential uses with distinguishing expression lines (such as cornices, projections, banding, awnings, terraces, etc.), changes in fenestration, facade articulation and/or material changes. See Illustration 12-3-31.5 for depiction of mixed-use building differentiation of uses.

ILLUSTRATION 12-3-31.5. MIXED USE BUILDING DIFFERENTIATION OF USES

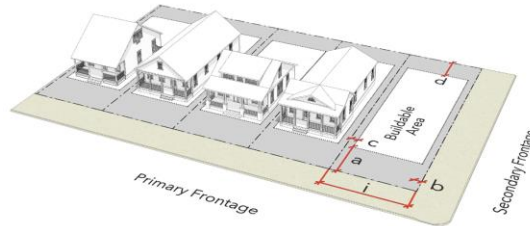


4. Single-family units shall be distinguished from abutting units with changes in unit entry, plane, color, materials, front porches, front stoops, fenestration, and/or building elements such as railings.
 5. All service and loading areas shall be entirely screened from public right-of-way as follows:
 - i. Equipment shall be screened.
 - ii. If outdoor storage areas are separate from the building they serve, the fence materials shall be limited to masonry, concrete, stucco, wood, PVC and metal, excluding chain-link.
 6. HVAC and mechanical equipment are restricted as follows:
 - i. They shall be prohibited in frontage yards.
 - ii. They shall be integrated into the overall building design and not be visible from adjoining streets and or open spaces.
 - iii. Through-wall units shall be prohibited along street frontages and open spaces, unless recessed within a balcony.
 7. Mechanical equipment on roofs shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same.
 8. Roof top parking shall be visually screened with articulated parapet walls or other architectural treatment.
 9. Exterior wall materials prohibited for all single-family residential types shall include:
 - i. Corrugated metal panels; and
 - ii. Exposed concrete block.
 10. Material requirements contained within section 12-3-121(c)(8) (design standards and guidelines) shall apply within the CRA urban design overlay district.
- d. *Form standards.*
1. Form standards within the CRA urban design overlay district shall be as defined in Tables 12-3-31.3 to 12-3-31.8.

2. Exceptions to form standards.

- i. Front setbacks in R-1AAA, R-1AA, and R-1A shall not be less than the average setback of all frontage yards (front and exterior side yards) located on either side of the block face, up to the minimum front setback defined in form standards in Tables 12-3-31.3 and 12-3-31.5. In cases where no other dwellings exist within the block, the front setback shall be no less than the front setback defined in form standards in Tables 12-3-31.3 and 12-3-31.5.
- ii. Each single-family attached dwelling unit shall be located on its own lot. If a development requires subdivision procedures, it shall be subject to and must comply with subdivision regulations as set forth in chapter 12-7.
- iii. Where lot occupation and setback standards differ from the dense business area (DBA), as defined in chapter 12-13 (definitions), the standards in the DBA shall prevail.

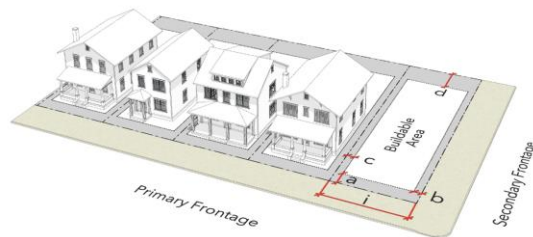
TABLE 12-3-31.3. SINGLE-FAMILY DETACHED AND TWO-FAMILY ATTACHED (DUPLEX) RESIDENTIAL BUILDING TYPES - R-1AAA THROUGH R-1A



Setbacks - Principal Building (feet)	
Front	20 min.
Front, Secondary(4)	5 min.
Side (Interior)(4)	5 min.
Rear	30 min./20 min. (30' lots)
Frontage (min.)	
Primary	45%/40% (lots < 42')
Lot Occupation(5)	
Lot Width(3)	30 ft. min.
Lot Coverage	50% max.
Building Height (max.)	
Principal Building(1)	35 ft.
Accessory Building(1)	24 ft.
Parking (min.)	
Off-street(2)	1/unit
Setbacks - Accessory Building (feet)	
Front	50 min.

Front, Secondary(4)	5 min.
Side (Interior)	1 min.
Rear	3 min.
Frontage Yard Types	
Standard	Permitted
Shallow	Not Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted
Facade Types	
Porch	Permitted
Stoop	Not Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted
Notes:	
(1) Measured according to subsection (7)a.3 of this section.	
(2) See subsection (7)h.2 of this section for exceptions.	
(3) Lot width shall only be measured from the right-of-way line. Lot width at the building setback line shall not apply.	
(4) Minimum setback for 30-foot lots shall be three feet measured from the finished wall or the minimum setback required per applicable Florida Building Code.	
(5) Minimum lot area shall not apply.	

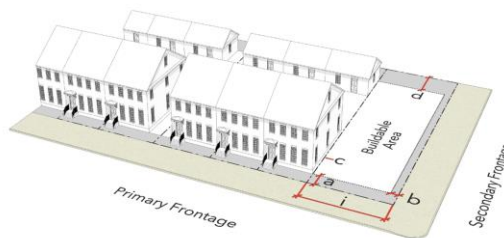
TABLE 12-3-31.4. SINGLE-FAMILY DETACHED AND TWO-FAMILY ATTACHED (DUPLEX) RESIDENTIAL BUILDING TYPES-R-1B THROUGH C-3



Setbacks - Principal Building (feet)	
Front	8 min./20 max.
Front, Secondary(4)	5 min.
Side (Interior)(4)	5 min.
Rear	25 min./20 min. (30' lots)
Frontage (min.)	
Primary	45%/40% (lots < 42')
Lot Occupation(5)	
Lot Width(3)	30 ft. min.

Lot Coverage	50% max.
Building Height (max.)	
Principal Building(1)	35 ft.
Accessory Building(1)	24 ft.
Parking (min.)	
Off-street(2)	1/unit
Setbacks - Accessory Building (feet)	
Front	50 min.
Front, Secondary(4)	5 min.
Side (Interior)	1 min.
Rear	3 min.
Frontage Yard Types	
Standard	Permitted
Shallow	Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted
Facade Types	
Porch	Permitted
Stoop	Not Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted
Notes:	
(1) Measured according to subsection (7)a.3 of this section.	
(2) See subsection (7)h.2 of this section for exceptions.	
(3) Lot width shall only be measured from the right-of-way line. Lot width at the building setback line shall not apply.	
(4) Minimum setback for 30-foot lots shall be three feet measured from the finished wall or the minimum setback required per applicable Florida Building Code.	
(5) Minimum lot area shall not apply.	

TABLE 12-3-31.5. SINGLE-FAMILY ATTACHED (TOWNHOUSE)
RESIDENTIAL BUILDING TYPES - R-1AA THROUGH C-3



Setbacks - Principal Building (feet)	
Front	8 min.

Front, Secondary	5 min.
Side (Interior)(1)	0 or 5 min.
Rear	25 min.
Frontage (min.)	
Primary	80%
Lot Occupation(3)	
Lot Width	16 ft. min.
Lot Coverage	75% max.
Building Height (max.)	
Principal Building(2)	45 ft.
Accessory Building(2)	24 ft.
Parking (min.)	
Off-street	1/unit
Setbacks - Accessory Building (feet)	
Front	50 min.
Front, Secondary	5 min.
Side (Interior)	1 min.
Rear	3 min.
Frontage Yard Types	
Standard	Not Permitted
Shallow	Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted
Facade Types	
Porch	Permitted
Stoop	Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted
Notes:	
(1) Zero-foot minimum (attached/zero-lot-line buildings)/five-foot minimum (detached buildings).	
(2) Measured according to subsection (7)a.3 of this section.	
(3) Minimum lot area shall not apply.	

