



City of Pensacola

Agenda Conference

Agenda - Final

Monday, August 6, 2018, 3:30 PM

Hagler-Mason Conference Room,
2nd Floor

ROLL CALL

PRESENTATION ITEMS

REVIEW OF CONSENT AGENDA ITEMS

1. [18-00207](#) PENSACOLA ENERGY - AMENDMENT TO TASK ORDER 8, NATURAL GAS PIPELINE CONSTRUCTION MISCELLANEOUS WORK

Recommendation: That City Council approve an amendment to extend Task Order 8, Natural Gas Pipeline Construction Miscellaneous Work, to R.A.W. Construction, LLC for 90 days for the period from October 1, 2018 through December 31, 2018 with a not to exceed amount of \$250,000. Further, that Council authorize the Mayor to execute the amendment to the task order and take all actions necessary to complete the work.

Sponsors: Ashton J. Hayward, III

Attachments: [RAW Construction Amendment Task Order 8](#)

REVIEW OF REGULAR AGENDA ITEMS (Sponsor)

2. [18-00304](#) PUBLIC HEARING: PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - CREATING SECTION 12-2-25, PROVIDING FOR THE CRA URBAN DESIGN OVERLAY DISTRICT

Recommendation: That City Council conduct a public hearing to consider an amendment to the Land Development Code creating Section 12-2-25, providing for the CRA Urban Design Overlay District.

Sponsors: P.C. Wu

Attachments: [Proposed Ordinance - CRA Urban Design Overlay District](#)
 [June 12 2018 Planning Board Minutes](#)
 [Public Outreach and Input Opportunities](#)
 [Comment Responses & Draft Document -- Draft Comment Period](#)
 [Comment Responses -- Post Draft Comment Period](#)
 [Recommended Long Term Strategies -- DPZ CODESIGN](#)
 [Transportation Support Document -- Hall Planning & Engineering](#)
 [Bicycle Measurements](#)

3. [21-18](#) PROPOSED ORDINANCE 21-18 - AN ORDINANCE CREATING SECTION 12-2-25 OF THE CODE OF THE CITY OF PENSACOLA, PROVIDING FOR THE CRA URBAN DESIGN OVERLAY DISTRICT

Recommendation: That City Council approve Ordinance 21-18 on first reading.

AN ORDINANCE CREATING SECTION 12-2-25 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR THE CRA URBAN DESIGN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Sponsors: P.C. Wu

Attachments: [Proposed Ordinance No. 21-18](#)
 [June 12 2018 Planning Board Minutes](#)
 [Public Outreach and Input Opportunities](#)
 [Comment Responses & Draft Document -- Draft Comment Period](#)
 [Comment Responses -- Post Draft Comment Period](#)
 [Recommended Long Term Strategies -- DPZ CODESIGN](#)
 [Transportation Support Document -- Hall Planning & Engineering](#)
 [Bicycle Measurements](#)

4. [18-00287](#) PUBLIC HEARING FOR THE ANNUAL ASSESSMENT RESOLUTION IMPOSING STORMWATER SERVICE ASSESSMENTS AND APPROVAL OF 2018 STORMWATER ASSESSMENT ROLL

Recommendation: That City Council conduct a public hearing on August 9, 2018 to adopt the final assessment resolution imposing stormwater service assessments and approving the 2018 Stormwater Assessment Roll.

Sponsors: Ashton J. Hayward, III

Attachments: [Assessment Resolution](#)

5. [18-32](#) RESOLUTION NO. 18-32- IMPOSING STORMWATER SERVICE ASSESSMENTS AND APPROVAL OF 2018 STORMWATER ASSESSMENT ROLL

Recommendation: That City Council adopt Resolution No. 18-32:

A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA, RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES PROVIDED BY THE CITY'S STORMWATER UTILITY; REIMPOSING STORMWATER SERVICE ASSESSMENTS AGAINST DEVELOPED PROPERTY LOCATED WITHIN THE STORMWATER SERVICE AREA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Resolution No. 18-32](#)

6. [11-18](#) PROPOSED ORDINANCE NO. 11-18 - AMENDING LAND DEVELOPMENT CODE SECTION 12-2-10 (C)(4)(B) HISTORIC AND PRESERVATION LAND USE DISTRICT; OLD EAST HILL PRESERVATION ZONING DISTRICT; CONDITIONAL USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT

Recommendation: That City Council approve Proposed Ordinance No. 11-18 on first reading.

AN ORDINANCE AMENDING SECTION 12-2-10 (C)(4)(b) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE HISTORIC AND PRESERVATION LAND USE DISTRICT; OLD EAST HILL PRESERVATION ZONING DISTRICT; CONDITIONAL USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 11-18](#)
[Applicant's Request, LDC Amendment 12-2-10, Dr. Laura Hall](#)
[GIS Map of Impacted Commercial Districts in Old East Hill](#)
[Coorespondence from Citizens, LDC Amendment 12-2-10, Dr. Laura Hall](#)
[Ruling from Code Enforcement Authority, 805 E. Gadsden, Dr. Laura Hall](#)
[April 10, 2018 Planning Board Minutes](#)

7. [12-18](#) PROPOSED ORDINANCE NO. 12-18 - VACATION OF RIGHT-OF-WAY 1600 BLOCK OF NORTH 18TH AVENUE

Recommendation: That City Council adopt Proposed Ordinance No. 12-18 on second reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE 1600 BLOCK OF NORTH 18TH AVENUE RIGHT OF WAY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 12-18 Revised](#)
[Vacation of Right-of-Way Application, 18th Avenue, dated May 11, 2018](#)
[Right-of-Way Map, 18th Avenue Right-of-Way Vacation Request](#)
[June 12, 2018 Planning Board Minutes](#)
[Technical Comments, 18th Avenue Right-of-Way Vacation Request](#)
[Citizen Comments, 18th Avenue Right-of-Way Vacation Request](#)
[Neighbor Petition, 18th Avenue Right-of-Way Vacation Request](#)
[EMAIL FROM JODY BRAXTON FOLLOWING 1ST READING](#)

8. [13-18](#) PROPOSED ORDINANCE NO. 13-18 - AMENDING SECTION 3-3-2 -
REGULATING CONTRACTING AND PURCHASE OF COMMODITIES
AND SERVICES

Recommendation: That City Council approve Proposed Ordinance No. 13-18 - Amending Section 3-3-2 of the Code - Regulating contracting and purchase of commodities and services adding language to cover purchase of legal services, on first reading.

AN ORDINANCE AMENDING SECTION 3-3-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CONTRACTS FOR PUBLIC WORK AND PURCHASES OF OTHER COMMODITIES AND SERVICES; LOWEST AND BEST RESPONSIBLE BIDDER; REJECTION OF BIDS; APPROVAL OF COUNCIL AND MAYOR; EMERGENCY PURCHASES; REGULATING CONTRACTING AND PURCHASE OF LEGAL SERVICES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Sponsors: Sherri Myers

Attachments: [Proposed Ordinance No. 13-18](#)

9. [14-18](#) PROPOSED ORDINANCE NO. 14-18 - AMENDING SECTION 2-6-3
CODE OF ETHICS - PROHIBITIONS

Recommendation: That City Council approved Proposed Ordinance No. 14-18 on first reading:

AN ORDINANCE AMENDING SECTION 2-6-3 CODE OF ETHICS; PROHIBITIONS; OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Sherri Myers

Attachments: [Proposed Ordinance No. 14-18](#)

10. [18-00269](#) ANALYSIS OF GENTRIFICATION DUE TO URBAN REVITALIZATION

Recommendation: That City Council allocate \$200,000 to hire a consultant to perform an analysis of the impact of urban revitalization in the CRA urban core on the African American population in the city limits and that the consultant provide Council with recommendations to mitigate the dislocation, displacement, economic loss of affordable housing, and community resources in historically African American and low income communities.

Sponsors: Sherri Myers

Attachments: [Demographic for CRA Urban Core Population for 2000](#)

11. [18-35](#) RESOLUTION NO. 18-35 - SUPPORT OF THE ESCAMBIA-PENSACOLA
HUMAN RELATIONS COMMISSION

Recommendation: That City Council adopt Resolution No. 18-35:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PENSACOLA, FLORIDA, IN SUPPORT OF THE ESCAMBIA-PENSACOLA
HUMAN RELATIONS COMMISSION, URGING BOTH ESCAMBIA
COUNTY AND THE CITY OF PENSACOLA CONTINUED FUNDING OF
COMMISSION.

Sponsors: Sherri Myers

Attachments: [Resolution No. 18-35](#)
 [Sec.5.2.20 Fair Housing Director](#)
 [Sec.5.2.22 Fair Housing Board](#)

12. [18-00282](#) AMERICAN CREOSOTE SITE (ACW)

Recommendation: That City Council give its authorization for City staff to proceed with the following
strategies regarding the ACW:

1. Complete any remaining title searches on rights of way
2. Pursue acquisition of the parcels owned by the now dissolved American
Creosote Works Florida, Inc. and the Pensacola Creosoting Co.
3. Continue discussions with BNSF Railroad regarding their portions and
possible acquisition

Sponsors: Jewel Cannada-Wynn

13. [18-31](#) RESOLUTION NO. 18-31 - THE GLADES PROJECT

Recommendation: That City Council adopt Resolution No. 18-31.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PENSACOLA, FLORIDA, CERTIFYING THAT THE NORTHWEST
FLORIDA HOUSING DEVELOPMENT CORPORATION'S PROPOSED
DISASTER RECOVERY HOUSING PROGRAM IS CONSISTENT WITH
LOCAL PLANS AND REGULATIONS INCLUDING COMPREHENSIVE
PLANS

Sponsors: Gerald Wingate

Attachments: [Resolution No. 18-31](#)

14. [18-29](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 18-29 - APPROPRIATING FUNDING IN CONNECTION WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 18-29.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Supplemental Budget Resolution No. 18-29](#)
 [Supplemental Budget Explanation No. 18-29](#)

15. [16-18](#) PROPOSED ORDINANCE NO. 16-18 - AMENDMENT TO SECTION 4-3-97, SANITATION COLLECTION FEE AND EQUIPMENT SURCHARGE

Recommendation: That City Council approve Proposed Ordinance No. 16-18 on first reading.

AN ORDINANCE AMENDING SECTION 4-3-97 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR INCREASE IN SANITATION FEES AND SANITATION EQUIPMENT SURCHARGE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance 16-18](#)

16. [20-18](#) PROPOSED ORDINANCE NO. 20-18, AMENDMENT TO SECTION 10-4-19 - SCHEDULE OF GAS RATES AND CHARGES

Recommendation: That City Council approve Proposed Ordinance No. 20-18 on first reading.

AN ORDINANCE AMENDING SECTION 10-4-19 OF THE CODE OF THE CITY OF PENSACOLA ENTITLED: "SCHEDULE OF RATES AND CHARGES"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 20-18](#)

17. [18-00314](#) VOTE OF “NO CONFIDENCE” FOR THE CITY ADMINISTRATOR
RELATED TO THE HANDLING OF THE RECYCLING ISSUE

Recommendation: That City Council take a vote of “No Confidence” for the City Administrator, Eric Olson, in relation to his handling of the recycling issue.

Sponsors: Sherri Myers

Attachments: [Olson Memorandum of May 2, 2018 re Recycling Program](#)

FOR DISCUSSION

INFORMATIONAL ITEMS

CONSIDERATION OF ANY ADD-ON ITEMS

READING OF ITEMS FOR COUNCIL AGENDA

COMMUNICATIONS

City Administrator's Communication

18. [18-00306](#) CITY ADMINISTRATOR COMMUNICATION

Sponsors: Ashton J. Hayward, III

Attachments: [8-6-18 Sidewalk Prioritization](#)

City Attorney's Communication

Monthly Financial Report - Chief Financial Officer Richard Barker, Jr.

19. [18-00031](#) MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER
RICHARD BARKER, JR.

Sponsors: Ashton J. Hayward, III

Attachments: [July 2018 Monthly Financial Report](#)

City Council Communication

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 to be based.

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 435-1606 (or TDD 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.



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-00207

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

PENSACOLA ENERGY - AMENDMENT TO TASK ORDER 8, NATURAL GAS PIPELINE CONSTRUCTION MISCELLANEOUS WORK

RECOMMENDATION:

That City Council approve an amendment to extend Task Order 8, Natural Gas Pipeline Construction Miscellaneous Work, to R.A.W. Construction, LLC for 90 days for the period from October 1, 2018 through December 31, 2018 with a not to exceed amount of \$250,000. Further, that Council authorize the Mayor to execute the amendment to the task order and take all actions necessary to complete the work.

HEARING REQUIRED: No Hearing Required

SUMMARY:

Pensacola Energy is requesting an extension of Task Order 8 for unit price option miscellaneous work for natural gas pipeline maintenance, replacement, and new construction. Some work is still pending and the 90 day extension will allow progress to continue towards completion.

PRIOR ACTION:

November 26, 2016 - City Council approved a resolution authorizing a financing not to exceed \$15 million to finance the acquisition and construction of certain capital improvements to the gas system.

March 8, 2018 - City Council awarded Task Order 8, Natural Gas Pipeline Construction Miscellaneous Work to R.A.W. Construction, LLC. for \$549,300.

FUNDING:

Budget: \$799,300

Actual:	\$549,300	Task Order 8
	<u>250,000</u>	Task Order 8 - 90-Day Extension
	<u>\$799,300</u>	

FINANCIAL IMPACT:

Funding is available in the Gas Utility Fund. Balances from the Florida Gas System Revenue Note, Series 2016 have been carried forward on supplemental budget resolutions each year to fund the capital improvements.

CITY ATTORNEY REVIEW: Yes

7/18/2018

STAFF CONTACT:

Keith Wilkins, City Administrator
Richard Barker, Jr., Chief Financial Officer
Don J. Suarez, Pensacola Energy Director

ATTACHMENTS:

- 1) RAW Construction Amendment Task Order 8

PRESENTATION: No

**CONTRACT FOR INVITATION TO BID #17-028
BETWEEN CITY OF PENSACOLA AND
R.A.W. CONSTRUCTION, LLC**

AMENDMENT NO. 1

THIS AMENDMENT ("Amendment No. 1") TO THE CONTRACT FOR INVITATION TO BID #17-028, is made and entered into this ____ day of _____, 2018, by and between the City of Pensacola ("City"), a Florida municipal corporation created and existing under the laws of the State of Florida, and R.A.W. Construction, LLC., ("Contractor"), a limited liability company authorized to do business in Florida, located at 710 Lewis Boulevard, South, Tallahassee, FL 32305.

WITNESSETH:

WHEREAS, City and Contractor entered into a Contract dated the 28th day of August, 2017 ("Original Agreement"), incorporated herein by this reference, for natural gas construction East of I-110 (Low Pressure Area Upgrades).

WHEREAS, the City awarded a service contract for **Bid # 17-028 (Natural Gas Pipeline Construction East of I-110 Low Pressure Area Upgrades)**, to the Contractor.

WHEREAS, the parties intended to provide for unit price option work in the Original Agreement with Task Order 8; and

WHEREAS, the parties now desire to amend Task Order 8 upon the terms and conditions hereinafter set forth to provide for unit price option work beyond the original term of September 30, 2018;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, it is agreed that Section 2.0, Pricing is agreed and amended as follows:

Section 2.0. PRICING

Any fees, costs or expenses due Contractor under this Agreement shall be paid at the rates specified in Exhibit A, attached hereto and made a part hereof, at a total cost not to exceed \$549,300.00 (Five Hundred Forty-Nine Thousand and Three Hundred dollars) for the period ending September 30, 2018

For the period from October 1, 2018 to December 31, 2018, the Contractor shall be paid at the rates specified in Exhibit A, at a total cost not to exceed \$250,000.00 (Two Hundred Fifty Thousand dollars).

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 1 to be executed and sealed the day and year first above written.

CONTRACTOR

CITY OF PENSACOLA, FLORIDA

R.A.W. Construction, LLC

(Contractor's Name)

Mayor, Ashton J. Hayward, III

By _____
Member

City Clerk, Ericka L. Burnett

(Printed Member's Name)

Approved as to substance:

By: _____
Member

Department Director/Division Head

(Printed Member's Name)

Legal in form and valid as drawn:

(SEAL)

City Attorney

Exhibit A

FEE SCHEDULE

UNIT PRICE WORK (1 OF 2)

Unit Price Work is for unforeseen optional work during Contract Period. Any Task Order that exceeds \$25,000 will require City Council approval prior to any work commencing. Unit Price Work will be performed only at the express written request of PE and no compensation will be made for work not so directed. PE is not obligated to assign any Unit Price Work under this Contract. By submitting its bid, Bidder agrees that if such work is assigned it will be compensated as set forth below during the duration of the Contract. No compensation shall be paid for travel time where work is being performed under the Unit Price Work. Estimated quantities are included for bid purposes. For the purpose of assigning Unit Price Work during Contract Period, a unit price must be entered for all items of work even if no estimated quantity is listed. Refer to Section 2.26 for Bid Item Descriptions.

Main Installation	Est. Qty.	Unit	Unit Price	Total Cost
2" P.E. Main Install Trenchless	6000	LF	\$ 10.00	\$ 60,000.00
2" P.E. Main Install Open Trench	2000	LF	\$ 10.00	\$ 20,000.00
4" P.E. Main Install Trenchless	2000	LF	\$ 17.00	\$ 34,000.00
4" P.E. Main Install Open Trench	---	LF	\$	---
6" P.E. Main Install Trenchless	2000	LF	\$ 21.00	\$ 42,000.00
6" P.E. Main Install Open Trench	---	LF	\$ 21.00	---
8" P.E. Main Install Trenchless	---	LF	\$ 35.00	---
8" P.E. Main Install Open Trench	---	LF	\$ 35.00	---
10" P.E. Main Install Trenchless	---	LF	\$ 45.00	---
10" P.E. Main Install Open Trench	---	LF	\$ 45.00	---
<= 2" Mole	---	LF	\$	---
Tie ins (New to Existing)			\$	
Tie in Existing P.E. Services	40	EA	\$ 375.00	\$ 15,000.00
<= 2" P.E. to 2" Steel or greater	10	EA	\$ 1200.00	\$ 12,000.00
<= 2" P.E. to <= 2" P.E.	40	EA	\$ 800.00	\$ 32,000.00
2" P.E. to 4" P.E.	10	EA	\$ 900.00	\$ 9,000.00
2" P.E. to 6" P.E.	10	EA	\$ 1000.00	\$ 10,000.00
2" P.E. to 8" P.E.	---	EA	\$ 1400.00	---
2" P.E. to 10" P.E.	---	EA	\$ 1500.00	---
4" P.E. to 2" Steel	---	EA	\$ 1500.00	---
4" P.E. to 4" Steel or greater	6	EA	\$ 2000.00	\$ 12,000.00
4" P.E. to 4" P.E.	6	EA	\$ 1200.00	\$ 7,200.00
4" P.E. to 6" P.E.	---	EA	\$ 1500.00	---
4" P.E. to 8" P.E.	---	EA	\$ 1800.00	---
4" P.E. to 10" P.E.	---	EA	\$ 2000.00	---
6" P.E. to 2" Steel	---	EA	\$ 1800.00	---
6" P.E. to 4" Steel	---	EA	\$ 2400.00	---
6" P.E. to 6" Steel or greater	---	EA	\$ 3000.00	---
6" P.E. to 6" P.E.	---	EA	\$ 1800.00	---
6" P.E. to 8" P.E.	---	EA	\$ 2000.00	---
6" P.E. to 10" P.E.	---	EA	\$ 2400.00	---
8" P.E. to 2" Steel	---	EA	\$ 2200.00	---
8" P.E. to 4" Steel	---	EA	\$ 2600.00	---
8" P.E. to 6" Steel	---	EA	\$ 3500.00	---
8" P.E. to 8" Steel or greater	---	EA	\$ 4000.00	---
8" P.E. to 8" P.E.	---	EA	\$ 2400.00	---
8" P.E. to 10" P.E.	---	EA	\$ 3500.00	---

UNIT PRICE WORK (2 OF 2)

10" P.E. to 2" Steel	---	EA	\$ 2400.00	---
10" P.E. to 4" Steel	---	EA	\$ 3200.00	---
10" P.E. to 6" Steel	---	EA	\$ 4000.00	---
10" P.E. to 8" Steel	---	EA	\$ 4500.00	---
10" P.E. to 10" Steel	---	EA	\$ 5000.00	---
10" P.E. to 10" P.E.	---	EA	\$ 4000.00	---
Valve Installation				
2" P.E. Valve	---	EA	\$ 300.00	---
4" P.E. Valve	---	EA	\$ 450.00	---
6" P.E. Valve	---	EA	\$ 650.00	---
8" P.E. Valve	---	EA	\$ 750.00	---
10" P.E. Valve	---	EA	\$ 1,000.00	---
Stoppers				
2" Steel Stopper	---	EA	\$ 1,500.00	---
4" Steel Stopper	---	EA	\$ 3,400.00	---
6" Steel Stopper	---	EA	\$ 7,000.00	---
8" Steel Stopper	---	EA	\$ 8,500.00	---
10" Steel Stopper	---	EA	\$ 12,000.00	---
Service Installation				
Services up to 80' of 3/4 to 1 1/4" mole	20	LS	\$ 600.00	\$ 12,000.00
Services up to 80' of 3/4 to 2" bore	30	LS	\$ 725.00	\$ 21,750.00
Services up to 80' of 3/4 to 2" trench	20	LS	\$ 725.00	\$ 14,500.00
Add'l footage beyond 80' by bore	500	LF	\$ 10.00	\$ 5,000.00
Add'l footage beyond 80' by trench	500	LF	\$ 10.00	\$ 5,000.00
Miscellaneous				
Retire Steel Main	1000	LF	\$ 1.50	\$ 1,500.00
Asphalt cutting/removal/haul	100	SY	\$ 3.00	\$ 300.00
Asphalt Replacement	100	SY	\$ 10.00	\$ 1,000.00
Concrete cutting/removal/haul	100	CY	\$ 3.00	\$ 300.00
Concrete Replacement	100	CY	\$ 11.00	\$ 1,100.00
Sod Replacement	500	SY	\$ 7.00	\$ 3,500.00
Seed and Mulch	500	SY	\$ 1.80	\$ 900.00
Dewatering pit	---	EA	\$	---
Dewatering main line	---	FT	\$	---
Dewatering main line	---	FT	\$	---
Unit Price Work Total				\$ 320,050.00


Signature of Bidder

7-20-17
Date



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-00304

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Member P.C. Wu

SUBJECT:

PUBLIC HEARING: PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - CREATING SECTION 12-2-25, PROVIDING FOR THE CRA URBAN DESIGN OVERLAY DISTRICT

RECOMMENDATION:

That City Council conduct a public hearing to consider an amendment to the Land Development Code creating Section 12-2-25, providing for the CRA Urban Design Overlay District.

HEARING REQUIRED: Public

SUMMARY:

The development of urban design standards has been identified as a key redevelopment project within each of the City of Pensacola's adopted community redevelopment plans. The City of Pensacola Community Redevelopment Agency (CRA) approved the FY17/18 CRA Work Plan on April 10, 2017, which authorized the development, adoption and codification of design standards for each of the City's three redevelopment areas. On October 9, 2017, the CRA authorized the CRA Chairperson to negotiate and execute a contract with DPZ CoDESIGN, the top-ranked firm selected in response to RFQ No. 17-043.

Under the contract with DPZ CoDESIGN, the project kicked-off in early January 2018. From February through April, an extensive public input process was launched which included a series of charrettes, public workshops, input sessions, presentations and a written comment period. For reference purposes, a full list of public outreach and input opportunities, as well as, comments received and corresponding responses are attached.

The final recommended document was released on May 31, 2018 and presented with recommended modifications to the Planning Board for consideration and public hearing on June 12, 2018. The Planning Board recommended adoption of the document and the recommended modifications presented at the meeting with the following modifications:

- a. Change the capital and base requirement for porch columns contained within Table 12-2-25.10, Façade Types from a "shall" to a "should" statement.
- b. Modify the language contained in Sec. 12-2-25(G)(h)(b)4.c.(2) regarding bicycle parking as follows to clarify reference to an adult-sized bicycle: Bicycle racks installed perpendicular to curbs shall allow for

a minimum clearance of two (2) feet at the curb and six (6) feet of pedestrian way with a ~~56cm~~ 22 to 26 inch bicycle properly locked to the rack.

- c. Change the vertical window requirement contained in Sec. 12-2-25(G)(j)(a)1, Windows and Glazing, from a “shall” to a “should” statement.
- d. Clarify the minimum landscape area requirements contained in Sec. 12-2-25(H)(b)(b), Landscape on Private Property, as it relates to minimum landscaping for single family detached and two-family attached buildings.
- e. Remove the requirement for street trees in front of galleries to be of a “columnar variety”, as contained in Sec. 12-2-25(H)(d)(f)3, Street Trees in Public Right-of-Way.
- f. Establish an effective date of five (5) business days following adoption by City Council.

The project consultant, DPZ CODESIGN, recommends incorporation of all modifications recommended by Planning Board with the following exceptions:

- a. The vertical window requirement contained in Sec. 12-2-25(G), Windows and Glazing, should be retained as a “shall” statement and modified as follows: “Windows on frontages shall be square or vertical in proportion, with the exception of transoms and special windows.”
- b. The language contained in Sec. 12-2-25(G)(h)(b)4.c.(2) regarding bicycle parking should be clarified as follows: Bicycle racks installed perpendicular to curbs shall allow for a minimum clearance of two (2) feet at the curb and six (6) feet of pedestrian way with a 56cm or 22in bicycle properly locked to the rack.

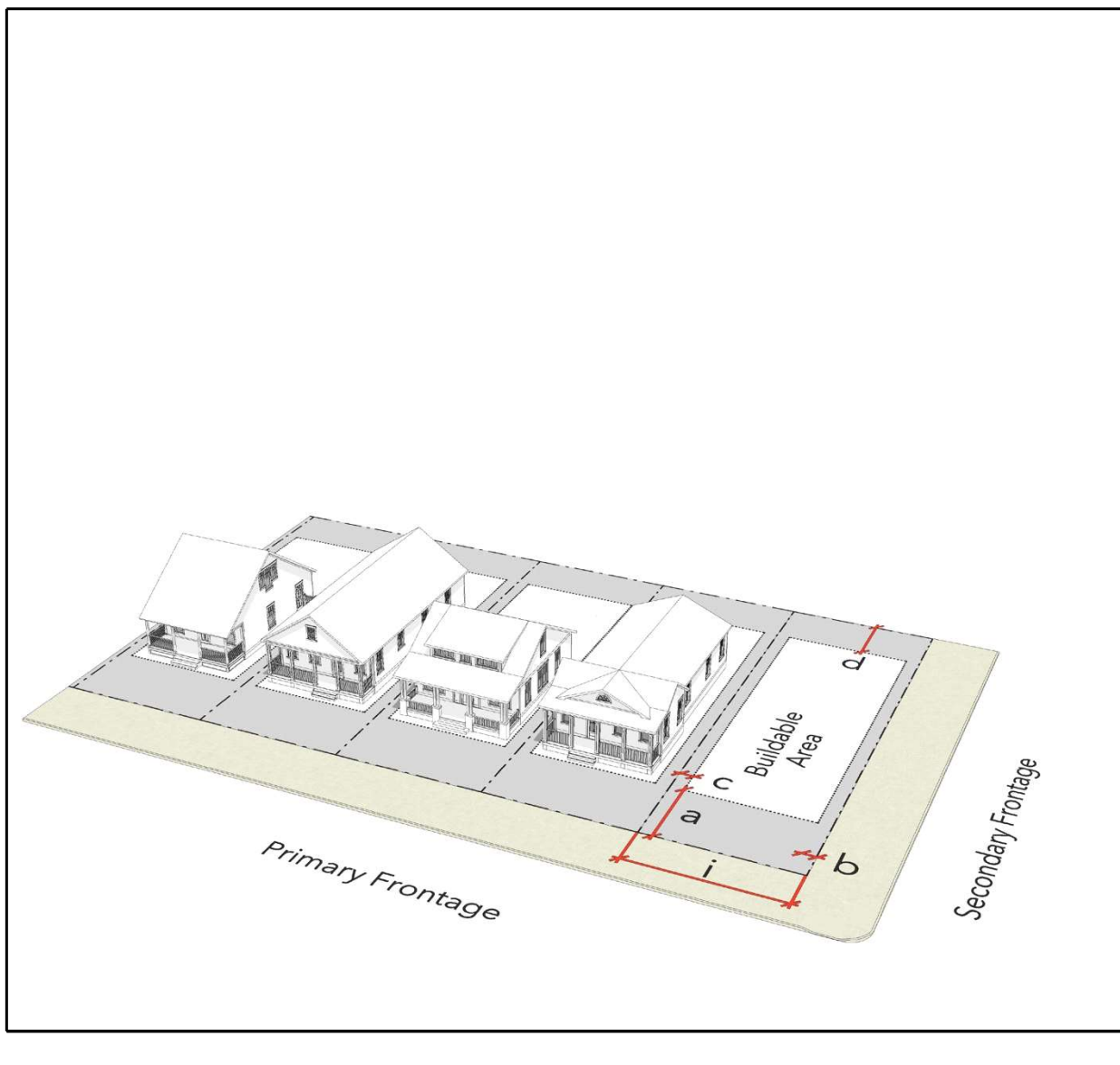
Further, the following clarifications and adjustments should be incorporated into the amendment:

- a. Review procedures contained within Sec. 12-2-25(E) should be clarified to provide additional detail for plan submittals as follows:
 - (A) *Procedure for Review.* All development regulated by this subsection shall be subject to the submission requirements contained within Sec. 12-12-5 (building permits) and Sec. 12-2-81 (development plan requirements), as applicable. In addition to the plan submission requirements listed in Sec. 12-12-5 and 12-2-81, drawings illustrating compliance with Sec. 12-2-25 (CRA Urban Design Overlay District) shall be provided. Plans shall include drawings or sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of the building (both before and after the proposed work is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plat plan or site layout, including all site improvements or features such as walls, fences, walkways, terraces, landscaping, accessory buildings, paved areas, signs, lights, awnings, canopies, screening and other appurtenances. Façade and frontage yard types shall be specified along frontages in accordance with Table 12-2-25.10 (Façade Types) and Table 12-2-25.9 (Frontage Yard Types).
- b. Accessory building rear setbacks for single family residential buildings should be reduced from a

minimum of five (5) feet to a minimum of three (3) feet to adhere to the underlying standard.

- c. Side and rear setbacks for single family detached and duplex developments on thirty-foot (30') lots should be reduced as follows:
- a. Side setback reduction from five (5) feet to three (3) feet for single family detached and duplex buildings (Tables 12-2-25.3 and 12-2-25.4).
 - b. Rear setback reduction from 25-30' to 20' for single family detached and duplex buildings (Tables 12-2-25.3 and 12-2-25.4).

Table 12-2-25.3 -Single Family Detached and Two-Family Attached (Duplex) Residential Building Types- R-1AAA through R-1A



a	Front	20 min.
b	Front, Second	5 min.
c	Side (Interior)	45 min.
d	Rear	30 min. / 20 min.

Frontage (min.)	Primary	45% / 40% (lots)
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Lot Occupation	Lot Width (3)	30 ft. min.
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Lot Coverage 50% max.

Building Height (max.)	Principal Building	35 ft.
	Accessory Building	24 ft.

