

ORDINANCE NUMBER 2020-_____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING THE ESCAMBIA COUNTY 2030 COMPREHENSIVE PLAN, AS AMENDED; AMENDING CHAPTER 3, SECTION 3.04 DEFINITIONS; AMENDING OBJ FLU 1.3 FUTURE LAND USE MAP DESIGNATIONS; AMENDING OBJ FLU 3.1 RURAL DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, Escambia County adopted its Comprehensive Plan on April 29, 2014; and

WHEREAS, Chapter 125, Florida Statutes, empowers the Board of County Commissioners of Escambia County, Florida to prepare, amend and enforce comprehensive plans for the development of the County; and

WHEREAS, Chapter 163.3177, Florida Statutes, establishes the required and optional elements which are reflected in the Escambia County Comprehensive Plan (2030); and

WHEREAS, a local government is entitled to consider data such as the Goals and Policies of the Escambia County Comprehensive Plan, projected population growth, among other things, and should react to the data in an appropriate way and to the extent necessary to achieve the stated goals of the local government and its Comprehensive Plan; and

WHEREAS, Chapter 163.3184, Florida Statutes, establishes the process by which a local government may amend its Comprehensive Plan as may be necessary from time-to-time; and

WHEREAS, the Escambia County Board of County Commissioners finds that the current Comprehensive Plan Section FLU 3.1.5 restricts the ability of a person or entity to obtain approval of a comprehensive plan amendment to the Rural Community (RC) future land use category; and

WHEREAS, the Board of County Commissioners has determined that FLU 3.1.5 unduly limits the Board's ability to manage growth and development within the County and should be amended; and

WHEREAS, the Board of County Commissioners has determined that amendments to OBJ FLU 1.3, "Future Land Use Map Designations," and OBJ FLU 3.1,

1 "Rural Development," are also necessary to achieve the stated goal; and

2
3 **WHEREAS**, the proposed amendments were transmitted to state agencies as
4 required by Sec. 163.3184, Florida Statutes, and no agency had any comment or objection
5 to the amendments; and

6
7 **WHEREAS**, amendment to Section 3.04 Definitions, adding a definition for
8 "Existing Rural Communities" will provide guidance for growth in the Rural area while
9 addressing compatibility with the surrounding development; and

10
11 **WHEREAS**, the Board of County Commissioners finds that this Comprehensive
12 Plan amendment is based on relevant and appropriate data and an analysis, as reflected
13 in Composite Exhibit "A" attached hereto; and

14
15 **WHEREAS**, the Board of County Commissioners recognizes and respects
16 judicially acknowledged or constitutionally protected private property rights; and

17
18 **WHEREAS**, the Board of County Commissioners finds that this Comprehensive
19 Plan amendment was developed with sensitivity for private property rights and is not
20 unduly restrictive; and

21
22 **WHEREAS**, the Board of County Commissioners finds that this Comprehensive
23 Plan amendment does not constitute an inordinate burden on private property rights; and

24
25 **WHEREAS**, the Board of County Commissioners reviewed and considered all
26 reports and comments provided by the state land planning agency, citizens, and any other
27 persons, agencies or governments; and

28
29 **WHEREAS**, the Escambia County Board of County Commissioners finds that an
30 amendment to its Comprehensive Plan is necessary and appropriate based on the Goals
31 and Policies of the Escambia County Comprehensive Plan; and

32
33 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners
34 of Escambia County, Florida, as follows:

35 **Section 1. Recitals**

36 The above recitals are true and correct and are incorporated herein by reference.

37 **Section 2. Purpose and Intent**

38 This Ordinance is enacted to carry out the purpose and intent of, and exercise the
39 authority set out in, the Community Planning Act, Sections 163.3161 through 163.3215,
40 Florida Statutes.

1 **Section 3. Title of Comprehensive Plan Amendment**

2 This Comprehensive Plan Amendment shall be entitled “CPA 2020-01.”

3 **Section 4. Amendment to Chapter 3, Section 3.04 of the Escambia County**
4 **Comprehensive Plan**

5 Chapter 3, Section 3.04 Definitions is hereby amended as follows (deletions shown as
6 strike-thru; additions are underlined):

7 **Section 3.04 Definitions.**

8 **Airport:** Means any area of land or water designed and set aside for the landing and
9 taking off of aircraft and use or to be used in the interest of the public for such purpose.

10 **Airport hazard:** Means an obstruction to air navigation which affects the safe and efficient
11 use of navigable airspace or the operation of planned or existing air navigation and
12 communication facilities.

13 **Airport hazard area:** Means any area of land or water upon which an airport hazard
14 might be established.

15 **Airport obstruction:** Means any existing or proposed object, terrain, or structure
16 construction or alternation that exceeds the federal obstruction standards contained in
17 the 14 C.F.R. part 77, subpart C, as may be amended. This term includes: any object of
18 natural growth or terrain; permanent or temporary construction or alteration, including
19 equipment or materials used and any permanent or temporary apparatus; or alteration of
20 any permanent or temporary existing structure by a change in the structure’s height,
21 including appurtenances, lateral dimensions, and equipment or materials used in the
22 structure.

23 **Airport Obstruction Notification Zone:** A zone established around any airport to
24 regulate airport hazard areas and airport obstructions.

25 **Avigation easement:** An easement that gives a clear property right to maintain flight
26 operations in the airspace above the property.

27 **Buffer:** A designated area with natural and/or manmade features functioning to minimize
28 or eliminate adverse impacts on adjoining land uses or wetlands, as defined by Florida
29 Statutes.

30 **Commercial use:** Any non-residential use that is typically carried out for the purpose of
31 monetary gain, including, but not limited to, any business use or activity at a scale greater
32 than a home occupation.

33 **Compact development:** A development pattern typically featuring narrow streets,
34 multifunction structures (such as residential over retail), multifamily housing, front
35 porches, small lots, wide sidewalks, neighborhood parks, community landscaping, easily

walkable distances from residences to local commercial uses, places of employment, and schools.

Concurrency: The condition or circumstance that, at the time that new demands are placed on public facilities, facility capacities will meet or exceed the adopted level of service (LOS) standards established by the Comprehensive Plan.

Conservation: The act of preserving, guarding, or protecting; keeping in a safe or entire state; preservation.

Conservation subdivision: A form of residential subdivision characterized by clustered compact lots, common open space and natural features, used to protect agricultural lands, open space or other natural or historical resources while allowing for the maximum number of dwellings under applicable zoning and subdivision regulations.

Deficiencies: Inadequacies, insufficiencies, or the falling short of a prescribed norm.

Density: An objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre.

Development: The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels. Specific activities or uses involving or excluded from development are defined in Florida Statutes.

Enhance: To make greater, as regards value, beauty, or effectiveness; to augment.

Environmentally sensitive lands: Those areas of land or water that are determined by the BCC as being necessary to conserve or protect natural habitats and ecological systems. The following classifications are those that have been determined by Escambia County to be environmentally sensitive:

- a. Wetlands as defined herein and wetlands as defined by the U.S. Army Corps of Engineers.
- b. Shoreline Protection Zones.
- c. Aquatic preserves and the Escambia River Management Area.
- d. Outstanding Florida Waters as defined by Rule 62.302.700 Florida Administrative Code and as defined and approved by the Florida Legislature.
- e. Habitats of threatened or endangered species as defined by the U.S. Fish and Wildlife Service (USFWS), the Florida Fish and Wildlife Conservation Commission (FWC), or other state or federal agencies.
- f. Essential Fishery Habitat (EFH), including seagrasses.

g. Floodplain areas defined on the FEMA Flood Insurance Rate Map (FIRM) as areas of special flood hazard subject to a one percent annual chance of flooding.

h. Potable water wells, cones of influence, and potable water well fields.