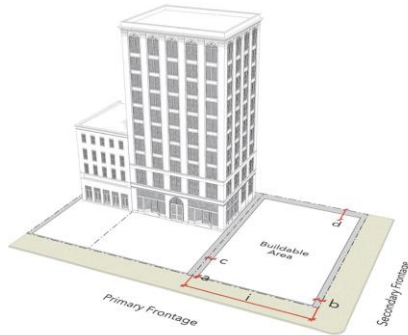
TABLE 12-3-31.6. MULTIFAMILY, MIXED-USE,
NEIGHBORHOOD COMMERCIAL AND COMMERCIAL BUILDING
TYPES



Setbacks - Principal Building (feet)	
Front (Com./Res.)(1)	5 max./15 max.
Front, Secondary (Com./Res.)	5 max./15 max.
Side (Interior)(3)	0 or 5 min.
Rear	none
Frontage (min.)	
Primary	80%
Lot Occupation(4)	
Lot Width	16 ft. min.
Lot Coverage	75% max.
Building Height (max.)	
Principal Building(2)	4 stories
Accessory Building(2)	N/A
Off-Street Parking (min.)	
Residential	1/unit
Commercial	Per subsection (7)h of this section
Setbacks - Accessory Building (feet)	
Front	N/A
Front, Secondary	N/A
Side (Interior)	N/A
Rear	N/A
Frontage Yard Types	
Standard	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted
Facade Types	
Porch	Not Permitted
Stoop	Permitted
Common Entry	Permitted
Gallery	Permitted
Storefront	Permitted
Notes:	
(1) Lots within the dense business area shall be permitted the lesser front setback.	
(2) Measured according to subsection (7)a.3 of this section.	

(3) Zero-foot minimum (attached/zero-lot-line buildings)/five-foot minimum (detached buildings).
(4) Minimum lot area shall not apply.

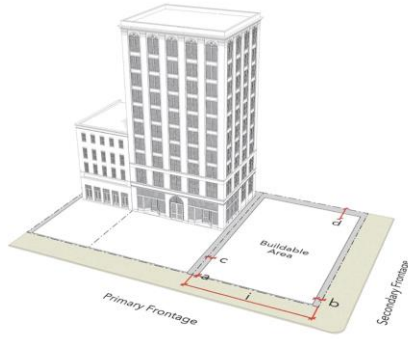
TABLE 12-3-31.7. MULTIFAMILY, MIXED-USE AND COMMERCIAL BUILDING TYPES - C-2A, C-2, C-3



Setbacks - Principal Building (feet)		
Front (Com./Res.)(1)	5 max./15 max.	
Front, Secondary (Com./Res.)	5 max./15 max.	
Side (Interior)(3)	0 or 5 min.	
Rear	none	
Frontage (min.)		
Primary	80%	
Lot Occupation(4)		
Lot Width	16 ft. min.	
Lot Coverage	100% max.	
Building Height (max.)		
Principal Building(2)	10 stories	
Accessory Building	N/A	
Off-Street Parking (min.)		
Residential	1/unit	
Commercial	Per subsection (7)h of this section	
Setbacks - Accessory Building (feet)		

Front	N/A	
Front, Secondary	N/A	
Side (Interior)	N/A	
Rear	N/A	
Frontage Yard Types		
Standard	Not Permitted	
Shallow	Permitted	
Urban	Permitted	
Pedestrian Forecourt	Permitted	
Vehicular Forecourt	Permitted	
Facade Types		
Porch	Not Permitted	
Stoop	Not Permitted	
Common Entry	Permitted	
Gallery	Permitted	
Storefront	Permitted	
Notes:		
(1) Lots within the dense business area shall be permitted the lesser front setback.		
(2) Measured according to subsection (7)a.3 of this section.		
(3) Zero-foot minimum (attached/zero-lot-line buildings)/five-foot minimum (detached buildings).		
(4) Minimum lot area shall not apply.		

TABLE 12-3-31.8. HYBRID COMMERCIAL: MULTIFAMILY,
MIXED-USE AND COMMERCIAL BUILDING TYPES - C-3 ALONG
C3C FDOT CONTEXT ZONE



Setbacks - Principal Building (feet)		
Front	60 max.	
Front, Secondary	40 max.	
Side (Interior)(2)	0 or 5 min.	
Rear	none	
Frontage (min.)		
Primary	60%	
Lot Occupation(3)		
Lot Width	16 ft. min.	
Lot Coverage	100% max.	
Building Height (max.)		
Principal Building(1)	10 stories	
Accessory Building	N/A	
Off-Street Parking (min.)		
Residential	1/unit	
Commercial	Per subsection (7)h of this section	
Setbacks - Accessory Building (feet)		
Front	N/A	
Front, Secondary	N/A	
Side (Interior)	N/A	
Rear	N/A	
Frontage Yard Types		
Standard	Not Permitted	
Shallow	Permitted	
Urban	Permitted	

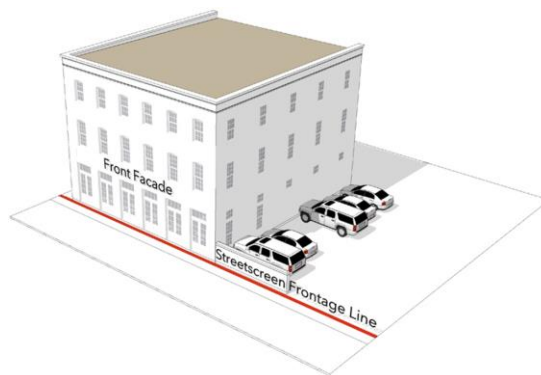
Pedestrian Forecourt	Permitted	
Vehicular Forecourt	Permitted	
Facade Types		
Porch	Not Permitted	
Stoop	Not Permitted	
Common Entry	Permitted	
Gallery	Permitted	
Storefront	Permitted	
Notes:		
(1) Measured according to subsection (7)a.3 of this section.		
(2) Zero-foot minimum (attached/zero-lot-line buildings)/five-foot minimum (detached buildings).		
(3) Minimum lot area shall not apply.		

e. *Frontage types.*

1. Intent. New buildings proposed for existing neighborhoods should be compatible with or complement the architectural character and siting pattern of neighboring buildings. Maintaining a consistent street-wall is a fundamental component for a vibrant pedestrian life and a well-defined public realm. Buildings closely aligned to the street edge with consistent setbacks, provide a clear sense of enclosure of streets, enabling them to function as pedestrian-scaled outdoor rooms. The placement of buildings along the edge of the sidewalk should be given particular attention, as it is that portion of the buildings that is the primary contributor to pedestrian activity.
2. Frontage yard type shall be selected and specified along frontages in accordance with the frontage yard types in Table 12-3-31.9 and subject to the standards and guidelines in this section, including the form standards in Tables 12-3-31.3 to 12-3-31.8.
3. In addition to the frontage yard type standards contained within Table 12-3-31.9, the following shall be required:
 - i. Frontage yards shall be wholly open to the sky and unobstructed, except for trees, roof projections, and permitted encroachments attached to principal buildings.

