



City of Pensacola

Planning Board

Agenda

City of Pensacola
222 W. Main Street
Pensacola, FL 32502

July 8, 2025, 2:00 PM

Hagler-Mason, 2nd Floor

The meeting can be watched via live stream at cityofpensacola.com/video.

CALL TO ORDER / QUORUM

APPROVAL OF MINUTES

1. 25-911 **PLANNING BOARD MEETING MINUTES FROM JUNE 10, 2025**

Recommendation:

Sponsors:

Attachments: Planning Board Minutes Dated 06.10.2025

REQUESTS

2. 25-913 **PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE –
CHAPTER 12-9. FLOODPLAIN MANAGEMENT**

Attachments: Sec._12_9_2.____*Applicability_amended*
Sec._12_9_3.____*Duties_and_powers_of_the_floodplain_administrator_amended*
Sec._12_9_7.____*Variances_and_appeals_amended*
Sec._12_9_10.____*Definitions_generally_amended*
Sec._12_9_11.____*Buildings_amended*
Sec._12_9_14.____*Manufactured_homes_amended*

3. 25-914 **PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE –
CHAPTER 12-7. SUBDIVISIONS**

Attachments: Sec._12_7_3.____*Procedure_for_subdivision_approval_amended*
Sec._12_7_4.____*Design_standards_amended*
Sec._12_7_6.____*Sites_for_public_use_amended*
Sec._12_7_10.____*Final_approval_amended*
Senate Bill_784

OPEN FORUM

DISCUSSION ITEMS

4. 25-912 DISCUSSION ON THE LAND DEVELOPMENT CODE UPDATE, PHASE 2*Recommendation:**Sponsors:**Attachments: None***ADJOURNMENT**

If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

ADA Statement

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 850-435-1670 (or TDD 850-435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.



MINUTES OF THE PLANNING BOARD

June 10, 2025

MEMBERS PRESENT: Chairperson Ritz, Board Member Villegas, Board Member Grundhoefer, Board Member Powell, Board Member Van Hoose

MEMBERS ABSENT: Vice Chairperson Larson, Board Member Sampson

STAFF PRESENT: Planning & Zoning Manager Cannon, Assistant City Planning & Zoning Manager Harding, Development Services Director Morris, Development Services Coordinator Statler, Executive Assistant Chwastyk, Help Desk Technician Russo

STAFF VIRTUAL: N/A

OTHERS PRESENT: Patrick Smith, Lee Magaha, Guy Miller, Jay Baynes, Jerry Holzworth, Tim Lloyd, James Gulley, Dennis Pemberton, Lester Yuen

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from April 8, 2025
- **New Business:**
- Open Forum
- Discussion
- Adjournment

Call to Order / Quorum Present

Chairperson Ritz called the meeting to order at 2:00 pm with a quorum present and explained the procedures of the Board meeting including requirements for audience participation.

Approval of Meeting Minutes – Board Member Powell made a motion to approve the April 8, 2025, minutes, seconded by Board Member Grundhoefer, and it carried 5:0.

New Business –

Request to Consider a Zoning and Future Land Use Map Amendment for the Voluntary Annexation of Two Parcels Owned by the City of Pensacola

Assistant Planning & Zoning Manager Harding introduced the item. Mr. Matt Coughlin, Pensacola International Airport Director, has requested that the City approve a voluntary annexation to incorporate the two parcels located at 2400 BLK Langley Avenue into the City limits. The annexation request for the subject parcels took place at the April 24 and May 8, 2025, City Council meetings. The parcels are contiguous to the city limits, located along Langley Avenue, and encompass approximately 0.4347 acres. The request indicates that the future plans for the parcels are to incorporate them into Pensacola International Airport property.

These parcels will require a map amendment to establish a zoning district and future land use map (FLUM) designation.

The city reviewed the adjacent zoning district for the proposed use and recommends “airport restricted zone” (ARZ) for the new zoning district and “Airport” (A) for the future land use category. City Departments have confirmed that there are no concerns with providing services to the area. After the overview, there were no concerns from City staff, the location was verified, no residential home around the area. **Board Member Villegas made the motion to approve, seconded by Board Member Powell, and it carried 5:0.**

Request to Consider a Zoning and Future Land Use Map Amendment for the Voluntary Annexation of three Parcels Owned by James -Oliver LLC

Assistant Planning & Zoning Manager introduced the item. The City has received a request for voluntary annexation from James-Oliver, LLC for property located at 3728 and 3800 BLK Creighton Road (O'Riley's Uptown Tavern). The parcels that make up the site are partially inside the City limits and partially in unincorporated Escambia County. PPD has confirmed that approval of the annexation request will help resolve Pensacola Police Department jurisdictional issues caused by the current City limit line dividing this commercial site. The first ordinance reading for the annexation request took place at the May 22, 2025, City Council meeting and the second ordinance reading will be on June 12, 2025. The parcels are contiguous to the city limits, located along Creighton Road, and encompass approximately 1.5161 acres.

These parcels will require a map amendment to establish a zoning district and future land use map (FLUM) designation.

The city reviewed the adjacent zoning district for the proposed use and recommends “commercial” (C-1) for the new zoning district and “Commercial” (C) for the future land use category. City Departments have confirmed that there are no concerns with providing services to the area. The building itself is in the City limits, the parking lot is currently in the County, the goal is to make it contiguous and allow the City of Pensacola Police department to have jurisdiction of the parking lot along with the building. There was a brief discussion of the history of the zoning parcels in question. The City did receive a few calls only to see what was going to be discussed.

Board Member Villegas made a motion to approve, seconded by Board Member Powell and it carried 5:0.

Request for Final Aesthetic Review – Reverb by Hard Rock Project, 352 W. Cedar Street/ Community Maritime Park, Lot 5

Inspired Communities of Florida is requesting *final aesthetic* review of a new mass-timber luxury apartment building and Reverb by Hard Rock hotel. Aesthetic review by Planning Board is required since the project is located in the Waterfront Redevelopment District (WRD-1). This project will utilize Florida's Live Local Act which allows for increased density and height for the provision of affordable housing units. As a result, and under the Live Local Act, a building height of 150' measured from the lowest occupiable floor is allowed by right, along with a density of 135 dwelling units per acre. This review is only for aesthetics.