Existing communities: Established residential or mixed-use areas; developed land that contains homes, businesses, and/or other civic and community uses.

Existing rural communities: Established rural residential or mixed-use areas within the Agriculture, Agriculture Residential, and Rural Community future land use categories that are developed land that contain homes and/or businesses including agricultural and agricultural related operation, and/or other civic and community uses that are located along Highways, Federal Roads, and Major County Roads as identified on the Future Land Use Map.

Farm worker: A person who works on, but does not own, a farm; an agricultural laborer (may be permanent or temporary).

Financial feasibility: The ability of a proposed land use or change of land use to justify itself from an economic point of view.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor Area Ratio (FAR): A standard measure of the intensity of non-residential land use, calculated by dividing the total gross floor area of all structures on a lot by the total area of the lot.

Group home/group home facility: An occupied residence, licensed by the State of Florida, in which a family living environment is provided for six or fewer unrelated residents with developmental disabilities as defined in Florida Statutes, including such supervision and care by support staff as may be necessary to meet the physical, emotional, and social needs of its residents.

Hazardous material: A poison, corrosive agent, flammable substance, explosive, radioactive chemical, or any other material that can endanger human or animal health or wellbeing if handled improperly.

Hazardous waste: Material or a combination of materials that require special management techniques because of their acute and/or chronic effects on air and water quality; on fish, wildlife, or other biota; or on the health and welfare of the public. Such materials include, but are not limited to, volatile, chemical, biological, explosive, flammable, radioactive and toxic materials regulated pursuant to Chapter 62-730, Florida Administrative Code.

Historic/cultural resource: Any prehistoric or historic district, site, building, object, or other real or personal property of historical, architectural, or archaeological value as well

as all folk life resources. These properties or resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure trove, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of the state.

Impervious surface: Any surface that does not allow, or that minimally allows, the penetration of water and that is highly resistant to infiltration by water.

Impervious surface ratio: A standard measure of the intensity of land use calculated by dividing the total area of all impervious surfaces within a lot by the total area of the lot.

Incompatible/compatible development: Incompatible development is new development proposed to be constructed next to existing development wherein the proximity of the two kinds of development would each diminish the usefulness of the other or would be detrimental to existing operations. The incompatibility can arise from either land use or structure size and design. Compatible development is new development proposed to be constructed next to existing development in which the proximity of the two kinds of development would each complement or enhance the usefulness of the other.

Infill development: The development of new housing or other land uses on vacant or underutilized land in existing developed areas which focuses on the reuse and repositioning of obsolete or underutilized buildings and sites.

Infrastructure: Facilities and services needed to sustain land use activities, including but not limited to roads, potable water service, wastewater service, solid waste facilities, stormwater management facilities, power grids, telecommunication facilities, and public schools.

Invasive species: A non-indigenous or exotic species that is not native to the ecosystem under consideration and that has the ability to establish self-sustaining, expanding, free-living populations that may cause economic and/or environmental harm or harm to human health.

Limited Agricultural Use: Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals.

Low-impact landscaping: Landscape design practices that apply Florida-Friendly landscaping principles to reduce water consumption, the use of horticultural chemicals, the loss of native vegetation and wildlife habitat, stormwater runoff, and other negative environmental impacts.

Mitigation: Methods used to alleviate or lessen the impact of development.

Mixed-use: Any use that includes both residential and nonresidential uses.

Mobile/manufactured home: A complete, factory-built, single-family dwelling constructed in accordance with the federal Manufactured Housing Construction and Safety Standards (the HUD Code) and transportable in one or more sections on a

1 permanent chassis for site installation with or without a permanent foundation. Mobile
2 home is the term used for manufactured homes built prior to June 15, 1976 when the
3 HUD Code became effective.

4 **Multi-family development:** Residential development containing multi-family dwellings
5 exclusively or predominantly.

6 **Multi-modal:** A transportation system that involves multiple methods of transporting
7 people and/or goods; this may include pedestrian activity, bicycling, transit (buses and/or
8 rail), and the automobile.

9 **Native vegetation:** Vegetation that exists naturally, without intervention by humans, in a
10 specific geographic area.

11 **Natural resources:** Resources provided by the natural environment, including air, water,
12 soils, wetlands, beaches, flood plains, forests, fisheries, wildlife, and any other such
13 environmental resource identified by Florida Statutes for conservation and protection.

14 **Non-conforming use:** Any lawfully established use of a structure, land, or water, in any
15 combination that does not conform to the land use regulations of the zoning district or
16 future land use category in which the use is located.

17 **Non-residential use:** A use characterized by the absence of residences and the
18 presence of primary land uses that include retail, commercial, office, industrial, civic or
19 recreation uses.

20 **Open space:** Land or portions of land preserved and protected, whether public or
21 privately owned and perpetually maintained and retained for active or passive recreation,
22 for resource protection, or to meet lot coverage requirements. The term includes, but is
23 not limited to, required yards, developed recreation areas and improved recreation
24 facilities, natural and landscaped areas, and common areas.

25 **Paratransit system:** A form of public transportation service characterized by the flexible
26 routing and scheduling of small vehicles such as taxis, vans and small buses, to provide
27 shared-occupancy, doorstep or curbside personalized transportation service.

28 **Performance-oriented controls:** A set of criteria or limits relating to certain
29 characteristics that a particular use or process may not exceed; these regulations are
30 based upon the intensity and impacts of an activity, rather than land use.

31 **Preserve:** To protect natural resources and/or historic and cultural resources from the
32 negative impacts of human activity, including land development or natural resource
33 extraction, such as mining or logging. Preservation may include permanently protecting
34 land, structures and/or wetlands and water bodies via purchase, conservation easement,
35 regulations, or other methods, and it may include the restoration and management of
36 natural or historic resources.

37 **Primary dune:** The first natural or manmade dune located landward of the beach with
38 sufficient vegetation, height, continuity, and configuration to offer protective value. The

landward extent occurs at the point in which there is a distinct change from a relatively steep slope to a relatively mild slope.

Public use airport: Means an airport, publicly or privately owned, licensed by the State, which is open for use by the public.

Redevelopment: The removal and replacement, rehabilitation, or adaptive reuse of an existing structure or structures or of land from which previous improvements have been removed.

Residential use: Any use for residences, domiciles, or dwellings, including, but not limited to, single-family houses, townhouses, condominiums, and apartments.

Restoration: The act of repairing damage to a site with the aim of restoring the site as closely as possible to its natural condition before it was disturbed.

Revitalization: The renewal and improvement of older commercial and residential areas through any of a series of actions or programs that encourage and facilitate private and public investment.

Runway protection zone: Means an area at ground level beyond the runway end to enhance the safety and protection of people and property on the ground.

Rural: A sparsely developed area in which the land is primarily used for agricultural purposes.

Shoreline, Natural: Undeveloped or restored areas of shoreline fronting the waters of marine, estuarine, or riverine systems such as bays, bayous, rivers, and streams.