Parking (min.)	Off-street (2)	1/unit
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Notes:

- (1) Measured according to Section 12-2-25(G)(a)(c).
- (2) See Section 12-2-25(G)(h)(b) for exceptions.
- (3) Lot width shall only be measured from the right-of-way line. Lot width at the building setback
- (4) Minimum side yard setback for thirty-foot (30') lots shall be three (3) feet measured from the required per applicable Florida Building Code.

a	Front	50 min.
b	Front, Second	5 min.
c	Side (Interior)	1 min.
d	Rear	5 3 min.

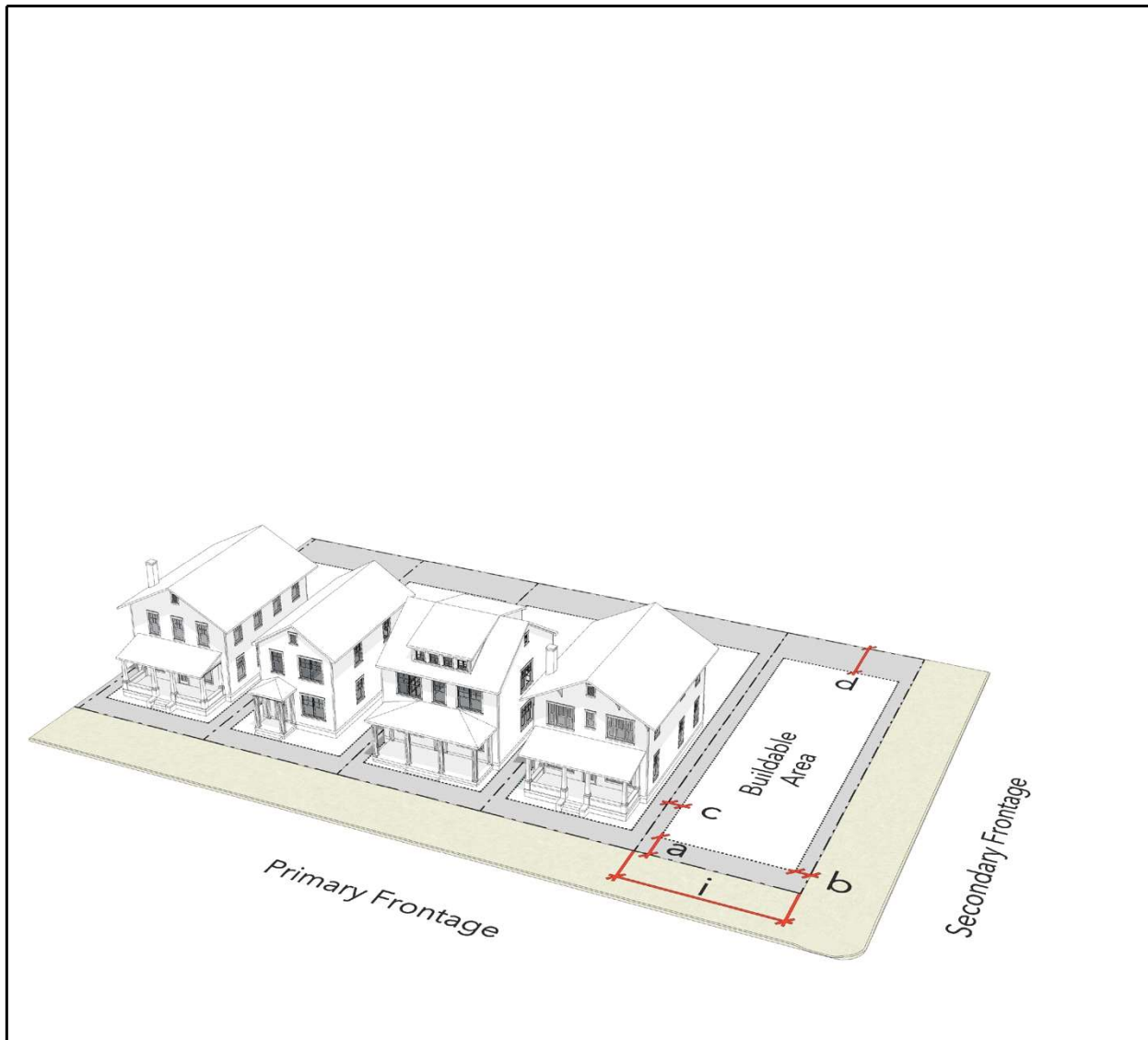
Frontage Yard Types

Standard	Permitted
Shallow	Not Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted

Facade Types

Porch	Permitted
Stoop	Not Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted

Table 12-2-25.4 -Single-Family Detached and Two-Family Attached (Duplex) Residential Building Types- R-1B through C
-3



Setbacks - Principal Building (feet)

a	Front	8 min. / 20 max
b	Front, Secondary	5 min.
c	Side (Interior)	45 min.
d	Rear	25 min. / 20 min

Frontage (min.)

Primary 45% / 40% (lots)

Setbacks - Accessory Building (feet)

a	Front	50 min.
b	Front, Secondary	5 min.
c	Side (Interior)	1 min.
d	Rear	5 3 min.

Frontage Yard Types

Standard Permitted

Lot Occupation	Shallow	Permitted
	Urban	Not Permitted
Lot Width (3) 30 ft. min.	Pedestrian Forecourt	Not Permitted
	Vehicle or Forecourt	Not Permitted
Lot Coverage 50% max.	Facade Types	
	Porch	Permitted
Building Height (max.)	Stoop	Not Permitted
	Common Entry	Not Permitted
Principal Building 35 ft.	Galler	Not Permitted
	Storefront	Not Permitted
Accessory Building 24 ft.		
Parking (min.)		
Off-street (2) 1/unit		

Notes:

- (1) Measured according to Section 12-2-25(G)(a)(c).
- (2) See Section 12-2-25(G)(h)(b) for exceptions.
- (3) Lot width shall only be measured from the right-of-way line. Lot width at the building setback
- (4) [Minimum side yard setback for thirty-foot \(30'\) lots shall be three \(3\) feet measured from the per applicable Florida Building Code.](#)

These modifications are intended to allow for greater living quarter proportions for thirty-foot (30') lots while maintaining traditional parking configurations including side and rear parking.

- d. Single family detached and duplex façade type requirements should be clarified to provide that porches shall not be required, and stoops shall not be permitted as follows:

Sec. 12-2-25(G)(f)(b)2 - Façade Types

2. Façade Types shall be selected and specified along frontages in accordance with Table 12-2-25.10.

- a. Porches shall not be required for single family detached and two family (duplex).

Tables 12-2-25.3 and 12-2-25.4 - Form Standard Tables

Façade Types	
Porch	Permitted
Stoop	<u>Not</u> Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted

- e. Porch and stoop façade types should be defined as follows:

Sec. 12-2-25(J) - Definitions

Porch means a private façade type which is an open-air room appended to the mass of a building with a floor and roof but no walls on at least two sides.

Stoop means a private façade type wherein the façade is aligned close to the front property line with the first story elevated for privacy with an exterior stair and landing at the entrance. This type is suitable for ground-floor residential uses at short setbacks with townhouses and apartment buildings. Stoops may encroach into the setback.

- f. Measurements for building entries should be clarified as follows:

Sec. 12-2-25(G)(f)(c)[Building Entries]

3. Residential building entries shall be restricted as follows:
 - a. Single family and multi-family residential buildings shall be raised above average finished grade, measured at the front property line, according to Façade Types defined in Table 12-2-25.10.
 - b. In no instance shall single-family and multi-family residential building entries be raised less than eighteen (18) inches above average finished grade.
 - c. Entry grade shall be measured from the average finished grade to the first finished floor.
6. Mixed-use and ~~non-residential~~ commercial building entries shall be at average sidewalk grade.

Table 12-2-25.10 - Façade Types

A: Porch		
Entry Grade	Minimum 18 inches above average finished grade	
Requirements	• Required at the primary building entrance. • Porches shall be a minimum 6 feet in depth. • Porches and related structures may project into front setbacks a maximum 10 feet. • Porch openings shall be vertical in proportion. • Porches shall be a maximum 10 feet in height. Columns shall have a minimum diameter of 6 (6) inches, and should have a capital and a base.	

B: Stoop		
Entry Grade	Minimum 34 inches above average finished grade	
Requirements	• A stoop is required at building entrances, projecting from the facade. • Wood is prohibited for stoop railing. • Stoops and related structures may project into front setbacks up to 100%	

C: Common Entry

Entry Grade	Minimum 18 inches and a maximum 24 inches above average finished	
Requirements	• A single collective entry to a multi-family lobby is required at the primary building entrance. • Canopies and awnings are permitted to project into front setbacks up to 100% of their depth.	

D: Gallery		
Entry Grade	At average sidewalk grade	
Requirements	• Where a gallery occurs, it is required along a minimum of 80% of the frontage. • Encroachments are permitted according to Section 12-2-25(E)(G). • Awnings are not permitted over galleries.	

E: Storefront		
Entry Grade	At average sidewalk grade	
Requirements	• A storefront is required at the primary entrance of the tenant space. • Storefronts are permitted according to Sec. 12-2-25(G)(f)(d). • A minimum of 70% of the ground floor of a storefront shall be glazing.	

Sec. 12-2-25(J) [Definitions]

Building height, *single-family residential*, means the vertical distance of a building measured from the average elevation of the finished grade to the bottom of the eave [for pitched roof buildings or the bottom of the parapet for flat roof buildings](#).

- g. Underlying land development regulations currently contained within the Land Development Code (LDC) were intended to apply within the overlay district. To meet the intent, clarifying language regarding Sec. 12-2-82(C)(8) should be incorporated as follows:

Section 12-2-25(G)(c) [Building Massing and Materials]

[\(j\) Material requirements contained within Sec. 12-2-82\(C\)\(8\) shall apply within the CRA Urban Design Overlay District.](#)

- h. Material provisions for single family residential building types should be clarified as follows:

(i) [Exterior wall materials](#) prohibited for all single family residential types shall include:

1. Corrugated metal panels; and
2. Exposed concrete block.

- i. Illustration 12-2-25.10 depicting driveway placement on 30-foot wide lots in Sec. 12-2-25(G)(h)(b)3.a. (3)(b) should be added as follows:

- b. The outer edge of driveways shall be placed a maximum of two feet from either side property line. [See Illustration 12-2-25.10 for a depiction of driveway placement for single family detached and two-family attached \(duplex\) buildings on 30' wide lots.](#)



Illustration 12-2-25.10 - Driveway Locations Illustrated

- j. Measurements for trees on private property contained in Sec. 12-2-25(H)(b)(1)(1)a-b should be modified as follows:
1. For single-family detached and two-family lots, one tree for every lot or for every 50 feet of linear frontage along the right-of-way shall be preserved or planted. Trees planted to meet this requirement shall be as follows:
 - a. ~~Trees with a caliper equal to or less than four (4) inches shall be measured at six (6) inches off the ground.~~ Measured at diameter breast height (DBH), as described in Sec. 12-6-2(E) (DBH).
 - b. ~~Trees with a caliper greater than four (4) inches shall be measured at 12 inches off the ground.~~

Measuring at diameter breast height (DBH), rather than caliper, is consistent with existing City practices.

Following the Planning Board hearing, the proposed overlay district was presented to the Eastside Redevelopment Board (ERB) and the Westside Redevelopment Board (WRB) on July 11, 2018 and July 24, 2018, respectively. Both Boards recommended adoption of the overlay district, as recommended by the consultant.

In addition to the final overlay document and recommendations, DPZ CODESIGN and the firm's partner, Hall Planning & Engineering, have provided two documents containing recommended long term and transportation strategies for consideration. These documents are attached.

PRIOR ACTION:

October 26, 2000 - City Council adopted the Urban Infill and Redevelopment Plan.

February 9, 2004 - City Council approved the Eastside Neighborhood Plan.

October 27, 2005 - City Council amended and readopted the Urban Infill and Redevelopment Plan, incorporating therein the Eastside Neighborhood Plan.

May 24, 2007 - City Council adopted the Westside Community Redevelopment Plan.

January 14, 2010 - City Council adopted the Urban Core Community Redevelopment Plan (2010).

April 10, 2017 - The CRA approved the FY17/18 CRA Work Plan which included the development of design standards for the Urban Core, Westside and Eastside community redevelopment areas.

July 26, 2017 - The CRA issued Request for Qualifications (RFQ) No. 17-043 for Urban Design and Code Amendment Services for a Community Redevelopment Area Overlay.

October 10, 2017 - The CRA approved the ranking of the selection committee for RFQ No. 17-043 and authorized the CRA Chair to negotiate and execute a contract with DPZ CoDESIGN.

May 7, 2018 - The CRA approved the FY18/19 CRA Work Plan which included the development of design standards for the Urban Core, Westside and Eastside community redevelopment areas.

June 12, 2018 - The Planning Board recommended adoption of the CRA Urban Design Overlay District with modifications.

July 11, 2018 - The Eastside Redevelopment Board recommended adoption of the CRA Urban Design Overlay District as recommended by the project consultant.

July 24, 2018 - The Westside Redevelopment Board recommended adoption of the CRA Urban Design Overlay District as recommended by the project consultant.

FUNDING:

N/A

FINANCIAL IMPACT:

N/A

STAFF CONTACT:

Don Kraher, Council Executive
M. Helen Gibson, AICP, CRA Administrator
Victoria D'Angelo, Assistant CRA Administrator

ATTACHMENTS:

- 1) Proposed Ordinance - CRA Urban Design Overlay District
- 2) Planning Board Minutes - June 12, 2018
- 3) Public Outreach and Input Opportunities
- 4) Comment Responses & Draft Document - Draft Comment Period
- 5) Comment Responses - Post Draft Comment Period
- 6) Recommended Long Term Strategies - DPZ CODESIGN
- 7) Transportation Support Document - Hall Planning & Engineering
- 8) Bicycle Measurements

PRESENTATION: Yes

PROPOSED
ORDINANCE NO. _____

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE CREATING SECTION 12-2-25 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR THE CRA URBAN DESIGN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 12-2-25 of the Code of the City of Pensacola, Florida, is hereby created to read as follows:

Section 12-2-25. - CRA Urban Design Overlay District

The regulations in this Section shall be applicable to the CRA Urban Design Overlay District (CRAUDOD).

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Intent	Sec. 12-2-25(A)
Boundaries of the District.	Sec. 12-2-25(B)
Applicability	Sec. 12-2-25(C)
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Appeals and Variances	Sec. 12-2-25(F)
Urban Design Standards and Guidelines	Sec. 12-2-25(G)
Building Height	Sec. 12-2-25(G)(a)
Building Orientation	Sec. 12-2-25(G)(b)
Building Massing and Materials	Sec.12-2-25(G)(c)
Form Standards	Sec. 12-2-25(G)(d)
Frontage Types	Sec. 12-2-25(G)(e)
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Fences and Walls	Sec. 12-2-25(G)(i)
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Landscape Standards and Guidelines	Sec. 12-2-25(H)
Intent	Sec. 12-2-25(H)(a)
Landscape on Private Property	Sec. 12-2-25(H)(b)
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Landscape in the Public Right-of-Way	Sec. 12-2-25(H)(d)
Thoroughfare Standards and Guidelines	Sec. 12-2-25(I)
Context Classification	Sec. 12-2-25(I)(a)
Street Design	Sec. 12-2-25(I)(b)
Definitions	Sec. 12-2-25(J)

(A) *Intent.* The requirements set forth in this Section are intended to:

- (a) Preserve and maintain the urban pattern and architectural character of Pensacola's community redevelopment areas, while encouraging new construction that is compatible with that heritage, but also reflective of its time.
- (b) Improve the physical appearance of the community redevelopment areas with urban design standards that provide more predictable results in terms of the form and character of buildings.
- (c) Support the removal of blight within the community redevelopment areas by encouraging quality redevelopment.
- (d) Support the future growth of Pensacola, to ensure compatible and cohesive development, to remain resilient long-term, and to support the goals, objectives and policies of the City's Comprehensive Plan and community redevelopment area master plans.
- (e) Coordinate the placement, orientation, and design of buildings to ensure a coherent and walkable streetscape and traditional urban character by creating well-defined street edges with continuous building walls, articulated facades, and architectural features that create visual interest and an attractive pedestrian environment.

- (f) Capitalize on opportunities to attract and grow a variety of residential building types, retail, service, and cultural establishments to serve local needs, create regional attractions and a robust economic base.
 - (g) Enable and encourage mixed-use development within the community redevelopment areas in support of viable and diverse locally-oriented business and cultural institutions.
 - (h) Achieve context-based development and complete streets.
- (B) *Boundaries of the District.* The boundaries of the CRA Urban Design Overlay District shall be as outlined on Figure 12-2-25.1.

Figure 12-2-25.1 - CRA Urban Design Overlay District Boundaries



- (C) *Applicability.*
- (a) These standards shall apply to all new construction and substantial modifications within the CRA Urban Design Overlay District, as defined by the Florida Building Code.
 - (b) This Section [Sec. 12-2-25., CRA Urban Design Overlay District] shall apply as an overlay to the underlying land development regulations. The land development regulations contained within Title XII (Land Development Code) shall apply unless pre-empted by this Section. Where a conflict exists between this Section and the underlying land

development regulations, contained within Title XII (Land Development Code), this Section shall prevail.

- (c) Standards, activated by "shall", are regulatory in nature, as defined within Sec. 12-1-8 (general interpretative terms). Deviations from these standards shall only be permitted by variance in accordance with Sec. 12-12-2 (appeals and variances).
- (d) Guidelines, activated by "should", are encouraged and recommended but not mandatory, as defined within Sec. 12-1-8 (general interpretative terms). Developments subject to this overlay district are encouraged to incorporate them as appropriate in order to enhance and complement the built and natural environment. The intent is to create the highest level of design quality while providing the needed flexibility for creative site design.
- (e) Figures, tables and illustrations shall be interpreted as defined in Sec. 12-1-8 (general interpretative terms) unless the context clearly indicates otherwise.

(D) *Existing Conditions.*

- (a) Existing buildings and structures that do not conform to the requirements of this overlay district may be occupied, operated, repaired, renovated or otherwise continue in use in their existing non-conforming state until such time as a substantial modification is requested, as defined by the Florida Building Code.
- (b) The adaptive re-use of a building shall not be required to comply with minimum height standards established in Sec. 12-2-25(G)(a).
- (c) The restoration or rehabilitation of an existing building does not require the provision of parking in addition to the existing, if less than six (6) new spaces are required.

(E) *Procedure for Review.* All development regulated by this subsection shall be subject to the submission requirements contained within Sec. 12-12-5 (building permits) and Sec. 12-2-81 (development plan requirements), as applicable. In addition to the plan submission requirements listed in Sec. 12-12-5 and 12-2-81, drawings illustrating compliance with Sec. 12-2-25 (CRA Urban Design Overlay District) shall be provided. Plans shall include drawings or sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of the building (both before and after the proposed work

is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plat plan or site layout, including all site improvements or features such as walls, fences, walkways, terraces, landscaping, accessory buildings, paved areas, signs, lights, awnings, canopies, screening and other appurtenances. Façade and frontage yard types shall be specified along frontages in accordance with Table 12-2-25.10 (Façade Types) and Table 12-2-25.9 (Frontage Yard Types).

(F) *Appeals and Variances.* Appeals and variances shall be subject to Sec. 12-12-2 (appeals and variances).

(G) *Urban Design Standards and Guidelines.*

(a) *Building Height.*

- (a) *Intent.* Within the overlay district, height for single family residential types will be measured in feet and multi-family, mixed-use and non-residential buildings will be measured in stories. Measuring height in stories rather than feet has numerous benefits which include: a) to provide greater creativity for a natural variety of roof forms; b) to recognize the need of different users, as commercial floor plates are different than residential floor plates; c) to remove the incentive to create short floorplates, and instead encourage more gracious floor-to-ceiling heights for environmental health, without penalizing property owners; and d) to protect the historical proportions of Pensacola's community redevelopment areas.
- (b) Maximum building heights for principal and accessory buildings shall be as defined by the Form Standards in Tables 12-2-25.3 to 12-2-25.8.
- (c) Building height is measured as follows:
 - 1. Where maximum height is specified, the measurement shall be taken from the average grade at the front property line.
 - 2. Building height shall be measured in feet for single family residential types as defined in the Form Standards in Tables 12-2-25.3 to 12-2-25.8 and as follows:

- a. For pitched roof buildings, to the bottom of the lowest eave of the principal structure.
 - b. For flat roof buildings, to the bottom of the parapet.
 - c. Minimum floor to ceiling height in single-family residential types shall be nine (9) feet per floor.
3. Building height shall be measured in stories for multi-family, mixed use and nonresidential buildings as follows:
- a. Multi-family buildings shall be limited by ground floor story and above ground story height in accordance with Table 12-2-25.1:

Table 12-2-25.1 - Multi-family Story Height Requirements

Zoning Category	Ground Floor Story Height		Above Ground Story Height
	Max.	Min.	Max.
R-2A through C-3	16 ft.	12 ft.	14 ft.

- b. Mixed use and non-residential buildings shall be limited by ground floor story and above ground story height in accordance with Table 12-2-25.2:

Table 12-2-25.2 - Mixed Use/Non-Residential Story Height Requirements

Zoning Category	Ground Floor Story Height		Above Ground Story Height
	Max.	Min.	Max.
R-1AAA through R-2A	16 ft.	12 ft.	14 ft.
R-NC, R-NCB and R-2	20 ft.	14 ft.	14 ft.
C-1, C-2, C-2A and C-3	24 ft.	14 ft.	14 ft.

- c. Stories are measured from finished floor to finished floor with the exception of one (1) story buildings which shall be measured floor to ceiling.
- d. Story heights which exceed the maximum permitted height specified in Tables 12-2-25.1 and 12-2-25.2 shall count as two (2) stories. Height defined within this subsection shall not supersede height as defined by the Florida Building Code.

4. See Illustration 12-2-25.1 for a depiction of height measurements in feet and stories.

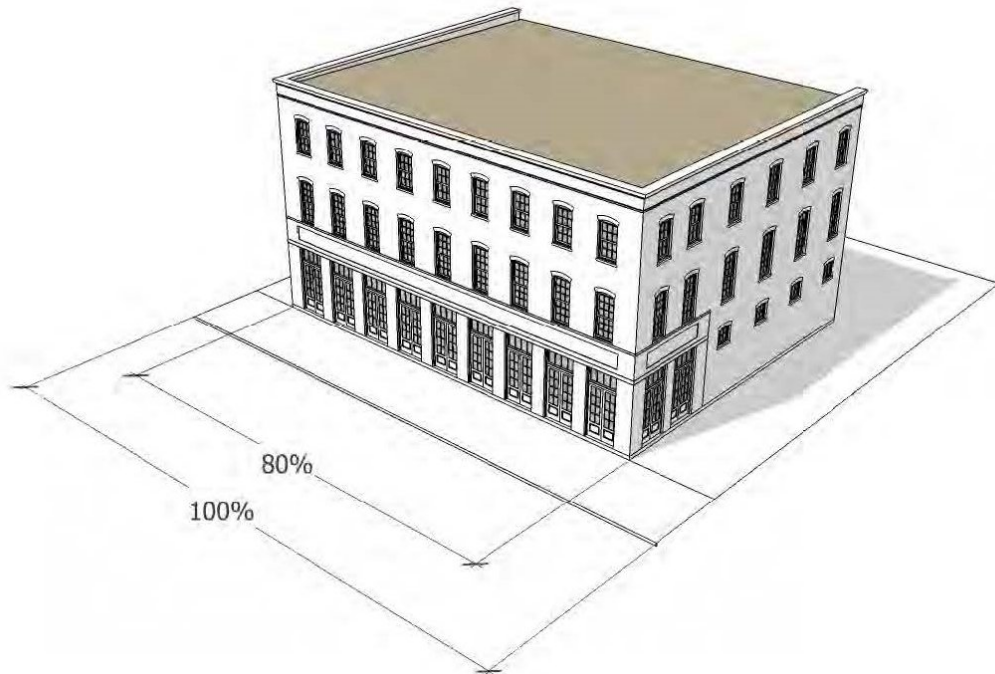
Illustration 12-2-25.1 – Measuring Building Height



- (d) Parking garages shall not exceed the height of the principal building on the site. Parking garages shall not be subject to floor to floor height requirements according to Sec. 12-2-25(G)(a)(c)3. Stand-alone parking garages shall only conform to the number of stories permitted within the Form Standards in Tables 12-2-25.3 to 12-2-25.8.
- (e) *Roof Pitch.*
1. Gable or hipped roofs shall have a minimum pitch of 6:12 and a maximum pitch of 12:12.
 2. Shed roofs shall have a minimum pitch of 4:12.
- (b) *Building Orientation.*
- (a) *Intent.* Buildings should have their principal pedestrian entrance along a street, pedestrian way or open space, with the exception of entrances off a courtyard, visible from public right-of-ways.
- (b) Building frontage occupation shall conform to the Form Standards in Tables 12-2-25.3 to 12-2-25.8.

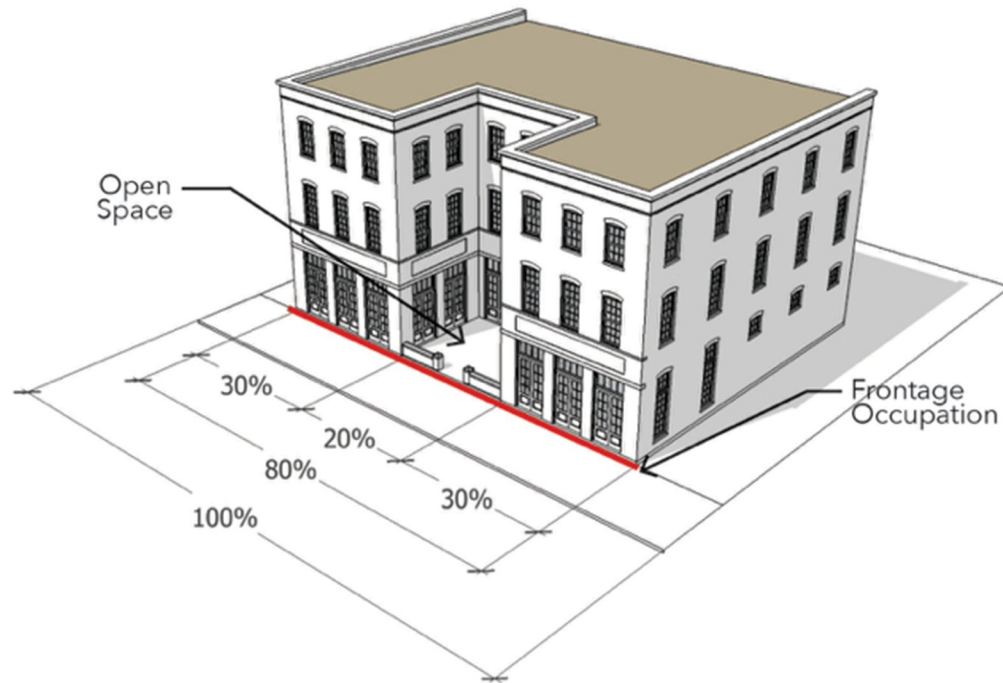
- (c) Buildings shall be oriented so that the principal façade is parallel to the street it faces for the minimum building frontage occupation required in the Form Standards in Tables 12-2-25.3 to 12-2-25.8. See Illustration 12-2-25.2 for a depiction of minimum frontage occupation requirements.

Illustration 12-2-25.2 - Minimum Building Frontage Occupation



- (d) Lot width shall be measured along the right-of-way at the front property line. Lot width measurements at the building setback line shall not apply.
- (e) Forecourts, courtyards and other such defined open spaces shall count towards minimum frontage requirements. See Illustration 12-2-25.3 for an illustration depicting minimum frontage occupation requirements with open space.

Illustration 12-2-25.3 - Minimum Building Frontage Occupation with Open Space



- (f) Ground floor units in multi-family residential buildings shall provide landscaping, walls, and/or fences that provide some privacy for the building.

(c) *Building Massing.*

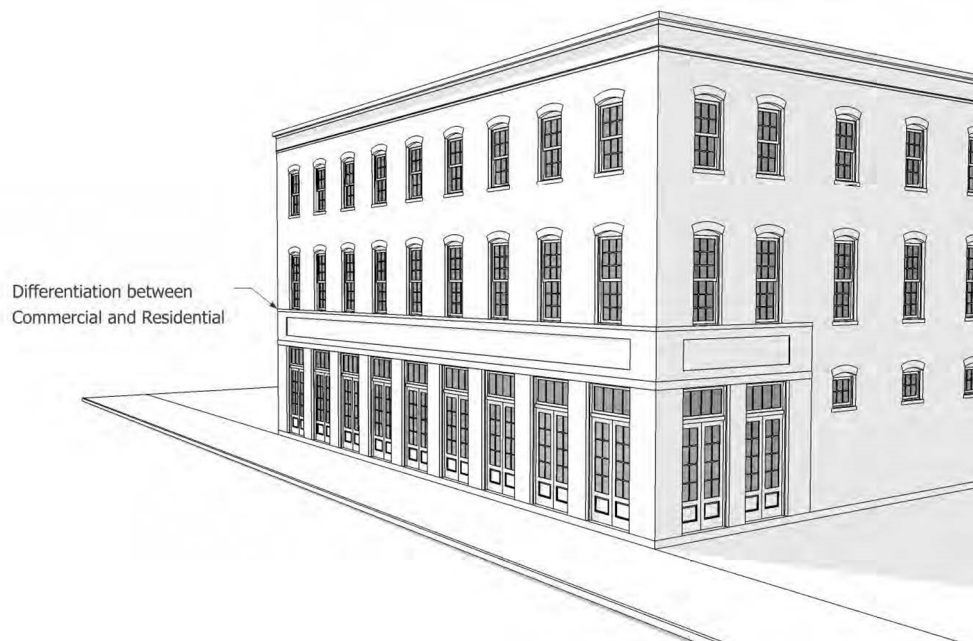
- (a) *Intent.* Buildings should be designed in proportions that reflect human-scaled pedestrian movement, and to encourage interest at the street level.
- (b) Where provided, multi-family building courtyards shall maintain a minimum width to height ratio of 1 to 3 in at least one dimension in order to avoid light well conditions. Courtyards should be wider than the minimum where possible. See Illustration 12-2-25.4 for depiction of courtyard ratio measurements.

Illustration 12-2-25.4 – Courtyard Height to Width Ratio Measurements



- (c) The design and façade treatment of mixed-use buildings shall differentiate commercial from residential uses with distinguishing expression lines (such as cornices, projections, banding, awnings, terraces, etc.), changes in fenestration, façade articulation and/or material changes. See Illustration 12-2-25.5 for depiction of mixed use building differentiation of uses.