This application has been routed through the various City departments and utility providers. Assistant Planning & Zoning Manager Harding introduced the item. Dennis Pemberton of the Dawson Company informed the board there would be a brief slide presentation and addressed the addition of windows to the building. Lester Yuen, design director for Gensler, then presented the slides to the board. The beginning of the slide presentation was of site plans showing an arial view of the existing conditions on the lot. The board wants more street activation, and they are providing that. A site planning diagram was shown; it gave a breakdown of the square footage and acreage of lot 4. They provided comparison slides, including slides shown in March and slides showing the changes that were made. They added pop-down retail along DeVilliers, these would be temporary and tucked under the building above them. A change was made to the paving pattern to make it more appealing. Next slide showed the plaza level, they lifted all three levels of parking, they are eight feet higher than previous plans. The board and audience then viewed slides of the typical level, the rooftop level, followed by the landscape plan and the planting plan. The East elevation will be the hotel, presented with slides showing the materials being used, and for the West elevation, which is the residential side. North elevation may have a digital screen showing artwork, will not be used for advertising or brand recognition. Also, we saw a breakdown of all the levels in each building. The hotel section has not changed; the goal is to be a gathering place. The final slides provided a perspective of what is to come. Clarification of the height above the podium, confirmed it would be 150 feet. Board Member Van Hoose wanted to know about the issue of an escalator, the cost of building was too expensive and the repairs from damage being so close to salt water were not cost effective. They would be providing elevators for the public to use in place of an escalator. There will be bike storage for residents only, they will work on providing bike racks for the public. The lowest level was raised, and they were able to squeeze a few feet from the height of the residents to raise the parking levels so they would not be underground. A discussion was held about the pop-downs, the applicants feel it's preferable, they'll have access to power and water. It gives retailers flexibility, no need for long term leases, they will be able to be customized. Board Member Powell appreciated them addressing the permeable materials, she likes the digital artwork idea. The stormwater management site has an existing retention pond; they will tie into that. They had a brief discussion on why parking is an open area, they feel it brings in lighter and is airy. The delivery door will be painted to blend in with the building, they also discussed why some walls and doors are painted and some are not, discussed the reason behind it. They are above floodplain, briefly discussed the barrier materials in the parking lot.

Board Member Villegas made a motion to approve, seconded by Board Member Powell and it carried 5:0.

Open Forum – none

Discussion

A brief update was given regarding the Land Development Code Phase 2 project.

Adjournment – With no further business, the Board adjourned at 3:27 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Gregg Harding".

Gregg Harding, RPA
Assistant Planning & Zoning Manager
Secretary of the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 25-913

Planning Board

7/8/2025

ACTION ITEM

SUBJECT:

Proposed Amendment to the Land Development Code – Chapter 12-9. Floodplain Management

SUMMARY:

City Staff has prepared an amendment to Chapter 12-9 of the Land Development Code to update the City's floodplain management ordinance to meet current Federal Emergency Management Agency (FEMA) and Florida Division of Emergency Management (FDEM) standards.

All communities that participate in the National Flood Insurance Program (NFIP) are required to update their ordinance language to maintain their class rating in the Community Rating System (CRS). In addition, FEMA requires that the new Flood Insurance Rate Maps (FIRM) be adopted before August 19, 2025. Failure to adopt the maps would result in suspension from the NFIP and the CRS. The proposed mandatory language does not provide any increases in the standards but will maintain the current levels of protection that are currently adopted.

The amended sections include 12-9-2 *Applicability*, 12-9-3 *Duties and powers of the floodplain administrator*, 12-9-7 *Variances and appeals*, 12-9-10 *Definitions generally*, 12-9-11 *Buildings*, and 12-9-14 *Manufactured homes*.

ATTACHMENTS:

1. Sec._12_9_2.____Applicability_amended
2. Sec._12_9_3.____Duties_and_powers_of_the_floodplain_administrator_amended
3. Sec._12_9_7.____Variances_and_appeals_amended
4. Sec._12_9_10.____Definitions_generally_amended
5. Sec._12_9_11.____Buildings_amended
6. Sec._12_9_14.____Manufactured_homes_amended

Sec. 12-9-2. Applicability.

- (a) *General.* Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- (b) *Areas to which this chapter applies.* This chapter shall apply to all flood hazard areas within the city as established in subsection (c) of this section.
- (c) *Basis for establishing flood hazard areas.* The Flood Insurance Study for Escambia County, Florida and Incorporated Areas dated August 19, 2025~~September 29, 2006~~, and all subsequent amendments and revisions, and the accompanying flood insurance rate maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this chapter and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at inspection services at the city.
- (d) *Submission of additional data to establish flood hazard areas.* To establish flood hazard areas and base flood elevations, pursuant to section 12-9-5 the floodplain administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:
 - (1) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this chapter and, as applicable, the requirements of the Florida Building Code.
 - (2) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a letter of map change that removes the area from the special flood hazard area.
- (e) *Other laws.* The provisions of this chapter shall not be deemed to nullify any provisions of local, state or federal law.
- (f) *Abrogation and greater restrictions.* This chapter supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances, including, but not limited to, land development regulations, zoning ordinances, stormwater management regulations, or the Florida Building Code. In the event of a conflict between this chapter and any other ordinance, the more restrictive shall govern. This chapter shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this chapter.
- (g) *Interpretation.* In the interpretation and application of this chapter, all provisions shall be:
 - (1) Considered as minimum requirements;
 - (2) Liberally construed in favor of the governing body; and
 - (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

(Code 1986, § 12-10-2; Ord. No. 16-19, § 1, 8-8-2019)

Sec. 12-9-3. Duties and powers of the floodplain administrator.