- ii. Impervious surfaces and walkways in frontage yards shall be subject to the following requirements:
 - (a) Where single-family attached units occupy a common site, each attached single-family unit with an entrance towards a frontage shall have a walkway connecting the sidewalk to the attached single-family entrance. See Table 12-3-31.9.A (Frontage Yard Types - Shallow Yard) for an illustration depicting single-family attached walkway connections.
 - (b) At cluster courts, the shared court shall have a walkway connecting the sidewalk at the primary frontage with building entries. See Table 12-3-31.9.B (Frontage Yard Types - Cluster Court) for an illustration depicting cluster court walkway connections.
- iii. For multifamily, mixed-use and nonresidential types, any portion of a frontage not occupied by buildings, driveways, or walkways shall be lined with a streetscreen as follows:
 - (a) Streetscreens shall meet the fencing and wall standards according to the frontage yard types specified in Table 12-3-31.9.
 - (b) Streetscreens, up to 24 feet long, shall count towards minimum frontage requirements.
 - (c) Streetscreens shall be coplanar with the primary building facade, as depicted in Illustration 12-3-31.6 below.




ILLUSTRATION 12-3-31.6. STREETSCREEN ILLUSTRATED






- iv. Street trees and landscaping in frontage yards shall comply with the requirements of subsection (8) of this section.
- v. Stormwater ponds shall be prohibited along frontages.
- vi. Frontage yard setbacks shall be as follows:

- (a) Buildings shall be set back in accordance with the form standards specified in Tables 12-3-31.3 to 12-3-31.8.
- (b) Where maximum setbacks are specified, they pertain only to the amount of building facade required to meet the minimum building frontage occupation requirements defined in the form standards specified in Tables 12-3-31.3 to 12-3-31.8.

TABLE 12-3-31.9. FRONTAGE YARD TYPES

A. Standard Yard (Fenced or not)	
Illustration	
Surface	Fifty percent minimum shall be pervious material. A minimum of one tree is required per subsection (6)a of this section. Paving is limited to walkways, and driveways.
Walkways	One per frontage connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted along frontage lines, and according to subsection (5)h of this section.
B. Cluster Court	
Illustration	
Surface	A minimum 50 percent of the court shall be landscaped with ground cover, trees, or understory trees. Paving is limited to walkways, and driveways.
Walkways	Court shall be a minimum 20 feet wide and a min. 1,000 square feet in size, and shall have a walkway connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted except along street frontages, fronted by a shared court, according to subsection (5)h of this section.
C. Shallow Yard	
Illustration	
Surface	Maximum setback of eight feet. Fifty percent minimum shall be landscaped in R-1A, and R-1B and up to 100 percent may be paved in R-NC and R-NCB.

Walkways	One per frontage connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted interior to the building setback line at primary street frontages. Permitted at or interior to secondary street frontage lines according to subsection (5)h of this section.
D. Urban Yard	
Illustration	
Surface	Shall be paved at sidewalk grade.
Walkways	Shall be paved at sidewalk grade. Vegetation is permitted in raised containers.
Fencing	Not permitted
E. Pedestrian Forecourt	
Illustration	
Surface	Minimum 80 percent paving.
Fencing	Permitted at or interior to building setback lines and according to subsection (5)h of this section.
Area	Forecourt: A minimum 20 feet wide up to 30 percent of the allowable frontage, and a maximum 50 feet deep.
Activation	Shall be lined with habitable space on three sides, or on two sides at corner sites.
F. Vehicular Forecourt	
Illustration	
Surface	Driveway shall be paved at sidewalk grade. The remainder of front setback may be paved or landscaped.
Fencing	Low wall, maximum 24 inches high, of either brick or stone is permitted.
Area	Forecourt: 4,200 square feet maximum.
Activation	Shall be lined with habitable space on three sides, or on two sides at corner sites.

f. *Building elements.*


1. *Intent.* Buildings should be architecturally articulated with such elements as distinguishing expression lines, changes in fenestration,




material and/or color and designed in proportions that reflect human-scaled pedestrian movement to encourage interest at the street level.


2. *Facade types.* Facade types shall be as follows:

- i. Porches, stoops, common entries, galleries and storefronts shall constitute allowable facade types as defined in Table 12-3-31.10 in accordance with the form standards in Tables 12-3-31.3 to 12-3-31.8.
- ii. Facade types shall be selected and specified along frontages in accordance with Table 12- 2-25.10.
 - (a) Porches shall not be required for single-family detached and two-family (duplex).
- iii. Projections into setbacks shall be permitted as follows:
 - (a) Roof overhangs, cornices, window and door surrounds and other facade decoration may project up to two feet.
 - (b) Where permitted, shading devices may project into the front setback up to the property line with a minimum eight-foot clearance.
 - (c) Balconies may project up to three feet.
 - (d) Bay windows may project up to three feet.
 - (e) Porches and stoops may project in accordance with the facade types defined in Table 12-3-31.10.
 - (f) Projections shall not, in any instance, exceed beyond the property line.

TABLE 12-3-31.10. FACADE TYPES

<i>A: Porch</i>		
Entry Grade	Minimum 18 inches above finished grade	
Requirements	Required at the primary building entrance.	
	Porches shall be a minimum six feet in depth.	
	Porches and related structures may project into front setbacks a maximum ten feet.	
	Porch openings shall be vertical in proportion.	
	Porches shall be a maximum ten feet in	

	height. Columns shall have a minimum diameter of six inches, and should have a capital and a base.	
<i>B: Stoop</i>		
Entry Grade	Minimum 34 inches above finished grade.	
Requirements	A stoop is required at building entrances, projecting from the facade.	
	Wood is prohibited for stoop railings.	
	Stoops and related structures may project into front setbacks up to 100 percent.	
<i>C: Common Entry</i>		
Entry Grade	Minimum 18 inches and a maximum 24 inches above finished grade	
Requirements	A single collective entry to a multifamily lobby is required at the primary building entrance.	
	Canopies and awnings are permitted to project into front setbacks up to 100 percent of their depth.	
<i>D: Gallery</i>		
Entry Grade	At sidewalk grade	
Requirements	Where a gallery occurs, it is required along a minimum of 80 percent of the frontage.	
	Encroachments are permitted according to subsection (5)g of this section.	
	Awnings are not permitted in galleries.	
<i>E: Storefront</i>		
Entry Grade	At sidewalk grade	

Requirements	A storefront is required at the primary entrance of the tenant space. Storefronts are permitted according to subsection (7)f.4 of this section.	
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3. *Building entries.* Building entries shall be as follows:

- i. Building entrances shall be clearly visible from the street.
- ii. One building entry shall be provided every 80 feet of facade leading to a habitable space.
- iii. Building entries for mixed-use buildings shall differentiate entrances for residential and commercial uses.
- iv. Entries for multifamily buildings shall provide protection from the elements with canopies, marquees, recesses or roof overhangs.
- v. Residential building entries shall be restricted as follows:
 - (a) Single-family and multifamily residential buildings shall be raised above finished grade, at the front of the building, according to facade types defined in Table 12-3-31.10.
 - (b) In no instance shall single-family and multifamily residential building entries be raised less than 18 inches above finished grade.
 - (c) Entry grade shall be measured from the finished grade to the first finished floor.
- vi. Mixed-use and commercial building entries shall be at sidewalk grade.

