



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 19-00256

City Council

5/30/2019

LEGISLATIVE ACTION ITEM

SPONSOR: City Council President Andy Terhaar

SUBJECT:

REFERRAL TO THE PLANNING BOARD - PROPOSED AMENDMENT TO THE CODE OF THE CITY OF PENSACOLA - TO REPEAL LAND DEVELOPMENT CODE (LDC) SECTION 12-2-22 - GOVERNMENTAL CENTER DISTRICT

RECOMMENDATION:

That City Council refer to the Planning Board for review and recommendation an amendment to the Code of the City of Pensacola to repeal Land Development Code (LDC) Section 12-2-22 - Governmental Center District.

HEARING REQUIRED: No Hearing Required

SUMMARY:

The Land Development Code (LDC) is the principal means of planning and regulating the development and redevelopment of land in the City. The LDC was adopted by City Council in its present form in 1991 pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act. From time to time, it is necessary to amend the LDC to provide consistency with the Comprehensive Plan and to respond to community concerns, legal considerations, and changes in development patterns and planning techniques. One of the overlay districts currently contained in the Land Development Code is the Governmental Center District.

The Governmental Center District was created on February 22, 1979 upon the passage of Ordinance number 04 -79 by City Council. It was created as a special district intended to provide for the redevelopment of a centralized area for government related land use and to encourage a coordinated architectural character within the district. The district functions as an overlay district on top of underlying zoning requirements. The Pensacola-Escambia Governmental Center Authority was created as an agency of the City of Pensacola and Escambia County pursuant to Chapter 2001-328, Laws of Florida; with the purpose to acquire, construct, improve, operate, maintain and manage a governmental center complex for the use and occupancy by the City of Pensacola, Escambia County, their agencies and departments, and other governmental agencies and departments. Florida House Bill 0827, which went into effect on January 2, 2004, repealed Chapter 2001-328, Laws of Florida, and thereby abolished the Pensacola-Escambia Governmental Center Authority. Title to all assets and liabilities were transferred to the City of Pensacola and Escambia County. The Governmental Center complex has been constructed as planned and the Governmental Center Authority has been abolished by the State Legislature. This renders the Governmental Center District obsolete as its purpose of redeveloping a centralized area for government related land use has been fulfilled.

In recent months, concerns have been raised over the lack of clear, enforceable regulations in the Governmental Center District. At a Special Meeting of City Council held on May 11, 2017, a decision of the Architectural Review Board was overturned by Council due to this fact.

Based on the obsolescence of the District and its vague regulations, it is necessary to eliminate the Governmental Center District to avoid fostering a lack of predictability for property owners wishing to develop their land, and future decisions that place restrictions on development, which are not supported by the contents of the codified regulations.

PRIOR ACTION:

June 8, 2017 - Council Failed to pass an Ordinance repealing the Governmental Center District

November 8, 2016 - Planning Board considered this issue

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Proposed Ordinance - Repeal Governmental Center District

PRESENTATION: No