- (a) *Designation.* The building official is designated as the floodplain administrator. The floodplain administrator may delegate performance of certain duties to other employees.
- (b) *General.* The floodplain administrator is authorized and directed to administer and enforce the provisions of this chapter. The floodplain administrator shall have the authority to render interpretations of this chapter consistent with the intent and purpose of this chapter and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this chapter without the granting of a variance pursuant to section 12-9-7.
- (c) *Applications and permits.* The floodplain administrator, in coordination with other pertinent offices of the community, shall:
 - (1) Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
 - (2) Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this chapter;
 - (3) Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
 - (4) Provide available flood elevation and flood hazard information;
 - (5) Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
 - (6) Review applications to determine whether proposed development will be reasonably safe from flooding;
 - (7) Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this chapter is demonstrated, or disapprove the same in the event of noncompliance; and
 - (8) Coordinate with and provide comments to the building official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this chapter.
- (d) *Substantial improvement and substantial damage determinations.* For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the floodplain administrator, in coordination with the building official, shall:
 - (1) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
 - (2) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure; for proposed work to repair damage caused by flooding, the

determination requires evaluation of previous permits issued to repair flood-related damage as specified in the definition of "substantial damage";

- (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
 - (4) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this chapter is required.
- (e) *Modifications of the strict application of the requirements of the Florida Building Code.* The floodplain administrator shall review requests submitted to the building official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to section 12-9-7.
- (f) *Notices and orders.* The floodplain administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this chapter.
- (g) *Inspections.* The floodplain administrator shall make the required inspections as specified in section 12-9-6 for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The floodplain administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.
- (h) *Other duties of the floodplain administrator.* The floodplain administrator shall have other duties, including, but not limited to:
- (1) Establish procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to subsection (d) of this section;
 - (2) Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
 - (3) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the flood insurance rate maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within six months of such data becoming available;
 - (4) Review required design certifications and documentation of elevations specified by this chapter and the Florida Building Code to determine that such certifications and documentations are complete;
 - (5) Notify the Federal Emergency Management Agency when the corporate boundaries of the city are modified; and
 - (6) Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the coastal barrier resources system established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on flood insurance rate maps as "coastal barrier resource system areas" and "otherwise protected areas."
- (i) *Floodplain management records.* Regardless of any limitation on the period required for retention of public records, the floodplain administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ~~ordinance~~ chapter and the flood resistant construction requirements of the Florida Building Code, including flood insurance rate maps; letters of map change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and

documentation of elevations specified by the Florida Building Code and this chapter; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this chapter and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at inspection services of the city.

(Code 1986, § 12-10-3; Ord. No. 16-19, § 1, 8-8-2019)

Sec. 12-9-7. Variances and appeals.

- (a) *General.* The ~~construction board of adjustments and appeals~~ zoning board of adjustment shall hear and decide on requests for appeals and requests for variances from the strict application of this chapter. Pursuant to F.S. § 553.73(5), the ~~construction board of adjustments and appeals~~ zoning board of adjustment shall hear and decide appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code. This section does not apply to section 3109 of the Florida Building Code, Building.
- (b) *Appeals.* The ~~construction board of adjustments and appeals~~ zoning board of adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the administration and enforcement of this chapter. Any person aggrieved by the decision may appeal such decision by certiorari appeal to the circuit court.
- (c) *Limitations on authority to grant variances.* ~~Construction board of adjustments and appeals~~ The zoning board of adjustment shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in subsection (g) of this section, the conditions of issuance set forth in subsection (h) of this section, and the comments and recommendations of the floodplain administrator. The ~~construction board of adjustments and appeals~~ zoning board of adjustment has the right to attach such conditions as it deems necessary to further the purposes and objectives of this chapter.
- (d) *Restrictions in floodways.* A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in section 12-9-5(c).
- (e) *Historic buildings.* A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.
- (f) *Functionally dependent uses.* A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this chapter, provided the variance meets the requirements of section 12-9-5(d), is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.
- (g) *Considerations for issuance of variances.* In reviewing requests for variances, the ~~construction board of adjustments and appeals~~ zoning board of adjustment shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, this chapter, and the following:
 - (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
 - (4) The importance of the services provided by the proposed development to the community;

-
- (5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
 - (6) The compatibility of the proposed development with existing and anticipated development;
 - (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
 - (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;
 - (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

(h) *Conditions for issuance of variances.* Variances shall be issued only upon:

- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this chapter or the required elevation standards;
- (2) Determination by the ~~construction board of adjustments and appeals~~ zoning board of adjustment that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief;
- (3) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the office of the clerk of the court in such a manner that it appears in the chain of title of the affected parcel of land; and
- (4) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the floodplain administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25.00 for \$100.00 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

(Code 1986, § 12-10-7; Ord. No. 16-19, § 2, 8-8-2019)

Sec. 12-9-10. Definitions generally.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alteration of a watercourse means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification that may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal means a request for a review of the floodplain administrator's interpretation of any provision of this chapter.

ASCE 24 means a standard titled flood resistant design and construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood means a flood having a one-percent chance of being equaled or exceeded in any given year. (Also defined in FBC, B, Section 202.) The base flood is commonly referred to as the "100-year flood" or the "one-percent-annual chance flood."

Base flood elevation means the elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the flood insurance rate map (FIRM). (Also defined in FBC, B, Section 202.)

Basement means the portion of a building having its floor subgrade (below ground level) on all sides. (Also defined in FBC, B, Section 202; see "basement (for flood loads)".)

Coastal construction control line means the line established by the state pursuant to F.S. § 161.053, and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

Coastal high hazard area means a special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V zones" and are designated on flood insurance rate maps (FIRM) as zone V1-V30, VE, or V.

Design flood means the flood associated with the greater of the following two areas:

- (1) Area with a floodplain subject to a one-percent or greater chance of flooding in any year; or
- (2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation means the elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two feet.

Development means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area that may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and existing structure mean any buildings and structures for which the "start of construction" commenced before September 15, 1977.

~~*Existing manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before September 15, 1977.~~

~~*Expansion to an existing manufactured home park or subdivision* means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~

Federal Emergency Management Agency (FEMA) means the federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

Flood hazard area means the greater of the following two areas:

- (1) The area within a floodplain subject to a one-percent or greater chance of flooding in any year.
- (2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood insurance rate map (FIRM) means the official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community.

Flood insurance study (FIS) means the official report provided by the Federal Emergency Management Agency that contains the flood insurance rate map, the flood boundary and floodway map (if applicable), the water surface elevations of the base flood, and supporting technical data.

Floodplain administrator means the office or position designated and charged with the administration and enforcement of this chapter (may be referred to as the floodplain manager).

Floodplain development permit or approval means an official document or certificate issued by the community, or other evidence of approval or concurrence, that authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this chapter.