4. *Storefronts.*

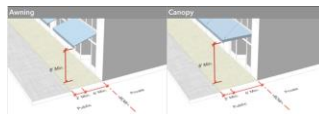
- i. Intent. Storefronts should be architecturally articulated through the varied use of high-quality durable materials, display windows, entrances, awnings and buildings signs. Their signage, glazing and doors should be conceived as a unified design. High quality, durable materials are especially important at street level within reach of pedestrians.
- ii. Storefronts shall provide a minimum of 70 percent glazing (void to solid ratio of surface area along principal facades at the ground level).
- iii. Extruded aluminum storefront frames are discouraged, and where used, shall present a simple, relatively flat profile to avoid heavily extruded profiles.

- iv. Opaque, smoked, and reflective glass on storefront windows shall be prohibited. Low-E shall be permitted as per Florida Building Code.
- v. Materials for storefronts shall consist of stone, brick, concrete, stucco, metal, glass, cementitious siding and/or wood. Construction detail and finish shall adhere to craftsman standards.
- vi. Outdoor dining areas on sidewalks and/or within the public right-of-way shall be permitted subject to the following standards:
 - (a) Outdoor dining areas shall be separated from public walkways and streets using railings, fences, bollards, planters, and/or landscaping.
 - (b) A minimum unobstructed pedestrian path of at least six feet wide shall be provided along public rights-of-way.
 - (c) Outdoor dining areas within the public right-of-way shall comply with section 12-11-7 (license to use).

g. *Building encroachments.*

- 1. Encroachments located within the public right-of-way shall comply with section 12-11-7 (license to use), section 12-3-58 (visibility triangle) and any clearance standards established by the engineering division of the city public works and facilities department and the Florida Greenbook.
- 2. Awnings for storefronts and canopies are not subject to section 12-11-7 (license to use) but shall be restricted as follows:
 - i. Awning and canopies may project into the public right-of-way, up to a maximum of two feet from the curb.
 - ii. Awnings and canopies shall be a minimum of six feet in depth and have a minimum of eight feet of vertical clearance. See Illustration 12-3-31.7 for a depiction of awning and canopy encroachment measurements.

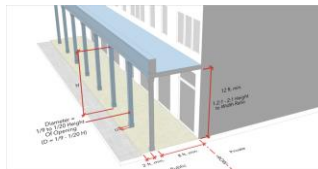
ILLUSTRATION 12-3-31.7. AWNING AND CANOPY ENCROACHMENT MEASUREMENTS



- 3. Galleries shall be restricted as follows:
 - i. Galleries shall be subject to and shall comply with section 12-11-7 (license to use).

- ii. Galleries shall not alter height or width along a building facade.
- iii. Galleries shall be a minimum of eight feet in depth and a minimum of 12 feet in height, maintaining a 1.2:1 to a 2:1 height to width ratio, as depicted in Illustration 12-3-31.8.
- iv. Gallery columns should have a diameter between one-ninth and 1/20 their height, measured from the base to the bottom of the entablature, as depicted in Illustration 12-3-31.8, and should have a capital and a base.
- v. Galleries should encroach into building setbacks.
- vi. Galleries should encroach over sidewalks.
- vii. Where galleries encroach over sidewalks, they shall not extend beyond a maximum of two feet from the curb, as depicted in Illustration 12-3-31.8.

ILLUSTRATION 12-3-31.8. GALLERY ENCROACHMENTS



h. *Parking access, design and reductions.*

1. Intent. The intent of these standards is to guide the placement and design of parking, when it is provided. Vehicular parking spaces should be carefully integrated to avoid the negative impacts of large surface parking areas on the pedestrian environment. In general, parking supply should be shared by multiple users and property owners to facilitate the ability to "park once and walk." On-street parallel parking is encouraged on both sides of the street to provide a supply of convenient shared parking, and as a means to provide a protective buffer for pedestrians on the sidewalk. Where surface parking is permitted, it should be hidden or screened from the pedestrian realm by use of garden walls and narrow landscape edges. Parking garages, where provided, should be masked from frontages by liner buildings no less than 24 feet in depth. They are encouraged to be designed for possible future conversion to other non-parking functions, including office, residential and/or commercial use.
2. All parking access and design shall comply with the form standards in Tables 12-3-31.3 to 12-3-31.8 and the following:
 - i. Parking standards in the dense business area (DBA) defined in chapter 12-13 (definitions) shall take precedence over the

form standards in Tables 12-3-31.3 to 12-3-31.8 and those included in this subsection.

- ii. Minimum parking requirements are as follows:
 - (a) Parking requirements shall be in accordance with section 12-4-1(2) (parking requirements for specific land uses) with the following exception:
 - (1) Off-street parking requirements for residential use types shall be one space per unit unless otherwise exempted.
 - (b) Shared parking shall be according to section 12-4-1(4) (off-site parking).
 - (c) Parking reductions shall be calculated according to Table 12.3-1 (Downtown Pensacola CRA Parking Reductions).
 - (d) Lots 30 feet or less in width shall not be subject to minimum parking requirements, except for:
 - (1) Lots fronting streets where on-street parking is not permitted.
 - (e) Lots less than 42 feet wide shall be accessed from a rear lane, where possible. Where not possible, the following exceptions shall be permitted, in coordination with the engineering division of the city public works and facilities department:
 - (1) Parking in the rear of the lot, subject to accessory structure setbacks as defined within the form standards in Tables 12-3-31.3 to 12-3-31.8. Shared driveways are encouraged.
 - (2) A single-car garage, subject to the minimum frontage occupation requirements defined within the form standards in Tables 12-3-31.3 to 12-3-31.8.
 - (3) Driveways shall be exempt from minimum width and spacing requirements defined in subsection (9)b.4 of this section.
 - (f) Lots shall be accessed through a rear lane when the development is over 75 percent of the block.
- iii. Vehicular parking location is restricted as follows:
 - (a) Single-family residential types.
 - (1) Residential off-street parking, where required, shall be provided within garages, carports or on driveways for all single-family residential types.

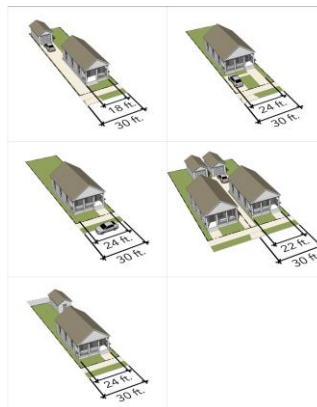
- (2) Uncovered parking shall be permitted the entire length of the driveway, including within the front setback, but not beyond the property line.
- (3) Single-family detached and two-family (duplex) off-street parking.
 - a. Covered or garage parking for single-family detached and two-family (duplex) buildings shall be set back a minimum 20 feet behind the principal building facade. See Illustration 12-3-31.9 for a depiction of covered parking placement for single-family detached and two-family attached (duplex) buildings.

ILLUSTRATION 12-3-31.9. GARAGE LOCATIONS ILLUSTRATED



- b. The outer edge of driveways shall be placed a maximum of two feet from either side property line. See Illustration 12-3-31.10 for a depiction of driveway placement for single-family detached and two-family attached (duplex) buildings on 30 feet wide lots.

ILLUSTRATION 12-3-31.10. DRIVEWAY LOCATIONS ILLUSTRATED



- (4) Single-family attached. Off-street parking for single-family attached residential types shall only be permitted in the rear 50 percent of the lot.

