



## Legislation Details (With Text)

**File #:** 40-21      **Version:** 2      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/16/2021      **In control:** City Council  
**On agenda:** 10/28/2021      **Final action:** 10/28/2021  
**Enactment date:** 11/4/2021      **Enactment #:** 23-21  
**Title:** PROPOSED ORDINANCE NO. 40-21 - AMENDMENT TO THE LAND DEVELOPMENT CODE - REPEAL OF SECTION 12-3-65 - PARKING FOR CERTAIN USES PROHIBITED  
**Sponsors:** Grover C. Robinson, IV

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed Ordinance No. 40-21, 2. Planning Board Minutes September 14 2021 - DRAFT, 3. PROOF OF PUBLICATION

Date	Ver.	Action By	Action	Result
10/28/2021	2	City Council	Adopted	Pass
10/25/2021	2	Agenda Conference	Placed on Regular Agenda	Pass
10/14/2021	1	City Council	Passed on first reading	Pass
10/11/2021	1	Agenda Conference	Placed on Regular Agenda	Pass

### **LEGISLATIVE ACTION ITEM**

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

**SUBJECT:**

PROPOSED ORDINANCE NO. 40-21 - AMENDMENT TO THE LAND DEVELOPMENT CODE - REPEAL OF SECTION 12-3-65 - PARKING FOR CERTAIN USES PROHIBITED

**RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 40-21 on second reading.

AN ORDINANCE REPEALING SECTION 12-3-65 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA: PARKING FOR CERTAIN USES PROHIBITED; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

On September 9, 2021 City Council referred to the Planning Board a proposed repeal of Section 12-3-65 - Parking for certain uses prohibited - of the Land Development Code. Currently within City code, there are two (2) duplicative sections; 11-2-24 and 12-3-65 - Parking for certain uses prohibited.

At the same meeting, City Council approved an ordinance on first reading that, upon adoption, will amend Section 11-2-24 of the City Code to add clarity to the language regulating “parking for certain uses”. As the temporary parking of vehicles, and associated mobile activities is not related to zoning and is not the actual development of land, Chapter 11 “Traffic and Vehicles” is the more appropriate location for these requirements. In order to remove the duplicative language, and avoid creating conflict between the two Code sections, it is necessary to repeal Section 12-3-65.

On September 14, 2021 the Planning Board recommended approval of the amendment to the Land Development Code allowing for the repeal of Section 12-3-65 - Parking for certain uses prohibited - of the Land Development code at 6:0 vote.

**PRIOR ACTION:**

On October 14, 2021, City Council conducted a public hearing and voted to approve Proposed Ordinance No. 40-21 on first reading.

On September 9, 2021 - City Council referred to the Planning Board a proposed repeal of Section 12-3-65 - Parking for certain uses prohibited, for review and recommendation.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**LEGAL REVIEW ONLY BY CITY ATTORNEY:** No

9/14/2021

**STAFF CONTACT:**

Kerrith Fiddler, City Administrator

David Forte, Deputy City Administrator - Community Development

Sherry Morris, AICP, Planning Services Director

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 40-21
- 2) Planning Board Minutes September 14, 2021 - DRAFT

**PRESENTATION:** No