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

Floodway encroachment analysis means an engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

Florida Building Code means the family of codes referenced in F.S. ch. 553, adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Freeboard means the additional height, usually expressed as a factor of safety in feet, above a flood level for purposes of floodplain management. Freeboard tends to compensate for many unknown factors, such as wave action, bridge openings and hydrological effect of urbanization of the watershed, that could contribute to flood heights greater than the height calculated for a selected frequency flood and floodway conditions.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure means any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings.

Letter of map change (LOMC) means an official determination issued by FEMA that amends or revises an effective flood insurance rate map or flood insurance study. Letters of map change include:

- (1) *Letter of map amendment (LOMA)*: An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective flood insurance rate map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
- (2) *Letter of map revision (LOMR)*: A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- (3) *Letter of map revision based on fill (LOMR-F)*: A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
- (4) *Conditional letter of map revision (CLOMR)*: A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective flood insurance rate map or flood insurance study; upon submission and approval of certified as-built documentation, a letter of map revision may be issued by FEMA to revise the effective FIRM.

Light-duty truck means as defined in 40 CFR 86.082-2, any motor vehicle rated at 8,500 pounds gross vehicular weight rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

- (1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle;
- (2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (3) Available with special features enabling off-street or off-highway operation and use.

Lowest floor means the lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24.

Manufactured home means a structure, transportable in one or more sections, which is eight feet or more in width and greater than 400 square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer."

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value means the ~~price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts.~~ As used in this chapter, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, is the actual cash value (in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction) determined by a qualified independent appraiser, or tax assessment value adjusted to approximate market value by a factor provided by the county property appraiser.

New construction means, for the purposes of administration of this chapter and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after September 15, 1977 and includes any subsequent improvements to such structures.

~~*New manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after September 15, 1977.~~

Park trailer means a transportable unit that has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances.

Recreational vehicle means a vehicle, including a park trailer, which is:

- (1) Built on a single chassis;
- (2) Four hundred square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Sand dunes means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special flood hazard area means an area in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as zone A, AO, A1—A30, AE, A99, AH, V1—V30, VE or V.

Start of construction means the date of issuance of permits for new construction and substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, or the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Substantial damage means damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time

of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial improvement means any repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- (2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Variance means a grant of relief from the requirements of this chapter, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this chapter or the Florida Building Code.

Watercourse means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically. (Code 1986, § 12-10-10; Ord. No. 16-19, § 2, 8-8-2019)

Sec. 12-9-11. Buildings.

- (a) Design and construction of buildings, structures and facilities exempt from the Florida Building Code. Pursuant to section 12-9-4(c), buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of section 12-9-17.
- (b) Buildings and structures seaward of the coastal construction control line. If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:
 - (1) Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the Florida Building Code, Building Section 3109 and Section 1612 or Florida Building Code, Residential Section R322.
 - (2) Minor structures and non-habitable major structures as defined in F.S. § 161.54, shall be designed and constructed to comply with the intent and applicable provisions of this chapter and ASCE 24.
- (c) Local amendments to Florida Building Code. The Florida Building Code permits local governments to adopt amendments which are more stringent than the minimum standards in state statutes, and amendments to the technical provisions of the Florida Building Code which apply solely within the jurisdiction of the local government. Pursuant to the provisions of F.S. § 553.73(4), the following amendments are adopted and applicable within the city limits:
 - (1) Repetitive flood damage. In the Florida Building Code, Building, and Florida Building Code, Existing Building, definitions for the term "Substantial Damage " shall be as defined in Section 12-9-10.
 - (2) Minimum building elevations. All buildings and structures in flood hazard areas shall have the lowest floor, dry floodproofing measures, or the bottom of the lowest horizontal structural member of the lowest floor, as applicable to occupancy and flood zone, at or above the base flood elevation plus three (3) feet, or the design flood elevation, whichever is higher.
 - (3) Enclosures below required elevations. Enclosed areas below the required elevation for dwellings in flood hazard areas shall be limited as follows:
 - a. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code.
 - b. Where perimeter walls are permitted, the limitation on partitions does not apply to load bearing walls interior to perimeter wall (crawl space) foundations.
 - c. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

(Code 1986, § 12-10-11; Ord. No. 16-19, § 2, 8-8-2019)

Sec. 12-9-14. Manufactured homes.

- (a) *General.* All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to F.S. § 320.8249, and shall comply with the requirements of F.A.C. ch. 15C-1 and the requirements of this chapter. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.
- (b) *Limitations on installation in floodways.* New installations of manufactured homes shall not be permitted in floodways.
- (c) *Foundations.* All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:
 - (1) In flood hazard areas (zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.2 and this chapter. ~~Foundations for manufactured homes subject to subsection (g) of this section are permitted to be reinforced piers or other foundation elements of at least equivalent strength.~~
 - (2) In coastal high hazard areas (zone V), are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.3 and this chapter.
- (d) *Anchoring.* All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.
- (e) *Elevation.* All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V and Coastal A Zone). ~~Manufactured homes that are placed, replaced, or substantially improved shall comply with subsection (f) or (g) of this section, as applicable.~~
- ~~(f) *General elevation requirement.* Unless subject to the requirements of subsection (g) of this section, all manufactured homes that are placed, replaced, or substantially improved on sites located:
 - (1) Outside of a manufactured home park or subdivision;
 - (2) In a new manufactured home park or subdivision;
 - (3) In an expansion to an existing manufactured home park or subdivision; or
 - (4) In an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood;shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (zone A) or Section R322.3 (zone V).~~
- ~~(g) *Elevation requirement for certain existing manufactured home parks and subdivisions.* Manufactured homes that are not subject to subsection (f) of this section, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:
 - (1) Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (zone A) or Section R322.3 (zone V); or~~

~~(2) — Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than six feet in height above grade.~~

~~(f)(h)~~ *Enclosures.* Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential Section R322.2 or R322.3 for such enclosed areas, as applicable to the flood hazard area.

~~(g)(i)~~ *Utility equipment.* Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322, as applicable to the flood hazard area.