- (5) Tandem parking is encouraged.
- (6) Shared driveways are encouraged.
- (b) Multifamily, mixed-use and nonresidential types.
 - (1) Off-street parking shall not be permitted within the front setback area. Exceptions include:
 - a. Properties adjacent to a thoroughfare identified as an FDOT C3C Suburban Commercial Context Classification Zone as defined within subsection (9)a.2 of this section (context classification). Such properties shall conform to the form standards according to Table 12-3-31.8 (Hybrid Commercial).
 - (2) Off-street parking shall be masked from frontages by liner buildings no less than 24 feet in depth to achieve the minimum frontage occupation. See Illustration 12-3-31.11 depicting off-street parking lot masking with liner buildings and subsection (7)e.3.iii of this section for permitted streetscreen requirements.

ILLUSTRATION 12-3-31.11. PARKING LOT MASKING WITH LINER BUILDINGS



- (3) The ground floor of commercial buildings with a gross floor area less than 1,500 square feet shall be exempt from parking requirements.
- iv. Bicycle parking.
 - (a) Minimum bicycle parking requirements shall be as follows:
 - (1) Bicycle parking shall not be required for single-family residential or multifamily residential with less than eight units.
 - (2) Bicycle parking requirements shall be according to Table 12-3-31.11.

TABLE 12-3-31.11. MINIMUM REQUIRED
BICYCLE PARKING

Building Type	Location	R-2A through C-2A	C-2, C-3*
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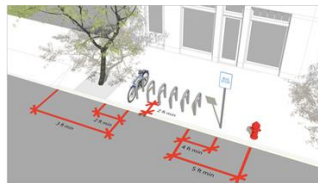
Multifamily	Primary & Secondary Frontages	Minimum 0.25 spaces per unit	Minimum 0.50 spaces per unit
Nonresidential	Primary & Secondary Frontages	Minimum 0.50 spaces per 1,000 square feet	Minimum 0.75 spaces per 1,000 square feet

*Excluding C3C Context Zones.

- (3) Bicycle parking locations within the public right-of-way shall be coordinated with the engineering division of the city public works and facilities department and subject to section 12-11-7 (license to use), and minimum clearance distances.
- (b) Bicycle parking configuration shall be as follows:
 - (1) Bicycle racks shall not be located within:
 - a. Five feet of fire hydrants.
 - b. Four feet of loading zones and bus stop markers.
 - c. Three feet of driveways and manholes.
 - d. Two feet of utility meters and tree planters.

See Illustration 12-3-31.12 for a depiction of bicycle parking clearances.

ILLUSTRATION 12-3-31.12. BICYCLE RACK CLEARANCES



- (c) Bicycle parking located along private or public streets shall be subject to the following:
 - (1) Bicycle racks installed parallel to curbs shall be set back from the curb a minimum of two feet, as illustrated in Illustration 12-3-31.11.
 - (2) Bicycle racks installed perpendicular to curbs shall allow for a minimum clearance of two feet at the curb and six feet of pedestrian way with a 56 cm or 22 in bicycle properly locked to the rack.
 - (3) Bicycle racks should be spaced a minimum of 36 inches apart.

- (4) Bicycle racks shall allow bicycle frames to be locked at two points of contact with the rack.

i. *Fences and walls.*




1. Where provided, fences and walls shall provide full enclosure.
2. Fences and walls shall be restricted according to frontage yard types in Table 12-3-31.9 and section 12-3-58 (visibility triangles).
3. Height of fences and walls shall comply with the following:
 - i. Height shall be limited to a minimum 30 inches and a maximum 42 inches within the front setback.
 - ii. Height shall be limited to eight feet behind the building face at non-frontages.
4. Materials for fences and walls shall be limited as follows:
 - i. Approved materials shall include, but are not limited to, wood, brick, stone, and wrought iron.
 - ii. Vinyl is discouraged on all frontages.
 - iii. Chain-link, exposed concrete block, barbed wire and razor wire shall be prohibited.
 - iv. Wood fences shall have the finished side to the public frontage.
 - v. Where hedges are utilized along frontages, they shall be maintained in accordance with subsection (8)b.1.v of this section.

j. *Windows and glazing.*

1. Windows shall meet the following requirements:
 - i. Windows on frontages shall be square or vertical in proportion, with the exception of transoms and special windows.
 - ii. Windows should have muntins for residential building types, which should be vertical in proportion.
 - iii. Single panes of glass shall not exceed 20 square feet for residential building types.
2. Glazing shall meet the following requirements:
 - i. Storefront glazing requirements shall be according to Table 12-3-31.12.
 - ii. For residential and mixed-use buildings, excluding commercial uses at grade, the percentage of glazed wall area shall be a minimum 20 percent.

- iii. Reflective and tinted windows shall be prohibited for residential buildings.
- iv. Stained, reflective and tinted windows shall be prohibited at ground floor commercial uses. Low-E is permitted as per Florida Building Code.

TABLE 12-3-31.12. GLAZING REQUIREMENTS

Residential	
At & above grade	Minimum 20% along frontages
	
Multifamily & office	
Above grade	Minimum 20% along frontages
At grade	Minimum 35% along frontages
	
Mixed-use	
Above grade	Minimum 20% along frontages
At grade	Minimum 70% along frontages
	

<u>RESIDENTIAL</u>		
<u>Glazing</u>	<u>Primary</u>	<u>Secondary</u>
<u>Ground Floor</u>	<u>20% min.</u>	<u>15% min.</u>
<u>Upper Floor</u>	<u>20% min.</u>	<u>15% min.</u>
<u>Blank Wall Length</u>	<u>N/A</u>	<u>N/A</u>
<u>MULTI-FAMILY</u>		
<u>Glazing</u>	<u>Primary</u>	<u>Secondary</u>
<u>Ground Floor</u>	<u>35% min.</u>	<u>35% min.</u>
<u>Upper Floor</u>	<u>20% min.</u>	<u>20% min.</u>
<u>Blank Wall Length</u>	<u>20 ft.</u>	<u>20 ft.</u>
<u>COMMERCIAL & MIXED USE</u>		
<u>Glazing, Multi-Unit</u>	<u>Primary</u>	<u>Secondary</u>

<u>Ground Floor</u>	<u>70% min.</u>	<u>70% min. (2nd side)</u> <u>35% min. (remaining sides)</u>
<u>Upper Floor</u>	<u>20% min.</u>	<u>20% min.</u> <u>10% min (remaining sides)</u>
<u>Blank Wall Length, Multi-Unit</u>	<u>20 ft.</u>	<u>20 ft.</u>
<u>Glazing, Single-Unit</u>	<u>Primary</u>	<u>Secondary</u>
<u>Ground Floor</u>	<u>50% min.</u>	<u>50% min. (2nd side)</u> <u>25% min. (remaining sides)</u>
<u>Upper Floor</u>	<u>20% min.</u>	<u>20% min. (2nd side)</u> <u>10% min. (remaining sides)</u>
<u>Blank Wall Length, Single Unit</u>	<u>20 ft.</u>	<u>20 ft.</u>
<u>LIGHT INDUSTRIAL, STORAGE AND SIMILAR</u>		
<u>Glazing</u>	<u>Primary</u>	<u>Secondary</u>
<u>Ground Floor</u>	<u>35% min.</u>	<u>35% min. (2nd side)</u> <u>15% min. (remaining sides)</u>
<u>Upper Floor</u>	<u>20% min.</u>	<u>20% min. (2nd side)</u> <u>10% min. (remaining sides)</u>
<u>Blank Wall Length</u>	<u>20 ft.</u>	<u>20 ft.</u>