Illustration 12-2-25.5 – Mixed Use Building Differentiation of Uses

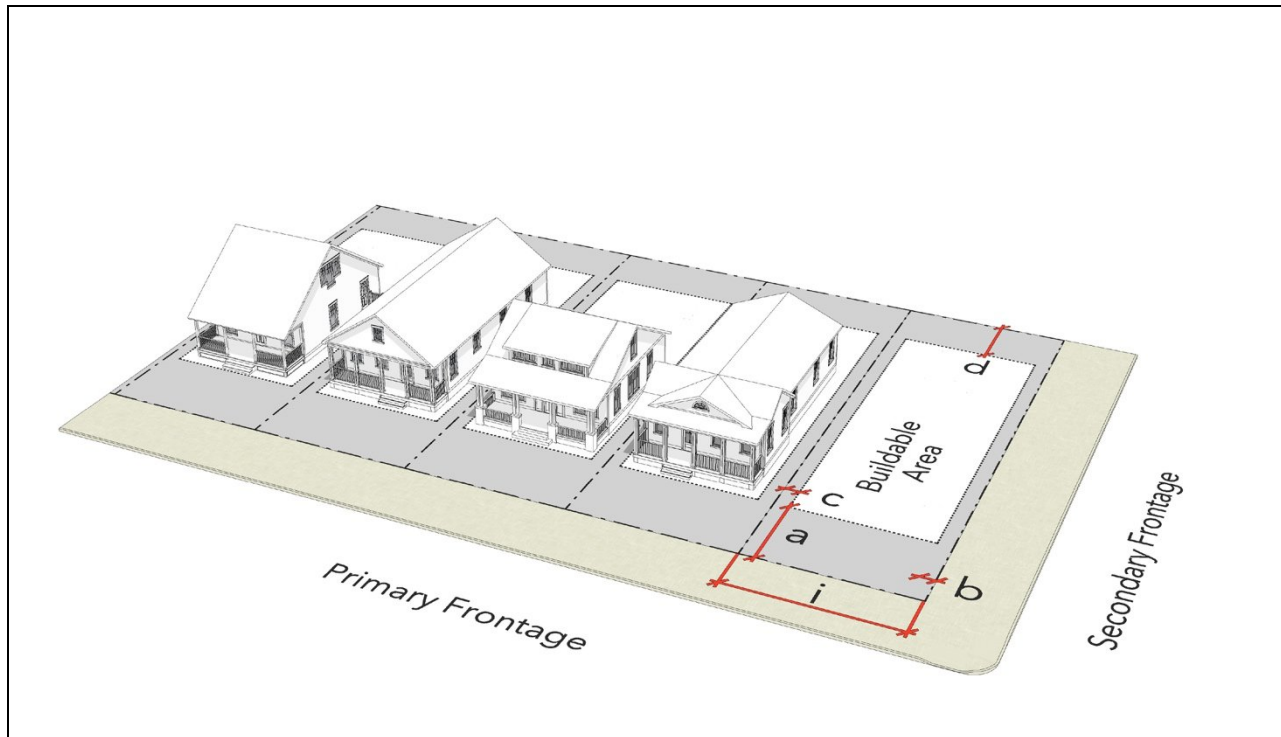


- (d) Single-family units shall be distinguished from abutting units with changes in unit entry, plane, color, materials, front porches, front stoops, fenestration, and/or building elements such as railings.
 - (e) All service and loading areas shall be entirely screened from public right-of-way as follows:
 - 1. Equipment shall be screened.
 - 2. If outdoor storage areas are separate from the building they serve, the fence materials shall be limited to masonry, concrete, stucco, wood, PVC and metal, excluding chain-link.
 - (f) HVAC and mechanical equipment are restricted as follows:
 - 1. They shall be prohibited in frontage yards.
 - 2. They shall be integrated into the overall building design and not be visible from adjoining streets and or open spaces.
 - 3. Through-wall units shall be prohibited along street frontages and open spaces, unless recessed within a balcony.
 - (g) Mechanical equipment on roofs shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same.
 - (h) Roof top parking shall be visually screened with articulated parapet walls or other architectural treatment.
 - (i) Exterior wall materials prohibited for all single family residential types shall include:
 - 1. Corrugated metal panels; and
 - 2. Exposed concrete block.
 - (j) Material requirements contained within Sec. 12-2-82(C)(8)(Design standards and guidelines) shall apply within the CRA Urban Design Overlay District.
- (d) *Form Standards.*
- (a) Form standards within the CRA Urban Design Overlay District shall be as defined in Tables 12-2-25.3 to 12-2-25.8.

(b) Exceptions to Form Standards.

1. Front setbacks in R-1AAA, R-1AA, and R-1A shall not be less than the average setback of all frontage yards (front and exterior side yards) located on either side of the block face, up to the minimum front setback defined in Form Standards in Tables 12-2-25.3 and 12-2-25.5. In cases where no other dwellings exist within the block, the front setback shall be no less than the front setback defined in Form Standards in Tables 12-2-25.3 and 12-2-25.5.
2. Each single-family attached dwelling unit shall be located on its own lot. If a development requires subdivision procedures it shall be subject to and must comply with subdivision regulations as set forth in Chapter 12-8.
3. Where lot occupation and setback standards differ from the Dense Business Area (DBA), as defined in Chapter 12-14 (definitions), the standards in the DBA shall prevail.

Table 12-2-25.3 –Single Family Detached and Two-Family Attached (Duplex) Residential Building Types–
R-1AAA through R-1A

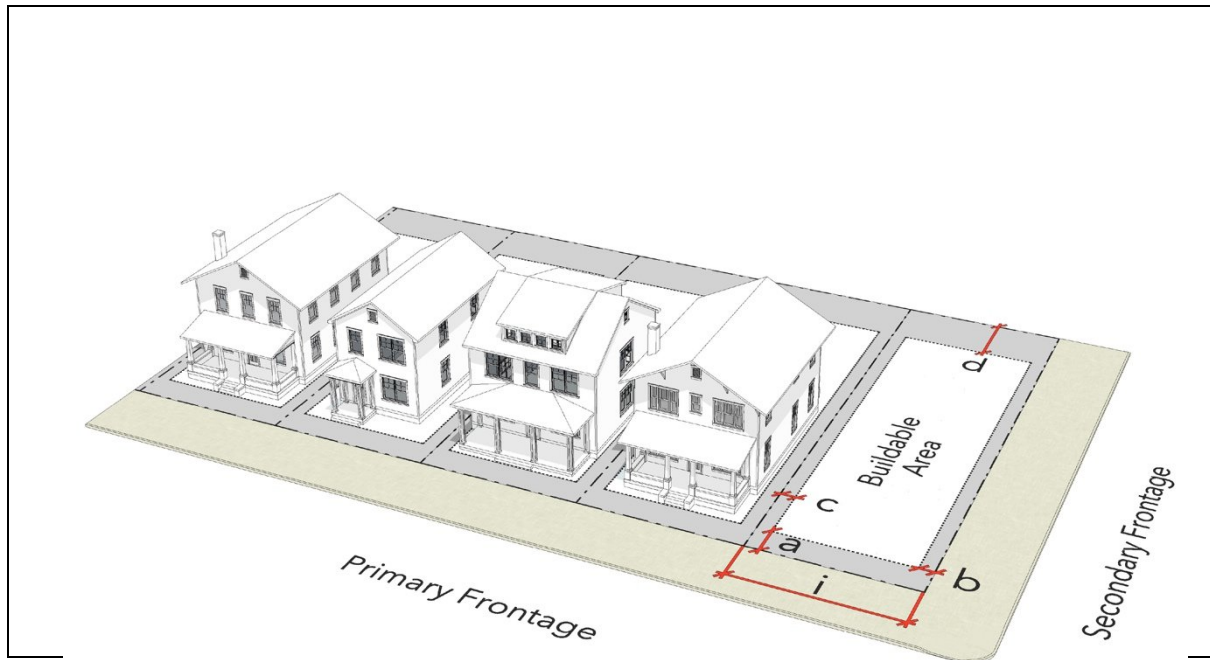


Setbacks - Principal Building (feet)			Setbacks - Accessory Building (feet)		
a	Front	20 min.	a	Front	50 min.
b	Front, Secondary ⁽⁴⁾	5 min.	b	Front, Secondary ⁽⁴⁾	5 min.
c	Side (Interior) ⁽⁴⁾	5 min.	c	Side (Interior)	1 min.
d	Rear	30 min./ 20 min. (30' lots)	d	Rear	3 min.
Frontage (min.)			Frontage Yard Types		
	Primary	45% / 40% (lots<42')	Standard		Permitted
			Shallow		Not Permitted
			Urban		Not Permitted
			Pedestrian Forecourt		Not Permitted
			Vehicular Forecourt		Not Permitted
Lot Occupation			Facade Types		
i	Lot Width ⁽³⁾	30 ft. min.	Porch		Permitted
	Lot Coverage	50% max.	Stoop		Not Permitted
Building Height (max.)			Common Entry		Not Permitted
	Principal Building ⁽¹⁾	35 ft.	Gallery		Not Permitted
	Accessory Building ⁽¹⁾	24 ft.	Storefront		Not Permitted
Parking (min.)					
	Off-street ⁽²⁾	1/unit			

Notes:

- (1) Measured according to Section 12-2-25(G)(a)(c).
- (2) See Section 12-2-25(G)(h)(b) for exceptions.
- (3) Lot width shall only be measured from the right-of-way line. Lot width at the building setback line shall not apply.
- (4) Minimum setback for thirty-foot (30') lots shall be three (3) feet measured from the finished wall or the minimum setback required per applicable Florida Building Code.

Table 12-2-25.4 –Single-Family Detached and Two-Family Attached (Duplex) Residential Building Types–
R-1B through C-3

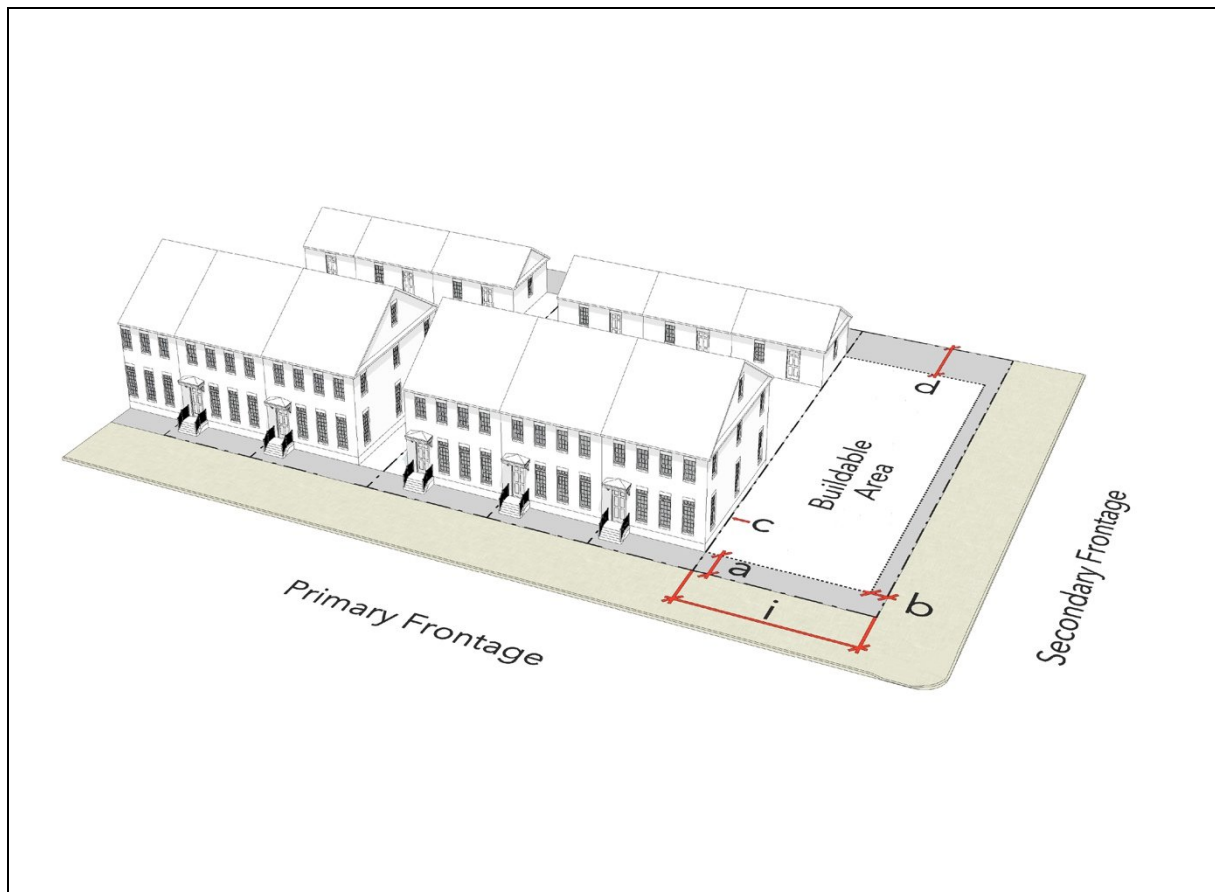


Setbacks - Principal Building (feet)		Setbacks - Accessory Building (feet)	
a	Front	8 min. / 20 max.	50 min.
b	Front, Secondary ⁽⁴⁾	5 min.	5 min.
c	Side (Interior) ⁽⁴⁾	5 min.	1 min.
d	Rear	25 min./20 min. (30' lots)	3 min.
Frontage (min.)		Frontage Yard Types	
Primary		45% / 40% (lots<42')	
Standard		Permitted	
Shallow		Permitted	
Urban		Not Permitted	
Pedestrian Forecourt		Not Permitted	
Vehicular Forecourt		Not Permitted	
Lot Occupation		Facade Types	
i	Lot Width ⁽³⁾	30 ft. min.	
	Lot Coverage	50% max.	
Porch		Permitted	
Stoop		Not Permitted	
Common Entry		Not Permitted	
Gallery		Not Permitted	
Storefront		Not Permitted	
Building Height (max.)		Parking (min.)	
Principal Building ⁽¹⁾		35 ft.	
Accessory Building ⁽¹⁾		24 ft.	
Off-street ⁽²⁾		1/unit	

Notes:

- (1) Measured according to Section 12-2-25(G)(a)(c).
- (2) See Section 12-2-25(G)(h)(b) for exceptions.
- (3) Lot width shall only be measured from the right-of-way line. Lot width at the building setback line shall not apply.
- (4) Minimum setback for thirty-foot (30') lots shall be three (3) feet measured from the finished wall or the minimum setback required per applicable Florida Building Code.

Table 12-2-25.5 –Single-Family Attached (Townhouse) Residential Building Types – R-1AA through C-3



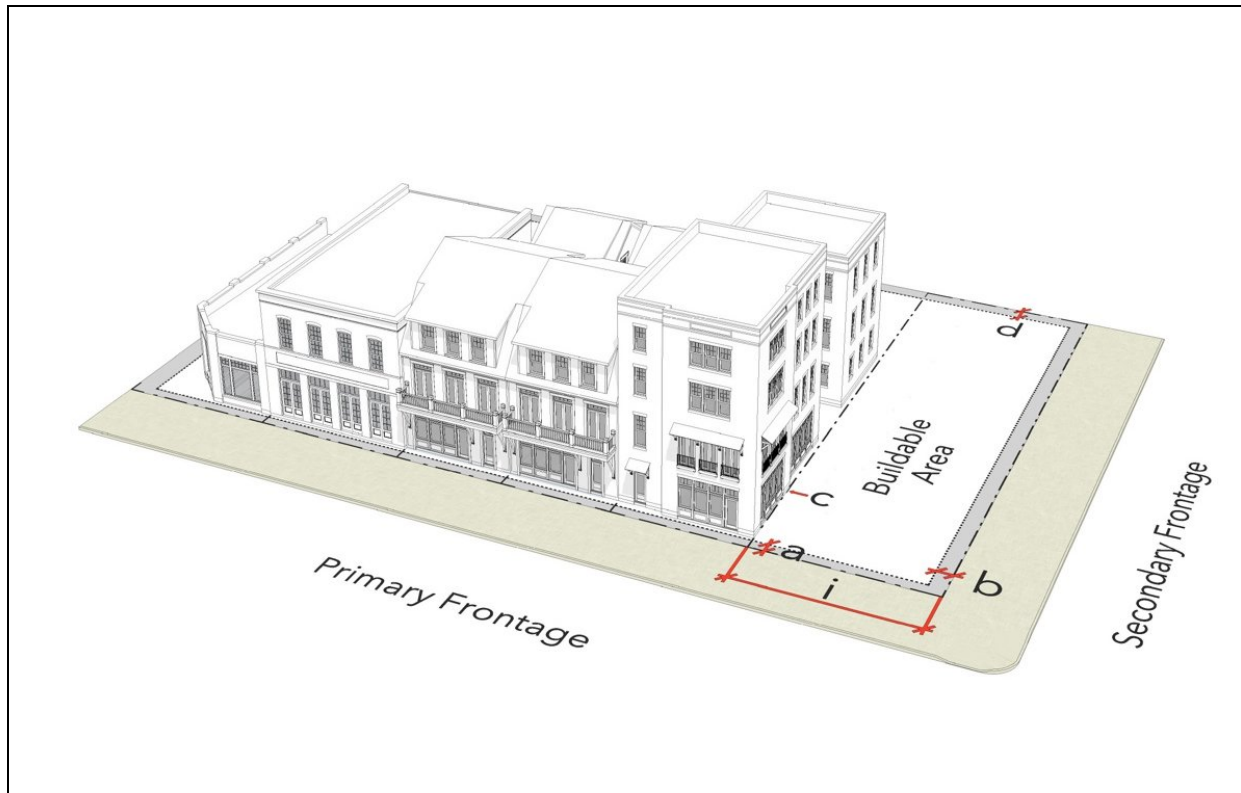
Setbacks - Principal Building (feet)		
a	Front	8 min.
b	Front, Secondary	5 min.
c	Side (Interior) ⁽¹⁾	0 or 5 min.
d	Rear	25 min.
Frontage (min.)		
	Primary	80%
Lot Occupation		
i	Lot Width	16 ft. min.
	Lot Coverage	75% max.
Building Height (max.)		
	Principal Building ⁽²⁾	45 feet
	Accessory Building ⁽²⁾	24 feet
Parking (min.)		
	Off-street	1/unit

Setbacks - Accessory Building (feet)		
a	Front	50 min.
b	Front, Secondary	5 min.
c	Side (Interior)	1 min.
d	Rear	3 min.
Frontage Yard Types		
Standard		Not Permitted
Shallow		Permitted
Urban		Not Permitted
Pedestrian Forecourt		Not Permitted
Vehicular Forecourt		Not Permitted
Facade Types		
Porch		Permitted
Stoop		Permitted
Common Entry		Not Permitted
Gallery		Not Permitted
Storefront		Not Permitted

Notes:

- (1) Mid-block units shall have a minimum 10 foot separation from each other.
- (2) Measured according to Section 12-2-25(G)(a)(c).

Table 12-2-25.6 – Multi-Family, Mixed Use, Neighborhood Commercial and Commercial Building Types
– R-1B through C-2A



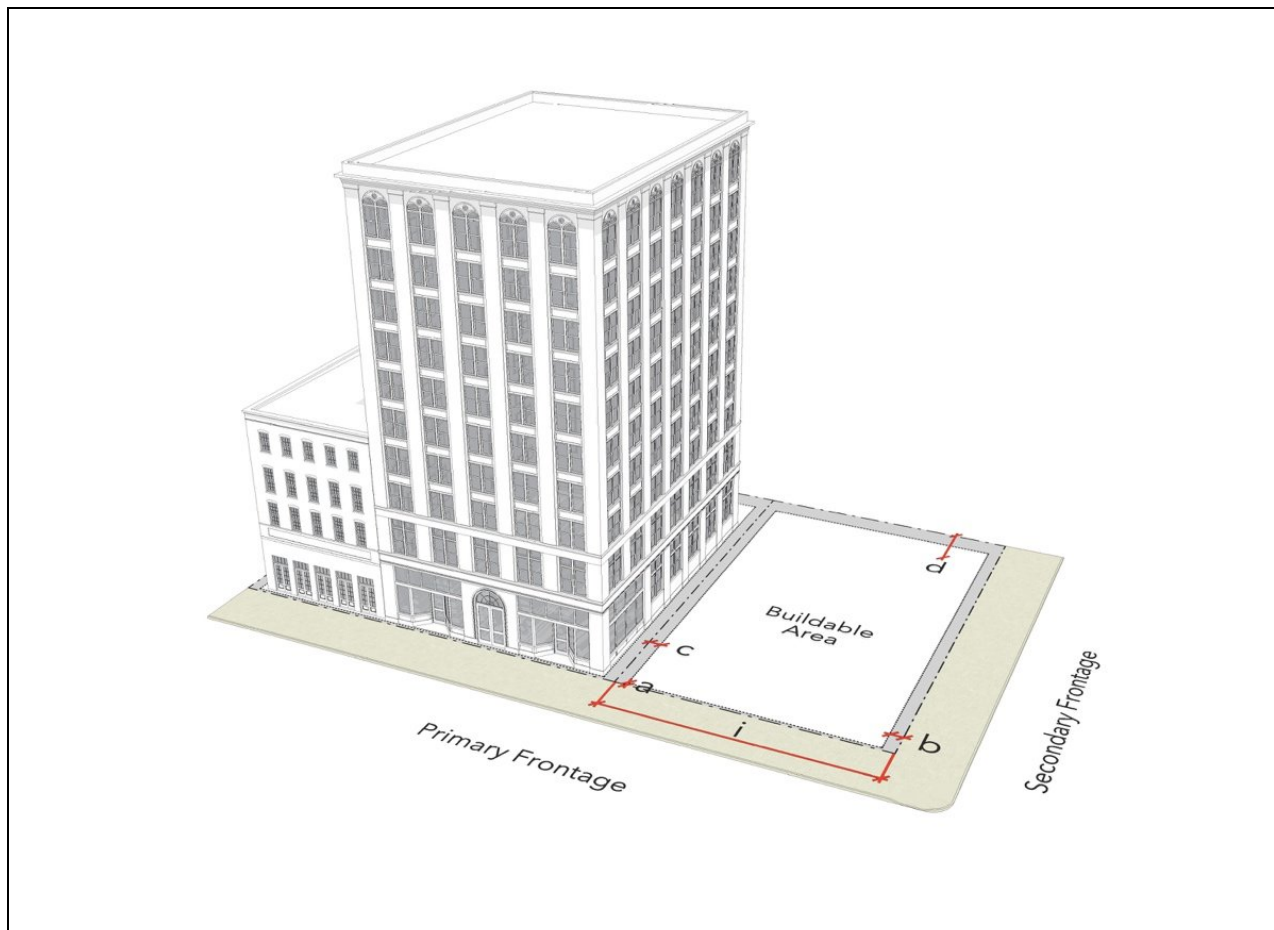
Setbacks - Principal Building (feet)		
a	Front (Com./Res.) ⁽¹⁾	5 max. / 15 max.
b	Front, Secondary (Com./Res.)	5 max. / 15 max.
c	Side (Interior)	0 or 5 min.
d	Rear	none
Frontage (min.)		
	Primary	80%
Lot Occupation		
i	Lot Width	16 ft. min.
	Lot Coverage	75% max.
Building Height (max.)		
	Principal Building ⁽²⁾	4 stories
	Accessory Building	N/A
Off-street Parking (min.)		
	Residential	1/unit
	Commercial	Per Sec. 12-2-25(G)(h)

Setbacks - Accessory Building (feet)	
Front	N/A
Front, Secondary	N/A
Side (Interior)	N/A
Rear	N/A
Frontage Yard Types	
Standard	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted
Facade Types	
Porch	Not Permitted
Stoop	Permitted
Common Entry	Permitted
Gallery	Permitted
Storefront	Permitted

Notes:

- (1) Lots within the Dense Business Area shall be permitted the lesser front setback.
- (2) Measured according to Section 12-2-25(G)(a)(c).

Table 12-2-25.7 –Multi-Family, Mixed Use and Commercial Building Types – C-2, C-3*



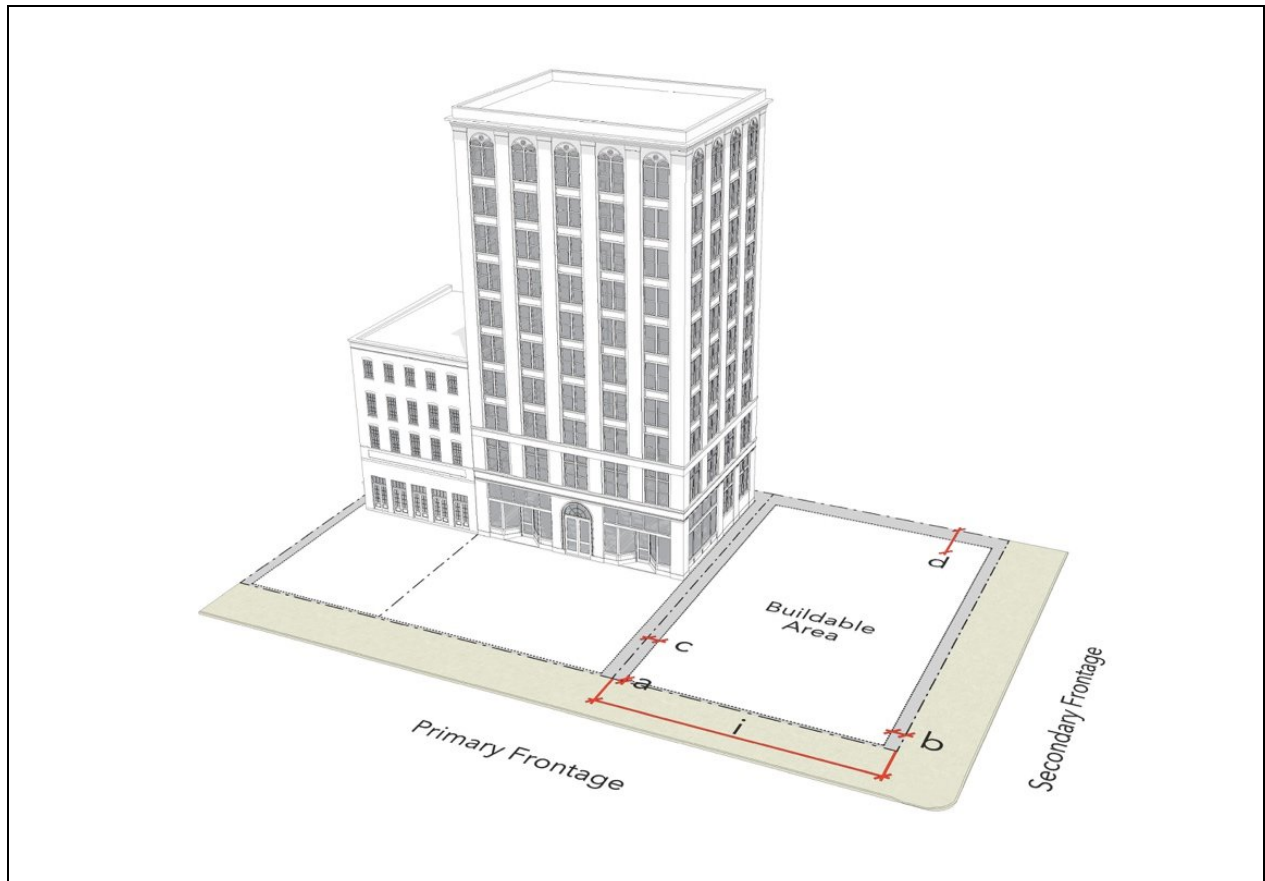
Setbacks - Principal Building (feet)		
a	Front (Com./Res) ⁽¹⁾	5 max. / 15 max.
b	Front, Secondary (Com./Res)	5 max. / 15 max.
c	Side (Interior)	0 or 5 min.
d	Rear	none
Frontage (min.)		
	Primary	80.0%
Lot Occupation		
i	Lot Width	16 ft. min.
	Lot Coverage	100% max.
Building Height (max.)		
	Principal Building ⁽²⁾	10 stories
	Accessory Building	N/A
Off-street Parking (min.)		
	Residential	1/unit
	Commercial	Per Sec. 12-2-25(G)(h)

Setbacks - Accessory Building (feet)	
Front	N/A
Front, Secondary	N/A
Side (Interior)	N/A
Rear	N/A
Frontage Yard Types	
Standard	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted
Facade Types	
Porch	Not Permitted
Stoop	Not Permitted
Common Entry	Permitted
Gallery	Permitted
Storefront	Permitted

Notes:

- (1) Lots within the Dense Business Area shall be permitted the lesser front setback.
- (2) Measured according to Section 12-2-25(G)(a)(c).

Table 12-2-25.8 – Hybrid Commercial: Multi-family, Mixed Use and Commercial Building Types - C-3 along C3C FDOT Context Zone)



Setbacks - Principal Building (feet)		
a	Front	60 max.
b	Front, Secondary	40 max.
c	Side (Interior)	0 or 5 min.
d	Rear	none
Frontage (min.)		
	Primary	60%
Lot Occupation		
i	Lot Width	16 ft. min.
	Lot Coverage	100% max.
Building Height (max.)		
	Principal Building (1)	10 stories
	Accessory Building	N/A
Off-street Parking (min.)		
	Residential	1/unit
	Commercial	Per Sec. 12-2-25(G)(h)

Setbacks - Accessory Building (feet)		
	Front	N/A
	Front, Secondary	N/A
	Side (Interior)	N/A
	Rear	N/A
Frontage Yard Types		
	Standard	Not Permitted
	Shallow	Permitted
	Urban	Permitted
	Pedestrian Forecourt	Permitted
	Vehicular Forecourt	Permitted
Facade Types		
	Porch	Not Permitted
	Stoop	Not Permitted
	Common Entry	Permitted
	Gallery	Permitted
	Storefront	Permitted

Notes:

⁽¹⁾ Measured according to Section 12-2-25(G)(a)(c).

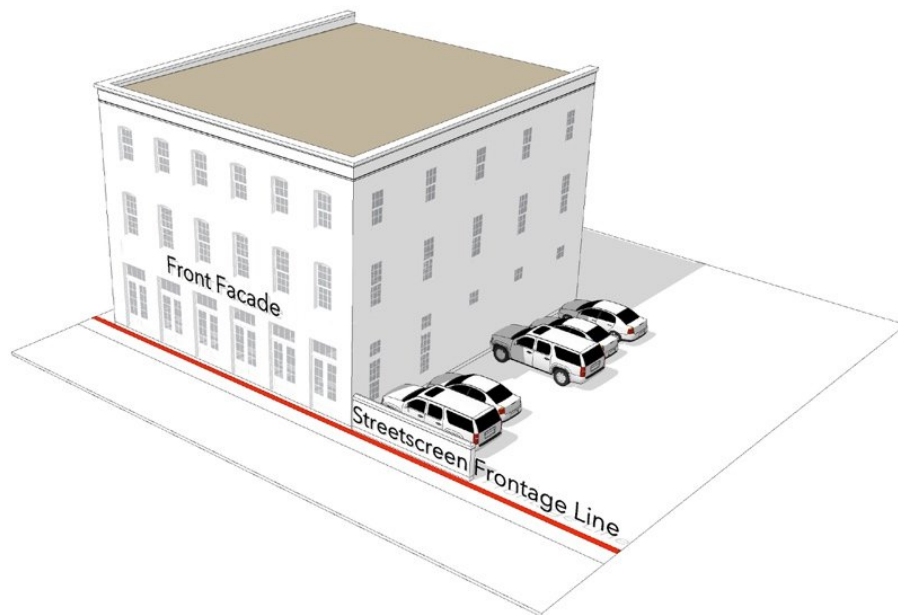
(e) *Frontage Types.*

- (a) *Intent.* New buildings proposed for existing neighborhoods should be compatible with or complement the architectural character and siting pattern of neighboring buildings. Maintaining a consistent street-wall is a fundamental component for a vibrant pedestrian life and a well-defined public realm. Buildings closely aligned to the street edge with consistent setbacks, provide a clear sense of enclosure of streets, enabling them to function as pedestrian-scaled outdoor rooms. The placement of buildings along the edge of the sidewalk should be given particular attention as it is that portion of the buildings that is the primary contributor to pedestrian activity.
- (b) Frontage yard type shall be selected and specified along frontages in accordance with the Frontage Yard Types in Table 12-2-25.9, and subject to the standards and guidelines in this Section, including the Form Standards in Tables 12-2-25.3 to 12-2-25.8.
- (c) In addition to the frontage yard type standards contained within Table 12-2-25.9, the following shall be required:
 - 1. Frontage yards shall be wholly open to the sky and unobstructed, except for trees, roof projections, and permitted encroachments attached to principal buildings and/or accessory buildings.
 - 2. Impervious surfaces and walkways in frontage yards shall be subject to the following requirements:
 - a. Where single family attached units occupy a common site, each attached single-family unit with an entrance towards a frontage shall have a walkway connecting the sidewalk to the attached single-family entrance. See Table 12-2-25.9.A (Frontage Yard Types - Shallow Yard) for an illustration depicting single family attached walkway connections.
 - b. At cluster courts, the shared court shall have a walkway connecting the sidewalk at the primary frontage with building entries. See Table 12-2-25.9.B (Frontage Yard Types - Cluster Court) for an illustration depicting cluster court walkway connections.
 - 3. In R-NC, R-NCB, R-2, C-1, C-2, C-2A, and C-3, any portion of a frontage not occupied by buildings,

driveways, or walkways shall be lined with a streetscreen as follows:

- a. Streetscreens shall meet the fencing and wall standards according to the Frontage Yard Types specified in Table 12-2-25.9.
- b. Streetscreens shall be coplanar with the primary building façade, as depicted in Illustration 12-2-25.6 below.