Sprawl: Haphazard growth of dispersed, leap-frog and strip development in suburbs and rural areas and along highways; typically, sprawl is automobile- dependent, single use, resource-consuming, and low-density development in previously rural areas and disconnected from existing development and infrastructure.

Street, collector: A street providing service that is of relatively moderate traffic volume, moderate trip length, and moderate operating speed and which distributes traffic between local streets or arterial streets.

Street, major arterial: A street providing service that is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. Note: Every United States numbered highway is an arterial street.

Street, minor arterial: A street providing connections between major activity centers of the county, which augments the major arterial system for local and inter-county traffic by feeding traffic from collector and local street systems onto major arterials.

Suburban area: A predominantly low-density residential area located immediately outside of an urban area or a city and associated with it physically and socioeconomically.

Threatened and endangered species habitat: An area that contains, or shows factual evidence of, a species that is listed as threatened, endangered, or a species of special

concern, including all such areas that are classified as critical habitat by the Florida Fish and Wildlife Conservation Commission (FWWC).

Urban area: A highly developed area that contains a variety of industrial, commercial, residential, and cultural uses.

Urban forest: Collectively, the trees and other vegetation within and around the developed areas of the county.

Water-dependent uses: Uses that require access to water bodies, such as commercial boating or fishing operations.

Water-related uses: Uses that do not require a waterfront location to function but are often essential to the efficient functioning of water-dependent uses and can be essential to their economic viability, such as shops, restaurants, parking, boat sales, or fish processing plants.

Wetlands: Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or they possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having the soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include, but are not limited to, swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps, and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

Wildlife habitat: An area that offers feeding, roosting, breeding, nesting, and refuge areas for a variety of existing and future native wildlife species.

Section 5. Amendment to GOAL FLU 1 FUTURE DEVELOPMENT PATTERN, OBJ FLU 1.3 Future Land Use Map Designations

OBJ FLU 1.3 is hereby amended as follows (deletions shown as strike-thru; additions are underlined):

OBJ FLU 1.3 Future Land Use Map Designations

Designate land uses on the FLUM to discourage urban sprawl, promote mixed use, compact development in urban areas, and support development compatible with the protection and preservation of rural areas.

POLICIES

FLU 1.3.1 Future Land Use Categories. General descriptions, range of allowable uses, and residential densities and non-residential intensities for all future land use categories in Escambia County are outlined below.

FLUM Agriculture (AG)

General Description: Intended for routine agricultural and silvicultural related activities and very low density residential uses. Also allows for commercial activity limited to those endeavors ancillary to agricultural and silvicultural pursuits or in support of agricultural activities such as seed, feed and food outlets, farm equipment and repair and veterinary services.

Range of Allowable Uses:

Agriculture, silviculture, residential, recreational, public and civic, limited ancillary or supportive, commercial.

Standards:

Residential Maximum Density: 1 du/20 acres

Non-Residential: Minimum Intensity: None.

Maximum Intensity: 0.25 Floor Area Ratio (FAR).

FLUM Agriculture Residential (AR)

General Description: Intended for routine agricultural and silvicultural related activities and low to medium density residential uses. Also allows for commercial activity limited to those endeavors ancillary to agricultural and silvicultural pursuits or in support of agricultural activities such as seed, feed and food outlets, farm equipment and repair and veterinary services.

Range of Allowable Uses:

Agriculture, silviculture, residential, recreational, public and civic, limited ancillary or supportive, commercial.

Standards:

1 **Residential** Maximum Density: 1 du/4 acres

2 **Non-Residential** Minimum Intensity: None

3 **Maximum Intensity: 0.25 Floor Area Ratio (FAR)**

4

5 **FLUM Rural Community (RC)**

6 **General Description:** Intended to recognize existing residential development and
7 neighborhood serving nonresidential activity while supporting new development through
8 a compact development pattern that serves the rural and agricultural areas of Escambia
9 County.

10 **Range of Allowable Uses:**

11 Agriculture, silviculture, residential, recreational facilities, public and civic, compact
12 traditional neighborhood supportive commercial.

13 **Standards:**

14 **Residential** Maximum Density: 2 du/acre

15 **Non-Residential** Minimum Intensity: None

16 **Maximum Intensity: 0.25 Floor Area Ratio (FAR)**

17

18 **FLUM Mixed-Use Suburban (MU-S)**

19

20 **General Description:** Intended for a mix of residential and non-residential uses while
21 promoting compatible infill development and the separation of urban and suburban land
22 uses.

23

24 **Range of Allowable Uses:** Residential, retail sales & services, professional office,
25 recreational facilities, public and civic, limited agriculture.

26

27 **Standards:**

28 **Residential** Maximum Density: 25 du/acre

29 **Non-Residential** Minimum Intensity: None

30 **Maximum Intensity: 1.0 Floor Area Ratio (FAR)**

31

32 Escambia County intends to achieve the following mix of land uses for new development
33 within ¼ mile of arterial roadways or transit corridors by 2030:

- 34
- 35 a) Residential 8% to 25%
- 36 b) Public/Rec/Inst. 5% to 20%
- 37 c) Non-Residential:
- 38 Retail Service-30% to 50%

Office-25% to 50%

In areas beyond ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:

- a) Residential 70% to 85%
- b) Public/Rec/Inst. 10% to 25%
- c) Non-Residential 5% to 10%

FLUM Mixed-Use Urban (MU-U)

General Description: Intended for an intense mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.

Range of Allowable Uses:

Residential, retail and services, professional office, light industrial, recreational facilities, public and civic, limited agriculture.

Standards:

Residential Maximum Density: 25 du/acre

Non-Residential Minimum Intensity: 0.25 Floor Area Ratio (FAR)

Maximum Intensity: 2.0 Floor Area Ratio (FAR)

Escambia County intends to achieve the following mix of land uses for new development within a ¼ mile of arterial roadways or transit corridors by 2030:

- a) Residential 8% to 25%
- b) Public/Rec/Inst. 5% to 20%
- c) Non-Residential:
 - Retail/Service 30% to 50%
 - Office 25% to 50%
 - Light Industrial 5% to 10%

In areas beyond ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:

- a) Residential 70% to 85%
- b) Public/Rec/Inst. 10% to 25%
- c) Non-Residential 5% to 10%

FLUM Mixed-Use Perdido Key (MU-PK)

1 **General Description:** Intended for a complementary mix of residential, commercial and
2 tourism (resort) related uses. Residential development in the MU-PK FLUM category shall
3 be limited to 7,150 dwelling units and 1,000 lodging units.
4

5 **Range of Allowable Uses:**

6 Single family and multi-family residential; condominiums; hotels/motels, commercial,
7 active and passive recreational facilities, plazas and other civic uses; public and quasi-
8 public facilities (including government facilities, public utilities, religious facilities and
9 organizations).
10

11 In the low and medium density residential zoning districts the non-residential uses may
12 include churches, public utilities and facilities, parks and recreation areas, golf courses,
13 tennis courts, swimming pools, etc. In the medium density residential zoning districts,
14 non-residential uses may also include kindergarten and childcare centers and
15 professional offices (architects, engineers, lawyers, consultants, medical/dental, real
16 estate, insurance, etc.)
17

18 The uses allowed in the commercial district include a full range of commercial enterprise
19 activities and are contingent upon conformity of such uses with all requirements of this
20 Plan and the Perdido Key zoning regulations, thereby assuring that such commercial
21 development is undertaken in an environmentally sensitive manner. When using density
22 transfers, densities may not be transferred to parcels south of Perdido Key Drive.
23