- k. Lighting on private property.
 - 1. Lighting shall be arranged to be contained on-site and to reflect away from adjacent property.
- (8) *Landscape standards and guidelines.*
 - a. *Intent.* Supplement the urban canopy, accommodate stormwater, increase access to open space and facilitate pedestrian movement throughout the existing block patterns to meet the urban design goals of the community redevelopment agency. A healthy tree canopy contributes to the health of citizens and the environment, and is fundamental to a vibrant pedestrian life and a well-defined public realm. Trees closely aligned to the street edge with consistent setbacks, provide a clear sense of enclosure of streets, enabling them to function as pedestrian-scaled outdoor rooms. The placement of trees along the edge of the sidewalk should be given

particular attention as a major contributor to pedestrian activity. Trees and other native plants placed in drainage rights-of-way and parking islands contribute to the control of stormwater quantity and quality.

b. *Landscape on private property.*

1. Landscaping in frontage yards are subject to the requirements of the frontage yard types in Table 12-3-31.9, and section 12-3-58 (visibility triangles), and the following:
 - i. For single-family detached and two-family lots, one tree for every lot or for every 50 feet of linear frontage along the right-of-way shall be preserved or planted. Trees planted to meet this requirement shall be as follows:
 - (a) Measured at diameter breast height (DBH), as described in section 12-6-2(e) (DBH).
 - (b) For lots with a front setback of less than eight feet where planting in front yards is not possible, required trees shall be planted elsewhere on the block itself.
 - ii. Ground vegetation or shrub plantings with spines, thorns, or needles that may present hazards to pedestrians, bicyclists, or vehicles shall be maintained a minimum distance of two feet from the edge of walkways and sidewalks.
 - iii. In single-family detached and two-family lots, trees shall be protected in accordance with section 12-3-10(1)e.2 (protection of trees).
 - iv. When off-street parking is located in front or side setbacks, a year-round streetscreen along the street edges of the parking lot shall be installed as a means of buffering, according to section 12-6-3(2) (off-street parking and vehicle use areas).
 - v. Hedges planted along street rights-of-way shall be between three and five feet in height at maturity.
2. Minimum landscape area requirements of the development site for all building types except single-family detached and two-family attached (duplex) shall be according to Table 12-3-31.13. Landscape requirements for single-family detached and two-family attached shall be in accordance with subsection (8)b.1 of this section and Table 12-3-31.9, frontage types.

TABLE 12-3-31.13. MINIMUM LANDSCAPE AREA REQUIREMENTS

Zoning District	Percent
R-1AAA through R-2	25

R-NC, R-NCB, C-1, C-2, C-2A, C-3, M-1, M-2	15
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c. *Buffer yards.*

1. In addition to the buffer yard requirements of section 12-3-56 the following shall apply:
 - i. Berms shall not be installed as part of a required buffer without review and approval by the engineering division of the city public works and facilities department to ensure a proposed berm will not have a detrimental effect on adjacent properties by impeding or diverting stormwater flow.
 - ii. Berms shall be planted and stabilized to prevent erosion.
 - iii. Buffer yards may be used to create rain gardens or other stormwater facilities with the selection of appropriate plant material, according to the city's approved plant list and approval by the engineering division of the city's public works and facilities department.
 - iv. Plants in these stormwater facilities shall be selected to meet any applicable buffer yard screening requirements, and they should be tolerant of periodic inundation and drought. It is recommended that native plants be selected from the Florida Friendly Landscaping Guide to Plant Selection and Landscape Design, Northern Region, and Waterwise Landscapes by the South Florida Water Management District, according to Table 12-3-31.14.

TABLE 12-3-31.14. BIORETENTION & RAINWATER GARDEN PLANT LIST

Flowers	
Common Name	Scientific Name
Blue Flag Iris	Iris Hexagona
Cardinal Flower	Lobelia Cardinalis
Chipola Coreopsis	Coreopsis Integrifolia
Goldenrod	Solidago spp.
Swamp Sunflower	Helianthus Angustifolius
Spider Lily	Hymenocallis Latifolia
Swamp Lily	Crinum Americanum
Swamp Milkweed	Asclepias Perennis
Grasses	
Common Name	Scientific Name
Blue-Eyed Grass	Sisyrinchium Atlanticum Bicknell
Florida Gamma Grass	Tripsacum Floridanum
Muhly Grass	Muhlenbergia Capillaris

Path or Soft Rush	Juncus spp.
Rainlily	Zephyranthes spp.
River Oats	Chasmanthium Latifolium
Wiregrass	Aristida Stricta
<i>Shrubs</i>	
<i>Common Name</i>	<i>Scientific Name</i>
Beautyberry	Callicarpa Americana
Buttonbush	Cephalanthus Occidentalis
Virginia Willow	Itea Virginica
Wax Myrtle	Myrica Cerifera

d. *Street trees in the public right-of-way.*

1. Street trees shall be provided in the public right-of-way for all developments except single-family detached and two-family (duplex), in accordance with section 11-4-88 (placement of trees and poles), section 12-6-3 (landscaping requirements) and this subsection.
2. Where street trees cannot reasonably be planted, payment in lieu of planting shall be made to a new and dedicated CRA tree planting fund, at the value established in section 12-6-6(2)e.
3. Street tree planting, and maintenance requirements shall be as follows:
 - i. For each lot, one tree shall be provided on an average of 35 linear feet of public right-of-way frontage, where no underground utility conflicts exist.
 - ii. Where greenways exist, trees shall be required to be planted within the greenway. The following exceptions shall apply:
 - (a) Where no greenway exists or where the greenway is less than three feet wide, between sidewalk and curb, required street trees shall be planted on the block.
 - (b) Where planting within the greenway is infeasible due to utility conflicts, required street trees shall be planted on the block.
 - iii. Trees planted three feet or less from a public sidewalk shall have a minimum clearance of six feet and six inches between the public walking surface and the lowest branches at planting.
 - iv. Mature trees shall be maintained at a minimum clearance of eight feet above the public walking surface.
 - v. Trees planted within the public right-of-way shall include a root barrier to prevent the shifting of sidewalks at maturity.

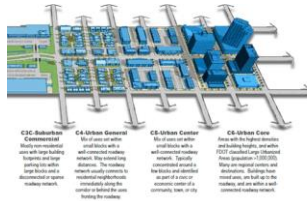
- vi. Installation of tree pits and grates within the public right-of-way shall be coordinated with the city public works and facilities department for style consistency. Installed tree pits and grates shall be maintained by the property owner in perpetuity.
 - vii. Where possible, trees may be clustered together to share soil space.
- 4. Tree selection shall be limited to those allowable plantings contained within the tree replant list specified in chapter 12-6, Appendix B (Tree Replant List). The following conditions shall apply:
 - i. Where overhead utilities occur, a tree with smaller size at maturity shall be selected.
- 5. Tree selection and placement shall be coordinated with the engineering division of the city public works and facilities department and subject to section 12-3-58 (visibility triangle) and section 12-11-7 (license to use).
- 6. Mixed-use and nonresidential building types shall comply with the following:
 - i. Where galleries are not provided, street trees shall be planted, unless in conflict with underground utilities. Where there are overhead utilities, appropriate species from the tree replant list specified in chapter 12-6, Appendix B shall be selected.
 - ii. Where a gallery is provided, and the greenway that occurs between the sidewalk and the back of curb is less than three feet wide, no street trees shall be required.
 - iii. Where a greenway at least three feet wide occurs between the gallery and the back of curb, and no overhead or underground utilities prevent street tree installation, planting of a street tree shall be required.
 - iv. Where paved surface occurs between the gallery and curb, installation of street trees in individual tree pits with tree grates, or linear planters with pervious pavers between several trees, shall be required.
 - v. Where trees are planted in sidewalk planters, the minimum sidewalk planting pit dimensions shall be four feet by four feet.