Illustration 12-2-25.6 – Streetscreen Illustrated



4. Street trees and landscaping in frontage yards shall comply with the requirements of Sec. 12-2-25(H).
5. Stormwater ponds shall be prohibited along frontages.
6. Frontage yard setbacks shall be as follows:
 - a. Buildings shall be set back in accordance with the Form Standards specified in Tables 12-2-25.3 to 12-2-25.8.
 - b. Where maximum setbacks are specified, they pertain only to the amount of building façade required to meet the minimum building frontage occupation requirements defined in the Form Standards specified in Tables 12-2-25.3 to 12-2-25.8.

Table 12-2-25.9 – Frontage Yard Types

A. Standard Yard (Fenced or not)	
Illustration	
Surface	50% minimum shall be pervious material. A minimum of one (1) tree is required per Section 12-2-25(F)(A). Paving is limited to walkways, and driveways.
Walkways	One (1) per frontage connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted along frontage lines, and according to Section 12-2-25(E)(H).
B. Cluster Court	
Illustration	
Surface	A minimum 50% of the court shall be landscaped with ground cover, trees, or understory trees. Paving is limited to walkways, and driveways.
Walkways	Court shall be a minimum 20 feet wide and a min. 1,000 sq.ft. in size, and shall have a walkway connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted except along street frontages, fronted by a shared court, according to Section 12-2-25(E)(H).

C. Shallow Yard

Illustration	
Surface	Maximum setback of eight (8) feet. 50% minimum shall be landscaped in R-1A, and R-1B and up to 100% may be paved in R-NC and R-NCB.
Walkways	1 per frontage connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted interior to the building setback line at primary street frontages. Permitted at or interior to secondary street frontage lines according to Section 12-2-25(E)(H).

D. Urban Yard

Illustration	
Surface	Shall be paved at sidewalk grade.
Walkways	Shall be paved at sidewalk grade. Vegetation is permitted in raised containers.
Fencing	Not permitted

E. Pedestrian Forecourt

Illustration	
Surface	Minimum 80% paving-
Fencing	Permitted at or interior to building setback lines and according to Section 12-2-25(E)(H).
Area	Forecourt: A minimum 20 ft. wide up to 30% of the allowable frontage, and a maximum 50 ft. deep.
Activation	Shall be lined with habitable space on 3-sides, or on 2-sides at corner sites.

F. Vehicular Forecourt

Illustration	
Surface	Driveway shall be paved at sidewalk grade. The remainder of front setback may be paved or landscaped.
Fencing	Low wall, maximum 24 inches high, of either brick, or stone is permitted.
Area	Forecourt: 4,200 sq.ft. maximum
Activation	Shall be lined with habitable space on 3-sides, or on 2-sides at corner sites.

(f) *Building Elements.*

- (a) *Intent.* Buildings should be architecturally articulated with such elements as distinguishing expression lines, changes in fenestration, material and/or color and designed in proportions that reflect human-scaled pedestrian movement to encourage interest at the street level.
- (b) *Façade Types.* Façade Types shall be as follows:
 - 1. Porches, stoops, common entries, galleries and storefronts shall constitute allowable Façade Types as defined in Table 12-2-25.10 in accordance with the Form Standards in Tables 12-2-25.3 to 12-2-25.8.
 - 2. Façade Types shall be selected and specified along frontages in accordance with Table 12-2-25.10.
 - a. Porches shall not be required for single family detached and two family (duplex).
 - 3. Projections into setbacks shall be permitted as follows:
 - a. Roof overhangs, cornices, window and door surrounds and other facade decoration may project up to two (2) feet.
 - b. Where permitted, shading devices may project into the front setback up to the property line with a minimum eight (8) foot clearance.
 - c. Balconies may project up to three (3) feet.
 - d. Bay windows may project up to three (3) feet.
 - e. Porches and stoops may project in accordance with the Façade Types defined in Table 12-2-25.10.
 - f. Projections shall not, in any instance, exceed beyond the property line.

Table 12-2-25.10 – Façade Types

A: Porch		
Entry Grade	Minimum 18 inches above average finished grade	
Requirements	• Required at the primary building entrance. • Porches shall be a minimum 6 feet in depth. • Porches and related structures may project into front setbacks a maximum 10 feet. • Porch openings shall be vertical in proportion. • Porches shall be a maximum 10 feet in height. Columns shall have a minimum diameter of six (6) inches, and should have a capital and a base.	
B: Stoop		
Entry Grade	Minimum 34 inches above average finished grade	
Requirements	• A stoop is required at building entrances, projecting from the facade. • Wood is prohibited for stoop railings. • Stoops and related structures may project into front setbacks up to 100%.	

C: Common Entry

Entry Grade	Minimum 18 inches and a maximum 24 inches above average finished grade	
Requirements	• A single collective entry to a multi-family lobby is required at the primary building entrance. • Canopies and awnings are permitted to project into front setbacks up to 100% of their depth.	

D: Gallery

Entry Grade	At average sidewalk grade	
Requirements	• Where a gallery occurs, it is required along a minimum of 80% of the frontage. • Encroachments are permitted according to Section 12-2-25(E)(G). • Awnings are not permitted in galleries.	

E: Storefront

Entry Grade	At average sidewalk grade	
Requirements	• A storefront is required at the primary entrance of the tenant space. Storefronts are permitted according to Section 12-2-25(G)(f)(d).	

(c) *Building Entries.* Building entries shall be as follows:

1. Building entrances shall be clearly visible from the street.
2. One (1) building entry shall be provided every eighty (80) feet of facade leading to a habitable space.
3. Building entries for mixed use buildings shall differentiate entrances for residential and commercial uses.
4. Entries for multi-family buildings shall provide protection from the elements with canopies, marquees, recesses or roof overhangs.
5. Residential building entries shall be restricted as follows:
 - a. Single family and multi-family residential buildings shall be raised above average finished grade, at the front property line, according to Façade Types defined in Table 12-2-25.10.
 - b. In no instance shall single-family and multi-family residential building entries be raised less than eighteen (18) inches above average finished grade.
 - c. Entry grade shall be measured from the average finished grade to the first finished floor.
6. Mixed-use and commercial building entries shall be at average sidewalk grade.

(d) *Storefronts.*

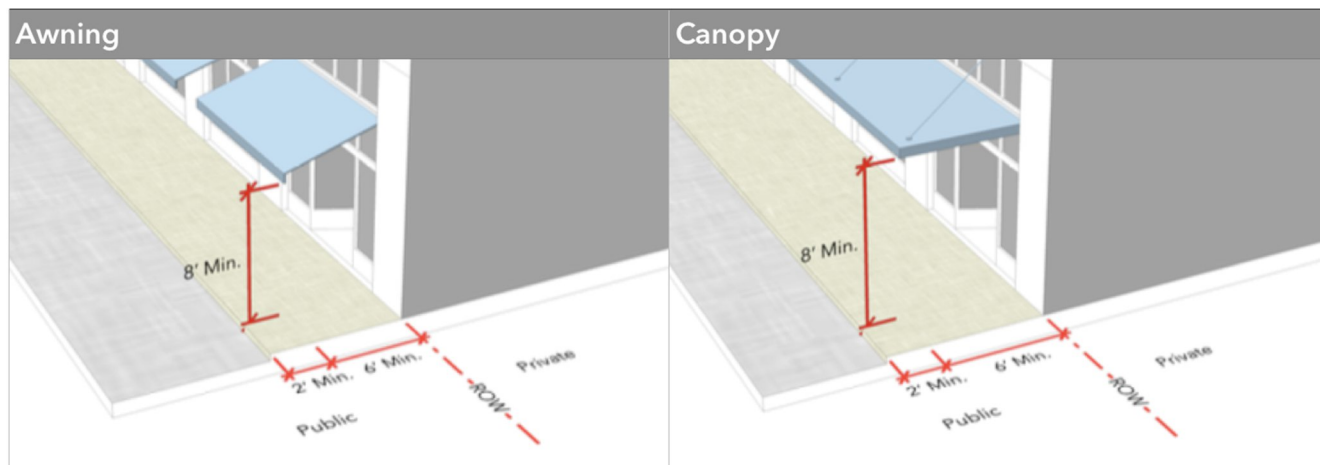
1. Intent. Storefronts should be architecturally articulated through the varied use of high-quality durable materials, display windows, entrances, awnings and buildings signs. Their signage, glazing and doors should be conceived as a unified design. High quality, durable materials are especially important at street level within reach of pedestrians.
2. Storefronts shall provide a minimum of 70% glazing (void to solid ratio of surface area along principal facades at the ground level).
3. Extruded aluminum storefront frames are discouraged, and where used, shall present a simple, relatively flat profile to avoid heavily extruded profiles.

4. Opaque, smoked, and reflective glass on storefront windows shall be prohibited. Low-E shall be permitted as per Florida Building Code.
5. Materials for storefronts shall consist of stone, brick, concrete, stucco, metal, glass, cementitious siding and/or wood. Construction detail and finish shall adhere to craftsman standards.
6. Outdoor dining areas on sidewalks and/or within the public right-of-way shall be permitted subject to the following standards:
 - a. Outdoor dining areas shall be separated from public walkways and streets using railings, fences, bollards, planters, and/or landscaping.
 - b. A minimum unobstructed pedestrian path of at least six (6) feet wide shall be provided along public right-of-ways.
 - c. Outdoor dining areas within the public right-of-way shall comply with Sec. 12-12-7 (license to use).

(g) Building Encroachments.

- (a) Encroachments located within the public right-of-way shall comply with Sec. 12-12-7 (license to use), Sec. 12-2-35 (visibility triangle) and any clearance standards established by the Engineering Division of the City of Pensacola Public Works and Facilities Department and the Florida Greenbook.
- (b) Awnings for storefronts and canopies are not subject to Sec. 12-12-7 (license to use) but shall be restricted as follows:
 1. Awning and canopies may project into the public right-of-way, up to a maximum of two (2) feet from the curb.
 2. Awnings and canopies shall be a minimum of six (6) feet in depth and have a minimum of eight (8) feet of vertical clearance. See Illustration 12-2-25.7 for a depiction of awning and canopy encroachment measurements.

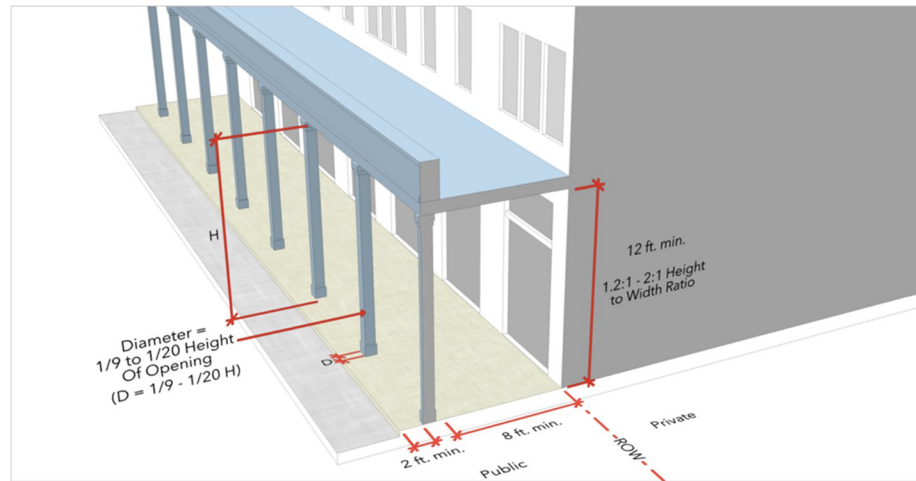
Illustration 12-2-25.7 – Awning and Canopy Encroachment Measurements



(c) Galleries shall be restricted as follows:

1. Galleries shall be subject to and shall comply with Sec. 12-12-7 (license to use).
2. Galleries shall not alter height or width along a building façade.
3. Galleries shall be a minimum of 8 feet in depth and a minimum of 12 feet in height, maintaining a 1.2:1 to a 2:1 height to width ratio, as depicted in Illustration 12-2-25.8.
4. Gallery columns should have a diameter between 1/9th and 1/20th their height, measured from the base to the bottom of the entablature, as depicted in Illustration 12-2-25.8, and should have a capital and a base.
5. Galleries should encroach into building setbacks.
6. Galleries should encroach over sidewalks.
7. Where galleries encroach over sidewalks, they shall not extend beyond a maximum of two (2) feet from the curb, as depicted in Illustration 12-2-25.8.

Illustration 12-2-25.8 - Gallery Encroachments



(h) *Parking Access, Design and Reductions.*

- (a) Intent. The intent of these standards is to guide the placement and design of parking, when it is provided. Vehicular parking spaces should be carefully integrated to avoid the negative impacts of large surface parking areas on the pedestrian environment. In general, parking supply should be shared by multiple users and property owners to facilitate the ability to “park once and walk”. On-street parallel parking is encouraged on both sides of the street to provide a supply of convenient shared parking, and as a means to provide a protective buffer for pedestrians on the sidewalk. Where surface parking is permitted, it should be hidden or screened from the pedestrian realm by use of garden walls and narrow landscape edges. Parking garages, where provided, should be masked from frontages by liner buildings no less than 24 feet in depth. They are encouraged to be designed for possible future conversion to other non-parking functions, including office, residential and/or commercial use.
- (b) All parking access and design shall comply with the Form Standards in Tables 12-2-25.3 to 12-2-25.8 and the following:
 1. Parking standards in the Dense Business Area (DBA) defined in Chapter 12-14 (definitions) shall take precedence over the Form Standards in Tables 12-2-25.3 to 12-2-25.8 and those included in this subsection.

2. Minimum parking requirements are as follows:

a. Parking requirements shall be in accordance with Sec. 12-3-1(B) (parking requirements for specific land uses) with the following exception:

(1) Off-street parking requirements for residential use types shall be one (1) space per unit unless otherwise exempted.

b. Shared parking shall be according to Sec. 12-3-1(D) (off-site parking).

c. Parking reductions shall be calculated according to Table 12.3-1 (Downtown Pensacola CRA Parking Reductions).

d. Lots thirty (30) feet or less in width shall not be subject to minimum parking requirements, except for:

(1) Lots fronting streets where on-street parking is not permitted.

e. Lots less than forty-two (42) feet wide shall be accessed from a rear lane, where possible. Where not possible, the following exceptions shall be permitted, in coordination with the Engineering Division of the City of Pensacola Public Works and Facilities Department:

(1) Parking in the rear of the lot, subject to accessory structure setbacks as defined within the Form Standards in Tables 12-2-25.3 to 12-2-25.8. Shared driveways are encouraged.

(2) A single-car garage, subject to the minimum frontage occupation requirements defined within the Form Standards in Tables 12-2-25.3 to 12-2-25.8.

(3) Driveways shall be exempt from minimum width and spacing requirements defined in Sec. 12-2-25(I)(b)(d).

f. Lots shall be accessed through a rear lane when the development is over 75% of the block.

3. Vehicular parking location is restricted as follows:

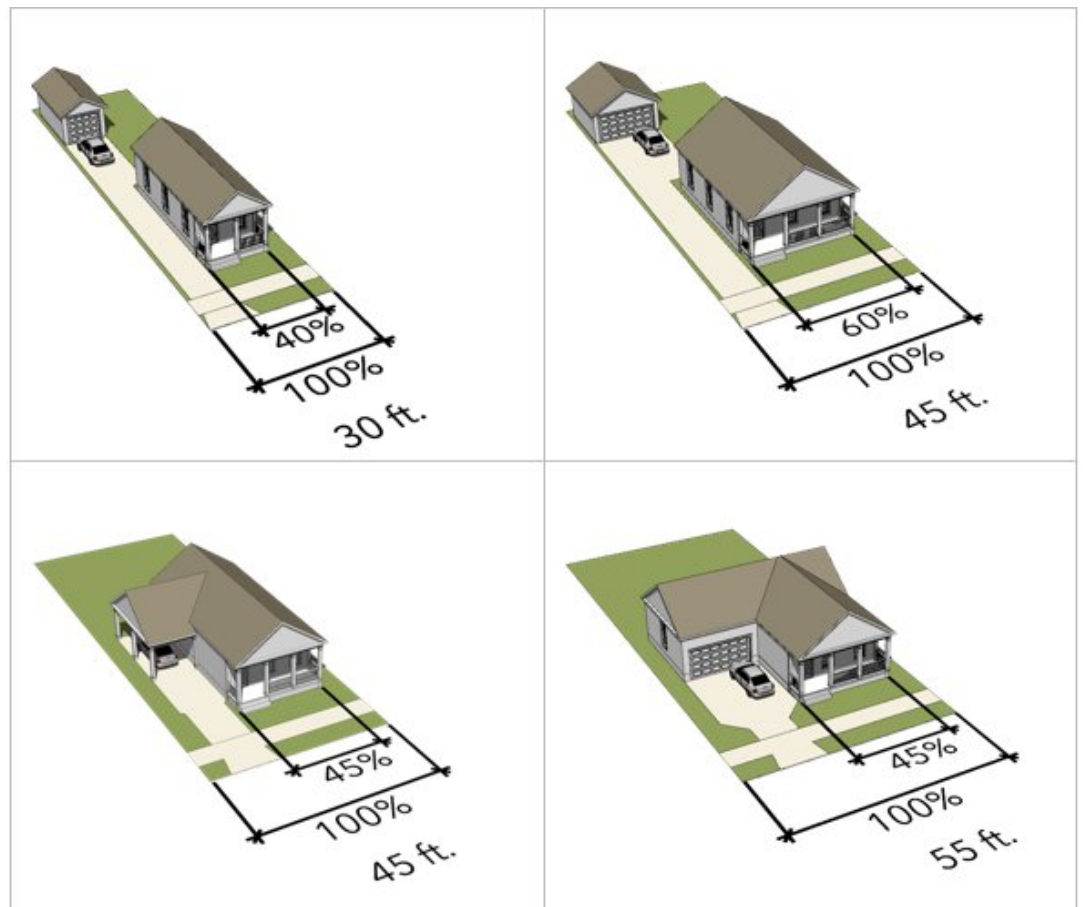
a. *Single family residential types.*

(1) Residential off-street parking, where required, shall be provided within garages,

carports or on driveways for all single family residential types.

- (2) Uncovered parking shall be permitted the entire length of the driveway, including within the front setback, but not beyond the property line.
- (3) *Single-family detached and two-family (duplex) Off-street Parking.*
 - a. Covered or garage parking for single-family detached and two-family (duplex) buildings shall be setback a minimum twenty (20) feet behind the principal building façade. See Illustration 12-2-25.9 for a depiction of covered parking placement for single family detached and two-family attached (duplex) buildings.

Illustration 12-2-25.9 – Garage Locations Illustrated



- b. The outer edge of driveways shall be placed a maximum of two feet from either side property line. See Illustration 12-2-25.10 for a depiction of driveway placement for single family detached and two-family attached (duplex) buildings on 30' wide lots.

Illustration 12-2-25.10 – Driveway Locations Illustrated



- (4) *Single-family attached.* Off-street parking for single-family attached residential types shall only be permitted in the rear 50% of the lot.

- (5) Tandem parking is encouraged.

(6) Shared driveways are encouraged.

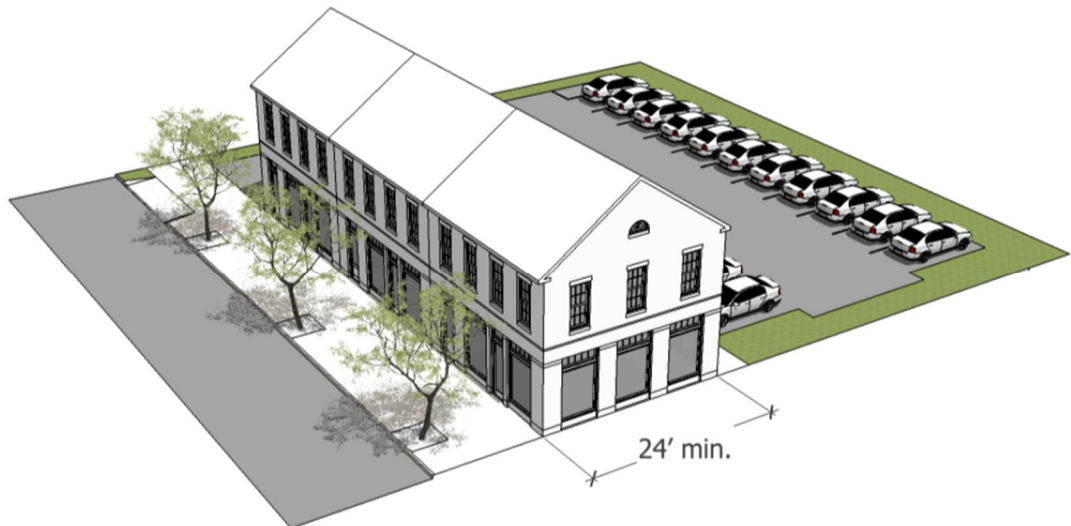
b. Multi-family, mixed use and non-residential types.

(1) *Off-street* parking shall not be permitted within the front setback area. Exceptions include:

a. Properties adjacent to a thoroughfare identified as an FDOT C3C Suburban Commercial Context Classification Zone as defined within Sec. 12-2-25(I)(a)b (context classification). Such properties shall conform to the Form Standards according to Table 12-2-25.8 (Hybrid Commercial).

(2) Off-street parking shall be masked from frontages by liner buildings no less than 24 feet in depth. See Illustration 12-2-25.11 depicting off-street parking lot masking with liner buildings.

Illustration 12-2-25.11 – Parking Lot Masking with Liner Buildings



- (3) The ground floor of commercial buildings with a gross floor area less than 1,500 square feet shall be exempt from parking requirements.

4. Bicycle parking.

a. Minimum bicycle parking requirements shall be as follows:

- (1) Bicycle parking shall not be required for single-family residential or multi-family residential with less than eight (8) units.
- (2) Bicycle parking requirements shall be according to Table 12-2-25.11.

Table 12-2-25.11 - Minimum Required Bicycle Parking

Building Type	Location	R-2A through C-2A	C-2, C-3*
Multi-Family	Primary & Secondary Frontages	Minimum 0.25 spaces per unit	Minimum 0.50 spaces per unit
Non-Residential	Primary & Secondary Frontages	Minimum 0.50 spaces per 1,000 square feet	Minimum 0.75 spaces per 1,000 square feet

*Excluding C3C Context Zones.

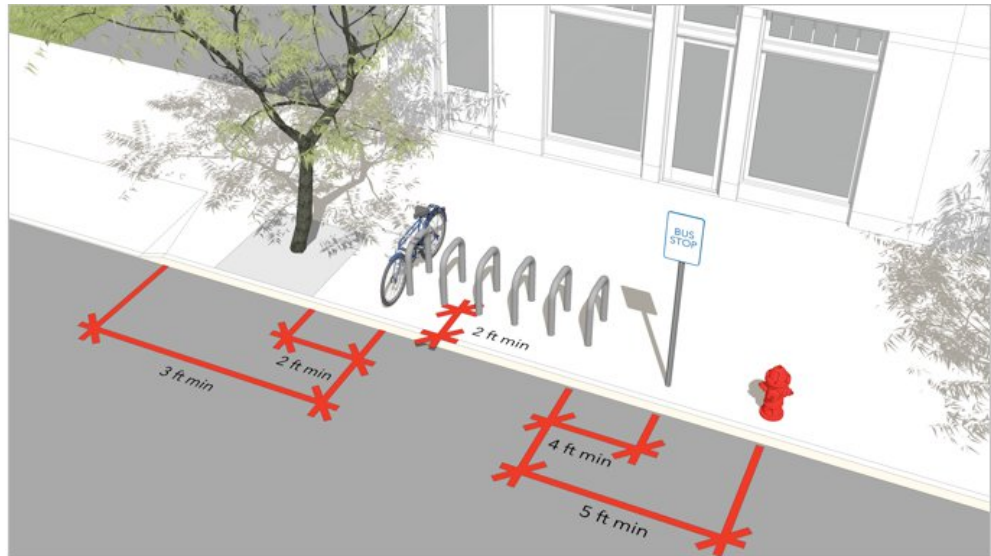
- (3) Bicycle parking locations within the public right-of-way shall be coordinated with the Engineering Division of the City of Pensacola Public Works and Facilities Department and subject to Sec. 12-12-7 (license to use), and minimum clearance distances.

b. Bicycle parking configuration shall be as follows:

- (1) Bicycle racks shall not be located within:
- a. Five (5) feet of fire hydrants.
 - b. Four (4) feet of loading zones and bus stop markers
 - c. Three (3) feet of driveways and manholes
 - d. Two (2) feet of utility meters and tree planters

See Illustration 12-2-25.12 for a depiction of bicycle parking clearances.

Illustration 12-2-25.12 – Bicycle Rack Clearances



c. Bicycle parking located along private or public streets shall be subject to the following:

- (1) Bicycle racks installed parallel to curbs shall be set back from the curb a minimum of two (2) feet, as illustrated in Illustration 12-2-25.11.
- (2) Bicycle racks installed perpendicular to curbs shall allow for a minimum clearance of two (2) feet at the curb and six (6) feet of pedestrian way with a 56 cm or 22 in bicycle properly locked to the rack.
- (3) Bicycle racks should be spaced a minimum of 36 inches apart.
- (4) Bicycle racks shall allow bicycle frames to be locked at two points of contact with the rack.

(i) *Fences and walls.*

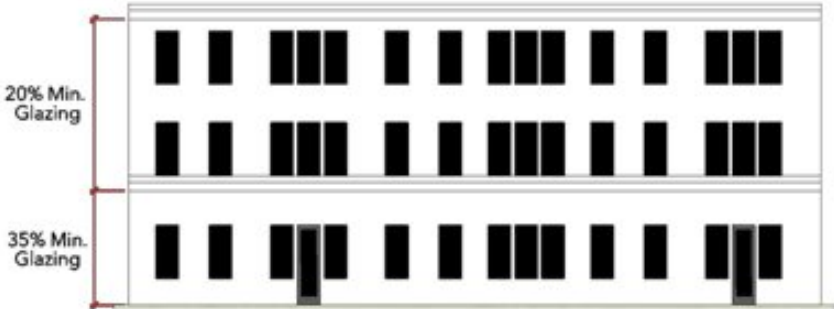
- (a) Where provided, fences and walls shall provide full enclosure.
- (b) Fences and walls shall be restricted according to Frontage Yard Types in Table 12-2-25.9 and Sec. 12-2-35 (visibility triangles).
- (c) Height of fences and walls shall comply with the following:

1. Height shall be limited to a minimum 30 inches and a maximum 42 inches within the front setback.
 2. Height shall be limited to eight (8) feet behind the building face at non-frontages.
- (d) Materials for fences and walls shall be limited as follows:
1. Approved materials shall include, but are not limited to wood, brick, stone, and wrought iron.
 2. Vinyl is discouraged on all frontages.
 3. Chain-link, exposed concrete block, barbed-wire and razor wire shall be prohibited.
 4. Wood fences shall have the finished side to the public frontage.
 5. Where hedges are utilized along frontages, they shall be maintained in accordance with Sec. 12-2-25(H)(b)5.

(j) Windows and Glazing.

- (a) Windows shall meet the following requirements:
1. Windows on frontages shall be square or vertical in proportion, with the exception of transoms and special windows.
 2. Windows should have muntins for residential building types, which should be vertical in proportion.
 3. Single panes of glass shall not exceed 20 square feet for residential building types.
- (b) Glazing shall meet the following requirements:
1. Storefront glazing requirements shall be according to Table 12-2-25.12.
 2. For residential and mixed use buildings, excluding commercial uses at grade, the percentage of glazed wall area shall be a minimum 20%.
 3. Reflective and tinted windows shall be prohibited for residential buildings.
 4. Stained, reflective and tinted windows shall be prohibited at ground floor commercial uses. Low-E is permitted as per Florida Building Code.

Table 12-2-25.12 – Glazing Requirements

Residential	
At & Above Grade	Minimum 20% along frontages
	
Multi-Family & Office	
Above Grade	Minimum 20% along frontages
At Grade	Minimum 35% along frontages
	
Mixed-use	
Above Grade	Minimum 20% along frontages
At Grade	Minimum 70% along frontages
	

(k) *Lighting on Private Property*

- (a) Lighting shall be arranged to be contained on-site and to reflect away from adjacent property.

(H) *Landscape Standards and Guidelines.*

- (a) *Intent.* Supplement the urban canopy, accommodate stormwater, increase access to open space and facilitate pedestrian movement throughout the existing block patterns to meet the urban design goals of the Community Redevelopment Agency. A healthy tree canopy contributes to the health of citizens and the environment, and is fundamental to a vibrant pedestrian life and a well-defined public realm. Trees closely aligned to the street edge with consistent setbacks, provide a clear sense of enclosure of streets, enabling them to function as pedestrian-scaled outdoor rooms. The placement of trees along the edge of the sidewalk should be given particular attention as a major contributor to pedestrian activity. Trees and other native plants placed in drainage right-of-ways and parking islands contribute to the control of stormwater quantity and quality.

(b) *Landscape on Private Property.*

- (a) Landscaping in frontage yards are subject to the requirements of the Frontage Yard Types in Table 12-2-25.9, and Sec. 12-2-25 (visibility triangles), and the following:

1. For single-family detached and two-family lots, one tree for every lot or for every 50 feet of linear frontage along the right-of-way shall be preserved or planted. Trees planted to meet this requirement shall be as follows:
 - a. Measured at diameter breast height (DBH), as described in Sec. 12-6-2(E)(DBH).
 - b. For lots with a front setback of less than eight (8) feet where planting in front yards is not possible, required trees shall be planted elsewhere on the block itself.
2. Ground vegetation or shrub plantings with spines, thorns, or needles that may present hazards to pedestrians, bicyclists, or vehicles shall be maintained a minimum distance of two (2) feet from the edge of walkways and sidewalks.