(Code 1986, § 12-10-14; Ord. No. 16-19, § 2, 8-8-2019)



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 25-914

Planning Board

7/8/2025

ACTION ITEM

SUBJECT:

Proposed Amendment to the Land Development Code – Chapter 12-7. Subdivisions

SUMMARY:

In June 2025, the Florida Legislature passed Senate Bill 784 which amends FS 177.071 to streamline the process for reviewing and approving subdivision plats for local governments. FS 177.071 now states that a subdivision plat or replat application must be administratively reviewed and approved without further action by local governing bodies. It also requires local governments to designate an authority to process these applications and establishes specific timelines for review and approval.

Pursuant to SB 784, City Staff has prepared amendments to Section 12-7-3 *Procedure for subdivision approval*, Section 12-7-4 *Design standards*, Section 12-7-6 *Sites for public use*, and Section 12-7-10 *Final approval*.

ATTACHMENTS:

1. Sec._12_7_3.____Procedure_for_subdivision_approval_amended
2. Sec._12_7_4.____Design_standards_amended
3. Sec._12_7_6.____Sites_for_public_use_amended
4. Sec._12_7_10.____Final_approval_amended
5. Senate Bill_784

Sec. 12-7-3. Procedure for subdivision approval.

(a) Procedure for subdivision requiring a plat.

(1) In accordance with the requirements of F.S. 177.071, the public works and engineering department is hereby designated as the “administrative authority” responsible for receiving, reviewing, and processing plat or replat submittals. Additionally, the city engineer is hereby designated as the “administrative official” responsible for approving, approving with conditions, or denying the proposed plat or replat.

(2) Approval of preliminary plat ~~by the planning board.~~

- a. Any person desiring to divide land into three or more lots shall first file with the ~~planning services~~public works and engineering department an application and a preliminary plat of the subdivision prepared in accordance with the requirements of section 12-7-8 and F.S. § 472.027.
- b. Accompanying the application and preliminary plat shall be a general location sketch map showing the relationship of the proposed subdivision to existing community facilities that serve or influence it. On such sketch map shall show, the main traffic arteries, shopping centers, schools, parks, and playgrounds within one quarter of a mile.
- c. Where the preliminary plat submitted covers only a part of the total contiguous property under the subdivider's ownership, a sketch of the prospective future street system of the unsubdivided part shall be required if not shown on a previously approved conceptual plan or plans for the entire property. The street system of the unplatted portion shall be planned to coordinate and connect with the street system of the platted portion.
- d. A master drainage plan at a scale not smaller than one inch equals 200 feet, shall be provided. The master drainage plan shall be for the entire property and shall be reviewed by the city engineer in relation to the entire drainage basin. It is the specific intent of this requirement that rights-of-way and easements of all drainage improvements, including, but not limited to, retention ponds, ditches, culverts, channels, and the like required for the drainage of the site for both on-site and off-site improvements, shall be provided for in the master drainage plan. Instruments shall be submitted fully executed in sufficient form for recording for all off-site drainage rights-of-way and easements not included on the final plat. These instruments shall be submitted with the final plat for recordation.
- ~~e. The preliminary plat shall be submitted to the planning services department at least 30 calendar days prior to the meeting at which it is to be considered.~~
- ~~fe.~~ Prior to the examination of the preliminary plat, the ~~planning board~~public works and engineering department shall be furnished with reports from the city engineer, the city traffic engineer, Pensacola Energy, Emerald Coast Utilities Authority, and fire department, ~~and the secretary to the planning board~~ to the effect that said plat does or does not conform to the comprehensive plan, the provisions of this chapter, and with sound principles and practices of planning and engineering and with such other items that may affect the health, safety and welfare of the people.
- ~~gf.~~ When, after examination, the ~~planning board~~public works and engineering department finds as fact that the aforementioned requirements have been met, the preliminary plat may be approved; however, such approval shall not constitute an approval of the final plat. If the preliminary plat is rejected, the ~~planning board~~public works and engineering department shall provide the applicant in writing a detailed list of reasons for rejection. The applicant shall resubmit revised documents to the ~~planning services~~public works and engineering department with a review fee to obtain approval according to the process in this chapter.

(23) Approval of final plat ~~by the planning board and city council.~~

-
- a. The final plat shall conform substantially to the preliminary plat. The applicant shall submit only that portion of the approved preliminary plat that he or she proposes to record and develop. Such portion shall conform to all requirements of this chapter. Such final plat shall be submitted within one year (365 days) of the date of the approval of the preliminary plat. If more than one year has elapsed since the approval of the preliminary plat, the applicant must resubmit to the ~~planning services~~public works and engineering department a new application, new application fee, and revised documentation to begin the process in this chapter.
 - b. The final plat and release for construction plans shall be submitted to the ~~planning services~~public works and engineering department ~~at least 30 calendar days prior to the meeting of the planning board at which it is to be considered~~. Before granting final approval of the plat, the ~~planning board~~public works and engineering department shall receive reports from the ~~secretary to the planning board~~, the city engineer, the city traffic engineer, Pensacola Energy, Emerald Coast Utilities Authority and the fire department.
 - c. ~~After approval by the planning board, the final plat shall be transmitted to the city council for approval. Approval of the plat shall be granted by the city council upon its finding that all the requirements of this chapter have been met.~~
- (b) *Procedure for division of land requiring a boundary survey.*
- (1) A division of land into no more than two lots fronting on an existing public street, or an access easement not involving any new street or road, or the extension of governmental facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision of this Code or the comprehensive plan, may be reviewed and approved by the city engineer and ~~planning services~~public works and engineering department.
 - (2) *Submission requirements.*
 - a. Any person desiring to divide land into no more than two lots shall first submit a metes and bounds description and a boundary survey (equal to that required by F.S. § 472.027, pertaining to the Standards of Practice for surveys) to the ~~planning services~~public works and engineering department. The boundary survey shall depict all information required by sections 12-7-8(1) through (11).
 - b. If an access easement is required for the subdivision, this document shall be attached to the boundary survey.
 - c. Prior to development of residential properties, the owner or owner's agent shall provide a proposed lot grading and erosion control plan. The plan shall be to scale and must demonstrate that the flow of stormwater surface drainage from the development is diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. The grading plan should clearly exhibit that the proposed development neither creates nor exacerbates flooding on any adjacent properties. Commercial properties shall fall under the subdivision language of the Land Development Code and comply with all stormwater drainage requirements set forth therein.
 - d. The ~~planning services~~public works and engineering department shall notify the applicant of the approval or disapproval of the metes and bounds description or the boundary survey within ten working days from submission.
 - e. If the metes and bounds description or the boundary survey is rejected, the ~~planning services~~public works and engineering department shall provide the applicant, in writing, a detailed list of the reasons for the rejection.