24 **Standards:**

25 Maximum Density: 25 du/acre (based on proposed zoning districts)

26 Maximum Intensity: 6.0 Floor Area Ratio (FAR)

27 Minimum pervious area 20%

28 Maximum impervious cover area 80%
29

30 **FLUM Mixed-Use Pensacola Beach (MU-PB)**
31

32 **General Description:**

33 Intended for a complementary mix of uses on the developable lands at Pensacola Beach
34 and is designed to accommodate and encourage innovative land development types and
35 arrangements. Residential development in the MU-PB FLUM category shall be limited to
36 4,128 dwelling units.
37

38 **Range of Allowable Uses:**

39 The location and distribution of uses shall generally follow the distribution of uses included
40 in the 1988 Pensacola Beach Land Utilization Plan, which is included in Chapter 1 of the
41 Foundation Document and Chapter 85-409, Laws of Florida. Other allowable uses include
42 public utilities and facilities, religious and educational facilities and medical facilities. Note:
43 Laws of Florida, Chapter 85-409, prohibits residential or commercial development of a

specified parcel within this category. Further, provisions within the Land Utilization Plan provide that environmental studies be completed prior to approving any development or use of the specified parcel.

Standards:

Mix of uses shall be approx. 35% residential, 15% commercial/tourism (resort) and 50% open space/recreation. Also, densities may be increased, decreased or transferred on any particular parcel to provide protection to important natural resources, accommodate the provision of adequate and functional open space and the provision of a complimentary mix of recreation uses within the Pensacola Beach Community.

Site specific densities and uses will be further defined by the lease agreements for individual parcels, the 1985 Bond Validation Compromise and Settlement, and Special Acts of the legislature regarding land use, ownership and development on Pensacola Beach. However, development thresholds established by this Policy shall not be exceeded unless this Comprehensive Plan has been amended and such amendment provides for increased development thresholds.

FLUM Commercial (C)

General Description: Intended for professional office, retail, wholesale, service and general business trade. Residential development may be permitted only if secondary to a primary commercial development.

Range of Allowable Uses:

Residential, retail and services, professional office, light industrial, recreational facilities, public and civic.

Standards:

Residential Maximum Density: 25 du/acre

Non-Residential Minimum Intensity: None

Maximum Intensity: 1.0 Floor Area Ratio (FAR)

FLUM Industrial (I)

General Description: Intended for a mix of industrial development and ancillary office and commercial uses that are deemed to be compatible with adjacent or nearby properties. Industrial areas shall facilitate continued industrial operations within the County and provide jobs and employment security for present and future residents.

Range of Allowable Uses:

Light to intensive industrial, ancillary retail and office. No new residential development is allowed.

Standards:

Residential Maximum Density: None

Non-Residential Minimum Intensity: None

Maximum Intensity: 1.0 Floor Area Ratio (FAR)

FLUM Conservation (CON)

General Description: Intended for the conservation of important natural resources, such as wetlands, marshes and significant wildlife habitats. This may include passive recreational opportunities for citizens of and visitors to the County.

Range of Allowable Uses:

Passive parks and trails, preservation lands, educational uses that use natural amenities for public benefit. No new residential development is allowed.

Standards:

Residential Maximum Density: None

Non-Residential Minimum Intensity: None

Maximum Intensity: None

FLUM Recreation (REC)

General Description: Recreational opportunities for the Escambia County citizens including a system of public and private park facilities.

Range of Allowable Uses:

Active and passive recreation activities and amenities, park facilities such as boat launch, basketball courts, tennis courts, baseball and softball fields, meeting halls and the like. No new residential development is allowed.

Standards:

Residential Maximum Density: None

Non-Residential Minimum Intensity: None

Maximum Intensity: 0.5 Floor Area Ratio (FAR)

FLUM Public (P)

General Description: Provides for uses or facilities owned or managed by the Federal, State or county government or other public institutions or agencies.

Range of Allowable Uses:

Public parks, local, regional, State or Federal facilities, public structures or lands, quasi-public facilities providing public services.

1 **Standards:**

2 **Residential** Maximum Density: None

3 **Non-Residential** Minimum Intensity: None

4 Maximum Intensity: None

6 **Section 6. Amendment to GOAL FLU 3 RURAL STRATEGIES, OBJ FLU 3.1 Rural**
7 **Development**

8 OBJ FLU 3.1 is hereby amended as follows (deletions shown as ~~strike-thru~~; additions are
9 underlined):

11 **GOAL FLU 3 RURAL STRATEGIES**

12 Escambia County will promote rural strategies, including protecting agriculture,
13 silviculture, and related activities, protecting and preserving natural resources and guiding
14 new development toward existing rural communities.

16 **OBJ FLU 3.1 Rural Development**

18 **All new development within rural areas, including commercial development, that is**
19 **compatible with the protection and preservation of rural areas will be directed to**
20 **existing rural communities.**

22 **POLICIES**

24 **FLU 3.1.1 Infrastructure Expenditures.** Escambia County will limit the expenditure of
25 public funds for infrastructure improvements or extensions that would increase the
26 capacity of those facilities beyond that necessary to support the densities and intensities
27 of use established by this plan unless such expenditures are necessary to implement
28 other policies of this plan.

30 **FLU 3.1.2 Water Facility Extensions.** Escambia County will coordinate with potable
31 water providers on any extensions of potable water facilities in the rural area.

33 **FLU 3.1.3 FLUM Amendments.** During consideration of FLUM amendments, Escambia
34 County will consider the impacts of increased residential densities to the agriculture and
35 silviculture industries as well as public facility maintenance and operation expenditures
36 (i.e., roads, water, sewer, schools,) needed to serve the proposed development.

38 **FLU 3.1.4 Rezoning.** Escambia County will protect agriculture and the rural lifestyle of
39 northern Escambia County by permitting re-zonings to districts, allowing for higher
40 residential densities in the Rural Community (RC) future land use category.

1 FLU 3.1.5 **New Rural Communities.** To protect silviculture, agriculture, and agriculture-
2 related activities Escambia County ~~will not support~~ will guide the establishment of new
3 rural communities towards existing rural communities.
4

5 **Section 7. Severability**

6 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
7 unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect
8 the validity of the remaining portions of this Ordinance.

9 **Section 8. Inclusion in the Code**

10 It is the intention of the Board of County Commissioners that the provisions of this
11 Ordinance shall be codified as required by Section 125.68, Florida Statutes, and that the
12 sections, subsections and other provisions of this Ordinance may be renumbered or
13 relettered and the word "ordinance" may be changed to "section," "article," or such other
14 appropriate word or phrase in order to accomplish such intentions.

15
16
17
18
19
20
21 **THIS SPACE INTENTIONALLY LEFT BLANK**
22
23
24
25
26
27
28
29
30
31

Section 9. Effective Date

Pursuant to Section 163.3184(3)(c), Florida Statutes, this Ordinance shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, this Ordinance shall not become effective until the State Planning Agency or the Administration Commission enters a final order determining the Ordinance to be in compliance.