3. In single-family detached and two-family lots, trees shall be protected in accordance with Section 12-2-10(A)(5)(b) (protection of trees).
 4. When off-street parking is located in front or side setbacks, a year-round streetscreen along the street edge(s) of the parking lot shall be installed as a means of buffering, according to Sec. 12-6-3(B) (off-street parking and vehicle use areas).
 5. Hedges planted along street right-of-ways shall be between three (3) and five (5) feet in height at maturity.
- (b) Minimum landscape area requirements of the development site for all building types except single family detached and two-family attached (duplex) shall be according to Table 12-2-25.13. Landscape requirements for single family detached and two-family attached shall be in accordance with Sec. 12-2-25(H)(b)(a) and Table 12-2-25.9, Frontage Types.

Table 12-2-25.13 - Minimum Landscape Area Requirements

Zoning District	Percent
R-1AAA through R-2	25
R-NC, R-NCB, C-1, C-2, C-2A, C-3, M-1, M-2	15

(c) *Buffer Yards.*

- (a) In addition to the buffer yard requirements of Sec. 12-2-32 the following shall apply:
1. Berms shall not be installed as part of a required buffer without review and approval by the Engineering Division of the City of Pensacola Public Works and Facilities Department to ensure a proposed berm will not have a detrimental effect on adjacent properties by impeding or diverting stormwater flow.
 2. Berms shall be planted and stabilized to prevent erosion.
 3. Buffer yards may be used to create rain gardens or other stormwater facilities with the selection of appropriate plant material, according to the City's approved plant list and approval by the a Engineering Division of the City's Public Works and Facilities Department.

4. Plants in these stormwater facilities shall be selected to meet any applicable buffer yard screening requirements, and they should be tolerant of periodic inundation and drought. It is recommended that native plants be selected from the *Florida Friendly Landscaping Guide to Plant Selection & Landscape Design*, Northern Region, and *Waterwise Landscapes* by the South Florida Water Management District, according to Table 12-2-25.14.

Table 12-2-25.14 – Bioretention & Rainwater Garden Plant List.

Flowers	
Common Name	Scientific Name
Blue Flag Iris	Iris Hexagona
Cardinal Flower	Lobelia Cardinalis
Chipola Coreopsis	Coreopsis Integrifolia
Goldenrod	Solidago spp.
Swamp Sunflower	Helianthus Angustifolius
Spider Lily	Hymenocallis Latifolia
Swamp Lily	Crinum Americanum
Swamp Milkweed	Asclepias Perennis
Grasses	
Common Name	Scientific Name
Blue-Eyed Grass	Sisyrinchium Atlanticum Bicknell
Florida Gamma Grass	Tripsacum Floridanum
Muhly Grass	Muhlenbergia Capillaris
Path or Soft Rush	Juncus spp.
Rainlily	Zephyranthes spp.
River Oats	Chasmanthium Latifolium
Wiregrass	Aristida Stricta
Shrubs	
Common Name	Scientific Name
Beautyberry	Callicarpa Americana
Buttonbush	Cephalanthus Occidentalis
Virginia Willow	Itea Virginica
Wax Myrtle	Myrica Cerifera

(d) *Street Trees in the Public Right-of-Way.*

- (a) Street trees shall be provided in the public right-of-way for all developments except single family detached and two-family (duplex), in accordance with Sec. 11-4-88 (placement of trees and poles), Sec. 12-6-3 (landscaping requirements) and this subsection.
- (b) Where street trees cannot reasonably be planted, payment in lieu of planting shall be made to a new and dedicated CRA tree planting fund, at the value established in Section 12-6-6(B)(5).
- (c) Street tree planting, and maintenance requirements shall be as follows:
 - 1. For each lot, one tree shall be provided on an average of thirty-five (35) linear feet of public right-of-way frontage, where no underground utility conflicts exist.
 - 2. Where greenways exist, trees shall be required to be planted within the greenway. The following exceptions shall apply:
 - a. Where no greenway exists or where the greenway is less than three (3) feet wide, between sidewalk and curb, required street trees shall be planted on the block.
 - b. Where planting within the greenway is infeasible due to utility conflicts, required street trees shall be planted on the block
 - 3. Trees planted three (3) feet or less from a public sidewalk shall have a minimum clearance of six feet and six inches (6'-6") between the public walking surface and the lowest branches at planting.
 - 4. Mature trees shall be maintained at a minimum clearance of eight (8) feet above the public walking surface.
 - 5. Trees planted within the public right-of-way shall include a root barrier to prevent the shifting of sidewalks at maturity.
 - 6. Installation of tree pits and grates within the public right-of-way shall be coordinated with the City of Pensacola Public Works and Facilities Department for style consistency. Installed tree pits and grates shall be maintained by the property owner in perpetuity.

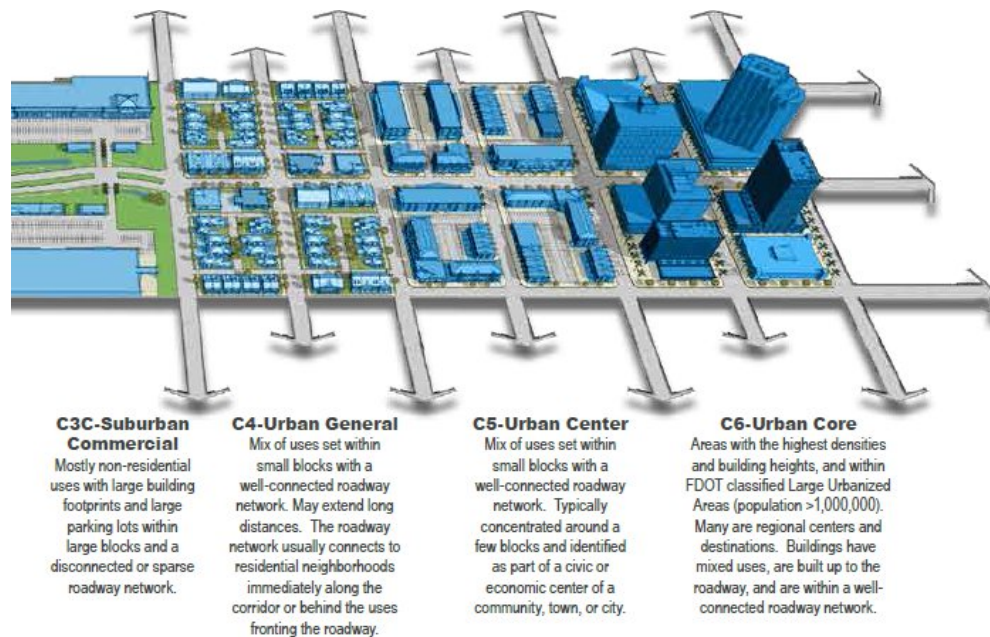
7. Where possible, trees may be clustered together to share soil space.
- (d) Tree selection shall be limited to those allowable plantings contained within the Tree Replant List specified in Appendix B (Tree Replant List). The following conditions shall apply:
 - 1. Where overhead utilities occur, a tree with smaller size at maturity shall be selected.
 - (e) Tree selection and placement shall be coordinated with the Engineering Division of the City of Pensacola Public Works and Facilities Department and subject to Sec. 12-2-35 (visibility triangle) and Sec. 12-2-7 (license to use).
 - (f) Mixed-use and non-residential building types shall comply with the following:
 - 1. Where galleries are not provided, street trees shall be planted, unless in conflict with underground utilities. Where there are overhead utilities, appropriate species from the Tree Replant List specified in Appendix B shall be selected.
 - 2. Where a gallery is provided, and the greenway that occurs between the sidewalk and the back of curb is less than three (3) feet wide, no street trees shall be required.
 - 3. Where a greenway at least three (3) feet wide occurs between the gallery and the back of curb, and no overhead or underground utilities prevent street tree installation, planting of a street tree shall be required.
 - 4. Where paved surface occurs between the gallery and curb, installation of street trees in individual tree pits with tree grates, or linear planters with pervious pavers between several trees, shall be required.
 - 5. Where trees are planted in sidewalk planters, the minimum sidewalk planting pit dimensions shall be four feet by four feet (4' x 4').

(I) Thoroughfare Standards and Guidelines.

(a) Context Classification.

- (a) The Context Classification system, as developed by FDOT and described within the FDOT Complete Streets Manual, shall be adopted to identify place and guide streets and other transportation features, and to allow transportation to support adjacent land uses. See Illustration 12-2-25.13 depicting context classification zones.

Illustration 12-2-25.13 – Context Classification Zones Illustrated.



- (b) Streets shall be classified in accordance with the Zoning to Context Classification Translations specified in Table 12-2-25.15.

Table 12-2-25.15 – Zoning to Context Classification Translation

Context Classification (FDOT) Zone	Zoning District
C4 – Urban General	R-1AAA through R-2
C5 – Urban Center	R-NC through C-3
C3C – Suburban Commercial	C-3 adjacent to M-1 or M-2. <i>Limited to segments which abut such zoning districts.</i> M-1 M-2

(b) Street Design.

- (a) Design of local streets shall be guided by the Florida Greenbook, Chapter 19 Traditional Neighborhood Design.
- (b) Where a greenway of at least five (5) feet exists, driveway approaches and curb cuts shall not be permitted to interrupt the sidewalks.
- (c) *Sidewalks.* Sidewalks shall be required on all street frontages in residential, nonresidential, commercial and industrial developments in accordance with standards established by the Engineering Division of the City's Public Works and Facilities and the Florida Greenbook.
- (d) *Driveways and curb cuts.* Driveway, driveway approaches and curb cut requirements shall be as follows:
 - 1. *Single-family residential types.* Driveway and curb cut widths for single-family residential types shall be according to Table 12-2-25.16.

Table 12-2-25.16 - Single-family Residential Driveway & Curb Cut Widths

Driveway Type	Minimum Width	Maximum Width
Single-Use	10 feet	20 feet
Joint-Use	10 feet	22 feet

- 2. *Multifamily, mixed use and non-residential types.* Driveway and curb cut widths for multi-family and non-residential types shall be according to Table 12-2-25.17.

Table 12-2-25.17 - Multi-family/Non-Residential Driveway & Curb Cut Widths

Driveway Type	Minimum Width	Maximum Width
All	12 feet	24 feet

3. Driveway and curb cut spacing on a single property shall be a minimum of 42 feet with the following exception:

a. Lots less than forty-two (42) feet wide shall be exempt from driveway spacing requirements.

(J) Definitions. [Definitions enumerated.]

As limited to Sec. 12-2-25 (CRA Urban Design Overlay District) unless context clearly indicates otherwise.

Building height, *single-family residential*, means the vertical distance of a building measured from the average elevation of the finished grade to the bottom of the eave for pitched roof buildings or the bottom of the parapet for flat roof buildings.

Building height, *multi-family and non-residential*, means the vertical distance of a building measured by stories. The restrictions to story height are according to Section 12-2-25(G)(a)(c).

Cluster Court means a collection of buildings on a semi-public, privately owned open space.

Colonnade means a row of columns joined by an entablature. Colonnades may cover sidewalks and may front storefronts.

Complete street means a thoroughfare that is designed giving each user an equal level of priority including pedestrians, cyclists, transit users, and drivers.

Craftsman Standards means a baseline of construction quality denoting a finished project.

[FDOT] Distinct Context Classifications Zone means classifications, along with functional classification and design speed, determine the corresponding thoroughfare design standards within the Florida Design Manual. (<http://www.fdot.gov/roadway/CSI/files/FDOT-context-classification.pdf>)

Eave means the edge of the roof that meets or overhangs the walls of a building.

Encroachment means certain permitted building elements which may cross established setbacks or rights-of-way.

Entablature means a horizontal, continuous building element supported by columns or a wall.

Facade, building, means the exterior wall of a building that faces a frontage line.

Facade Type means the different configurations of building elements that make up a building facade, such as a storefront, porch, etc. See Table 12-2-25.10.

Figures and Tables mean any chart or graphic presentation in this title which is specifically designated as a "Figure" or "Table" shall be deemed to be a part of the text of the title and controlling on all development.

Frontage line means a property line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other property lines.

Frontage, primary, means the frontage facing a public space such as a street of higher pedestrian importance (i.e. traffic volume, number of lanes, etc.). Typically, the shorter side of a lot.

Frontage, secondary, means the frontage facing the public space such as a street that is of lesser pedestrian importance (i.e. traffic volume, number of lanes, etc.). Typically, the longer side of the lot.

(Building) Frontage Occupation means the length of the frontage that is occupied by a building or a building and open space.

Frontage Yard Type means the configuration of the area between the facade of the building and the frontage line such as a standard, shallow, cluster court, etc. See Table 12-2-25.9.

Frontage Yard Type (Cluster Court) means a frontage yard type where a group of houses has their primary facades facing a common green or open space that is horizontal to the primary frontage.

Frontage Yard Type (Pedestrian forecourt) means a frontage yard type where the primary facade is located near the lot line with an area setback to accommodate open space and the primary entrance of the building.

Frontage Yard Type (Shallow) means a frontage yard type where the facade is slightly setback from the lot line.

Frontage Yard Type (Standard) means a frontage yard type where the facade is set back from the lot line. Fences are permitted and the setbacks are visually continuous with adjacent yards.

Frontage Yard Type (Urban yard) means a frontage yard type where the facade is at or near the lot line and the surface is paved.

Frontage Yard Type (Vehicular Forecourt) means a frontage yard type where the primary facade is located near the lot line with an area setback to accommodate a driveway meant for passenger loading and unloading.

Gallery means a covered sidewalk in front of a storefront that supports either a roof or outdoor balcony above.

Habitable Space means building space which use involves human presence with direct view of the enfronting streets or public or private open space, excluding parking garages, self-service storage facilities, warehouses, and display windows separated from retail activity.

Human-scaled means buildings and their elements designed to be comfortably viewed and experienced by people on foot.

Hybrid Commercial means a commercial type in the C3C FDOT Context Zone that transitions between urban and suburban types, typically permitting one row of parking at the frontage.

Liner Building means a building specifically designed to mask a parking lot or a parking structure from a frontage.

Parallel means two lines or planes that are equidistant apart and do not touch on an infinite plane.

Parapet means the extension of a false front or wall above a roof line.

Parkway, Greenway, Verge means the planting strip between the edge of the road and sidewalk or right-of-way, which may be used for tree planting. See Sec. 11-4-86 through 11-4-88.

Paving means to cover or lay with concrete, stones, bricks, tiles, wood or the like to make a firm, level surface. The term paving in this part includes all pavement materials, both pervious and impervious.

Pervious means materials or natural earth which allows for the natural percolation of water.

Porch means a private façade type which is an open-air room appended to the mass of a building with a floor and roof but no walls on at least two sides.

Principal Building means the main building on a lot, usually located toward the frontage.

Principal Building Facade means the front of the building which faces the front of the lot.

Single-family residential means a single-family ownership on a single lot. Multiple ownership on a single lot is not construed as a single-family type. Single-family is restricted to the following types on their own lots: detached single-family, attached single-family, and two-family attached (duplex).

Stoop means a private façade type wherein the façade is aligned close to the front property line with the first story elevated for privacy with an exterior stair and landing at the entrance. This type is suitable for ground-floor residential uses at short setbacks with townhouses and apartment buildings. Stoops may encroach into the setback.

Streetscreen means a freestanding wall built along the frontage line, or aligned with the facade. It may mask a parking lot from the thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

Travel mode means the different means of transport around an area including by foot, bicycle, public transit, and car.

Walkability means a measurement of comfort, convenience, safety, and ease of pedestrian movement throughout an area.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided

pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: _____

Approved: _____
President of City Council

Attest:

City Clerk



PLANNING SERVICES

THE UPSIDE *of* FLORIDA

MINUTES OF THE PLANNING BOARD

June 12, 2018

MEMBERS PRESENT: Chairman Paul Ritz, Nathan Monk, Kurt Larson, Jared Moore, Danny Grundhoefer, Victor Jordan

MEMBERS ABSENT: Nina Campbell

STAFF PRESENT: Brandi Deese, Assistant Planning Services Administrator, Leslie Statler, Planner, William Weeks, Building Official, Helen Gibson, CRA Administrator, Victoria D'Angelo, Assistant CRA Administrator, Ryan Novota, Transportation Engineer

OTHERS PRESENT: Don Kraher, Council Executive, Austin Tenpenny, Steven Shelley, Fred Gunther, Ashley Patterson, Steven Sebold, Christian Wagley, Mike Kilmer, Rivka Kilmer, Marcie Whitaker, Kevin Wade, C. Marcel Davis, Fran Jones, Diane P. Robson, Ryan Wiggins, Jonathan Wiggins, Kacee Bidnick, Glib Kazak, David Peaden, J. Scott Sallis, Beverly Perry, Troy Stepherson, Doug Baldwin, Randy Wilkerson, James L. Gulley

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from May 8, 2018
- New Business:
 1. Consider Right-of-Way Vacation Request – North 18th Avenue Between Moreno & Mallory
 2. Consider Amendment to LDC – CRA Urban Design Standard Overlay
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:01 pm with a quorum present.

Approval of Meeting Minutes

Mr. Larson made a motion to approve the May 8, 2018 minutes, seconded by Mr. Moore, and it carried unanimously.

New Business

Consider Right-of-Way Vacation Request – North 18th Avenue between Moreno & Mallory

Jonathon and Ryan Wiggins, in conjunction with Michael Callaghan and Galen Nase, are requesting approval for the vacation of approximately 34 feet of the western right-of-way of the 1600 Block of North 18th Avenue. This request would bring the property line to the back of the layback curb on the western side of 18th Avenue.

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Mr. and Mrs. Wiggins have indicated the reason for their request is to be able to construct a garage and small attached guest house. Mr. Callaghan and Mr. Nase have indicated their reason for the request is to acquire the land where their semi-circular driveway is located. This request has been routed through the various City departments and utility providers and those comments are attached; any comments received after the packets were mailed were sent email and hard copies provided to the Board.

Chairman Ritz explained the right-of-way vacation as giving away a piece of public property over to the property owner; if approved, the City of Pensacola gives the property to the property owner with no fees involved. He then called the applicants to speak.

Ms. Wiggins thanked the Board for their consideration and was eager to answer any questions. Mr. Monk asked if the applicant had any issue with the proposal with the reduction and relocation of the sidewalk to the front. Ms. Wiggins advised they had no problem with the 24' but with that sidewalk not leading anywhere, they would pay for the replacement of the sidewalk if the City ever decided to replace it.

Mr. Wagley pointed out it was great the see neighbors improving their properties, but the public's interests should also be respected and protected. He wanted to make sure the existing sidewalk was replaced at the applicant's expense and in a manner for full public access, leaving the 5' planting strip. He pointed out this location was also one block from the city park and wanted to make sure we stay consistent with what happens on other projects with the relocation of sidewalks which is necessary to protect the interest of the public.

Mr. Wiggins advised they were agreeable to the 24' feet as opposed to the full setback. With regard to the sidewalk, if you drive the entirety of 18th Street, almost two miles, there are two blocks with houses with sidewalks which connect east and west arteries. To suggest the removal of this sidewalk at this time would make anything less accessible or less safe was not common sense to him. He pointed out 18th Street is a very safe road where they see strollers, bikers and walkers using this street. Mr. Jordan explained to the applicant that if the sidewalk was replaced, it would be fully ADA compliant and wanted that understood.

Chairman Ritz explained the vacation all the way to the back of the curb is a bit much and the Board had not granted that in the past, and where would you place the sidewalk, easements, and the City would have no place to operate for utility repairs, etc. He appreciated sidewalks and connectivity which did not force the public to walk in the street.

Mr. Larson made a motion to approve with 5' from the street for plantings, 5' sidewalk built to City of Pensacola standards as well as current ADA requirements, with the balance to be vacated to the owners, with the provision the sidewalk be put in immediately to replace the one taken out. The motion was seconded by Mr. Jordan.

Mr. Jordan was concerned the sidewalk would not be replaced in a reasonable time. Chairman Ritz explained that once the property was given to the owners, they could do as they pleased, but they were giving them 24' of property at East Hill rate. Mr. Grundhoefer was concerned with setting a precedent. He offered the Board could go 10' to that street and vacate it, and people could get more property. He felt the Board was setting a dangerous precedent. Mr. Moore agreed that it seemed the right-of-way on 18th was larger than the standard right-of-way. Mr. Monk felt the location of the sidewalk to the house was awkward. The concern from others was making sure the sidewalk stayed.

Mr. Novota stated the roadway was mostly in the center of the right-of-way, and the likelihood of the city expanding or relocating the roadway was slim. Chairman Ritz explained that should the vacation be granted, as part of the approval the sidewalk would continue all the way out to the asphalt. Ms. Wiggins explained if they build a structure and then tore up the sidewalk, they would be replacing it twice. Mr. Grundhoefer pointed out his concern was maintaining a 60' right-of-way on 18th Street; his hope was that when other residents applied, the City would also get a sidewalk, with sidewalks on both sides of 18th Street. He did not support giving 24' of the City's right-of-way to homeowners. Chairman Ritz asked if the motion were amended to include verbiage toward maintaining minimum right-of-way, would that be supported. Mr. Grundhoefer explained that would send a signal that they were trying to maintain 60' right-of-ways in East Hill, and they were not changing that character.

Mr. Monk clarified that Mr. Grundhoefer wanted to make part of the requirement that with any future vacation, the property owner that received the property would pay for the sidewalk; Mr. Grundhoefer agreed he wanted to enforce this. Chairman Ritz restated the motion that the Board approved the vacation of 24.5' of the right-of-way, always maintaining a 60' right-of-way for city streets. Mr. Grundhoefer stated with a 24' street, they would be granting an additional 18' ($18+18+24=60$) from the curb to the property line. This would put the emphasis on maintaining the street right-of-way, not necessarily giving each landowner their particular request based on whatever they think their need is. **Chairman Ritz stated the motion would then be vacating the appropriate amount of property while maintaining a 60' right-of-way; the amendment was accepted by Mr. Larson. Chairman Ritz explained this would set the idea that the right-of-way is a number which is set – the vacation occurs to whatever the appropriate distance is if the road is left or right of center. The motion was accepted by Mr. Jordan with the additional information on the sidewalk.**

Mr. Monk asked if the current 18' would be enough for the applicants to accomplish their goal. Ms. Wiggins stated it would not, but they would make it work. Mr. Monk pointed out they were trying to make the neighborhoods more walkable. Chairman Ritz advised there were more requests for vacation of right-of-ways in East Hill than any other location. East Hill is a desirable neighborhood and is easily walked. Mr. Grundhoefer pointed out the Board was considering all citizens and not just the applicants. Chairman Ritz emphasized that this decision would proceed to City Council for their approval. Mr. Grundhoefer wanted the motion to state the applicants must build a sidewalk. Mr. Jordan asked Mr. Novota, Transportation Engineer, about the cost of the ramp, and Mr. Novota advised the cost would be around \$1,500.00 to \$1,800.00 plus the sidewalk itself. **Ms. Deese confirmed the original motion was for approval for 5' landscape strip, 5' sidewalk, sidewalk to be constructed immediately, sidewalk will be built to the road and to City of Pensacola and ADA standards, amended to maintain the 60' right-of-way. Chairman Ritz clarified the vacation was dependent on where the right-of-way falls. Mr. Larson changed the time for replacement to 90 days, and it was accepted, and the motion carried unanimously.**

Consider Amendment to LDC – CRA Urban Design Standard Overlay

Ms. Gibson, CRA Administrator, presented to the Board, and advised that for the past six months the CRA had been presenting a proposal for an overlay district which would be form-based standards which would apply to the neighborhoods within the CRA areas and not within any type of review district. She indicated these neighborhoods have not had any protection from incompatible uses relative to their traditional character. Because some of them have been blighted neighborhoods, there has been deterioration and demolition. What is being proposed will not restrict future demolition but will help to govern what is rebuilt. The proposal is a very light form of design review and a streamlined review which will be handled administratively by staff. Applicants interested in building can refer to a checklist to meet the requirements in this standard. She pointed out they had extensive community input with public informational sessions. Ms. Gibson then turned the presentation over to Marina Khoury of DPZ CoDesign who gave an overview of any changes to the guidelines; these were provided to the Board. Chairman Ritz then asked for audience input.

Mr. Gunther wanted to confirm that the vertically proportionate window requirement was removed, and Ms. Khoury stated that had been removed but would remain only on the frontages. Mr. Gunther informed the Board he had purchased the former YMCA property on Palafox, and they have three potential buyers and had confirmed in pre-development meetings with Brandi Deese and other departments in 2016 and 2017 that all their plans were allowed under the LDC. They then moved forward and closed in January 2017. They have paid architects for design, laid underground utilities and essentially planned a new development. In moving forward, no exception had been granted, and he asked that those who have been working with the City should be grandfathered in and not be required to adhere to the new requirements after designing around the current codes.

Concerning trees, he further explained they had pushed their houses to the street with urban design, and properties on Palafox from their property to the bay have no trees on private property. Mr. Grundhoefer offered this document would be going to City Council and felt all those with projects might rush in before the new guidelines were approved; he did not feel this was appropriate. Mr. Monk stated this was a difficult situation to be in as we move toward the form-based code, and this is a long-term developmental plan finally proceeding to the end. Ms. Gibson advised she did distribute a list of all comments received but did not know if they addressed every single comment on every project. She advised there were seven or eight concerns addressed by Mr. Gunther, and they were able to adjust this overlay so that six or seven were addressed. A site like this one was constrained, but he could place trees within the block. Mr. Monk asked if there could be a date certain for previous applications. Chairman Ritz explained this could be discussed during deliberations. Mr. Gunther further stated that long vertical windows were unfair to be imposed over such a large portion of the city.

Mr. Kazak who develops single residence housing in downtown Pensacola stated he had plans for larger developments on Government and A Street which met the current requirements, however, the new codes might require significant changes. He wanted to make sure they were safe with their investment and possibly exempted partially from the new regulations.

Mr. Wagley was excited to see the Board working through the process. He explained the trend toward form-based standards is growing all over America, and the existing codes were never going to give people the type of community they want – one that is walkable, bikeable and reveals the character of the older neighborhoods. He stated DPZ's work in capturing the existing character was completely accurate. He explained vertical windows were actually defining character from the homes built prior to the 1940s. He referenced the Florida Greenbook, with garages preferred in the rear and side on corner lots. He wanted staff to address the grandfathering possibly and using the easy checklist that would facilitate the process. He also pointed out no specific styles were restricted and encouraged the Board to approve this change which would be a huge historic step for this community.

Mr. Kilmer thanked the CRA and the Board for considering this change and Mr. Wagley for keeping the community informed.

Mr. Sallis spoke for the local chapter of AIA. He indicated the city has needed this document for a long time. The concern was that it be modified. (1) The section of applicability should be modified to allow for a date set for when the overlay applies, and developments after that would comply. (2) With residential building entries, the cost of elevating a house really is the cost of building a good product and making a great city. (3) Roof pitch is too restrictive over such a large area and should be removed from the document. (4) Windows and glazing should be removed because it is too restrictive for such a large section of the city and does not allow for contemporary architecture. Otherwise, the AIA supported the documents with these changes.

Ms. Khoury advised regarding applicability, the majority of cities state if you have a building permit in hand, you are grandfathered in; if you do not, you must comply with the new rules. The new document has in many cases made it easier to develop, and the reason for the document was to preserve the existing character.

Mr. Peaden appreciated the process but the key thing pertained to the applicants who have already begun the process and need to be protected in terms of what they have invested. Setting a date would be one way to address this, since most of these people have been in the process for a while.

Ms. Perry explained form-based code works in her neighborhood since there is no ARB, and the form-based code is a good middle ground giving parameters for a good framework where builders can respect the existing character while maintaining creativity.

Ms. Gibson responded to Mr. Monk's assertion about the influx of outside builders/developers.

She explained she had seen over the past 20 years a loss of historic vernacular and what has replaced those structures has looked nothing like the neighbors and has not added to the value of the neighborhood – many times by local builders. Mr. Monk stated in the East Hill area there have been massive demolitions of houses he knew could have been renovated.

Mr. Jordan addressed page 31 of the presentation dealing with a bicycle locked at 56 cm and explained that would only accommodate a child size bike. Ms. Khoury stated it could be converted to 22” – 26” to be consistent.

Mr. Grundhoefer was supportive of the document and suggested the window verticality requirement needed to state “should” instead of “shall” and agreed we should not stifle design because we feel a vertical window is more appropriate for a particular design. He explained some of the structures in Aragon Court comply with the ARB standards but are very contemporary. Ms. Khoury stated they may want to put in a clause to reassess the requirements in six months to see if they are working. Chairman Ritz offered his historical house has square windows. Mr. Grundhoefer advised the roof pitch was no problem since there was a caveat to have flat or low-pitched roofs. However, columns with capitals and bases was dictating architectural styles and pushed it beyond a form-based standard to an architectural standard. On page 37 regarding planting columnar trees, Pensacola is not known for Cedar or Poplar column type trees. Ms. Khoury advised this could be removed. Mr. Grundhoefer also asked if on Page 35 the single-family and two-family buildings were exempt. Ms. Khoury indicated this red lined language should probably be stricken out.

Chairman Ritz explained that with the document being placed on the Board agenda today, it was emphasized there needs to be a particular time set which starts this process and definitive language for what defines this process which has already started by someone. The building permit in hand means that someone has submitted plans for permitting, but Mr. Gunther has been working on a particular project for some number of years, and the larger projects tend to take longer lead times. So under our applicability, we do not have that really good timeline which defines projects discussed with Planning as of July 4, 2018 will be under a certain code. From a developer’s standpoint, the Board needs to pick some legitimate time so that is not so far down the road that anyone can come in and say they thought about a project in 2017 and they should come under the old Code.

Ms. Khoury asked how the Code has been amended, and Chairman Ritz indicated historically, there has never been a change this drastic and in such a short period of time. He explained the Florida Building Code and the grace period when it is amended. Mr. Grundhoefer explained a date could be set after Council adoption. Ms. Gibson stated they had responded by saying 45 days from Council approval. Mr. Grundhoefer felt the document should be enforced at the date it is adopted. Ms. Gibson explained normally an ordinance is in force 5 days from Council approval. Chairman Ritz explained the Board is an advisory board, and the Council can choose to do what they want to do after the fact.

Mr. Jordan made a motion to approve and support the CRA Guidelines with these stipulations: (1) that the language for the vertical windows and the columns be “should” instead of “shall”; (2) change the columnar tree language; (3) clarify this landscape paragraph which she said they would strike; (4) under applicability, to state it is enforced 5 days after City Council approval. The motion was seconded by Mr. Larson. Mr. Monk advised that changing “shall” to “should” meant it was not enforceable. Chairman Ritz advised if someone wanted to do something else, they would be allowed to. Mr. Monk did not see the point of going through the process to get to “if you would please.” Chairman Ritz pointed out in the case of the windows, there was evidence offered internal to the Board as well in the Contemporary House book and the public has stated that “shall” on that particular item of verticality of the windows was detrimental to design creativity. Mr. Monk offered so many people want to live downtown but cannot because of varying reasons, but this Code will encompass the whole city. Chairman Ritz offered a citizen could always request a variance.

Ms. Deese clarified that the LDC stated only a few reasons where you could qualify for a variance, and variances to these overlay guideline standards would not be permitted.

Regarding the windows, Ms. Khoury stated in the homes that did not look good, the vast majority of them are because the windows were not vertical or square, and cautioned not to look at what you were preventing, but rather look at what you were allowing. Chairman Ritz clarified a person could not request a variance if the language became "shall" and Ms. Deese agreed. Mr. Monk restated he did not want to limit creativity but wanted history preserved.