-
- f. The applicant shall resubmit revised documents to the ~~planning-services~~public works and engineering department with a review fee and begin the process set forth at section 12-7-3(b) of this chapter.

~~(34)~~ *Final approval.*

- a. After the survey has been approved by city staff one copy of the survey shall be filed with the ~~planning-services~~public works and engineering department. In addition, one copy each of any applicable recorded access easements shall be filed with the ~~planning-services~~public works and engineering department.
- b. No building permit shall be issued until the survey has been approved by city staff and any accompanying documentation has been filed in accordance with section 12-7-3(b)(3)a.

(Code 1986, § 12-8-3; Ord. No. 35-92, § 2, 10-22-1992; Ord. No. 21-93, § 5, 8-16-1993; Ord. No. 9-96, § 13, 1-25-1996; Ord. No. 12-09, § 2, 4-9-2009; Ord. No. 29-21, § 4, 12-16-2021)

Sec. 12-7-4. Design standards.

Land that the ~~planning board~~public works and engineering department has found to be unsuitable for subdivision due to flooding, bad drainage, or other features likely to be harmful to the health, safety and general welfare of future residents, shall not be subdivided, unless adequate methods of correction are formulated by the developer and approved by the city engineer. Appendix A, at the end of this chapter, illustrates selected design standards described herein.

(1) *Streets.*

- a. Wherever a tract or parcel to be subdivided embraces any part of a street designated in the comprehensive plan, such part shall be platted in the location and width indicated on such plan.
- b. The arrangement, character, extent, width, grade, and location of all streets shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, in their appropriate relation to the proposed uses of the land to be served by such streets and the most advantageous development of the surrounding neighborhood.
- c. Where such is not shown in the comprehensive plan, the arrangement of streets in a subdivision shall either:
 1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
 2. Conform to a plan for the neighborhood approved or adopted by the ~~planning board~~public works and engineering department.
- d. Minor streets shall be so laid out that their use by through traffic will be discouraged.
- e. Where a subdivision abuts or contains an existing or proposed arterial street, the ~~planning board~~public works and engineering department may require marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. Residential and nonresidential subdivisions located along arterial streets shall be encouraged to provide consolidated access points for all uses within the subdivision.
- f. Where a subdivision borders on or contains a railroad right-of-way or limited access highway (super highway) right-of-way, the ~~planning board~~public works and engineering department may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades of future grade separations.
- g. Reserve strips (nonaccess easements) controlling access to streets shall be prohibited except where their control is definitely placed in the city under conditions approved by the ~~planning services~~public works and engineering department.
- h. Street jogs with centerline off-sets of less than 125 feet shall be avoided.
- i. A tangent at least 100 feet long shall be introduced between reverse curves on arterial and collector streets.
- j. Streets shall be laid out so as to intersect as nearly as possible at right angles, and no streets shall intersect any other street at less than 60 degrees.

- k. Property lines at street intersections shall be rounded with a radius of 25 feet, or of greater radius where the ~~planning board~~public works and engineering department may deem it necessary.
- l. Street right-of-way widths shall be shown on the comprehensive plan and where not shown therein shall be not less than as follows:

Street Type	Right-of-Way in Feet
Arterial	100
Collector	80
Minor	60 (50' w/two five-foot easements sidewalks are provided within R/W by the developer)
Marginal Access	40
Alley (private) in commercial or industrial areas	24
Alley (private) in residential areas	20

- m. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and where the ~~planning board~~public works and engineering department finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Whenever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.
- n. Dead-end streets are prohibited except those designed to be so permanently. Permanent dead-end streets shall be not longer than 500 feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 80 feet and a street property line diameter of at least 100 feet. At the intersection of the turnaround and the straight portion of the right-of-way there shall be a 25-foot radius as a transition.
- o. Street names. A proposed new street, which is in alignment with a continuation of an existing street, with or a continuation of an existing street, shall have the same name as the existing street. In no case (including numbered or lettered streets) shall new streets have names or numbers that duplicate or that are phonetically similar to existing streets' names, regardless of the prefix or suffix used as "Avenue," "Boulevard," "Court," "Crescent," "Drive," "Place," "Street," and "Terrace." All street names shall be subject to approval of the ~~planning board~~public works and engineering department.

Note: In this respect, it is suggested that the developer check over his or her proposed street names with the postal authorities, before submitting his or her plat to the ~~planning board~~public works and engineering department for approval.
- p. Grades and transition of grades must be approved by the city engineer and in no case shall be less than two-tenths percent.
- q. Private streets. Private streets may be approved provided they are constructed according to the street design standards specified in sections 12-7-4 and 12-7-5 except that required private ingress and egress easements, private rights-of-way or private common area widths and pavement widths may be less than required for public rights-of-way and street widths. In the event that a private street is approved, the following statement shall be shown on the preliminary and final plats: "All

roads and rights-of-way shown on this plat are private and are not subject to maintenance by the City of Pensacola." Maintenance of private streets shall be as provided in section 12-3-61.

(2) *Drainage easements.*

- a. Easements along lot lines shall be provided for drainage where necessary and shall be at least 12 feet wide.
- b. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith.

(3) *Blocks.*

- a. The length, width and shape of blocks shall be determined with due regard to:
 1. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 2. Zoning requirements.
 3. Needs for convenient access, circulation, control, and safety of street traffic.
 4. Limitations and opportunities of topography.
- b. Block length shall not exceed 1,400 feet or be less than 400 feet. Where blocks are 700 feet or more in length, the ~~planning board~~public works and engineering department may require a 20-foot pedestrian easement through the block. Long blocks should be oriented for drainage and toward such focal points as a shopping center or a school.
- c. Block width should be at least wide enough to allow two tiers of lots and should be a minimum width of 240 feet, except when reverse frontage is used.