DONE AND ENACTED this _____ day of _____, 2020.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

By: _____
Steven Barry, Chairman

**ATTEST: PAM CHILDERS
Clerk of the Circuit Court**

By: _____
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:



DRAFT

ESCAMBIA COUNTY DATA & ANALYSIS

Escambia County
August 2020



HALFF ASSOCIATES, INC.
1000 N. ASHLEY DRIVE, SUITE 900, TAMPA, FL 33602
(813) 620-4500
WWW.HALFF.COM

COMPOSITE EXHIBIT "A"

I. INTRODUCTION

Halff Associates, Inc. (Halff) was hired by Escambia County to complete a data and analysis of the County's Comprehensive Plan, land use, zoning, population growth, existing residential development and the consideration for new residential development within the rural areas of Escambia County.

To assist in this effort, a review and analysis of the following different documentations was completed:

1. Transcript, Escambia County Regular Planning Board Comprehensive Plan Large-Scale Future Land Use Map Amendment, LSA 2018-01, August 7, 2018.
2. Agenda, Escambia County Planning Board, Quasi-Judicial Hearing, Staff Report, Z-2018-08, July 10, 2018.
3. Transcript, State of Florida, Division of Administrative Hearings, of Case No. 19-1153GM, Jaqueline Rogers, Cynthia Cole, Ann Bennett, and Theresa Blackwell (Petitioners) vs. Escambia County, A Political Subdivision of the State of Florida (Respondent), October 30, 2019.
4. Transcript, State of Florida, Division of Administrative Hearings, Recommended Order for Case No. 19-1153GM, February 7, 2019.
5. Escambia County Comprehensive Plan 2030, February 2015
6. Draft Escambia County Comprehensive Plan 2030, August 2019
7. Adopted Ordinance 2019-9
8. Memorandum, Options for Amending Future Land Use (FLU) Categories, January 22, 2020
9. Escambia County Future Land Use 2030 Map
10. Escambia County AG and RC Future Land Use 2030 with Parcels, DSAP Boundary, and Functional Classification of Roads.
11. Escambia County Mid-West Sector Plan – Detailed Specific Area Plans
12. 2016 - 2012-2016 ACS 5-Year Estimates, B01003: Total Population; DP04: Selected Housing Characteristics; B25010: Average Household Size of Occupied Housing Units by Tenure
13. 2018 - 2014-2018 ACS 5-Year Estimates, B01003: Total Population; DP04: Selected Housing Characteristics; B25010: Average Household Size of Occupied Housing Units by Tenure
14. 2020 - BEBR Volume 53, Bulletin 186, January 2020, Projections of Florida Population by County 2020–2045, with Estimates for 2019

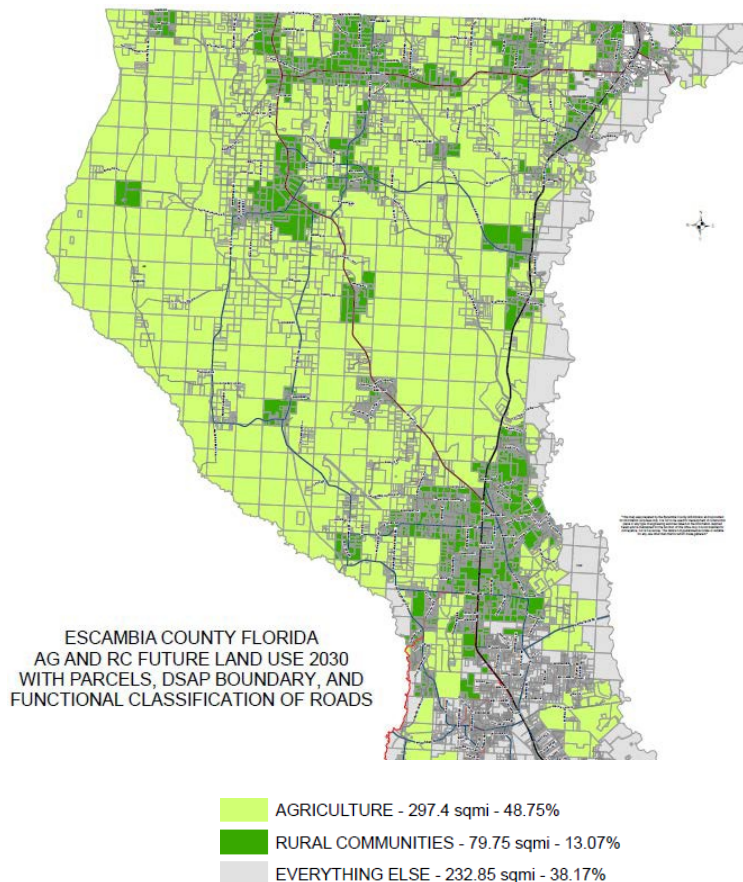
During this review, there were also a number of calls with various County staff members. Based on this research, there are proposed resolutions to assist in facilitating the future growth and housing needs for the County.

II. Future Land Use and Zoning

Of the various land use categories within the adopted Future Land Use map, Agriculture (AG) land use has the lowest density for residential. The AG land use only allows one residential unit to be located on a legal lot of record that has a minimum of 20 acres. The next less dense Future Land Use Category is Rural Communities (RC) which allows consideration of a maximum potential density of 2 dwelling units per acre. The County's Future Land Use Plan does not provide for a land use category between the AG and RC land uses, that could provide a transition of density between the AG and RC land uses.

Consistent with and implementing the (AG) Future Land Use Category is the County's zoning classification Agricultural (AGR) which also requires that a residential unit has to be on a legal lot of records with a minimum size of 20 acres. The Agricultural (AGR- 1du/20ac), Rural Residential (RR- 1du/4ac), and Rural Mixed Use (RMU- 2du/ac) zoning districts are shown according to the matrix in the County Land Development code as being allowed in the RC land use (2 du/ac).

According to Escambia County GIS, approximately 48.75 percent of the total land area of Escambia County has a Future Land Use designation of Agricultural (AG). Approximately 13.07 percent of the County's land area has the Future Land Use of Rural Communities (RC.) By combining both the land uses of the AG and RC land use categories, means that approximately over 60 percent of the County land area requires a legal lot of record greater than two units per acre and/or dedicated to agricultural uses. The majority of the AG and RC land use categories are located north of Quintette Road. The remaining 40 percent of Escambia County land is dedicated to lands that are mostly developed with a range of land use categories including residential categories all permitting up to 25 dwelling units per acre.





It is our understanding that not having a land use category that provides transition between the AG and RC land uses as an option is creating challenges in accommodating the growth that Escambia County has experienced and is projected to continue.

Another observation from these discussions with staff is the recognition that the nature of farming in the County has been changing. A January 22, 2020 Memorandum from Horace L. Jones, Director of the Development Services Department clearly describes the issue, “as generations change, smaller farms are going up for sale, but the buyers only want the land. The homestead and its acreage are of no use to the buyer, but the seller cannot split them off for separate sale. In other words,



someone who has 20 acres or less who wants to sell a portion of their parent parcel to an individual for the purpose of building a home or placement of a mobile home could not create a conforming lot without complying with other land use regulations, policies and procedures.”

During a conversation with Mr. Jones, he mentioned that for many years local residents have expressed their desire to be able to purchase smaller than 20-acre parcels while living in the rural area.

There appears to be a need and interest in the County, for consideration of creating smaller lots in the AG land use for families or individuals that cannot afford or maintain large lots of at least 20 acres. There also appears to be an interest in residents just wanting a more rural lifestyle option in the county. Providing a

range of housing types is in keeping with Comprehensive Plan Policy HOU 1.1.7 stating that Escambia County will provide for a mix of housing types that vary in density, size, cost and location.