(9) *Thoroughfare standards and guidelines.*

- a. Context classification.
 - 1. The context classification system, as developed by FDOT and described within the FDOT Complete Streets Manual, shall be

adopted to identify place and guide streets and other transportation features, and to allow transportation to support adjacent land uses. See Illustration 12-3-31.13 depicting context classification zones.

ILLUSTRATION 12-3-31.13. CONTEXT CLASSIFICATION ZONES ILLUSTRATED



2. Streets shall be classified in accordance with the zoning to context classification translations specified in Table 12-3-31.15.

TABLE 12-3-31.15. ZONING TO CONTEXT CLASSIFICATION TRANSLATION

Context Classification (FDOT) Zone	Zoning District
C4 - Urban General	R-1AAA through R-2
C5 - Urban Center	R-NC through C-3
C3C - Suburban Commercial	C-3 adjacent to M-1 or M-2. Limited to segments that abut such zoning districts. M-1 M-2

b. Street design.

1. Design of local streets shall be guided by the Florida Greenbook, Chapter 19 Traditional Neighborhood Design.
2. Where a greenway of at least five feet exists, driveway approaches and curb cuts shall not be permitted to interrupt the sidewalks.
3. *Sidewalks.* Sidewalks shall be required on all street frontages in residential, nonresidential, commercial and industrial developments in accordance with standards established by the Engineering Division of the City's Public Works and Facilities and the Florida Greenbook.
4. *Driveways and curb cuts.* Driveway, driveway approaches and curb cut requirements shall be as follows:
 - i. Single-family residential types. Driveway and curb cut widths for single-family residential types shall be according to Table 12-3-31.16.

TABLE 12-3-31.16. SINGLE-FAMILY RESIDENTIAL DRIVEWAY AND CURB CUT WIDTHS

Driveway Type	Minimum Width	Maximum Width
Single-Use	10 feet	20 feet

Joint-Use	10 feet	22 feet
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- ii. Multifamily, mixed-use and nonresidential types. Driveway and curb cut widths for multifamily and nonresidential types shall be according to Table 12-3-31.17.

TABLE 12-3-31.17. MULTIFAMILY/
NONRESIDENTIAL DRIVEWAY AND
CURB CUT WIDTHS

Driveway Type	Minimum Width	Maximum Width
All	12 feet	24 feet

- iii. Driveway and curb cut spacing on a single property shall be a minimum of 42 feet with the following exception:
 - (a) Lots equal to or less than 42 feet wide shall be limited to one driveway and curb cut.

(10) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Building height, multifamily and nonresidential means the vertical distance of a building measured by stories. The restrictions to story height are according to subsection (7)c.3 of this section.

Building height, single-family residential means the vertical distance of a building measured from the finished grade to the bottom of the eave for pitched roof buildings or the bottom of the parapet for flat roof buildings.

Cluster court means a collection of buildings on a semi-public, privately owned open space.

Colonnade means a row of columns joined by an entablature. Colonnades may cover sidewalks and may front storefronts.

Complete street means a thoroughfare that is designed giving each user an equal level of priority including pedestrians, cyclists, transit users, and drivers.

Craftsman standards means a baseline of construction quality denoting a finished project.

(FDOT) Distinct Context Classifications Zone means classifications, along with functional classification and design speed, determine the corresponding thoroughfare design standards within the Florida Design Manual. (<http://www.fdot.gov/roadway/CSI/files/FDOT-context-classification.pdf>)

Eave means the edge of the roof that meets or overhangs the walls of a building.

Encroachment means certain permitted building elements that may cross established setbacks or rights-of-way.

Entablature means a horizontal, continuous building element supported by columns or a wall.

Facade, building means the exterior wall of a building that faces a frontage line.

Facade type means the different configurations of building elements that make up a building facade, such as a storefront, porch, etc. See Table 12-3-31.10.

Figures and tables. Any chart or graphic presentation in this title that is specifically designated as a "Figure" or "Table" shall be deemed to be a part of the text of the title and controlling on all development.

Frontage line means a property line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other property lines.

(Building) Frontage occupation means the length of the frontage that is occupied by a building or a building and open space.

Frontage, primary means the frontage facing a public space such as a street of higher pedestrian importance (i.e. traffic volume, number of lanes, etc.). Typically, the shorter side of a lot.

Frontage, secondary means the frontage facing the public space such as a street that is of lesser pedestrian importance (i.e. traffic volume, number of lanes, etc.). Typically, the longer side of the lot.

Frontage yard type means the configuration of the area between the facade of the building and the frontage line such as a standard, shallow, cluster court, etc. See Table 12-3-31.9.

Frontage yard type (cluster court) means a frontage yard type where a group of houses has their primary facades facing a common green or open space that is horizontal to the primary frontage.

Frontage yard type (pedestrian forecourt) means a frontage yard type where the primary facade is located near the lot line with an area setback to accommodate open space and the primary entrance of the building.

Frontage yard type (shallow) means a frontage yard type where the facade is slightly set back from the lot line.

Frontage yard type (standard) means a frontage yard type where the facade is set back from the lot line. Fences are permitted and the setbacks are visually continuous with adjacent yards.

Frontage yard type (urban yard) means a frontage yard type where the facade is at or near the lot line and the surface is paved.

Frontage yard type (vehicular forecourt) means a frontage yard type where the primary facade is located near the lot line with an area setback to accommodate a driveway meant for passenger loading and unloading.

Gallery means a covered sidewalk in front of a storefront that supports either a roof or outdoor balcony above.

Habitable space means building space which use involves human presence with direct view of the enfronting streets or public or private open space, excluding parking garages, self-service storage facilities, warehouses, and display windows separated from retail activity.

Human-scaled means buildings and their elements designed to be comfortably viewed and experienced by people on foot.

Hybrid commercial means a commercial type in the C3C FDOT Context Zone that transitions between urban and suburban types, typically permitting one row of parking at the frontage.

Liner building means a building specifically designed to mask a parking lot or a parking structure from a frontage.

Parallel means two lines or planes that are equidistant apart and do not touch on an infinite plane.

Parapet means the extension of a false front or wall above a roof line.

Parkway, greenway, verge means the planting strip between the edge of the road and sidewalk or right-of-way, which may be used for tree planting. See sections 11-4-86 through 11-4-88.

Paving means to cover or lay with concrete, stones, bricks, tiles, wood or the like to make a firm, level surface. The term paving in this section includes all pavement materials, both pervious and impervious.

Pervious means materials or natural earth that allows for the natural percolation of water.

Porch means a private facade type that is an open-air room appended to the mass of a building with a floor and roof but no walls on at least two sides.

Principal building means the main building on a lot, usually located toward the frontage.

Principal building facade means the front of the building that faces the front of the lot.

Single-family residential means a single-family ownership on a single lot. Multiple ownership on a single lot is not construed as a single-family type. Single-family is restricted to the following types on their own lots: detached single-family, attached single-family and two-family attached (duplex).

Stoop means a private facade type wherein the facade is aligned close to the front property line with the first story elevated for privacy with an exterior stair and landing at the entrance. This type is suitable for ground-floor residential uses at short setbacks with townhouses and apartment buildings. Stoops may encroach into the setback.

Streetscreen means a freestanding wall built along the frontage line, or aligned with the facade. It may mask a parking lot from the thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

Travel mode means the different means of transport around an area including by foot, bicycle, public transit, and car.