(4) *Lots; building site area and yard restrictions.*

- a. Minimum building site area and yard restrictions shall be governed by the requirements of chapter 12-3. Every lot or parcel of land shall abut a public street, or private street where permitted by this chapter.
- b. Insofar as practical, side lot lines shall be at right angles to straight right-of-way lines or radial to curved right-of-way lines.
- c. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development of use contemplated.
- d. Double frontage and reverse frontage lots shall be avoided except where desirable to provide separation of residential developments from traffic arteries or to overcome specific disadvantages of topography and orientation. A nonaccess easement with a planting screen or solid fence shall be provided along the line of lots abutting such a traffic artery.

(Code 1986, § 12-8-4; Ord. No. 13-06, § 16, 4-27-2006; Ord. No. 29-21, § 4, 12-16-2021)

Sec. 12-7-6. Sites for public use.

- (a) *School sites.* The ~~planning board~~public works and engineering department may, where necessary, require reservation of suitable sites for schools; and further, which sites shall be made available to the county school board for their refusal or acceptance. If accepted by the school board, it shall be reserved for future purchase by the school board from the date of acceptance for a period of one year.
- (b) *Sites for park and recreation or open space.* Each subdivision plat shall be reviewed by the planning and leisure services departments in order to assess the following: park and recreational or open space needs for the recreation service area within which the subdivision is located and for the city as a whole; and characteristics of the land to be subdivided for its capability to fulfill park, recreation or open space needs. Based on this review the city staff shall recommend one of the following options:
 - (1) *Dedication of land for park, recreation or open space needs.* The subdivider or owner shall dedicate to the city for park and recreation or open space purposes at least five percent of the gross area of the residential subdivision. In no case shall the aggregate acreage donated be less than one-quarter acre.
 - (2) *Payment of money to an escrow account for park, recreation or open space needs in lieu of dedication of land.* The subdivider or owner shall pay unto the city such sum of money equal in value to five percent of the gross area of the subdivision thereof, which sum shall be held in escrow and used by the city for the purpose of acquiring parks and developing playgrounds and shall be used for these purposes and no others. The aforementioned value shall be the value of the land subdivided without improvements and shall be determined jointly by the mayor and the subdivider. If the mayor and subdivider cannot agree on a land value, then the land value shall be established by arbitration. The mayor shall appoint a professional land appraiser, the subdivider shall appoint a professional land appraiser, and these two shall appoint a third.
- (c) *Public streets.* All streets delineated on all plats submitted to the ~~city council~~public works and engineering department shall be dedicated to all public uses including the use thereof by public utilities, unless otherwise specified herein.

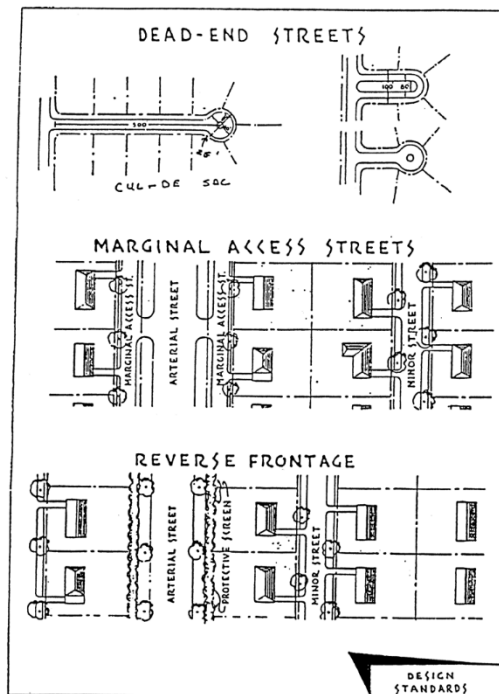
(Code 1986, § 12-8-6; Ord. No. 9-96, § 14, 1-25-1996; Ord. No. 16-10, § 223, 9-9-2010; Ord. No. 29-21, § 4, 12-16-2021)

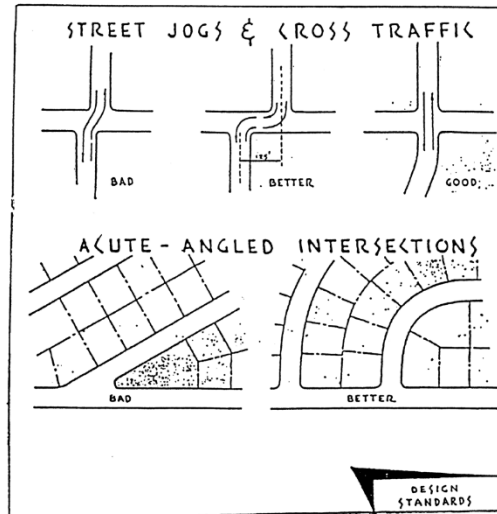
Sec. 12-7-10. Final approval.

- (a) Approval of the final plat by the city ~~council~~engineer shall be granted upon the finding that the developers have complied with applicable laws and provisions of this Code. A true copy of the plat as approved shall be recorded by the applicant in the public records of the county within ~~180~~365 days of city ~~council~~engineer approval.
- (b) If the approved plat is not recorded in the public records of the county within ~~180~~365 days of city ~~council~~engineer approval, upon filing the recorded plat with ~~planning services~~the public works and engineering department, the applicant is subject to be charged a late fee.
- (c) No building permits may be issued until the recorded final plat has been filed with the ~~planning services~~public works and engineering department.
- (d) All subdivision improvements shall be completed by the developers and accepted by the city engineer prior to the issuance of any building permits; provided, however, that in lieu of the immediate installation of the required improvements, the subdividers shall either file with the city, a performance bond or surety bond or deposit with the city in escrow cash or a certified check in an amount to be determined by the mayor with sureties satisfactory to the city guaranteeing the installation of the required improvements.
- (e) All subdivision improvements shown on the plat shall be completed within one year from the date the city ~~council~~engineer grants approval of the final plat, regardless of when said plat is recorded, and subject to the charging of a late fee. For good cause shown, the city ~~council~~engineer may grant a reasonable extension of this one-year time period.
- (f) No certificate of occupancy for a building shall be issued until all subdivision improvements meet a satisfactory engineering as-built inspection and are approved by the city engineer.