Furthermore, recent discussions with Ms. Danita Andrews, Chief Business Development Officer with the FloridaWest Economic Development Alliance, revealed that the majority of the economy in Escambia County derives from Manufacturing and leading the largest employers is Navy Federal Credit Union, which has plans for expansion.

Ms. Andrews provided a document with the leading employers in the County. The *Pensacola MSA Leading Employers, Private Sector* lists 54 companies, where the majority being Manufacturing. The two largest agriculture companies that were on the list are both lumber mills--International Paper which ranked 8th and West Frasier ranked 33rd.

Pensacola MSA Leading Employers - Private Sector

5/31/2020

	Company	Employees	Company Description	Headquarters	NAICS
1.	Navy Federal Credit Union	8593	Financial Service Center	Vienna, VA	522130, 522320 Credit Union, Financial Service Center
2.	Baptist Health Care	6633	Healthcare	Pensacola, FL	621110 Hospitals, general medical and surgical
3.	Sacred Heart Health Systems	4820	Healthcare	St. Louis, MO	621110 Hospitals, general medical and surgical
4.	Gulf Power Company	1774	Electric Provider	Pensacola, FL	221122 Electric Power Generation, Transmission & Distribution
5.	Ascend Performance Materials	1288	Manufacturing	Houston, TX	325211 Nylon Resin Manufacturing
6.	West Florida Healthcare	1200	Healthcare	Nashville, TN	621110 Hospitals, general medical and surgical
7.	GE Wind Energy	700	Manufacturing	Fairfield, CT	333611 Wind Powered Turbine Generator Manufacturing
8.	International Paper	600	Manufacturing	Memphis, TN	322121 Paper (except Newsprint) Mills
33.	West Fraser	140	Lumber Mill	Vancouver, BC	321113 Lumber Manufacturing

III. Policies of the Comprehensive Plan

The first goal on the County's Comprehensive Plan's Future Land Use Element, *Future Development Pattern*, characterizes the future development pattern of Escambia County. This goal is for: "facilitating the desired future development pattern while protecting and preserving natural and historic resources." The first strategy is for applying innovative and flexible planning strategies to achieve orderly and balanced development growth. The Plan further expands growth strategies for the County throughout the Comprehensive Plan.

Goal 3 of the Future Land Use Element describes policies and strategies for the Rural Area of Escambia County. The strategies outlined in Goal 3, address protecting agriculture, silviculture, and related activities along with protecting and preserving natural resources *while guiding new development* towards existing rural communities. The County's Comprehensive Plan defines existing communities as: established residential or mixed-use areas; developed land that contains homes, businesses, and/or other civic and community uses.

While Goal 3 addresses future growth, FLU 3.1.5 appears that it can be interpreted differently. The objective FLU 3.1.5, states the following: *New Rural Communities. To protect silviculture, agriculture, and agriculture-related activities Escambia County will not support the establishment of new rural communities.* It is our understanding that any new proposed comprehensive plan amendment from AG to RC is considered a new rural community, therefore cannot be supported by staff, unless a proposed land use amendment is directly adjacent to existing RC land use category. At which point it can meet the part of an existing rural community as a result of this criteria and definition, any request to amend the AG category (48.75% of the County) to any category that may increase residential development.

From our review of the various hearing minutes, both the meaning "new Rural Community" and the definition of "existing communities" were heavily debated and a consensus of either meaning was not reached. Based on these minutes, it can be summarized that a clear definition of Rural Community is needed, since there is a difference between a rural community and an urban community.



What is Rural?

Ideas and definitions relating to the term rural are diverse. The federal government classifies areas and population for statistical, programming, and funding purposes. When applying for grants and funding or conducting research one should refer to the rural definition provided by the agency or organization. The rural definition laid out by the U.S. Census Bureau is often the baseline for other definitions.

The Census Bureau defines rural as "any population, housing, or territory **NOT** in an urban area".

Source: <https://www.nal.usda.gov/ric/what-is-rural>

IV. Anticipated Growth and Housing Needs

In the Housing Element of the Comprehensive Plan, Goal 1, *Provision of Housing*, is to provide safe, sanitary, and affordable housing for the current and future residents of the County. The Objective, *HOU 1.1 Housing Delivery Process*, further describes the delivery process by stating to “provide guidance and direction to both the public and private sectors to assist in the provision of adequate housing that varies in type, density, size, tenure, ownership, cost, and location.” With approximately 48.75 percent of the total land area of Escambia County having a Future Land Use designation of Agricultural (AG) which only permits up to 1 unit per 20 acres, this objective is not being addressed since the existing land use is not sufficiently providing a variety in housing type, density, size, tenure, ownership, cost, and location.

Escambia County has experienced sustained population growth over the last two decades. Using data from the U.S. Census Bureau American Community Survey (ACS) five-year estimates and the Bureau of Economic and Business Research (BEBR), Escambia County is projected to have a 14 percent increase in its population from 2016 to 2035 (Figure 1).

College of Liberal Arts and Sciences
Bureau of Economic and Business Research
Florida Population Studies

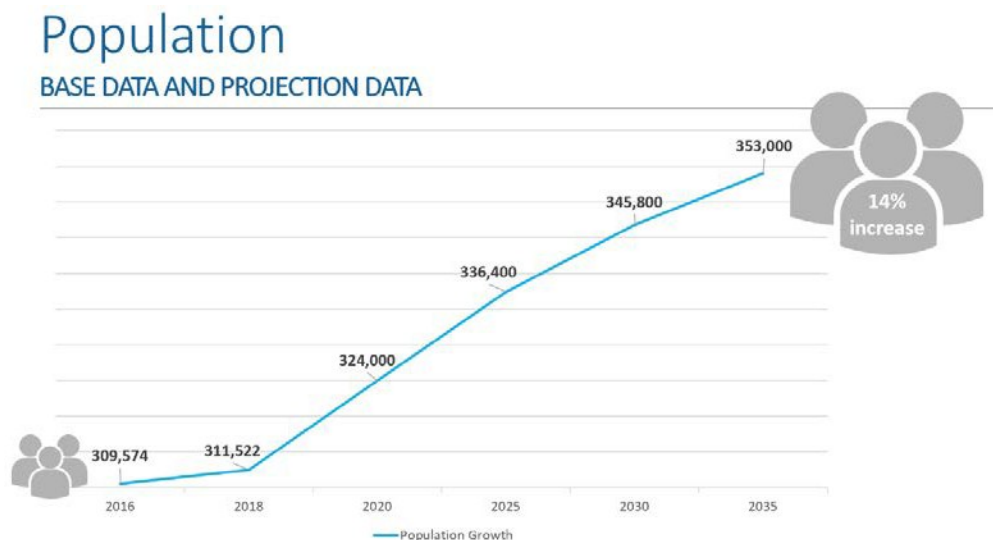
BEBR

Volume 53, Bulletin 186, January 2020

Projections of Florida Population by County, 2020–2045, with Estimates for 2019

County and State	Estimates April 1, 2019	Projections, April 1					
		2020	2025	2030	2035	2040	2045
ESCAMBIA	321,134						
Low		314,100	319,200	321,500	322,100	321,800	321,600
Medium		324,000	336,400	345,800	353,000	359,300	365,200
High		333,600	354,800	374,200	389,700	404,100	418,200

Figure 1: Population



Escambia County is also projected to have an 18.6 percent increase in total households (Figure 2).