Walkability means a measurement of comfort, convenience, safety, and ease of pedestrian movement throughout an area.

SECTION II. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION III. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk



MINUTES OF THE PLANNING BOARD
December 14, 2021

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Powell, Board Member Sampson, Board Member Van Hoose, Board Member Villegas

MEMBERS ABSENT: Vice Chairperson Larson

STAFF PRESENT: Assistant Planning Director Cannon, Historic Preservation Planner Harding, Assistant City Attorney Lindsay, Senior Planner Statler, City Surveyor Odom, Director of Development Services Morris, Deputy City Administrator Forte, CRA Administrator Gibson, Assistant CRA Administrator D'Angelo, Urban Design Specialist Parker, Help Desk Technician Russo

STAFF VIRTUAL: Inspections Supervisor Weekley

OTHERS PRESENT: William Van Horn II, Paul A. Battle, Todd H. Snyder

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from November 9, 2021
- **New Business:**
 - Grove Park Townhomes Preliminary Plat Application
 - CRA Urban Design Overlay Amendments
 - Open Forum
 - Discussion
 - Adjournment

Call to Order / Quorum Present

Chairperson Ritz called the meeting to order at 2:00 pm with a quorum present and explained the procedures of the Board meeting including requirements for audience participation.

Approval of Meeting Minutes - Board Member Powell made a motion to approve the November 9, 2021 minutes, seconded by Board Member Villegas, and it carried 6 to 0.

New Business –

2. Grove Park Townhomes Preliminary Plat

Rebol-Battle & Associates, LLC is requesting preliminary plat approval for Grove Park Townhomes located at the 2300 Block of Toni Street, near the intersection of Tippin Avenue and Toni Street. This property is located in the C-1 Commercial zoning district. One (1) parcel will be subdivided into twenty-two (22) lots to accommodate townhomes.

Chairperson Ritz indicated the property was surrounded by the county. He pointed out C-1 allowed townhomes by right, and they were also allowed in the adjacent R-1AA. Also, the preliminary plat would return to the Board for final approval. He advised the purpose of the meeting was to allow public input. City Surveyor Odom stated his comments were technical and involved meeting Chapter 177 of the State Statute and a couple of small items which were easily addressed to accommodate and approve. The implementation of those corrections would return in the final plat. Mr. Battle presented to the Board and explained there was an existing parking lot on the property which could be used for excess parking, and the condos would be front loaded units. The stormwater pond would be adjacent to the commercial properties and discharged at Toni Street.

Board Member Grundhoefer made a motion for preliminary approval, seconded by Board Member Villegas, and it carried 6 to 0.

3. CRA Urban Design Overlay Amendments

The Urban Design Overlay was adopted by the City Council in 2019 to provide development standards for the CRA neighborhoods not covered by a special design review board. The intent of these design standards was to preserve and maintain the traditional walkable, urban pattern and character of Pensacola's community redevelopment area neighborhoods.

Chairperson Ritz stated the culmination of the overlay district was a task where the City had worked with an outside consultant, DPZ, to establish the criteria before the final implementation. Some of the issues had been the additional costs to housing in the overlay district, and how citizens, developers, and others might address the requirements – whether they helped or hindered projects on their properties. One of the efforts was to address and allow these issues to be vetted for modifications. The first item to be addressed was:

- Creation of a modification process through abbreviated review. (This would not be performed by the Planning Board.)

Assistant CRA Administrator D'Angelo presented to the Board and advised they had been tracking some of the issues which returned time and time again, and they decided to bring an amendment for consideration in two phases. The first phase was an immediate response to commercial development. A new Urban Design Specialist had been added to the CRA staff, and with that in mind, they recommended holding off on the major changes and implementing the modification process first to address these issues. They did think glazing should be addressed, but they wanted to take more time with the fenestration. At the last CRA meeting, there were comments addressing heritage trees and ways to preserve them. They had allowed further setbacks to address that preservation; because it was an urban design district, they wanted to see buildings closer to the street, but they also wanted to consider the heritage trees and desired to allow modification to this area. In staff's review, they felt this should not only apply to the CRA district but should be citywide and should be placed in the citywide section for heritage trees.

Board Member Grundhoefer asked if the changes had been considered by DPZ or just staff, and Ms. D'Angelo advised it was a feeling from the staff level that these observations should be addressed. Some of the common concerns on commercial development were

on glazing – the frontage occupation for certain uses; gas stations might need more consideration. Some of the commercial projects back up to residential, and those sides needed to be addressed. She explained the majority of the other areas already have some type of preservation or aesthetic district in place, so this would address those areas which did not have that protection. Staff explained DPZ had been involved with some of the aesthetics, and Ms. D'Angelo indicated DPZ had been retained to assist in the process and implementation of amendments to the overlay in response to stakeholder feedback. Chairperson Ritz explained whatever the vote of the Board, this item would proceed to Council for consideration.

Ms. D'Angelo stated essentially the Board was considering 1) the glazing table as recommended with the exception of the fenestration requirement, 2) the modification process in its entirety would remain, and 3) an adjustment to the City's overall code for heritage trees to allow additional setbacks in order to preserve heritage trees. The other items were to be reviewed by the Urban Design Specialist.

Under the modification process, 1) the Urban Design Specialist would be involved with the project to make sure it qualified, how it might be modified to be consistent with the intent of the Code, 2) it would be presented to an advisor/architect appointed by the Council (there would be two appointed in the event of a conflict of interest), and 3) the chairperson for the redevelopment board of the specific district would also have the opportunity for review. She advised this differed with variances in that it would be tied to uses rather than site specific and would not be required to go before a board; the intent was to have it be streamlined with a quick process and at a lower cost.

For the glazing for the most common commercial, single-unit, single-use, it would be a reduction from 70% down to 50% with a substantial reduction on the third or fourth sides. For heritage trees, the CRA had suggested this modification be citywide. Chairperson Ritz indicated the agenda item was for the CRA overlay district, but the desire was to make this citywide. Assistant City Attorney Lindsay explained the only thing that would return to the Board would be a change in the LDC, and the Board was only voting on the item being presented pertaining to the CRA.

Chairperson Ritz was supportive of something which allowed the process to be reviewed by three persons to ensure that the project followed the intent but allowed some flexibility for the applicant. He pointed out glazing costs were high, and with the reduction in glazing, we would still maintain the appearance that's intended but allow developers to save money.

Ms. D'Angelo clarified the amendments being voted on were the first two bullet points:

- Creation of a modification process through abbreviated review.
- Single unit commercial building glazing set at 50%, limited to the primary and second street-facing building side.

The last two bullet points considered would be:

- Reduction in glazing on a second street-facing side for single-family and two-family residential buildings from 20% to 15%.
- Provision to encourage preservation of heritage trees by permitting, by right, additional setbacks for the purpose of preservation.

Ms. D'Angelo explained they did not want to remove the stormwater element but limit what could be developed, allowing for other designs which could accomplish that purpose and be aesthetically pleasing and limited in size. She indicated the city engineer was involved in the language of the amendment.

There were no other speakers.

Board Member Villegas made a motion to approve, seconded by Board Member Powell, and it carried 6 to 0.

Staff advised this item would proceed to Council's January 2022 agenda. Chairperson Ritz asked staff to investigate the Code changes for citywide tree preservation, and other Board members agreed. Staff suggested this as a discussion item on the January 2022 agenda.

Open Forum – None.

Adjournment – With no further business, the Board adjourned at 2:43 p.m.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board