Ms. D'Angelo clarified the document text in blue was not actually in the document sent to the Board and were proposed modifications. Ms. Gibson advised the presentation showed the modifications. Chairman Ritz explained the document supplied to the Board and for public inspection was not the same one in the presentation.

Mr. Monk questioned the styles of homes to be built in the CRA neighborhoods and if we were not dictating style, he was not sure how helpful the document was if it did not dictate building in a certain number of styles. Chairman Ritz explained the form-based code was not dictating a particular building style. **Mr. Grundhoefer had perused the blue text and added to Mr. Jordan's motion the June 12th guidelines were presented to the Board. Ms. Deese read the motion to approve with stipulations (1) to remove the window language shall and amend to should, (2) revise the tree language, (3) clarify the landscape paragraph and she (4) clarified it should be 5 business days for enforcement, and (5) the addition of the bike modification from 22" to 26".**

Mr. Weeks asked the Board if an architect could get professional plans within 5 days, and Chairman Ritz explained it could not be done in 5 days. Mr. Grundhoefer pointed out the process needed to begin somewhere. Mr. Weeks suggested adopting it like the Florida Building Code and cautioned on being careful with the applicable date. Mr. Monk was concerned with applicants who had already submitted their work. Mr. Grundhoefer pointed out Ms. Gibson had notified the public, and if the applicants wanted to submit their plans, they should submit them now in advance of the Council's approval. Ms. Gibson verified the document would go through two readings at the Council meeting, and Ms. D'Angelo advised the document was currently scheduled for September 13, 2018 for the final reading.

Chairman Ritz explained if there were two readings, there would be two opportunities for citizen input to the Council who is the ultimate deciding body. **Mr. Grundhoefer amended Mr. Jordan's motion to enforce the Code when the Council approves it, but was reminded of the 5 business days and left his motion as is. The motion then carried unanimously.**

It was determined the first reading to Council would be August 9, 2018.

Open Forum – None

Adjournment – With no further business, Chairman Ritz adjourned the meeting at 4:36 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Brandi C. Deese', with a long, sweeping horizontal line extending to the right.

Brandi C. Deese
Secretary to the Board

CRA Urban Design Standards Overlay Outreach and Public Input Opportunities

2/7/2018: Pre-Charrette Lunch & Learn Public Notice

2/9/2018: Pre-Charrette Lunch & Learn Meeting

2/9/2018: Public Notice: Urban Design Guideline Overlays for CRA Neighborhoods: Notice of Pre-Charrette, Charrette and Public Meetings to be held during the period February 12-15, 2018 and March 19-June 14, 2018

2/9/2018: Pre-Charrette Lunch & Learn Follow-up Email

2/11/2018: Legal Ad – Notice of Interactive Public Workshop

2/12/2018 – 2/15/2018: 4-Day CRA Urban Design Standards Overlay Charrette

2/13/2018: Charrette Email Blast

2/14/2018: Charrette Email Blast

2/15/2018: Charrette Email Blast

2/15/2018: Charrette Email Blast

3/9/2018: Draft Urban Design Standards Overlay Lunch & Learn Public Notice

3/9/2018: Draft Urban Design Standards Overlay and Support Documents Posted to Website

3/15/2018: Draft Urban Design Standards Overlay Lunch & Learn Meeting

3/16/2018: Draft Urban Design Standards Overlay Lunch & Learn Follow-up Email

3/16/2018: Draft Urban Design Standards Overlay and Upcoming Workshops Email

3/19/2018: Planning Board and Community Redevelopment Agency Combined Workshop: Draft Urban Design Standards Overlay – 2:00 p.m.

3/19/2018: City Council Workshop: Draft Urban Design Standards Overlay – 5:30 p.m.

3/26/2018: Public Input Extension and Revised Schedule Email Blast

3/30/2018: Legal Ad- Notice of Public Input Extension, Additional Sessions and Revised Schedule

4/3/2018: Additional Public Input Session – 5:30 p.m.

4/7/2018: Additional Public Input Session – 8:30 a.m.

6/12/2018: Planning Board Public Hearing – 2:00 p.m.

8/6/2018: CRA Meeting – 3:31 p.m. (Following City Council Agenda Conference)

8/9/2018: City Council Public Hearing – 5:30 p.m.

9/13/2018: City Council Meeting – 5:30 p.m.

Other Outreach Efforts:

- Charrette Mailer – Sent 2/6/2018
- Preliminary Webpage Launch – 2/7/2018
- Facebook Post: Charrette – 2/8/2018
- YouTube Video- CRA Charrette Updates: Week of February 13, 2018
- Flyer Distributed – Beginning 2/13/2018
- Official Webpage Launch – 2/14/2018 to 2/15/2018
- City Webpage Banner and Announcement #1 2/8/2018
- City Webpage Banner and Announcement #2 2/9/2018
- City Webpage Banner and Announcement #3 3/8/2018
- City Webpage Banner and Announcement #4 3/27/2018
- Public Input Extension and Revised Schedule Mailer – Sent 3/27/2018
- Facebook Post: Public Input Extension and Revised Schedule – 3/28/2018
- Meetings posted to City Board Meeting and Event Calendars

CRA Urban Design Overlay District- City Staff and Community Comments

CITY STAFF COMMENTS			
Commentator	Referenced Section	Comment	Response
Public Works	2.2-2.4	Is this document going to trump the LDC entirely?	No, the document will not trump the LDC entirely. Where a conflict exists between the Overlay and the underlying land development regulations, the Overlay will prevail. The Overlay will not alter allowable land uses under the current zoning, however, it will, in some instances modify dimensional standards and provide additional clarifying language related to the existing zoning. The Overlay's provisions will be limited to the Urban Core, Westside and Eastside Redevelopment Areas, excluding the City's existing Special Review Districts (SRD's) and the Port of Pensacola.
Public Works	Table 5.4.1.(D)	Tree cannot reduce required width for 5' wide pedestrian path.	Correct, trees cannot reduce the required width for a 5' wide pedestrian path. All ADA regulations must be adhered to. Table 5.4.1.(D) does not supersede ADA, not does any other section of this Overlay.
Public Works	Section 5.5.1.e.i. (1)	First floor elevation shall be a minimum of 9 feet above sea level. 9' above sea level? Having a hard time understanding that elevation requirement.	Section deleted.
Public Works	Section 5.5.1.e.iii	"Mixed-use and non-residential building entries be at sidewalk grade." What if you're in a flood zone and your FFE has to be elevated?	Section 5.5.1.e.iii relates to minimum elevation, and will not impact flood zone requirements. Existing regulations pertaining to ADA and flood zone requirements must be adhered to.
Public Works	Table 5.5.1.D	"Encroachments are permitted according to Section 5.5.3. No encroachment into the City right of way is allowed without a license to use (LTU).	Added language re: LTU for all encroachments.
Public Works	Table 5.5.1.E	Arcade & Colonnade states "Encroachments are permitted according to Section 5.5.3. No encroachment into the City right of way is allowed without a license to use (LTU).	Removed arcades and colonnades as possible encroachments.
Public Works	Entirety of Section 5.6	No encroachment into the City right of way is allowed without a license to use (LTU). This entire section promotes/encourages the idea of encroachments.	Added language re: LTU for all encroachments.
Public Works	5.7 Intent	This is going to impede development.	Your Land Development Code and Comprehensive Plan encourage on-street parking already.
Public Works	5.7.1.d	So is this saying if no on-street parking is allowed they have to build a garage? Then in 5.7.3.ii they force them back into the lot?	If on-street parking is not allowed then parking will be placed behind the front facade or in the rear of the lot, however, a garage is not required.
Public Works	5.7.1.e.i	So who determines if the rear lane is possible?	Rear lane feasibility will be subject to the discretion of the developer.
Public Works	5.7.2.a	How is this even possible to enforce? Also in the ROW requires LTU.	Language included to coordinate with Public Works. As for enforcement, it is same as meeting parking requirements. Submissions will have to show how and where bicycle parking is provided.
Public Works	5.7.3.a.ii	How do you do this if the lot is 30 ft wide and no on-street parking.	It requires that covered or garage parking be placed towards the back of the lot for theses narrowest of lots to ensure garages do not overwhelm the front yard. Uncovered parking is also permissible.
Public Works	5.7.3.a.iv	LDC requires 42 feet, 20 feet is way to close and will clutter up City right of way. Also poses a safety issue.	Modified language to 42 feet. This makes circular driveways for single-family lots not possible. Not a bad thing!
Public Works	5.7.3.a.vi	Shared driveways are not good. They're contradicting themselves in iv and vi.	No contradiction. Shared driveways are encouraged not required.
Public Works	5.7.3.b.i	How is this going to be enforced after the building is built and they park in front of the house?	For multi-family buildings, off-street parking cannot be provided in the front yard. If the front yard is not designed as a parking lot it should be simple This is an enforcement issue.
Public Works	5.8.4.c	Chain link is actually allowed in Old East Hill Preservation District but according to these standards would not be allowed in the CRA.	Chain link is prohibited in many of the SRD and should be also in the CRA areas for commercial and residential properties. For industrial, it is permitted.
Public Works	6	Landscaping is subject to visibility triangles like everything else.	It was always the intention to have visibility triangles maintained. We have added that language as a reminder.
Public Works	6.1.1.a	How do you do this with a 30' or 50' lot? Is the City going to take ownership of said tree due to requirements imposed?	Any lot 50 feet or less requires a tree planted in private yard, with restrictions, so property owner's responsibility.
Public Works	6.1.1.b	Enforcement...most sidewalk owners don't keep clear now let alone 2' from them.	Agreed, enforcement issue.
Public Works	6.1.1.3	Depending on location visibility triangle will not allow this.	Visibility triangles must be adhered to.

CRA Urban Design Overlay District- City Staff and Community Comments

Public Works	6.3.2	Replace “city engineer” with “A certified arborist and the Engineering Division of the City’s Public Works and Facilities Department.”	Currently, tree plantings within the public right-of-way are subject to review and approval by the Engineering Division of the City’s Public Works and Facilities Department. A certified arborist is not currently required or available on staff. The Overlay standards would maintain the City’s existing procedure for trees in the public right-of-way. Tree selections shall be limited to species identified within the City’s recommended plant list contained within Section 12-6, Appendix B.																																																																																																																																																															
Public Works	6.3.5.a and 6.3.5.c:	Shall include root barrier to not shift sidewalks at maturity.	Added language.																																																																																																																																																															
Public Works	6.3.5.b	Enforcement? Owner? Which brings us back to the first question.	Yes, enforcement issue.																																																																																																																																																															
Public Works	6.3.5.d	What if you only have a 30’ lot?	This section addressed tree planting in public ROW, not private lots.																																																																																																																																																															
Public Works	6.3.6.a and 6.3.6.c:	Again not without “A certified arborist and the Engineering Division of the City’s Public Works and Facilities Department.”	Resolved per revised 6.3.2. Any tree planted in public ROW must be approved by the Engineering Division of the City’s Public Works and Facilities Department.																																																																																																																																																															
Public Works	6.3.6.c, 6.3.6.d, and 6.3.6.e	Shall include root barrier to not shift sidewalks at maturity.	Added language once at beginning of section 6.3.																																																																																																																																																															
Public Works	7.1.2	Refers to “driveway apropos”. Don’t think that is the correct word you are wanting to use...aprons?	Correction made.																																																																																																																																																															
Public Works	8	Define the following: buffer yard, and greenway.	Greenway already defined (see Parkway/Greenway/Verge in Section 8) Buffer yard is already defined in your zoning code, in Section 12-14.																																																																																																																																																															
Public Works	12-2-82 (1)(a) (C)	Driveway width reduction may be detrimental to large commercial development.	Proposed reduction minor. For maximum driveways it is reduced from 24 feet to 22 feet. The proposed reduction for minimum driveway is to permit a single travel lane minimum driveway width of 10 feet, verses 20 feet.																																																																																																																																																															
Public Works	12-6-01	Gulf Power and other aerial utility providers may want a chance to review this.	Coordination is required with Engineering Division of the City’s Public Works and Facilities Department.																																																																																																																																																															
Public Works	General/Admin Comments	Is it the intent to have a LDC for the City and a completely separate LDC that only applies to the CRA? This creates confusion for staff. I don’t fully understand this Context Classification concept, but the more rules we create, the harder it’s going to be for staff to enforce.	We are proposing an Overlay District for the CRA areas, much like the existing Special Review Districts (SRD) work today. This is not a completely separate LDC. Please review the Transportation Support Document written by Hall Planning & Engineering as part of this scope of work.																																																																																																																																																															
Public Works	5.7.2.c.ii	Does not meet clear recovery zone requirements.	While the AASHTO Green Book and the Roadside Design Guide provide excellent guidance for areas of general context, the Florida Greenbook Chapter 19 applies to Traditional Neighborhood Design context. The entire Community Redevelopment Area is characterized as a traditional neighborhood design, based on features such as the universal small block grid layout originally platted. Clear zone considerations are addressed and will be guided by the Florida Greenbook.																																																																																																																																																															
Public Works	5.7.2.c.ii	Again there are many considerations on determination of the distance of a clear zone but this is just the basic lengths. Most of the City lands under the very top one of 40MPH or lower and under 750 ADT but depending on what road it is the ADT does rise and the distance gets bigger.																																																																																																																																																																
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CRA Urban Design Overlay District- City Staff and Community Comments

Public Works	5.7.2.c.ii	When the Green Book and the Roadside Design Guide were last updated, the AASHTO committees coordinated to dispel the misunderstanding that 2 feet (actually, 18 inches) behind a curb constituted a clear zone. Since curbs are now generally recognized as having no significant containment or redirection capability, clear zone should be based on traffic volumes and speeds, both without a curb. The AASHTO A Policy on Geometric Design of Highways and Streets (Green Book) enumerates a clear zone value for two functional classes of highway. For local roads and streets, a minimum clear zone of 7 to 10 feet is considered desirable on sections without curb. In the discussion on collectors without curbs, a 10-foot minimum clear zone is recommended. The general discussion on Cross-section Elements also indicates a clear zone of 10 ft. for low-speed rural collectors and rural local roads should be provided. Resulting in the previous email of the clear zone to be minimum of 7 to 10 ft with or without a curb. Again this is just for a flat roadway... when you get into drop offs or where the side of the road is higher than the roadway these can increase in distance. Therefor making a standard outside the AASHTO/FHWA standards is not recommended and is difficult to perform correctly. Sidewalk are not considered to be impediments in the recovery zones like a bike rack, a tree, or utility pole.	
Public Works	5.8.3.b	May conflict with building code, though was 6' not 8'.	Zoning currently permits up to 6.5 feet in rear, but residents have asked for taller for privacy issues. 8 feet does not conflict with Building Code.
Public Works	6.0 Intent	Trees in tight spaces block sight triangles, lift up sidewalks, grow into utilities (below grade and aerial). Trees aligned closely to the street edge are a safety hazard. They need to be outside the clear recovery zone and meet site visibility triangle requirements.	The benefits of trees in public ROWs are well documented. 6.3 requires any tree planted in the ROW to be approved by the Engineering Division of the City of Pensacola Public Works and Facilities Department and comply with the existing requirements. We have also added language to ensure they are also planted outside of clear recovery zone and meet site visibility triangles. 6.3.5 c) replaced with section reference as already in your Code under Sec 11-4-88.
Public Works	6.3	Who is responsible since mandating the placement of tree?	The adjoining property owner is responsible under the current City Code of Ordinances. However, tree placement must be coordinated with the Engineering Division of the City's Public Works and Facilities Department.
Public Works	5.7 Intent	Fire/EMS is probably not going to support this. Not to mention, sight visibility triangle when trying to get out into traffic.	The Overlay will not alter "no parking" areas, and parking will be subject to sight visibility triangle requirements, as it currently is. However, where on-street parking is feasible it should be encouraged.
Public Works	5.7.2.b.i (1-4)	All things listed are located in the ROW and would require LTU to be placed.	Correct, language for LTU and coordination with Public Works included. It does require an LTU.
Public Works		For bike racks to be placed in City right of way, it would need to be approved by the appropriate City staff with regards to aesthetics, any sight distance issue it may create, and ensure it doesn't encroach upon required widths for pedestrians to get around the bike rack. From there, the owner of the bike rack would have to obtain a license to use. Once it cleared the above described hurdles, there's a chance we could do the license to use administratively through Engineering.	
Public Works	7.1.1:	Remove "Florida Greenbook, Chapter 19 Traditional Neighborhood Design." CRA does not trump LDC, FDOT, etc.	Requiring that local streets be designed to Chapter 19 standards does not trump FDOT standards. If there is a conflict with the LDC, Chapter 19 shall prevail for local streets within the Overlay boundaries
Planning Dept. (PD)	Section 4	Are these intended to be actual zoning changes? Need to add a section pertaining to appeals of decisions. Something similar to the text below: "Sec. ---. - Appeal. Any person directly and adversely affected by a decision of the Building Official, the City Engineer, the Parks and Recreation Department, or the Mayor or his or her designee in the interpretation or enforcement of the provisions of this section may appeal such decision to the zoning board of adjustment. Such appeal shall be submitted in writing to the within thirty (30) days of the rendering of the subject order, requirement, decision or determination."	The overlay will not alter allowable land uses under the currently zoning, however, it will, in some instances modify dimensional standards and provide additional clarifying language related to the existing zoning Instead of copying LDC language into the Overlay District, we will reference Section 12-12-2 for appeals and variances.

CRA Urban Design Overlay District- City Staff and Community Comments

Planning Dept.	Section 4	It was mentioned (at least once by a member of the public) that this would help with “preservation” in these districts, but the context in which that was stated referred to demolition of existing structures. Sections 5 & 6 in the Table of Contents actually describe the contents of Appendix A, so my suggestion would be to consider either removing Section 4 from the Table of Contents or revising it to say “Amendments to Land Development Regulations” or something similar that is less specific to zoning.	This section and the Appendix A reference has been removed in its entirety. The contents of Appendix A have been incorporated into the Overlay, as appropriate.
Planning Dept.	12-2-8 Table 12-2.7	The Dense Business Area has a maximum setback of 10' for all commercially zoned properties (C-1, C-2A, C-2 and C-3). Is the intent to supersede that requirement with this table in the CRA? If so, is C-1 excluded from having a build-to line/max setback intentionally?	According to the tables, commercial is restricted to a maximum 5 foot setback. Our proposed regulations will supersede.
Planning Dept.	General/Admin Comments	The overlay as written would not protect against demolition of existing structures, it preserves neighborhood character by determining what can be rebuilt. Given recent concerns regarding the demolition of older structures in neighborhoods that don't have a formal Board review of that process, I want to make sure we are clear to the neighborhood stakeholders that there is nothing in the proposed overlay that would prevent someone from coming in to get a permit to demolish a structure, and does not add a review process for approval of a demo permit.	Agreed with comment
Planning Dept.	12-2-81 (B)(1)	Is the intent to involve the ARB in the review process? It is referenced in the main section of the Code due to its applicability in some areas citywide, so might need to clarify if it is only referenced as it would pertain to areas in the CRA already under the purview of the ARB.	No, it is not the intent to involve ARB in the review process. All plans will be reviewed through the City's existing review processes. No special review will be required.
Planning Dept.	12-2-4 Table 12-2.2	Is the intent to actually create a zoning category of "CRA R-1AA" or is this prefix only used for clarification purposes in the document? If it will actually be an amendment to the zoning category title (creating a new category of CRA R-1AA) then the zoning map would need to be amended for consistency.	No, it is not the intent to create a separate CRA zoning categories. All dimensional modifications will be incorporated into the Overlay. Allowable land uses under the current zoning will not be impacted.
Planning Dept.	12-6-3 (A)	Is this specific to the CRA areas only? If so, would recommend editing the zoning districts to remove ATZ, R-C and any other districts that are not located in the CRA.	Yes, the Overlay is specific to the Urban Core, Westside and Eastside Redevelopment Areas, excluding the City's existing Special Review Districts (SRD's) and the Port of Pensacola. This section have been incorporated into the Landscaping Standards section of the Overlay.
Planning Dept.	12-2-81 (B)(1)	Department/Division titles are outdated (were being updated via recodification which was not approved by Council). Current titles are: Planning Services Division; Engineering is a Division under Public Works & Facilities (would check with Derrik for correct wording); Inspections Services Division; Parks and Recreation Department (no longer Leisure Services); Fire Department is unchanged; see my note regarding ARB; ECUA is now Emerald Coast Utilities Authority vs Escambia County Utilities Authority. Would also add CRA staff to the list.	Once 12-2-81 is amended, the changes becomes effective. It should not be necessary for CRA to be a formal party to the review process since it is the intent for the overlay to be concise and regulatory in nature, rather than subjective. Additionally, it is rare for projects located outside of the SRD's to be subject to this review process - most go straight through permitting.
Planning Dept.	5.5	Would add a provision for CRA staff to be involved in review and approval of building design/layout.	Review processes are intended to remain as they currently exist. Overlay requirements will not be subjective in nature and therefore will not require additional review or input. All requirements will be incorporated into an administrative checklist and subject to a "yes" or "no" response. In addition, CRA staff are not zoning experts.
Planning Dept.	12-2-82 (D)	This section reads “Design guidelines” but most of the language is changed from “should” to “shall” in the subsequent text. It should read “Design Standards” and be double-checked for any remaining “should” to be changed to “shall”.	This section has been removed.
Parks & Recreation Dept.	Table 5.4.1.(B)	Trees: Who maintains? What type? Are there limits?	Trees in private yards shall be maintained by property owner or HOA. See section 6.1 for restrictions on landscaping in private yards.
Parks & Recreation Dept.	Table 5.4.1.(D)	Tree grates: Who maintains?	This section related to the installation of tree grates, pits and pots on private property. Reference to installation of tree grates and pits have been removed. Installed pots on the private lot are to be maintained by the property owner. However, language has been added to Section 6.3 for installation of tree grate and pits within the public right-of-way to provide that grates and pits installed by private owners be maintained by the owner. Also, tree grate and pit installations must be consistent with surrounding grate/pit style and subject to review and approval by the Public Works and Facilities Department.
Parks & Recreation Dept.	5.7.2.b	who selects type, approves location, maintains and installs?	Language clarified.

CRA Urban Design Overlay District- City Staff and Community Comments

Parks & Recreation Dept.	6.1.1.a	Trees: Who maintains?	Any landscaping / planting in private lots maintained by property owner.
Parks & Recreation Dept.	6.1.1.e	Hedges: Who maintains?	Any landscaping / planting in private lots maintained by property owner.
Parks & Recreation Dept.	6.3.2	Why not Parks and Recreation Dept. Director for approval?	Will follow current City procedure.
Parks & Recreation Dept.	6.3.5.f	No palms – redundant.	Agreed, reference removed.
Parks & Recreation Dept.	6.3.6.a-e	Trees maintained by who?	Trees planted in ROWs are maintained by the adjoining property owner.
Parks & Recreation Dept.	12-6-02	“Section XX (frontage yards)” – Section XX?	Response provided above.
Parks & Recreation Dept.	12-6-02	Where is section D?	No changes proposed to Section D. Only included those sections with proposed edits.
Parks & Recreation Dept.	Table 5.4.1.(A)	What type? Are there limits?	This standard requires that 50% of the front yard be pervious material. Paving, including pervious pavement, is limited to walkways and driveways. All pervious materials which do not constitute paving are permissible.
Parks & Recreation Dept.	Table 5.4.1.(C)	Landscape: Who regulates?	Landscaping to comply with existing landscape regulations. Any landscaping in private lots maintained by property owner.
Parks & Recreation Dept.	6.3.4	Tree fund – Who manages?	The CRA Tree Fund is proposed to be managed by the CRA.
Parks & Recreation Dept.	6.3.5.b	Trees maintained by who?	Adjoining property owner.
Parks & Recreation Dept.	6.3.5.e	Trees – who determines?	Subject to coordination with PW.
Building Inspections	5.1.2.b	Please address how this is determined if there is no sidewalk adjacent to the site.	Language revised to read average grade, as defined in building code.
Building Inspections	5.1.2e.ii	Clarify statement as to how ground floor height is measured.	Language revised to read average grade, as defined in building code.
Building Inspections	5.1.2.f.iv	Clarify statement as to how ground floor height is measured.	Language revised to read average grade, as defined in building code.
Building Inspections	5.1.2.g	This statement contradicts the definition of story height in the Florida Building Code.	Clarified language in code.
Building Inspections	5.1.4.a	Provide the definition and use of towers and loggias.	Deleted this section since your underlying regulations are more permissive in this case.
Building Inspections	5.1.5.a	Explain how this roof pitch was determined. Minimum 6:12	Discussed in meeting on 3/19. It is in keeping with the character of your neighborhoods and your SRDs recognize this already. It is our recommendation to extend this regulation across the CRA areas.
Building Inspections	Table 5.3.1	States front setback is 20’ minimum, with a façade type of porch. When viewing Table 5.5.1Facade Types a covered porch is a requirement and must be a minimum of 6’ deep and no more than 10 feet. This seems to be a large encroachment into a required setback.	Discussed in meeting on 3/19. This will permit existing homes to add a porch.
Building Inspections	Table 5.3.1	(Setbacks – Accessory Structures) the minimum side yard setback is 1 foot. Please take into account eave overhangs, water runoff and fire rating requirement of walls.	Discussed in meeting on 3/19. This will permit existing homes to add a porch.
Building Inspections	Table 5.3.2	(Setbacks – Accessory Structures) the minimum side yard setback is 1 foot. Please take into account eave overhangs, water runoff and fire rating requirement of walls.	Discussed in meeting on 3/19. Retaining water on own lot is a requirement. We encourage smaller setbacks for accessory structures given narrow width of many lots. Building code standards will have to be adhered to for fire-rating.
Building Inspections	Table 5.3.5	Define Hybrid Commercial.	Defined.
Building Inspections	5.4.1	Identifies urban design guidelines, but all sections state “shall” which indicates these are in fact standards and not guidelines.	Section removed.
Building Inspections	Section 5.5.1.e.i. (1)	States first floor elevation shall be a minimum of 9 feet above sea level. I don’t understand this requirement as Main Street is basically where the 9 foot seal level occurs and anything below that must meet the floodplain requirements.	Deleted this section as already addressed in the underlying regulations and we do not want to repeat anything in the Overlay that is already covered.
Building Inspections	Section 5.5.1.e.ii and iii	Once again mention sidewalk grade. This is assuming sidewalk exists	Changed to average grade as defined within the Building Code Standards
Building Inspections	Table 5.5.1	Do not address the Florida Accessibility Code as far as accessible entrances. The Stoop type entry at 36” minimum would require a 41 foot long ramp for accessibility and the Common Entry would require a minimum 18 foot long accessible ramp.	Revised minimum height to 34 inches, instead of 36 inches.
Building Inspections	Section 5.5.3.b	Prohibits the use of extruded aluminum storefronts. Since Florida Product Approval is required for external building components, please identify what components can be used for storefronts that will meet the code requirements.	Revised language to read use of extruded aluminum storefronts permitted with decorative trim.
Building Inspections	Section 5.6.3 and Table 5.6.2:	The illustration show the actual building encroaching the right of way by 8 feet. Please advise as to how this would be possible.	Arcades and colonnades removed from Overlay.

CRA Urban Design Overlay District- City Staff and Community Comments

Building Inspections	5.8	This section is totally contrary to the fence requirements in the Land Development Code for every other area in the City, including historic and preservation districts in regard to heights.	Our recommendation is a slightly lower height in the front (42", instead of 48" max) but a taller height in the rear (up to 8 feet).
Building Inspections	5.8.4.d	Requiring adjacent wood fences to have a different picket design is not even a requirement in the historic districts.	Removed this section.
Building Inspections	5.8.4.e:	This section stating that you can only have wrought iron or brick fences only in conjunction with masonry buildings. Where did this come from? And please explain why they would not be allowed.	Discussed in meeting on 3/19. This regulation included in your SRDs. Removed this section.
Building Inspections	General/Admin Comments	Where is the appeals process for reconsideration of a decision by whichever office conducts the review?	Appeals process will remain as it currently is. All appeals will be processed in accordance with Section 12-12-2.
Building Inspections	General/Admin Comments	Has there been any cost studies conducted to determine how much these standards will add to the cost of a home, multifamily or commercial building?	Not in scope and difficult to quantify accurately. Generally, we would urge you to look at cost reductions too, if you are to look at cost increases, in addition to appreciating property values.
Building Inspections	General/Admin Comments	At yesterday's meeting it was stated that there were still changes being made so this list of comments may not be complete.	Changes are being tracked for ease of review.
Building Inspections	Section 5.5.3.b/5.9.2	Florida Energy Code encourages the use of reflective glass to cut energy costs.	Clarified language to apply only to ground floor commercial uses.
Building Inspections	General/Admin Comments	Who or what board is going to do the actual review of plans to verify compliance with the Overlay Standards? No one has approached my office with any requests to do reviews, or asked for my recommendations	Review processes are intended to remain as they currently exist. All requirements will be incorporated into an administrative checklist and subject to a "yes" or "no" response. No additional review board will be necessary.
Building Inspections	General/Admin Comments	Is there to be a review fee associated with verification of compliance?	No new fee structure is proposed.

COMMUNITY COMMENTS			
Commentator	Referenced Section	Comment	Response
Sandy Walker	5.8.4.b	In the area regarding fences, why does it not permit vinyl? Typically it holds up better than wood, especially if the wood is not treated or stained.	We can, however your most beloved neighborhoods do not permit vinyl, it is an inferior material that looks and feels cheap, in comparison to more authentic materials.
Christopher Kariher, STOA Architects	None Referenced	I enjoyed yesterday's meeting yesterday and thank you for inviting architects. We really appreciate your efforts in making Pensacola a better community. Here is my comment: INTENT: To encourage parking toward the rear of lots in single family development; allowable size of accessory structures should be increased beyond the current zoning code. ACTION: Allow for larger accessory structures located in the rear of single family residential to accommodate parking in the back of lot with a detached garage. This would encourage standalone car garages and give some allowance for the lost buildable area square footage by using part of the lot buildable area for the driveway to get back to the detached garage.	Mr. Kariher, thank you for your comments. We will consider.
Wayne O'Hara	None Referenced	Thank you for the update on the CRA Overlay process. I would like to express my concern over the lack of notification to concerned and affected citizens, like me, about these proposed guidelines and standards. I own property in the CRA District and I was not notified by the City about this process being in place. The only way I knew about yesterdays "Lunch and Learn" was because of a discussion I had with a developer near my office. Fortunately, he let me know about this meeting and I was able to attend. This is a very lengthy and complicated proposal that will require hours of review to fully understand the potential impact this will have on future development and construction. We understand the City has good intentions by implementing this process/proposal, but we also believe the people of Pensacola deserve a reasonable amount of time to review and respond to this new Overlay District Proposal. The email you sent today, which notified us of two meetings this Monday, is greatly appreciated, but hardly gives ample time for us to plan to attend and formulate an educated response to this proposal. We would ask that you either postpone this meeting or provide additional opportunities for our input prior to this becoming the Law of the Land. I have meetings already scheduled during both of the meetings on Monday so will be unable to attend. I would like to ask, if possible, you read this message during the Q & A session at one or both of those meetings. Thanks again for all your help.	Mr. O'Hara, thank you for your comments. It has been the intent of the CRA to maximize public input and participation throughout the design standards overlay process. Please be advised that a postcard was sent to all property owners located within the affected area prior to the charrette that was held the week of February 12, 2018. The CRA has verified that your address was included on the charrette notification postcard mailing list. Additionally, the comment period was extended and additional public input sessions added to the schedule to provide additional opportunity for public comment and engagement.