PROJECTION OF HOUSING UNITS	Total Population	Housing Units (Total)	Housing Units (Occupied)	Occupancy Rate	Average Household Size
2016	309,574	138,693	115,984	84%	2.59
2018	311,522	140,523	118,740	84%	2.54
2020	324,000	150,960	127,559	84%	2.54
2025	336,400	156,737	132,441	84%	2.54
2030	345,800	161,117	136,142	84%	2.54
2035	353,000	164,472	138,976	84%	2.54

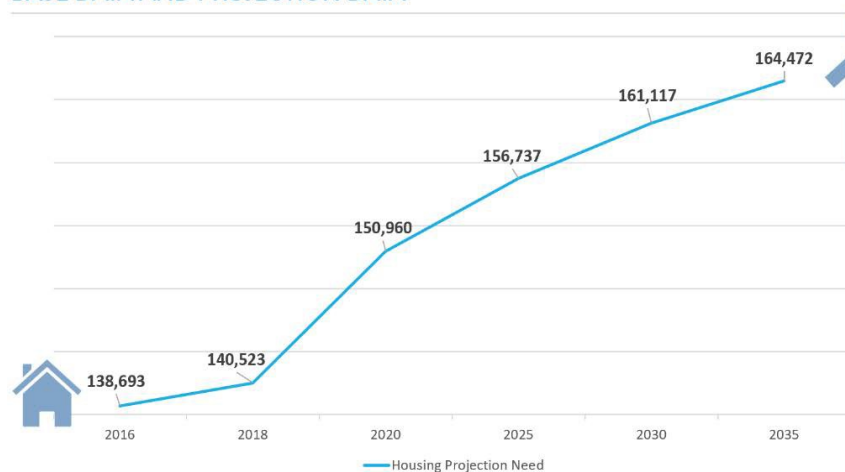
Note: Projection assumes continuation of rates of Total Housing Units, Occupied Housing Units, and breakdown of housing types from 2014.

2014 - 2010-2014 ACS 5-Year Estimates, B01003: Total Population; DP04: Selected Housing Characteristics; B25010: Average Household Size of Occupied Housing Units by Tenure
2016 - 2012-2016 ACS 5-Year Estimates, B01003: Total Population; DP04: Selected Housing Characteristics; B25010: Average Household Size of Occupied Housing Units by Tenure
2018 - 2014-2018 ACS 5-Year Estimates, B01003: Total Population; DP04: Selected Housing Characteristics; B25010: Average Household Size of Occupied Housing Units by Tenure
2020 - BEBR Volume 53, Bulletin 186, January 2020, Projections of Florida Population by County 2020–2045, with Estimates for 2019

Figure 2: Housing

Households

BASE DATA AND PROJECTION DATA

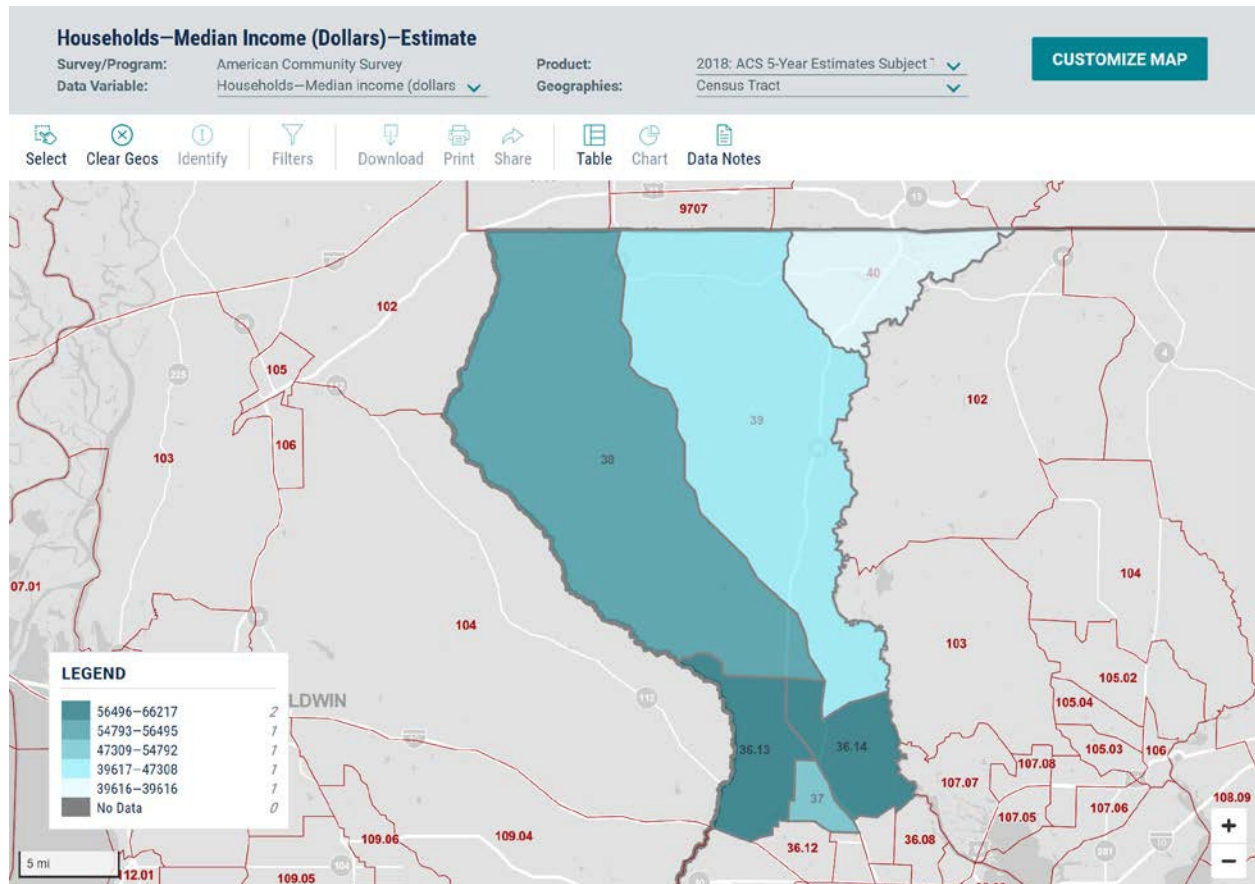


The same data suggests that 84 percent of Escambia County's 140,523 housing units were occupied in 2018. When the County's current occupancy rate and ratio of housing unit is projected to 2035, the figure suggests that an additional 23,949 housing units will be required to accommodate Escambia

County's projected population of 353,000. A lack of housing supply can create conditions of overcrowding, unreasonably high rental rates, and situations where families are compelled to reside in substandard housing units.

Data was also collected to analyze the median income of Escambia County residents throughout the Rural Area (Figure 3). This area shows a median income of \$54,931. This data, along with the information given in this section above, shows that there is a need for additional housing options including smaller lots in the rural area for families or individuals that cannot afford large lots of 20 acres.

Figure 3: Households—Median Income



Using data from the Escambia County GIS department, 206 parcels between 4 and 20 acres in size were identified as developable for residential use. These parcels are located in the Agriculture Future Land Use area and have Department of Revenue's land use classification codes (DOR codes) of vacant residential (0000), miscellaneous residential with no buildings currently (700), Timber 1 (5400), and nonagricultural acreage with no buildings (9900). Figure 4 on the following page shows that a majority of these parcels are located along major roadways, which is consistent with Goal 3 of the Comprehensive Plan as guiding new rural communities towards existing rural communities and is the recommended location for the new future land use category of Agriculture Residential (AR) as described in the proposed definition.

