



Legislation Details (With Text)

**File #:** 12-20      **Version:** 3      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 1/17/2020      **In control:** City Council

**On agenda:** 7/16/2020      **Final action:** 7/16/2020

**Enactment date:** 7/23/2020      **Enactment #:** 16-20

**Title:** PROPOSED ORDINANCE NO. 12-20 - PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN - FUTURE LAND USE ELEMENT

**Sponsors:** Grover C. Robinson, IV

**Indexes:**

**Code sections:**

**Attachments:** 1. REVISED Proposed Ordinance No. 12-20, 2. Proposed Ordinance No. 12-20, 3. Planning Board Minutes January 14, 2020, 4. PROOF OF PUBLICATION ORDINANCES

Date	Ver.	Action By	Action	Result
7/16/2020	3	City Council	Adopted	Pass
7/13/2020	3	Agenda Conference	Placed on Regular Agenda	Pass
2/24/2020	2	Agenda Conference	Withdrawn	Pass
2/13/2020	1	City Council	Passed on first reading	Pass
2/10/2020	1	Agenda Conference	Placed on Regular Agenda	Pass

**LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 12-20 - PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN - FUTURE LAND USE ELEMENT

**RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 12-20 on second reading.

AN ORDINANCE APPROVING FOR ADOPTION, FOLLOWING THE REQUIRED STATUTORY REVIEW PROCESS BY THE STATE OF FLORIDA, AMENDMENTS TO THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA, FLORIDA, FUTURE LAND USE ELEMENT; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** Public

**SUMMARY:**

As provided in Florida Statutes Chapter 163, all local governments within the State of Florida are allotted two calendar year amendments to their Comprehensive Plans. The proposed amendments in this update will serve as the first calendar year amendment. Attached you will find the all changes submitted in strike-through and underline format.

This Public Hearing is to consider adopting the proposed Comprehensive Plan amendments as revised based on comments from the Department of Economic Opportunity (DEO). On February 13, 2020, City Council conducted a public hearing to transmit the proposed amendment to DEO for comments, and approved Proposed Ordinance No. 12-20 on First Reading. Following receipt of DEO comments, Council now needs to conduct an adoption hearing to consider adopting the Comprehensive Plan amendments. Proposed Ordinance No. 12-20 has been revised to contain the absolute height and coverage maximums that would be permitted in applicable nonresidential zoning districts, as regulated by the City's Land Development Code.

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

Many communities do not include this type of detail in their Comprehensive Plans, as it is the function of the Land Development Code to provide site-related requirements that delve beyond land use, concurrency for infrastructure, and residential density. In the last decade, the City has undertaken the creation of a "freeboard" requirement for properties in flood zones, revised the definition of how "building height" is measured, and has introduced a new measurement system in the Land Development Code with the addition of language that measures building height in stories in some areas of the City. Additionally, there are various citywide applications of the City's Land Development Regulations, which allow for outcomes that exceed those base numbers for height.

The density transfer language contained on pages 12 and of 13 of the attached ordinance (Proposed Ordinance No. 12-20) was previously approved by City Council as part of Ordinance 23-19 that has been transmitted to the Department of Economic Opportunity, and is under their required review.

The Planning Board unanimously recommended approval of the proposed amendments at their regular meeting on January 14, 2020.

#### **PRIOR ACTION:**

February 13, 2020 - The City Council held a public hearing and approved Proposed Ordinance No. 12-20 on first reading.

October 10, 2019 - City Council adopted Ordinance No. 23-19.

#### **FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

1/22/2020

**STAFF CONTACT:**

Keith Wilkins, City Administrator  
Kerrith Fiddler, Deputy City Administrator - Community Development  
Sherry Morris, Planning Services Administrator

**ATTACHMENTS:**

- 1) REVISED Proposed Ordinance No. 12-20
- 2) Proposed Ordinance No. 12-20
- 3) Planning Board Minutes January 14, 2020

**PRESENTATION:** No