CRA Urban Design Overlay District- City Staff and Community Comments

Jarah Jacquay	None Referenced	I am writing to express my strong support for the CRA's Draft Urban Design Standard Overlays. I commend you, Ms. Helen Gibson, our City Council, the Planning Board, and Mayor Ashton Hayward for your vision and strong leadership in support of this project. I believe that the proposed standards will achieve their desired end-- "Strengthening Connectivity, Strengthening Neighborhoods, and Ensuring Quality in Design and Development"-- and will, by preserving our historic character and charm and by promoting high-quality development that is compatible with our vernacular form, have a transformative effect on our city. If implemented, I believe that the CRA's Urban Design Standard will make Pensacola a better place to "Live, Work, and Play" and will greatly enhance walkability and streetscape vibrancy, increase property values and tax revenue, promote place-based tourism, and facilitate talent recruiting/retention. Thank you again for your service to our community and your efforts to make Pensacola a more vibrant and livable city! I think these Urban Design Standards are a strong step in the right direction and am excited to see how they contribute to the revitalization of our CRA districts.	Thank you for your comments.
Griffin Vickery	5.1.2.g	Please accept the following comments on the proposed urban design standards. I am not familiar with the current city regulations more generally, and could not make a complete review of the proposed overlay standards in the time available, but the following are in response to what I was able to review: Section 5: Urban Standards & Guidelines 5.1 Building Height 5.1.2.g implies that building heights can exceed the maximums, but the intent appears to be that a building story that exceeds the maximum story heights in "e" or "f", as applicable, will be considered two stories.	No buildings are not encouraged to exceed the maximum - quite the contrary. It just means that if a building does exceed the height it is considered an additional story higher which may make it non-compliant.
Griffin Vickery	Table 5.3.1	Detached Single-Family & Duplexes (R-1AA, R-1A) The identification of a "Front, Side" as item "b" of the principal building setbacks (and "f" for accessory buildings) would be less confusing if identified as "Front, secondary," consistent with both the illustration and "Frontage & Lot Occupation" section of the table. The front setback (a) would accordingly then be "Front, primary."	This was changed to side, so less need for primary.
Griffin Vickery	Table 5.3.1	The "Frontage & Lot Occupation" section appears to only be frontage occupation, especially since a lot occupation section follows.	Correct, this has been changed.
Griffin Vickery	Table 5.3.1	The referenced Section 5.6.1 regarding encroachments in note (2) does not appear to be the intended reference regarding principal building height.	Yes, these were updated in subsequent drafts.
Griffin Vickery	Table 5.3.1	There is reference to note (3) in the parking section of the table, but no such note appears.	Yes, these were updated in subsequent drafts.
Griffin Vickery	Table 5.3.1	The illustration would benefit from an accessory building buildable area. If not provided, the lettering of the individual setbacks (e-h) should be discarded.	Correct, this has been changed.
Griffin Vickery	Table 5.3.1	The illustrations would benefit from more realistic and proportional representations of front and rear setbacks (i.e., closer to 4 and 6 times the side setback, respectively).	Correct, this has been changed, with the fixes that were tied to the prior comment.
Griffin Vickery	Table 5.3.1	The illustration would benefit from enlargement to fully utilize the space.	Agreed, the illustrations have been enlarged.
Griffin Vickery	Table 5.3.1	Additionally, it is not necessary to show four different renderings of single-family dwellings – two would be adequate.	Thank you for your comments. We will consider reducing the number of renderings.

CRA Urban Design Overlay District- City Staff and Community Comments

Griffin Vickery	Table 5.3.2	Table 5.3.2: Attached Single-Family (Townhouses) (R-1A, R-1B). The principal building setbacks section of the table indicates a 0 or 5-foot minimum interior side setback. Since these are attached units, the 5-foot is assumed to apply only to an end unit on an interior lot. If so, it would be clearer to separate it in the table section or show a 10-foot separation between two midblock units in the illustration.	Thank you for your comments. We will clarify.
Griffin Vickery	Table 5.3.1/5.3.2	Some of the comments made on these two tables also apply to the other tables of the section. Tables are helpful to summarize information, but if too brief in content they can cause confusion.	We agree. Thank you for your comments.
Griffin Vickery	6.1.1.a	Section 6: Additional Landscape Standards 6.1 Landscape on Private Property In 6.1.1.a, DBH is used to identify the diameter of “trees planted to meet this requirement,” but Florida Grades and Standards indicate DBH is not an appropriate measure for nursery trees. It is presumed that those grades and standards are specified in the other landscaping standards to achieve quality tree plantings the City wants. If so, caliper is the standard diameter measure of such trees. If not, I would recommend their adoption as a common reference for all parties in development.	Agreed, we will change from DBH to caliper for standard diameter measurements.
Griffin Vickery	Section 8	Section 8: Definitions. Additional definitions. In the definition of Building height, single-family residential , the measure is proposed to be “to the bottom of the eave.” Since houses often have more than one eave height, the definition should specify which eave height – lowest, highest, average, or other.	Agreed. The definition of "Building height, single-family residential" will be clarified to mean "the vertical distance of a building measured from the average elevation of the finished grade to the bottom of the lowest eave.
Griffin Vickery	Section 8	In the definition of Facade, building , the phrase “set along a frontage line” may be less confusingly defined as “facing a frontage line,” which is the explanation included in the definition of Frontage line . That, or some other phrasing, would more clearly indicate the possibility of some area between the building facade and the frontage line as is revealed in the definition of Frontage yard type . As building facade is proposed to be defined, one must read several other definitions to conclude that the facade is not necessarily directly along or coterminous with the frontage line.	Agreed. The definition of "Façade, building" will be clarified to mean "an exterior wall of a building that faces a frontage line."
Fred Gunther	Not referenced	Can you define what Special Review Districts are exempted from the DPZ design requirements? I assume Gateway Redevelopment District, Governmental Center District, Palafox Historic Business District, South Palafox Business District, Dense Business District, Old East Hill Preservation District, Waterfront Redevelopmetn District, North Hill Preservation District and the Historic District, correct?	The Special Review Districts (SRD's) which are exempt from the CRA Urban Design Standards Overlay include the Gateway Redevelopment District, South Palafox Business District, Waterfront Redevelopment District, Governmental Center District, Old East Hill Preservation District, Palafox Historic Business District, Historic District, and the North Hill Preservation District. The Port of Pensacola is also exempt.
Fred Gunther	Not referenced	If so, will this be defined in writing within the standards?	Yes, the overlay district boundaries will be defined in writing within the standards, and is available on the project website (www.cityofpensacola.com/CRAOverlay).
Fred Gunther	None Referenced	Can you tell me where to find the maps for each existing Special Review District within the Urban Core CRA?	The Special Review District (SRD) boundaries are available for review through the CityView application located on the City of Pensacola website (www.cityofpensacola.com), however, please verify all SRD boundaries with the City of Pensacola Planning Department.
Fred Gunther	Table 5.5.1: Façade Types	Can you also tell me how grade is defined on page 21? There is nothing listed under definitions in the draft and I see a couple of façade types have an entry grade with a maximum height above grade. I am asking because my site is built up and sits approximately 2' higher than the sidewalk (slopes from sidewalk to 2' higher approximately 10' in from the sidewalk).	Grade shall be determined by the average grade along the front property line, as defined by Building Code Standards. This clarification will be included.

CRA Urban Design Overlay District- City Staff and Community Comments

Fred Gunther	None Referenced	I appreciate the invitation to comment on the Community Redevelopment Agency's plan to implement design requirements and change the Land Development Code related to all properties within CRA overlays which are not within a Special Review District. I have become involved in the process because my brother and I are in the middle of creating a mixed use development, called Galveztown, at the NE corner of Palafox and Belmont Street on the former YMCA site. Over the last year we have hired engineers to create a site plan and held predevelopment meetings with City staff to confirm that all aspects of our project are compliant with the City of Pensacola's Land Development Code. After this, we contracted to have the building demolished and have engaged Gulf Power to have the power lines surrounding the site moved underground. Several of the lots are under contract with Buyers who are planning to build their personal residences on the site. In addition, we have hired architects to design two single family homes on the site which we will begin building this year. Essentially, we have invested an incredible amount of time and money creating a Class A development in our downtown core. As a result, we want to make sure this investment is protected and have been attending the recent charrettes.	Mr. Gunther, thank you for your comments. It is the intent of the CRA to preserve the traditional urban neighborhood environment by establishing urban design standards which adhere to a form-based methodology and result in a predictable development. We believe that adoption of these standards will, in fact, prove to protect the investments of developers and the investments of their buyers who chose to live here. Research proves that communities which adopt urban design standards expodentially outperfrom those who do not. The benefits of implementation include enhanced resident and visitor attraction, community health and economic viability, amongst many others.
Fred Gunther	None Referenced	During this process, we were pleased to find out that our property was not included in the Urban Core CRA overlay area. I hope you can understand the frustration we felt when the map changed today (After all of the charrettes and input sessions are over and on the very last day comments are due to the CRA), suddenly including us in the overlay. As a result, new aesthetic, landscaping and setback requirements affecting us are being fast-tracked for implementation. These requirements have nothing to do with the building code and they are both arbitrary and subjective. In addition, no exception has been made for those who have already proceeded with developing a property based upon the existing land development code. Allow me to give you several examples:	The boundary maps were revised to correct boundaries which were incorrectly referenced due to a geographical conversion error. Since the project's inception, the CRA has confirmed that the overlay boundaries would be limited to the City's three community redevelopment areas which include the Urban Core, Westside and Eastside, excluding the City's existing Special Review Districts (SRD). The Port of Pensacola was added to the excluded area during the map revision, as it was established that the Port's activities were inappropriate for inclusion within the Overlay. No additional changes were made. We sincerely apologize for any inconvenience this has caused, and extended the public comment period accordingly. The extended schedule included two additional public input sessions in which the correct map was distributed.
Fred Gunther	Table 5.3.2, Form Standards	1.) There are currently no setbacks required on our site. As a result of input from our Architect, as well as our Civil Engineer, we created a 3' side setback on each lot so there will be a distance of approximately 6' between each of the homes. This allows the homes to have windows on the side but still maintain the high density you would expect along the downtown Palafox Street corridor. These parcels have been surveyed and are ready to be transferred. The new requirements state the side setback needs to be either 0', or a minimum of 5'.	None.
Fred Gunther	6.1.1.a	2.) We have designed the Palafox residences to be pushed to the street, as you would expect in an urban environment. Our Architect has designed a home which uses a 2.5' front setback. The new requirements state you must plant a tree in your front yard and the tree must be at least 3' from the right-of-way. DPZ has agreed on two separate occasions that this requirement is not appropriate for a residence in the downtown core and yet the requirement is still contained in the draft.	The reference to distance from right-of-way for trees on private property has been removed. Property located within the Dense Business Area will adhere to the front setback and lot coverage defined in Section 12-2-8, Table 12-2.7, as it relates to the Dense Business Area.
Fred Gunther	Table 5.5.1: Façade Types	3.) Because our site is built up several feet already, we would likely violate the maximum entry grade height of 48' even if we only slightly elevate the slab. If addition, the slab at the front entry will need to be built up by several feet because there is a significant slope to the lot.	Elevations will be measured based on the average grade, measured from the front property line. This will address sloping issues. This language has been clarified within the text.
Fred Gunther	Section 2, Applicability	As you can see, all of our plans meet the current land development code, but the proposed overlay will result in additional expense and problems if these changes are implemented. We have already created a set of design guidelines for our development, with the intent of holding residents to high standards, as well as maintaining some consistency in the development of these parcels. If we obtain building permits for several homes now with a 2.5' front setback on Palafox before the design standards are implemented, we could end up with some homes 2.5' from the sidewalk, with others, permitted later, approximately 6' away to allow room for a tree in the front yard. A person should have the right to know what they are able to build on a property without worrying about the government arbitrarily changing the entitlements associated with the property in the middle of the development process. As a result, I respectfully request the following amendment to your draft: "Section 2.9 - These standards shall not apply to any property where the property owner has had a pre-development meeting with City Staff, prior to implementation of the CRA Overlay District, which met the requirements of the City of Pensacola land development code at that time."	In accordance with the City's standard practices, the new standards will not apply to any proposed development which has received a development order or a building permit as of the effective date. Pre-development meetings serve as informal informational sessions rather than an approval procedure, and therefore cannot be considered due to their nature. To accomodate transitions, a forty-five (45) day grace period will be provided . This is a forty (40) day extension beyond the City's standard practice. Upon the conclusion of the grace period, the standards will become effective and implementation will begin.
Nina Goodrich	None Referenced	I would like to share a concern of citizens on the edge of downtown. Gregory Street, Chase Street, and L Streets flood now when a small rain comes through. With all the new buildings this flooding problem could become much worse. I would hate to see Pensacola become the next New Orleans, or Houston---people dying during hurricanes due to preventable flooding. The problem began when sidewalks were created---Throughout the Maxent Track, now West Garden District. This is a stable area of the city. People look out for one another. Thank you for all you do.	Ms. Goodrich, thank you for providing these comments. Flooding and stormwater issues are a concern for many downtown areas. The proposed requirement to elevate homes has the potential to reduce flooding of new construction homes, however, the overlay in and of itself cannot directly address stormwater and flooding overall. Instead, these standards are intended to ensure that development is contextual with the City's goals and vision for its redevelopment areas by preserving the traditional urban neighborhood characteristics of these areas.

CRA Urban Design Overlay District- City Staff and Community Comments

Fred Gunther	None Referenced	What Board will review and approve variance requests to the proposed changes?	The Zoning Board of Adjustments (ZBA) will review and approve variance requests in accordance with Section 12-12-2 of the Land Development Code.
Fred Gunther	None Referenced	What fee will the City charge in order to apply for said variance?	No fee changes are proposed. Fees will be assessed in accordance with the City's adopted fee schedule.
Fred Gunther	None Referenced	Will the fee be charged regardless of whether or not the applicant demonstrates a hardship and is granted the variance?	Fees will be assessed and reimbursed in accordance with the City's current policies.
Scott Sallis	3.1	Recommend adding "development orders, plat approvals, or other projects discussed with City staff prior to ????? date"	To accommodate transitions, a forty-five (45) day grace period will be provided. This is a forty (40) day extension beyond the City's standard practice. Upon the conclusion of the grace period, the standards will become effective and implementation will begin. Project discussions with City staff do not serve as an approval process and therefore cannot be included due to their nature.
Scott Sallis	5.1.5	recommend "should" have minimum. (It's too restrictive to demand roof pitch requirements)	The intent for adopting urban design standards is to preserve traditional neighborhood character. Roof pitch is a key component of the character which exists within the community redevelopment area neighborhoods. It must be preserved in order to ensure that new development dovetails into and complements the existing neighborhood environment.
Scott Sallis	5.5.3.b	recommend removing this text. (The LDC must consider extruded aluminum for commercial storefronts as a viable option)	This language has been revised to allow extruded aluminum storefronts with decorative trim.
Scott Sallis	5.5.3.d.	recommend changing to "shall consist of.." (demanding materials here will easily be seen as restrictive)	The language contained within this section will ensure quality development which maintains its integrity over time and complements the existing neighborhoods.
Scott Sallis	5.9	WINDOWS & GLAZING (recommend striking this entire section) It is full of too many unnecessary restrictions)	The window proportions, design and glazing proposed are key elements which preserve neighborhood character and integrity, and provide welcoming, and walkable public spaces by preventing blank walls. These proposed standards are essential and necessary factors in meeting the goals and objectives of the overlay.
Scott Sallis	Table 12-2.7	C-2A, (if zero is allowed, it doesn't make sense to demand 5' as next option. We have a development within the CRA that needs 6' between buildings and thus we have 3' side setbacks) See example below. As written this development would not comply....	Properties within the Dense Business Area will be exempt from the 5' setback requirement.
			

CRA Urban Design Overlay District- City Staff and Community Comments

Steve Dana	6.1	Thank you for this effort to improve our standards in the CRA district. As a landscape architect I understand what a great impact well designed landscape and exterior space has on a community. Our current landscape standards require impervious surface requirements, and tree island in off-street parking, however, the codes do not require landscape plantings or even trees in these areas. Section 12-6-3 Landscape Requirements sets up interior planting areas but does not require trees to be planted in interior islands or areas and states that the remaining areas can be landscaped with "other landscape materials." In many cases "other landscape materials" results in pine straw. I hope that you can clean this up so that the code actually requires canopy trees in the interior landscape areas and requires some percentage of shrubs, turf, mulch in the remaining areas. The City of Fort Walton Beach and Panama City Beach have decent language that describes such percentages. Please let me know if you have any questions regarding these comments. Thank you again.	Mr. Dana, thank you for your comments.
Wayne O'Hara	None Referenced	Please find attached the summary of my verbal comments from the public input session of last Thursday, April 5, 2018. Thanks again for the opportunity to provide this input and please let me know if you have any questions or need additional information. 1. Thanks for opportunity to provide input on this proposed set of standards and guidelines. 2. Commend DPZ on thorough and comprehensive proposal. 3. I began investing in real estate in the CRA area in 2002-16 years ago. Have purchased 6 separate pieces of property since that time. 4. I have a vested interest in area and currently maintain my construction office on Intendencia Street. 5. Enjoy the neighborhood and want to continue to promote and support future good development in the area. 6. I am Concerned about extra layer of rules and regulations that will be mandated by this new set of CRA Urban Design Standards. I have both "General" and "Specific" areas of concern a. Generally-Additional set of hurdles for developers/real estate investors to clear. May discourage development. b. Specifically-Reference paragraphs in Proposal:	Mr. O'Hara, thank you for your comments. It is the intent of the CRA to preserve the traditional urban neighborhood environment by establishing urban design standards which adhere to a form-based methodology and result in a predictable development. We believe that adoption of these standards will, in fact, prove to protect the investments of developers and the investments of their buyers who chose to live here. Research proves that communities which adopt urban design standards expodentially outperfrom those who do not. The benefits of implementation include enhanced resident and visitor attraction, community health and economic viability, amongst many others.
Wayne O'Hara	1.1.1	1.1.1 States "Encouraging new construction" -I tend to disagree, since this presents another set of rules and regulations, above and beyond what already exists, that complicates the development process.	As described above, research shows that design standards do not curtail development. While additional requirements are enforced, the standards lend themselves to a better built environment which improves value and attraction. Additionally, the proposed standards will not require the additional time or cost of a special review board. Rather, projects will be reviewed administratively through the City's existing processes.
Wayne O'Hara	2.1.1/3.2	2.1.1 States "Apply to all new construction, additions and renovations" Vs. 3.2- refers to "Substantial Modification" -which one is it? Please clarify.	The standards will apply to all new construction and substantial modifications as defined by the existing Building Code Standards. This clarification has been made within the text.
Wayne O'Hara	2.2	2.2 "In addition" to applicable regulations-Already many regulations in place, ie., Comprehensive Plan, Future Land Use, Zoning, Land Development Code, Architectural Review Committee, Florida Building Code. Don't think we need more rules.	Existing regulations do not sufficiently address building form or character. Rather, development is unpredictable yielding both good and bad results. The design standards are proposed to ensure predictable results which preserve the traditional urban neighborhood character of some of the City's most treasured and valuable areas.
Wayne O'Hara	5.1	5.1 Measure in stories vs. table 5.3.2 sets building height@ 45 feet. Conflicting rules, please clarify.	Measurement in stories relates to nonresidential and multifamily. Measurement in feet relates to single family detached, attached and two-family attached (duplex).
Wayne O'Hara	5.1.5	S.1.5 Roof pitch min. 6:12--many commercial metal buildings have a 2:12 roof pitch or less. Will hamper commercial development.	The traditional roof pitch within these neighborhoods contain a 6:12 or greater roof pitch. While there may be some outlyers, the majority of development adheres to this standard. The intent of the proposed standards is to preserve the traditional neighborhood form. The roof pitch proposed ensures that development dovetails into the existing framework.
Wayne O'Hara	5.3.4.b	5.3.4b Dictates what fence material can be used. Due to costs of materials itemized, will force all fences to be wood.	Thank you for your comments.
Wayne O'Hara	5.4	5.4 Frontage types. "Existing neighborhoods with a well-established character" Who decides what the "well-established character" is? Do other Standards and Guidelines still apply? This paragraph seems to add subjectivity and vagueness.	The language contained within this section is guiding language intended to establish intent, it is not regulatory. Standards which are regulatory and mandatory are activated by the word "shall", guidelines which are recommended and encouraged, but not mandatory are activated by "should". The standards and guidelines contained within the overlay apply in accordance with these definitions.

CRA Urban Design Overlay District- City Staff and Community Comments

Wayne O'Hara		Some examples of eliminating driveways and parking of vehicles in the front yard area were shown. While this concept sounds and appears attractive, I'm concerned over where the vehicles would then park. If forced to park in the street, with the width of many of the neighborhood streets in this area, it will cause a traffic hazard with parked vehicles obstructing traffic flow.	Most Pensacola streets are considered yield streets capable of accomodating on-street parking on both sides, and a travel lane in between. These streets are common in cities all over the world, and are utilized in a manner in which maximizes on-street parking and density, improves walkability on the sidewalks and enhances pedestrian safety. Enforcement is required to ensure that parking is orderly, however, this design is a tried and true method which provides many benefits in urbanized settings. All parking will be subject to maintaining visibility triangles, and no parking will be allowed in "no parking" zones.
Wayne O'Hara		To summarize--Many codes, regulations, rules, etc. already in place - construction and development {good development) is vibrant in downtown area and CRA District - I express my concern and encourage you to be cautious in moving forward with an additional set of standards that have the potential for negative effects on development and cause developers/investors to consider other areas.	As stated above, existing regulations yield unpredictable results - some good and some bad. Due to the magnitude and extent of development and redevelopment within the City's CRA neighborhoods, it is critical that standards be adopted which inform neighborhood character and layout. The proposed standards are the minimum necessary to protect the value and integrity of the redevelopment areas, and are not intended to be overly burdensome or regulatory.
Thomas Douthat	Appendix A, Sec. 12-2-82 €	I am writing in full support of the Proposed Chapter 12-2. Zoning Districts Article VIII: CRA Overlay District. The only specific comment I have would be with Sec. 12-2-82. - (e) regarding sidewalks. I support the mandatory rule, but it should be specified with the 6 foot width and setback traditional to Pensacola, not based on the personal judgment of the City Engineer. This is not leading to a strong and well designed sidewalk network in other areas of the city. The standard as proposed is too vague.	Mr. Douthat, thank you for your comments. A component of the proposed urban design standards is adoption of the the Florida Greenbrook, Chapter 19, Traditional Neighborhood Design (TND) to guide street design, including sidewalks, within the overlay boundaries. This chapter rely's on strong integration of land use and transportation, and is intended to support improved walkability and complete street design within the overlay. Unfortunately, specific sidewalk widths cannot be adopted for all areas of the redevelopment districts as each thoroughfare is unique and faces different challenges and needs.
Thomas Douthat	None Referenced	Beyond this, what I think needs to be improved is what is "missing." Specifically, I would also like the city to allow "of right" missing middle housing in the area, including duplexes, triples, and multifamily-units consistent with the neighborhood character. The great strength of a form based code is that it can allow more housing diversity and mixing of uses, while still preserving character. Changing the design standards alone are insufficient to obtain the CRA's objective of a vibrant diverse area. Our family sizes are smaller than when the area was built in the 1900s-1950s, and we need greater numbers of units to build back population density in the urban core. The goal of a vibrant and diverse area, also necessitates an equity housing plan for strategic multi-site public housing and tax credit projects. Moreover, a large part of the problem in terms of design comes from the management of roads. These also need to be accompanied by changes to the street design and management standards to support "Complete Streets" and a Vision Zero approach to pedestrian and cycling injuries. Beyond this, I would like these standards applied in all parts of Pensacola, and at a minimum on the contiguous grid. Thank you for your efforts on this important topic for the future of the city. I hope you receive full support from City Council.	While the CRA recognizes the need for "missing middle housing" in the redevelopment areas, the development of urban design standards is limited to an overlay of the underlying land development regulations, it does not alter the underlying allowable land use types. Modifications to allowable use types would require rezoning areas currently zoned for low or medium density development to a higher zoning category.
John David Ellis, Jr.	None Referenced	I just wanted to send a quick note in support of the CRA Overlay. I think it is a critical step in promoting the unique character of the neighborhoods located in the CRA, and it will help streamline the building & development process in these areas. Thank you for your help facilitating this process.	Thank you for your comments.
Charles Holland	None Referenced	As a practicing architect w/ offices here since 1993, I really appreciate good design and hate projects where there is an absence of any originality or design thought. I also hate laws trying to regulate every choice. So I encourage a small fee to be added to those projects that do not provide a design idea and w/specific ways, directions, a project is original or builds on other good design. Which could be used to help increase property values. Also provide Guidelines to owners w/proposed project's that identify: concept intent, identifying visual contribution to community include offering community awards for excellence or original design.	Mr. Holland, thank you for your comments. We will consider this.
Zachary Lane	None Referenced	I live at 420 E Brainerd St in the East Side Neighborhood. The East Side Neighborhood is one of the neighborhoods that is a focus of the Urban Design Standards Overlay that was completed by DPZ. I would like to express my support for the plan. The East Side Neighborhood, I feel, would greatly benefit from the implementation of the plan.	Mr. Lane, thank you for your comments.

CRA Urban Design Overlay District- City Staff and Community Comments

Jordan Yee	None Referenced	I spoke briefly at the April 6 input session and would like to submit the following recap of my comments for your records: I would like to thank and applaud the City and the CRA for making such a strong effort to preserve and strengthen the character of our historic communities. DPZ is widely recognized as one of the top urban design and planning firms and I feel confident that Pensacola has chosen an experienced partner to help guide us through this process. I was three when my family moved to Pensacola in 1983. My father is a local dentist and my mother manages the practice. Both have been active in many local community organizations. I am now 38 years old and live in East Hill with my wife and two young children, but less than 10 years ago, I nearly left Pensacola for a larger urban area in search of more culture and better, more interesting career opportunities. Timing is everything and despite an exciting job offer and a built-in community of friends in another city, I chose to stay in Pensacola to start a family with my now wife. It was a difficult decision and I felt like I was leaving a lot on the table by not moving away. Fortunately, my initial reluctance and loss has turned into hope as I have witnessed the transformation of Pensacola over the last ten years. As a licensed architect, I closely watch where and how development occurs and there is so much to be excited about right now. That being said, I recently "quit" architecture because I know we deserve and can produce better development. Rather than wait for projects to be brought to me, I wanted to take a more active role in the development of our community. I am now working for a local general contractor and intend to use the construction experience as a springboard to developing my own small projects. During Ed McMahon's recent CivicCon presentation, I was particularly struck by one of his many pithy challenges, "Do you want the character of your community to shape development or do you want development to shape the character of your community?" I believe the answer to his challenge is clear. While the downtown development boom can be attributed to the efforts of many people and groups that believe Pensacola can and must be better, at its core, the boom is a testament to one idea—Downtown Pensacola is a special place worth preserving and strengthening. Downtown is where we host our most treasured local events—the Arts, Music, and Seafood Festivals, and most recently Cicovia to name a few. And it is where we host our most treasured personal events like weddings. And it is where young couples take wedding announcement photos because the most intimate, human scaled places in our community only exist downtown. The local ballet, opera, arts, and symphony communities all call downtown a few points regarding concerns from the local development, construction, and real estate communities that the new CRA overlay guidelines and standards will make development and construction in the new districts more difficult and expensive: 1) The areas in question are in highest demand and deliver the greatest returns precisely because of their historic character; 2) The best way to protect their business interests in these areas is by establishing standards that preserve and strengthen the character of those areas; 3) The idea that "regulations" make development more difficult is shortsighted when viewed in the context with the long term profitability of their real estate investments. Property owners should expect development to be deliberate and contextually appropriate or risk the decline of property values over time as the original character of the place is lost; 4) Countless case studies have shown form-based codes and the associated checklists make development easier because the review process is more objective and not subject to panel or board review. 5) The notion that added costs required by overlay standards make new development unfeasible ignores the fact that those costs directly translate to value added AND increased resale value. Residential properties values in downtown can top \$300/sf, which far exceeds \$225/sf in East Hill, which is continues to be one of the hottest neighborhoods in the area. 6) Guidelines are well-intentioned, but have no teeth and standards are a much stronger tool to ensure that local historic character (and	
Jordan Yee	None Referenced	new CRA overlay guidelines and standards will make development and construction in the new districts more difficult and expensive: 1) The areas in question are in highest demand and deliver the greatest returns precisely because of their historic character; 2) The best way to protect their business interests in these areas is by establishing standards that preserve and strengthen the character of those areas; 3) The idea that "regulations" make development more difficult is shortsighted when viewed in the context with the long term profitability of their real estate investments. Property owners should expect development to be deliberate and contextually appropriate or risk the decline of property values over time as the original character of the place is lost; 4) Countless case studies have shown form-based codes and the associated checklists make development easier because the review process is more objective and not subject to panel or board review. 5) The notion that added costs required by overlay standards make new development unfeasible ignores the fact that those costs directly translate to value added AND increased resale value. Residential properties values in downtown can top \$300/sf, which far exceeds \$225/sf in East Hill, which is continues to be one of the hottest neighborhoods in the area. 6) Guidelines are well-intentioned, but have no teeth and standards are a much stronger tool to ensure that local historic character (and	Mr. Yee, thank you for your comments.
Jordan Yee	None Referenced	Rather than close with a line by line confirmation of the wisdom captured in the proposal, I would like to close instead with a few personal notes and a challenge to our City. My 32-year old sister creates custom jewelry and her husband is an online trader. They recently left San Francisco and returned to Pensacola to care for a sick family member. While Pensacola is dramatically different than it was when she left over a decade ago, being home is a daily reminder of the amazing quality of life they gave up when they left San Francisco. I will be disappointed, but I won't be surprised if they leave Pensacola for an urban area that offers more...everything. My 29-year old brother is a dentist and officer in the Air Force. His wife is also a dentist. They currently live in Charleston, SC, one of the best preserved and most walkable small cities in our country. They are considering where to move when my brother's time commitment is fulfilled next year. Pensacola is in the running for a number of reasons—proximity to family and friends, a turnkey business opportunity, our beautiful natural resources, etc.—but they remain on the fence because they have both spent the last ten years of their lives living in urban areas that offer more...everything. Pensacola will never be San Francisco or Charleston, but as citizens we are responsible for creating the best version of Pensacola we can. I can tell my sister and brother that good things are happening in Pensacola all I want, but they have to feel the energy for themselves when they walk down the street. I spent this Easter weekend visiting family in Memphis. On the drive home, we stopped in West Point, MS to grab a bite to eat. Rather than stop at a chain on the bypass, which looks like every other bypass in small town America, we chose to drive an extra half-mile off the bypass to West Point's historic downtown. Thanks to my smartphone I was able to find Magnolia's at the Ritz, a new local restaurant attached to West Point's historic theater, the Ritz. The food was delicious and a huge improvement from the chain on the bypass, but the real treat was the old main street, the dining room, and the people. The old storefront was attached to the restored historic theater and it was located directly across the street from a still operating local hardware store. The 20-foot tall ceilings in the dining room featured original wood posts and details that are too expensive to recreate. And the pride of the business owner and the local community was obvious, especially with everyone decked out in Easter attire. We left Magnolia's with happy bellies and made our way back onto the bypass. Unfortunately, the consequences of choosing cars over people and bad development over good had never been so clear to me. I was pleased to later discover that West Point had joined countless small towns across the country and partnered with Main Street America to help strengthen the historic resources of their community. The community made a deliberate choice to preserve its historic character and the local business community responded by restoring the Ritz and opening Magnolia's. It goes without saying that neither the theater nor the restaurant could exist along the bypass. My challenge to the	Mr. Yee, thank you for your comments.