The 206 parcels between 4 and 20 acres in the Agriculture future land use area currently available for residential development suggests that additional land in Escambia County may need to be rezoned for residential use to accommodate approximately 24,000 total housing units to meet 20-year population growth projections.

If these 206 parcels were all amended with the proposed future land use of AR, there would be approximately 2,725 new dwelling units. Although some new residential development will be accommodated within the southern portion of the County, additional residential zoning may be desirable because of the land in Agriculture that is in close proximity to major roadways, locations of large private sector companies that are producing more job growth, and to progress with the current nature of farming in the area.

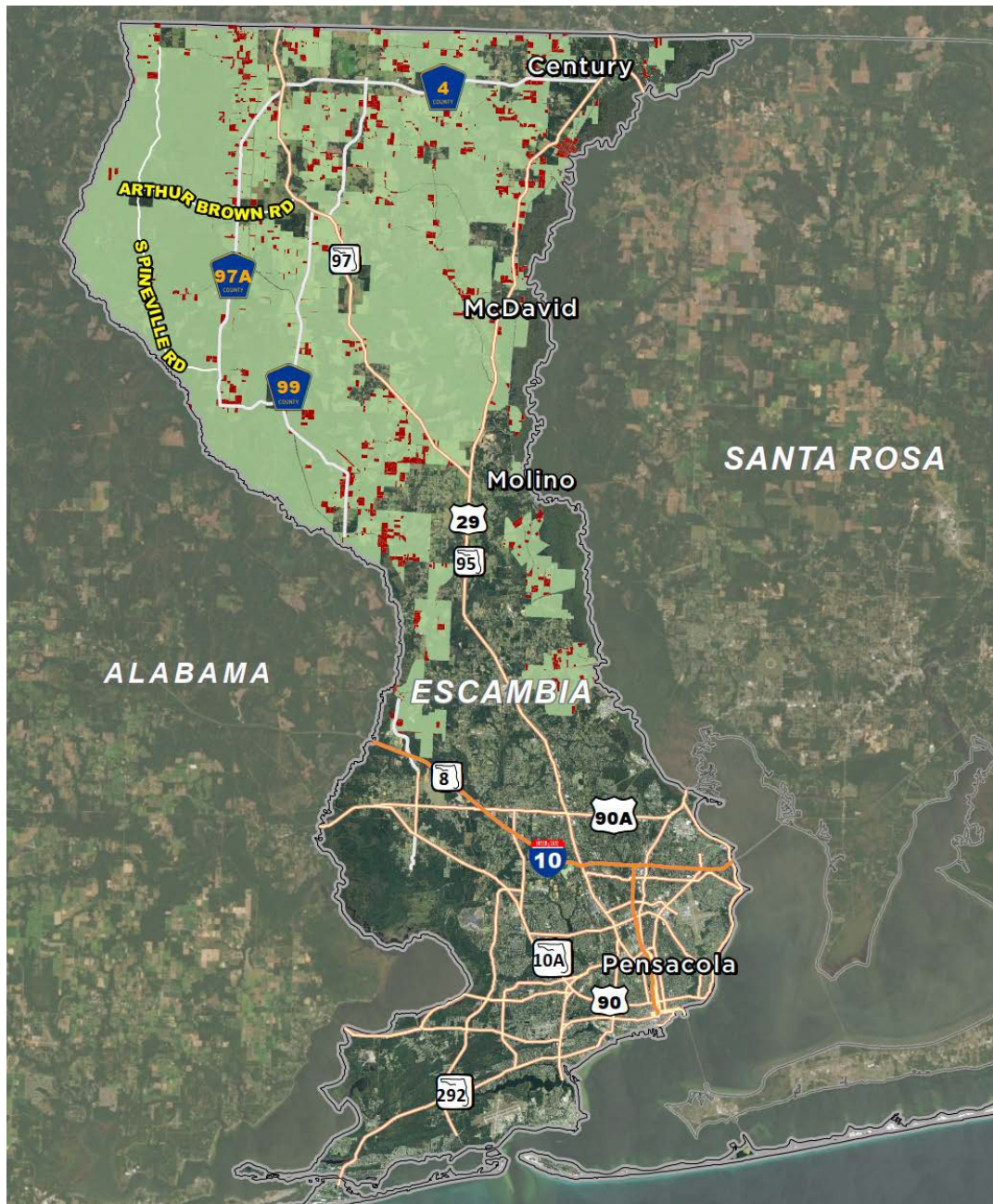


Figure 4: AG FLU with vacant parcels between 4 and 20 acres shown in red

V. Recommendations

From our research and discussions, it seems that Escambia County is trying to find a balance between addressing future growth and providing appropriate housing choices while protecting its rural areas.

To achieve this balance, a Comprehensive Plan text amendment is recommended with the following:

- To address the need for providing adequate housing that varies in type, density, size, tenure, ownership, cost, and location, a new Future Land Use category Agriculture Residential (AR) is being proposed:

FLUM Agriculture Residential (AR)

General Description: Intended for routine agricultural and silvicultural related activities and low to medium density residential uses. Commercial activity shall be limited to those endeavors ancillary to agricultural and silvicultural pursuits or in support of agricultural activities such as seed, feed and food outlets, farm equipment and repair and veterinary services.

Range of Allowable Uses:

Agriculture, silviculture, residential, recreational, public and civic, limited ancillary or supportive, commercial, as described.

Standards:

Residential Maximum Density: 1 du/4 acres

Non-Residential Minimum Intensity: None

Maximum Intensity: 0.25 Floor Area Ratio (FAR)

- To improve the value and its role in growth of the County, the existing Rural Community (RC) Future Land Use category, an amendment to the description of the Rural Community (RC) is recommended to recognize future development by clarifying its language by making the following change:

General Description: Intended to recognize existing residential development and neighborhood serving nonresidential activity while supporting new development through a compact development pattern that serves the rural community and agricultural uses of Escambia County.

- To clarify the intention behind policy FLU 3.1.5, the following is proposed:

FLU 3.1.5 New Rural Communities. To protect silviculture, agriculture, and agriculture-related activities Escambia County ~~will not support~~ will guide the establishment of new rural communities towards existing rural communities.

- To support the above policy, a definition will be needed for the term **Existing Rural Communities** in Section 3.04 that includes a location criterion.

Existing rural communities: Established rural residential or mixed-use areas within the Agriculture, Agriculture Residential, and Rural Community future land use categories that are developed land that contain homes and/or businesses including agricultural and agricultural related operation, and/or other civic and community uses that are located along Highways, Federal Roads, and Major County Roads as identified on the Future Land Use Map.

Concurrently but separate to implement these changes to the Escambia County 2030 Comprehensive Plan, the County will need to amend and update the County's Land Development Code.

It must be noted that the intent for this data and analysis report is to assist in managing the future development growth of the County and to provide a transition in density between the Agricultural (AG) and Rural Communities (RC.) land use categories. The intent is not to change the existing Escambia County Mid-West Optional Sector Plan. According to Goal FLU 16 Mid-West Escambia County Optional Sector Plan, the optional sector plan was created in order to, "encourage cohesive and sustainable development patterns within central Escambia County." The Optional Sector Plan is not intended to prohibit development outside of the plan.