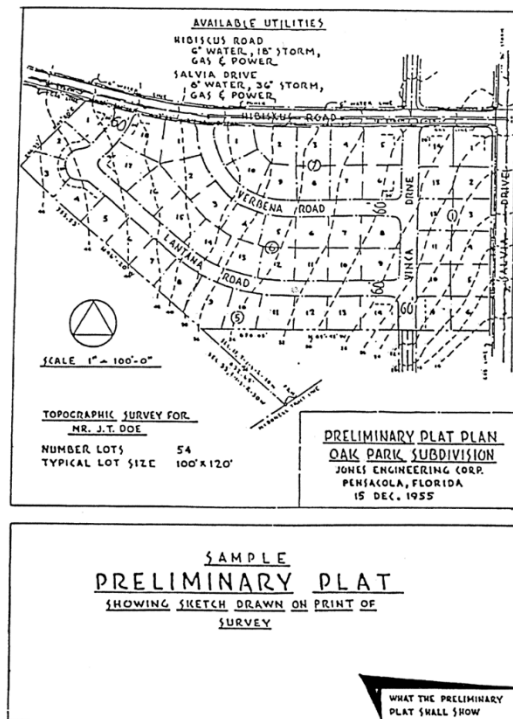
(Code 1986, § 12-8-10; Ord. No. 6-93, § 25, 3-25-1993; Ord. No. 16-10, § 224, 9-9-2010; Ord. No. 29-21, § 4, 12-16-2021)

APPENDIX A. DESIGN STANDARDS





APPENDIX B. SAMPLE PRELIMINARY PLAT



2025784er

1
2 An act relating to platting; amending s. 177.071,
3 F.S.; requiring that certain plat or replat submittals
4 be administratively approved with no further action by
5 certain entities under certain circumstances;
6 requiring the governing body of such county or
7 municipality to designate an administrative authority
8 to receive, review, and process plat or replat
9 submittals; providing requirements for such
10 designation; defining the term "administrative
11 authority"; requiring the administrative authority to
12 submit a certain notice to an applicant; providing
13 requirements for such notice; requiring the
14 administrative authority to approve, approve with
15 conditions, or deny a plat or replat submittal in
16 accordance with the timeframe in the initial written
17 notice to the applicant; requiring the administrative
18 authority to notify the applicant in writing if it
19 declines to approve a plat or replat submittal;
20 requiring that the written notification contain the
21 reasons for denial and other information; prohibiting
22 the administrative authority or other official,
23 employee, agent, or designee from requesting or
24 requiring that the applicant request an extension of
25 time; amending s. 177.111, F.S.; conforming provisions
26 to changes made by the act; providing an effective
27 date.

28
29 Be It Enacted by the Legislature of the State of Florida:

2025784er

Section 1. Section 177.071, Florida Statutes, is amended to read:

177.071 Administrative approval of plats ~~plat~~ by designated county or municipal official ~~governing bodies~~.—

(1)(a) A plat or replat submitted under this part must be administratively approved and no further action or approval by the governing body of a county or municipality is required if the plat or replat complies with the requirements of s. 177.091. The governing body of the county or municipality shall designate, by ordinance or resolution, an administrative authority to receive, review, and process the plat or replat submittal, including designating an administrative official responsible for approving, approving with conditions, or denying the proposed plat or replat.

(b) As used in this section, the term "administrative authority" means a department, division, or other agency of the county or municipality. For purposes of issuing a final administrative approval of a plat or replat submittal, the term also includes an administrative officer or employee designated by the governing body of a county or municipality, including but not limited to, a county administrator or manager, a city manager, a deputy county administrator or manager, a deputy city manager, an assistant county administrator or manager, an assistant city manager, or other high-ranking county or city department or division director with direct or indirect oversight responsibility for the county's or municipality's land development, housing, utilities, or public works programs.

(2) Within 7 business days after receipt of a plat or

2025784er

replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal for compliance with s. 177.091. The written notice must also provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.

(3) Unless the applicant requests an extension of time, the administrative authority shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe identified in the written notice provided to the applicant under subsection (2). If the administrative authority does not approve the plat or replat, it must notify the applicant in writing of the reasons for declining to approve the submittal. The written notice must identify all areas of noncompliance and include specific citations to each requirement the plat or replat submittal fails to meet. The administrative authority, or an official, an employee, an agent, or a designee of the governing body, may not request or require the applicant to file a written extension of time.

(4)~~(1)~~ Before a plat or replat is offered for recording, it must be administratively approved as required by this section ~~by the appropriate governing body~~, and evidence of such approval must be placed on the plat or replat. If not approved, the governing body must return the plat or replat to the professional surveyor and mapper or the legal entity offering the plat or replat for recordation. For the purposes of this

2025784er

part:

(a) When the plat or replat to be submitted for approval is located wholly within the boundaries of a municipality, the ~~governing body of the~~ municipality has exclusive jurisdiction to approve the plat or replat.

(b) When a plat or replat lies wholly within the unincorporated areas of a county, the ~~governing body of the~~ county has exclusive jurisdiction to approve the plat or replat.

(c) When a plat or replat lies within the boundaries of more than one county, municipality, or both ~~governing body~~, two plats or replats must be prepared and each county or municipality ~~governing body~~ has exclusive jurisdiction to approve the plat or replat within its boundaries, unless each county or municipality with jurisdiction over the plat or replat agrees ~~the governing bodies having said jurisdiction agree~~ that one plat is mutually acceptable.

~~(5)(2)~~ Any provision in a county charter, or in an ordinance of any charter county or consolidated government chartered under s. 6(e), Art. VIII of the State Constitution, which provision is inconsistent with anything contained in this section shall prevail in such charter county or consolidated government to the extent of any such inconsistency.

Section 2. Section 177.111, Florida Statutes, is amended to read:

177.111 Instructions for filing plats ~~plat~~.—After the approval by the appropriate administrative authority ~~governing body~~ required by s. 177.071, the plat or replat must ~~shall~~ be recorded by the circuit court clerk or other recording officer upon submission thereto of such approved plat or replat. The

2025784er

circuit court clerk or other recording officer shall maintain in
his or her office a book of the proper size for such papers so
that they will ~~shall~~ not be folded, to be kept in the vault. A
print or photographic copy must be filed in a similar book and
kept in his or her office for the use of the public. The clerk
shall make available to the public a full size copy of the
record plat or replat at a reasonable fee.

Section 3. This act shall take effect July 1, 2025.



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 25-912

Planning Board

7/8/2025

DISCUSSION

SUBJECT:

Discussion on the Land Development Code Update, Phase 2

ATTACHMENTS:

None