

### BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA

Development Services Department 3363 West Park Place Pensacola, Fl 32505 www.myescambia.com

# DENSITY AND USES SAVINGS CLAUSE APPLICATION FORM

#### Escambia County Land Development Code Sec. 3-1.8 Density and uses savings clause.

General. The owner of any parcel of land that had the residential density of its applicable zoning district decreased or had permitted land uses of that district eliminated as a result of the April 16, 2015 adoption of the LDC, may apply to have the previous residential density or permitted land uses reinstated. Only residential density and permitted land uses listed on the date of adoption shall be eligible for reinstatement pursuant to this section. Applications shall be approved, unless reinstating the previous residential density or land uses would cause the parcel's density or uses to become inconsistent with the existing applicable future land use (FLU) category. If the density or land uses would become inconsistent with the existing applicable FLU, approval for reinstatement shall be granted only after a FLU amendment consistent with the previous density and uses has been approved and adopted according to the amendment provisions in Article 7 of Chapter 2. All applications for reinstatement and FLU amendments made pursuant to this section shall be submitted to the Planning Official and processed at no cost to the land owner.

(b) Applicability. This section is not intended to authorize density or land uses that are otherwise limited by the LDC. These limitations include, but are not limited to, the provisions of the overlay zoning districts, the airport/airfield environs, floodplain

management, or location criteria. Property Address Name of Property Owner Parcel Reference # Current Zoning Current FLU Previous Zoning Proof of ownership and a legal description of the property must be provided prior to approval. ☐ Proof of ownership attached Type: \_\_\_\_\_ ☐ Legal description attached If not, explain: ☐ List density decreased \_\_\_\_\_ ☐ List land uses eliminated Is the current FLU consistent with the requested density or land uses  $\square$  Yes  $\square$  No If the current FLU is not consistent, do you wish to have a FLU Amendment processed?  $\square$  Yes  $\square$  No \_\_\_\_\_, owner of the above referenced property, hereby submit this application to the Planning Official (or his designee) to request an official review of the Density and Uses Savings Clause provision of the LDC with respect to my property above. I understand that approval to reinstate residential density and/or permitted land uses listed on April 16, 2015, will be granted only if reinstatement is consistent with the Future Land Use (FLU) for the parcel. I understand that a FLU Amendment will be required prior to approval if the request is not consistent with the FLU. I further understand that FLU Amendments must be approved by the Board of County Commissioners (BCC) and may require approval from the Florida Department of Economic Opportunity (DEO) as required by Chapter 163, Florida Statutes. Authorization to process a FLU Amendment shall not constitute BCC approval and does not guarantee that BCC or DEO approval will be granted. I also understand that any approval must be recorded in the official records of Escambia County, Florida, and that I will be responsible for filing such approval with the Clerk of the Circuit Court. Owner Signature Date

Clerk of Court Office Use



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## <u>DENSITY AND USES SAVINGS CLAUSE</u> <u>PLANNING AND ZONING DETERMINATION</u>

An official review concerning the applicability of LDC Sec. 3-1.8, Density and Uses Savings Clause, to the property described below has been completed by the Planning Official or his designee. Approval to apply the Density and Uses Savings Clause shall operate to reinstate residential density that was decreased or land uses that were eliminated on the subject parcel as a result of the adoption of the LDC on April 16, 2015, or authorize the processing of a FLU Amendment at no cost to the owner as indicated herein. Only residential density and permitted land uses listed on the date of adoption shall be eligible for reinstatement. **This Determination AND legal description must be filed in the Official Records of Escambia County, Florida, in order to preserve any density or land uses authorized herein.** FLU Amendments must be approved by the Board of County Commissioners (BCC) and may require approval from the Florida Department of Economic Opportunity (DEO) as required by Chapter 163, Florida Statutes. Authorization to process a FLU Amendment shall not constitute BCC approval and does not guarantee that BCC or DEO approval will be granted.

| Name of Property Owner   | Property Address   | Parcel Reference Number  |
|--|--|--|
| • •  |  |  |
| Current Zoning   | Current FLU  | Previous Zoning  |
| ☐ A legal description of parcel a  | are attached as Exhibit A to this Do   | etermination.  |
| Official Determination: The a  | application concerning the above   | e property is hereby:  |
| ☐ Approved as to:  |  |  |
|  | ted in the zoning distri   | ct prior to April 16, 2015.  |
| ☐ Land uses listed in the  | ted in the zoning district prior to  | o April 16, 2015.  |
| ☐ FLU Amendment prod   | cessing at no cost.  | •  |
| ☐ Denied:  | -  |  |
| ☐ Density and Uses Sav   | rings Clause does not apply to the   | subject property.  |
| Explanation:   |  |  |
| ☐ Other  |  |  |
|  |  |  |
| Pl   | anning Official or Designee  | Date   |
| STATE OF FLORIDA, COUNTY OF  | ESCAMBIA   |  |
| The foregoing instrument was acknowled 20, by, designee, who is personally known to me | edged before me, the undersigned notary<br>in his official capacity as the Planning<br>e or who produced | , this day of<br>Official for Escambia County, Florida, or h<br>as identification. |
|  | •  |  |
| SEAL:  |  |  |
|  | Notary Publ  |  |
|  | Commission   |  |
|  | My Commis  | sion Expires:  |