



## Legislation Details (With Text)

**File #:** 11-18      **Version:** 3      **Name:**

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

**File created:** 4/19/2018      **In control:** City Council

**On agenda:** 9/13/2018      **Final action:** 9/13/2018

**Enactment date:** 9/20/2018      **Enactment #:** 11-18

**Title:** PROPOSED ORDINANCE NO. 11-18 - AMENDING LAND DEVELOPMENT CODE SECTION 12-2-10 (C)(4)(b) HISTORIC AND PRESERVATION LAND USE DISTRICT; OLD EAST HILL PRESERVATION ZONING DISTRICT; CONDITIONAL USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT

**Sponsors:** Ashton J. Hayward, III

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed Ordinance No. 11-18, 2. Applicant's Request, LDC Amendment 12-2-10, Dr. Laura Hall, 3. GIS Map of Impacted Commercial Districts in Old East Hill, 4. Coorespondence from Citizens, LDC Amendment 12-2-10, Dr. Laura Hall, 5. Ruling from Code Enforcement Authority, 805 E. Gadsden, Dr. Laura Hall, 6. April 10, 2018 Planning Board Minutes, 7. PROOF OF PUBLICATION FOR 8/9/18 MTG, 8. PROOF OF PUBLICATION FOR 2ND READING ON 9/13/18, 9. File Summary

Date	Ver.	Action By	Action	Result
9/13/2018	3	City Council	Adopted	Pass
9/10/2018	3	Agenda Conference	Placed on Regular Agenda	Pass
8/9/2018	2	City Council	Passed on first reading	Pass
8/6/2018	2	Agenda Conference	Placed on Regular Agenda	Pass
7/19/2018	1	City Council	Postponed	
7/16/2018	1	Agenda Conference	Placed on Regular Agenda	Pass

### LEGISLATIVE ACTION ITEM

**SPONSOR:** Ashton J. Hayward, III, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 11-18 - AMENDING LAND DEVELOPMENT CODE SECTION 12-2-10 (C)(4)(b) HISTORIC AND PRESERVATION LAND USE DISTRICT; OLD EAST HILL PRESERVATION ZONING DISTRICT; CONDITIONAL USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT

**RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 11-18 on second reading.

AN ORDINANCE AMENDING SECTION 12-2-10 (C)(4)(b) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE HISTORIC AND PRESERVATION LAND

USE DISTRICT; OLD EAST HILL PRESERVATION ZONING DISTRICT; CONDITIONAL USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The City has received a request from Dr. Laura Hall of East Hill Animal Hospital for an amendment to the Land Development Code Section 12-2-10 (C)(4)(b) Historic and Preservation Land Use District; Old East Hill Preservation Zoning District; Uses Permitted; OEHC-1 Neighborhood Commercial District. More specifically, Dr. Hall is requesting that the use of animal hospitals, veterinary clinics and pet resorts no longer require Conditional Use Permit approved and instead become a permitted use by right. In addition, Dr. Hall is requesting that this use be permitted with the stipulation that kennels must be fully enclosed, outside runs are not permitted but exercise areas are permitted. Dr. Hall recently appeared before the Special Magistrate for a code violation of having exercise areas in the OEHC-1 zoning district. The Special Magistrate gave Dr. Hall one year to resolve the issue. Dr. Hall is requesting this amendment in order to bring her property at 805 E. Gadsden Street into compliance.

On April 10, 2018, the Planning Board recommended approval of this amendment by a 4-1 vote with the stipulation that outside exercise areas must be supervised and limited to five (5) or fewer animals at one time.

**PRIOR ACTION:**

Public Hearings were held on June 14, 2018 and July 19, 2018. During the July 19, 2018 Public Hearing City Council requested staff modify this amendment to accept Planning Board's recommendation with the requirement that this land use be permitted by Conditional Use Permit only.

August 9, 2018 - The City Council voted to approve Ordinance No. 11-18 on first reading.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

4/25/2018

**STAFF CONTACT:**

Keith Wilkins, City Administrator  
Sherry H. Morris, Planning Services Administrator

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 11-18
- 2) Applicant's Request, LDC Amendment 12-2-10, Dr. Laura Hall
- 3) Map of Impacted Commercial Districts in Old East Hill
- 4) Correspondence from Citizens, LDC Amendment 12-2-10, Dr. Laura Hall
- 5) Ruling from Code Enforcement Authority, 805 E. Gadsden Street, Dr. Laura Hall
- 6) April 10, 2018 Planning Board Minutes

**PRESENTATION:** No