CRA Urban Design Overlay District- City Staff and Community Comments

Jordan Yee	None Referenced	I did forget to add one important comment--I had hoped the overlays would take full advantage of the efficiencies of form-based codes and allow for more diverse land uses. If I understand correctly, none of the uses changes under the draft proposal and I feel like it's a missed opportunity if the CRA can't be developed more like areas in the historic commercial districts that successfully integrate a variety of uses.	Mr. Yee, you are correct. As mentioned in a previous response, the proposed urban design standards would be adopted as an overlay to the underlying land development regulations, they would not alter allowable land uses. Rezoning would be required to upzone lower density areas to allow for higher densities and mixed uses.
Charles Washington	5.1	I appreciate having the opportunity to comment on the Proposed CRA Overlay District Urban Design Standards and Guidelines. My specific comments and observation are listed below. Overall Report. The overall report is a commendable effort to present both technical and nontechnical information in a manner the average citizen can follow and be informed. However, because this is draft, the report could benefit from careful final editing before the final copy is published. Specifically, attention needs to be given to: 1. The way in which reference is made to information in a table or tables rather than to a table or table number. For example: rather than saying, "Building heights are as assigned by the Table 5.3.1 - 5.3.5 Form Standards," why not consider this instead: "Building heights are as assigned by the Form Standards in Tables 5.3.1 - 5.3.5." (See pages 5, 8, 9, 16, 20, 27, 29, and 30.)	Agreed. We will clarify.
Charles Washington	Tables 5.3.1-5.3.5	The inconsistency found in what is shown in a table illustration and its letter notations and how or if the letter notations are defined in the table legend. For example: in Table 5.3.1 that is to replace Table 12-2.2 the graphic illustration includes notations a, b, c, and d, but the notations in the legend includes letters f, g, and h. Letters f, g, and h are assigned substantive meaning or data, but neither of these notations appears in the illustration in the table. (Typically, drawings and illustrations are referred to as Figures, and tables refer to matrices of data and information.)	Agreed, we will clarify.
Charles Washington	Table 5.3.3	The lack of clarity in the meaning of some of the legend notations beneath tables. For example: it is unclear whether using the convention of the forward slash to separate two numbers is meant to convey a minimum on one side and a maximum on the other side as in the legends under the tables on pages 12 and 14. For example, what does 5 max./15 max., referring to principal building setback, mean on page 12 or 5 max./ 15 max. mean on page 14?	Agreed, we will clarify.
Charles Washington	Table 5.4.1 and Figures 5.6.2 and 5.6.3	Missing Tables or Figures. The draft has several missing (not included) tables or figures. Tables are missing on pages 17 and 18. Figures are missing on page 24.	Thank you for your comments.
Charles Washington	Tables 5.3.1-5.3.5 and Figure 5.6.1	Properly labeling or identifying the contents of a table or tables. See, for example, the table on pages 12, 14, 15, and 23.	Thank you for your comments. We will clarify.
Charles Washington	None Referenced	Substantive Content. 1. Deteriorating and Abandoned Housing. I was very surprised and disappointed that there is not one mention (that I could find) of keeping the CRA area free of deteriorating and abandoned buildings--private residence, commercial building or churches. The absence of such mention is to suggest that the intent is to preserve the area with its historic blight of abandoned and/or deteriorating buildings. This deserves at least a mention if not a policy statement or guideline to prevent such or to eliminate such buildings,	One of the CRA's main purposes is to remove and eradicate blight within the redevelopment areas. We will add a statement to the Intent section of the Overlay establishing that one of the goals of the design standards is to support the removal of blight within the redevelopment areas. The overlay, in and of itself, however cannot remove deteriorating and abandoned housing, but it can support redevelopment of such within its boundaries.
Charles Washington	Section 2, Applicability	Superiority of Standards in Article VIII over any other conflicting Standard or Guideline. While I think I know what is meant by Article VIII, 2.4 under Applicability, there is lack of certainty given the way the provision is stated. Here is what needs clarification. The written statement, not including the Italic text, is "The Design Standards and Guidelines in Section 12-2-82 shall apply. [unless preempted by these standards in Article VIII: CRA Overlay District]. Where a conflict exists between the standards in this Article {VIII: CRA Overlay District, 2.4} and the standards of Chapter 12-6, the standards in this Article [VIII: CRA Overlay District] shall prevail." The insertion of the bracketed article text will eliminate the ambiguity and implicit conflict in the original language.	We will clarify this language.
Charles Washington	Appendix A, Table 12-2-2	The report provides no justification or rationale for the proposed changes medium density in residential land use district regulations (Table 12-2.2). In the absence of a rationale or justification there is no need to make the proposed changes in Minimum Lot Area, Minimum Lot Width, and Front, Side, and Rear Setback Standards. This comment also applies to proposed changes in Standards in tables that are not titled or labeled following Table 12-2.2.	The proposed edits to Table 12-2.2 within Appendix A support the Form Standards contained within Tables 5.3.1-5.3.5, and will be incorporated into these tables, as appropriate.
Charles Washington	Section 8 and 5.1.3	(See: 8, 5.1.3) The criterion for determining or defining a two-story building is ambiguous and can be made clearer by stating how much of a distance above the single-story height requirement is. If the standard were to state by how much the building must exceed the maximum height standard that defines a one-story building, the ambiguity is removed.	We will clarify this language.

CRA Urban Design Overlay District- City Staff and Community Comments

Charles Washington	5.4.3(a)	The use of the term "elements" in Standard 5.4.3 (a) adds ambiguity unclear because "elements" is not defined and can have many meanings. It is also not defined by its usage here. It needs to be defined or a synonym used.	This term has been removed.
Charles Washington	5.5.1€	Standard 5.5.1(e) proposes a First-Floor elevation of a minimum of nine (9) feet above sea level. Is this a typo? Does this standard apply throughout the CRA area? Nine feet high is quite high.	This standard has been removed.
Charles Washington	5.7	In all instances where on-street parking is required or discussed, there is no caveat that the street must be of a minimum width for this to occur. This is a serious oversight. Many neighborhood streets will not easily accommodate a car parked on the street if owners on both sides of the street utilize on-street parking and enough space remains to allow cars to use the street for normal travel.	Thank you for your comments. On-street parking is encouraged but not required. Standards contained within the Florida Greenbook Chapter 19 address these concerns. The Florida Greenbook Chapter 19 standards are proposed to be adopted as a component of the overlay.
Charles Washington	5.7.3	The notion of a shared parking space for residents living side by side is a good idea if the space is large enough for two cars. If not, how will this work, and why is it a "good" idea?	Minimum driveway width standards have been incorporated for joint driveways.
Charles Washington	6.1.1	I would urge a careful review of the Landscape on Private Property Standards, especially 6.1.1, to make sure what is stated is the intended standard.	Thank you for your comments.
Charles Washington	6.3.5(a)	Standard 6.3.5(a) should be reviewed carefully to make sure that what was intended to be proposed is what is really proposed. I have made many more comments on the reviewed draft, but these are the ones I offer for consideration.	Thank you for your comments.
Jimmie Jarrett	Section 6	Some thoughts for consideration for long term tree viability in the Urban Design Standards for the street trees in the public Right of Way: 1) Is there an alternative to using metal tree grates? Tree grates must be maintained and cut away from the trunk of a tree. The grate needs to be periodically cut to allow for trunk expansion otherwise the grate will strangle and eventually kill the tree.	Yes, there are alternatives to using metal tree grates. The proposed standards allow for planting in tree grates or tree pits which would not required to be cut away with trunk expansion.
Jimmie Jarrett	Section 6	The amount and type of soil used in planting trees will directly affect the tree size and health. Consider option for structural soil or spec the percentage of porous material and organic matter for tree pits.	Thank you for your comments. We will consider.
Jimmie Jarrett	Section 6	To reduce sidewalk and root conflicts, in guidelines mention or suggest using one of several systems that that will limit root and sidewalk conflict. Low cost systems can be as easy as a root deflection system or using 57 stone to create air space under the side walk.	Requirements to install a root barrier system have been included.
Jimmie Jarrett	Section 6	Consider adding an option for cluster planting trees in one large soil area. Tree roots are able to spread out and share soil space. Trees will perform better and grow larger with a bigger shared space rather than being confined to small planting pits.	Language for clustering tree plantings has been included.

PROPOSED

Chapter 12-2. Zoning Districts

Article VIII: CRA Overlay District

[actual location in code to be confirmed]

Urban Design Standards and Guidelines

[draft date: 3/15/18]

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Notes:

*Text in **Blue** relates to specific references within Chapter 12 Land Development Code and Chapter 11 Traffic and Vehicles, of Pensacola's City Code of Ordinances*

*Text in **Red** are internal references (only noted as red for this draft)*

*Text in **Grey** relates to the intent specific to sub-sections*

1. INTENT

- 1.1. The requirements set forth in this Article are intended to:
 - 1.1.1. Preserve and maintain the urban pattern and architectural history of Pensacola's CRA areas, while encouraging new construction that is compatible with that heritage, but also reflective of its time.
 - 1.1.2. Improve the physical appearance of the CRA areas with urban design standards that provide more predictable results in terms of the form and character of buildings.
 - 1.1.3. Support the future growth of Pensacola, to ensure compatible and cohesive land uses, to remain resilient long-term, and to support the goals, objectives and policies of the City's Comprehensive Plan and CRA area master plans.
 - 1.1.4. Coordinate the placement, orientation, and design of buildings to ensure a coherent and walkable streetscape and traditional urban character by creating well-defined street edges with continuous building walls, articulated facades, and architectural features that create visual interest and an attractive pedestrian environment.
 - 1.1.5. Capitalize on opportunities to attract and grow a variety of residential building types, retail, service, and cultural establishments to serve local needs, create regional attractions and a robust economic base.
 - 1.1.6. Enable and encourage mixed-use development within the CRA areas in support of viable and diverse locally-oriented businesses and cultural institutions.

2. APPLICABILITY

- 2.1. These standards shall apply to all new construction, including building additions and renovations within the following three CRA areas:
 - 2.1.1. The Urban Core, excluding all plots within the Special Review Districts;
 - 2.1.2. The Eastside; and
 - 2.1.3. The Westside.
- 2.2. These standards are proposed as an overlay, in addition to all applicable regulations pertaining to the underlying zoning districts. Where a conflict exists between the standards in this Article and the standards of the underlying zoning districts, the standards in this Article shall prevail.
- 2.3. The Design Standards and Guidelines in [Section 12-2-82](#) shall apply. Where a conflict exists between the standards in this Article and the standards of [Section 12-2-82](#), the standards in this Article shall prevail.
- 2.4. Trees/Landscape Regulations in [Chapter 12-6](#) shall apply. Where a conflict exists between the standards in this Article and the standards of [Chapter 12-6](#), the standards in this Article shall prevail.
- 2.5. Modifications to the dimensional requirements of the existing zoning districts are included in [Section 5.3 and Tables 5.3.1-5.3.5 Form Standards](#).
- 2.6. References to sections in this Chapter refer to the Pensacola Code of Ordinances, Land Development Code.
- 2.7. Standards, defined by “shall” are regulatory and new development is required to comply with these standards. Deviations from these standards shall only be permitted by a variance.
- 2.8. Guidelines, defined by “should” are advisory, and new development is encouraged to incorporate them as appropriate in order to enhance and complement the built and natural environment. The intent is to create the highest level of design quality while providing the needed flexibility for creative site design.

3. PRE-EXISTING CONDITIONS

- 3.1. Existing buildings and structures that do not meet the requirements of this Overlay may be occupied, operated, repaired and renovated in the existing non-conforming state.
- 3.2. Existing buildings and structures that do not conform to the requirements of this Overlay may continue in use as they are until a substantial modification is requested, according to Building Code Standards.
- 3.3. The restoration or rehabilitation of an existing building does not require the provision of parking in addition to the existing, if less than six (6) new spaces are required.

4. ZONING CHANGES

- 4.1. Refer to [Appendix A](#) for proposed edits to the Pensacola Code of Ordinances, Land Development Code.
-

5. ADDITIONAL URBAN STANDARDS & GUIDELINES

5.1. BUILDING HEIGHT

Intent: *Measuring height in stories rather than feet has numerous benefits which include: a) to provide greater creativity for a natural variety of roof forms; b) to recognize the need of different users, as commercial floor plates are different than residential floor plates; c) to remove the incentive to create short floorplates, and instead encourage more gracious floor-to-ceiling heights for environmental health, without penalizing property owners; and d) to protect the historical proportions of Pensacola's CRA areas.*

5.1.1. Building heights are as assigned by the [Tables 5.3.1-5.3.5 Form Standards](#).

5.1.2. Building height is measured as follows:

- a. Building height shall be measured in stories, with the exception of single-family residential, which shall be measured in feet.
- b. Where maximum height is specified, the measurement shall be taken from the average grade of sidewalk adjacent to the site.
- c. Above ground stories are measured from finished floor to finished floor.
- d. Single-family and duplex residential height is restricted to 35 feet, measured as follows:
 - i. To the bottom of the eave for pitched roof buildings; and
 - ii. To the top of the parapet for flat roof buildings.
- e. Height by story for residential buildings, excluding single-family and duplex residential buildings, is limited as follow:
 - i. In R-1AA, R-1A, R-1B, R-2A, and R-NC, R-NCB: above ground story height shall be a maximum 14 feet.
 - ii. Ground floor height shall be a minimum 12 feet.
- f. Height by story for non-residential and mixed-use buildings is limited as follows:
 - i. In R-NC, R-NCB, and R-2: ground floor story height shall be a maximum of 20 feet.
 - ii. In C-1, C-2 and C-3, ground floor story height shall be a maximum of 24 feet.
 - iii. Above ground story height shall be a maximum 14 feet.
 - iv. Ground floor height shall be a minimum 14 feet.
- g. Building height that exceeds the maximum permitted height shall count as two (2) stories.

5.1.3. Parking garages shall not exceed the height of the principal building on the site. Parking garages shall not be constrained by floor to floor height requirements, but stand-alone parking garages shall appear from the street to conform to the number of stories permitted in the zoning district in which it is located.

5.1.4. Exceptions to maximum height:

- a. Towers and loggias may exceed the maximum height, provided their footprint is less than 400 square feet.

5.1.5. Roof pitch:

- a. Gable or hipped roofs shall have a minimum pitch of 6:12 and a maximum pitch of 12:12.
- b. Shed roofs shall have a minimum pitch of 4:12.

5.2. BUILDING ORIENTATION

Intent: *Buildings should have their principal pedestrian entrance along a street, pedestrian way or open space, with the exception of entrances off a courtyard, visible from public right-of-ways.*

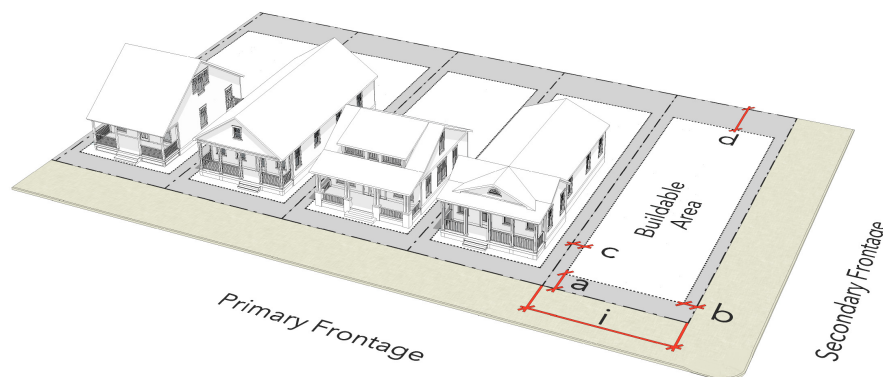
- 5.2.1. Building frontage occupation shall be regulated by the underlying zoning district according to [Tables 5.3.1 to 5.3.5 Form Standards](#).
- 5.2.2. Buildings shall be oriented so that the principal façade is parallel, or nearly parallel to the street it faces for the minimum building frontage requirement specified in the zoning district.
- 5.2.3. Forecourts, courtyards and other such defined open spaces shall count towards minimum frontage requirements.
- 5.2.4. Ground floor units in multi-family residential buildings shall provide landscaping, walls, fences, stoops or similar elements to provide an attractive and private frontage to the building.

5.3. BUILDING MASSING

Intent: *Buildings should be designed in proportions that reflect human-scaled pedestrian movement, and to encourage interest at the street level.*

- 5.3.1. Where provided, multi-family building courtyards shall maintain a minimum width:height ratio of 1:3 in at least one dimension, in order to avoid light well conditions. Courtyards should be wider where possible.
- 5.3.2. The design and façade treatment of mixed-use buildings shall differentiate commercial from residential uses with distinguishing expression lines (such as cornices, projections, banding, awnings, terraces, etc.), changes in fenestration, façade articulation and/or material changes.
- 5.3.3. Townhouses shall distinguish each unit entry with changes in plane, color, materials, front porches, front stoops or railings.
- 5.3.4. All service and loading areas shall be entirely screened from public right-of-ways as follows.
 - a. Equipment shall be screened in such a manner as to be compatible with the character of the building or to minimize its visibility.
 - b. If outdoor storage area is separate from the building it serves, the fence materials are limited to masonry, concrete, stucco, wood, PVC and metal, excluding chain-link.

- 5.3.5. HVAC and mechanical equipment are restricted as follows:
 - a. They are prohibited in frontage yards.
 - b. They shall be integrated into the overall building design and not be visible from adjoining streets and or open spaces.
 - c. Through-wall units or vents are prohibited along street frontages and open spaces, unless recessed within a balcony.
- 5.3.6. Mechanical equipment on a roof shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same.
- 5.3.7. Roof top parking shall be visually screened with articulated parapet walls or other architectural treatment.

Table 5.3.1: Detached Single-Family & Duplexes (R-1AA, R-1A)*Replaces Table 12-2.2***Setbacks - Principal Building (feet)**

a	Front	20 min.
b	Front, Side	5 min.
c	Side (Interior)	5 min.
d	Rear	30 min.

Frontage & Lot Occupation (min.)

Primary	45%
Secondary	40%

Lot Occupation

i	Lot Width	30 ft. min.
	Lot Coverage	50% max.

Building Height (max.)

Principal Building	35 ft. ⁽¹⁾⁽²⁾
Accessory Building	24 ft. ⁽¹⁾

Parking (min.)

Off-street	1/unit
------------	--------

Density (max.)

12 du/acre

Setbacks - Accessory Building (feet)

e	Front	50 min.
f	Front, Side	5 min.
g	Side (Interior)	1 min.
h	Rear	5 min.

Frontage Yard Types

Standard	Permitted
Shallow	Not Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted

Facade Types

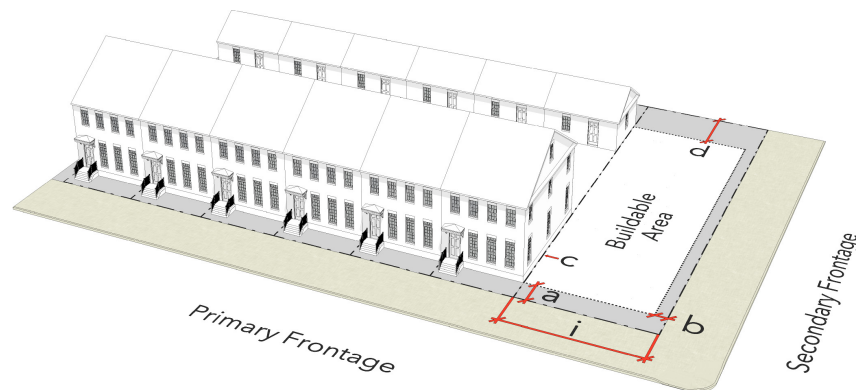
Porch	Permitted
Stoop	Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted

Notes:

- (1) Measured according to [Section 5.1.2](#)
 (2) First floor elevation shall be according to [Section 5.6.1](#)

Table 5.3.2: Attached Single-Family (Townhouses) (R-1A, R-1B, R-2A)

Replaces Table 12-2.2 & 12-2.3

**Setbacks - Principal Building (feet)**

a	Front	8 min.
b	Front, Side	5 min.
c	Side (Interior)	0 or 5 min.
d	Rear	30 min.

Frontage & Lot Occupation (min.)

Primary	60%
Secondary	40%

Lot Occupation

i	Lot Width	16 ft. min. 60 ft. max.
	Lot Coverage	75% max.

Building Height (max.)

Principal Building	45 feet ⁽¹⁾⁽²⁾
Accessory Building	24 feet ⁽¹⁾

Parking (min.)

Off-street	1/unit
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Density (max.)

18 du/acre

Setbacks - Accessory Building (feet)

e	Front	50 min.
f	Front, Side	5 min.
g	Side (Interior)	1 min.
h	Rear	5 min.

Frontage Yard Types

Standard	Not Permitted
Shallow	Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted

Facade Types

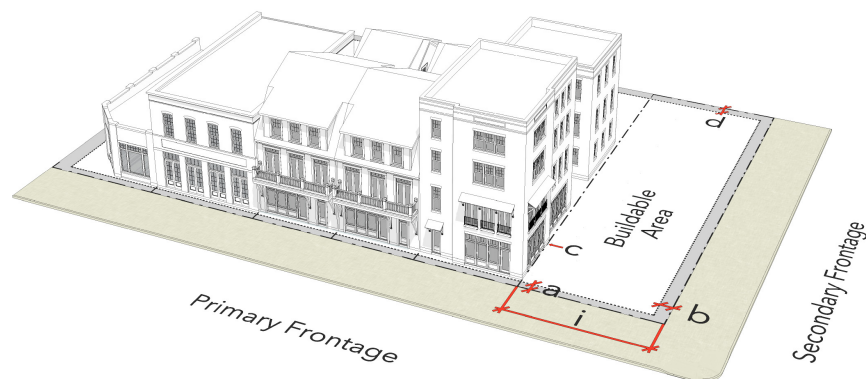
Porch	Permitted
Stoop	Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted

Notes:

- (1) Measured according to [Section 5.1.2](#)
 (2) First floor elevation shall be according to [Section 5.5.1.e](#)

Table 5.3.3: Neighborhood Commercial & MF Res. (R-NC, R-NCB, R2, C-1)

Replaces Table 12-2.6 & 12-2.7

**Setbacks - Principal Building (feet)**

a	Front (Com./MF)	5 max. / 15 max.
b	Front, Side (Com./MF)	5 max. / 15 max.
c	Side (Interior)	0 or 5 min.
d	Rear	none

Frontage & Lot Occupation (min.)

Primary	80%
Secondary	50%

Lot Occupation

i	Lot Width	16 ft. min.
	Lot Coverage	75% max.

Building Height (max.)

Principal Building	4 stories ⁽¹⁾
Accessory Building	N/A

Off-street Parking (min.)

Residential	1/unit
Commercial	Per Section 5.7.1

Density (max.) 24 du/acre**Setbacks - Accessory Building (feet)**

e	Front	N/A
f	Front, Side	N/A
g	Side (Interior)	N/A
h	Rear	N/A

Frontage Yard Types

Standard	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted

Facade Types

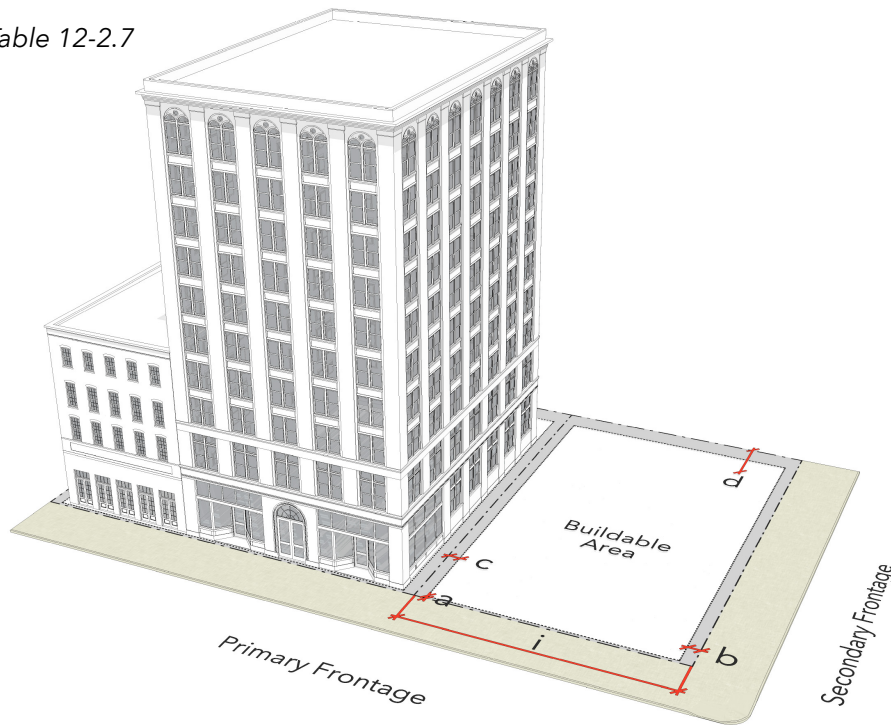
Porch	Not Permitted
Stoop	Permitted
Common Entry	Permitted
Gallery	Permitted
Storefront	Permitted

Notes:

⁽¹⁾ First floor elevation shall be according to [Section 5.5.1.e](#)

Table 5.3.4: Core Commercial & Multi-Family Residential (C-2, *C-3)

Replaces Table 12-2.7

**Setbacks - Principal Building (feet)**

a	Front (Com./MF)	5 max. / 15 max.
b	Front, Side (Com./MF)	5 max. / 15 max.
c	Side (Interior)	0 or 5 min.
d	Rear	none

Frontage & Lot Occupation (min.)

Primary	80%
Secondary	60%

Lot Occupation

i	Lot Width	16 ft. min.
	Lot Coverage	100% max.

Building Height (max.)

Principal Building	10 stories ⁽¹⁾
Accessory Building	N/A

Off-street Parking (min.)

Residential	1/unit
Commercial	Per Section 5.7.1

Density (max.) 135 du/acre**Setbacks - Accessory Building (feet)**

e	Front	N/A
f	Front, Side	N/A
g	Side (Interior)	N/A
h	Rear	N/A

Frontage Yard Types

Standard	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted

Facade Types

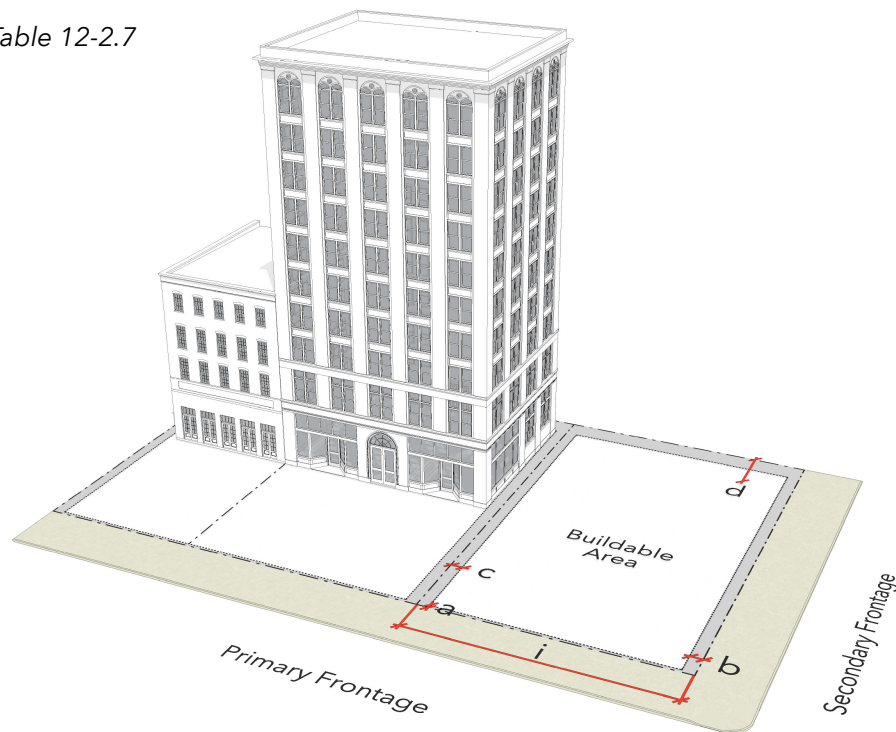
Porch	Not Permitted
Stoop	Not Permitted
Common Entry	Permitted
Gallery	Permitted
Storefront	Permitted

Notes:

⁽¹⁾ First floor elevation shall be according to [Section 5.5.1.e](#)

Table 5.3.5: Hybrid Commercial (C-3 along C3C FDOT Context Zone)

Replaces Table 12-2.7

**Setbacks - Principal Building (feet)**

a	Front	60 max.
b	Front, Side	40 max
c	Side (Interior)	0 or 5 min.
d	Rear	none

Frontage & Lot Occupation (min.)

Primary	60%
Secondary	40%

Lot Occupation

i	Lot Width	16 ft. min.
	Lot Coverage	100% max.

Building Height (max.)

Principal Building	10 stories ⁽¹⁾
Accessory Building	N/A

Off-street Parking (min.)

Residential	1/unit
Commercial	Per Section 5.7.1

Density (max.) 135 du/acre**Setbacks - Accessory Building (feet)**

e	Front	N/A
f	Front, Side	N/A
g	Side (Interior)	N/A
h	Rear	N/A

Frontage Yard Types

Standard	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted

Facade Types

Porch	Not Permitted
Stoop	Not Permitted
Common Entry	Permitted
Gallery	Permitted
Storefront	Permitted

Notes:

⁽¹⁾ First floor elevation shall be according to [Section 5.5.1.e](#)

5.4. FRONTAGE TYPES

Intent: *New buildings proposed for existing neighborhoods with a well-established character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.*

Maintaining a consistent street-wall is a fundamental component for a vibrant pedestrian life and a well-defined public realm. Retail buildings closely aligned to the street edge with consistent setbacks, provide a clear sense of enclosure of streets, enabling them to function as pedestrian-scaled outdoor rooms. The placement of buildings along the edge of the sidewalk should be given particular attention as it is that portion of the buildings that is the primary contributor to pedestrian activity.

- 5.4.1. Site and building development is subject to the frontage types and to the urban design guidelines in this Section.
- 5.4.2. Setbacks shall be as follows:
 - a. Buildings shall be set back from site boundaries according to [Tables 5.3.1 to 5.3.5 Form Standards](#).
 - b. Where a maximum setback is specified, it pertains only to the amount of building facade required to meet the minimum frontage occupation requirements of the zoning district.
- 5.4.3. Frontage Yard Types shall be as follows:
 - a. Frontage yards shall be wholly open to the sky and unobstructed, except for roof projections, elements and permitted encroachments attached to principal buildings, accessory buildings, and trees.
 - b. Applicants shall select and specify frontage yard types along frontages from [Table 5.4.1 Frontage Yard Types](#).
 - c. Impervious surfaces and walkways in frontage yards are subject to the requirements of [Table 5.4.1 Frontage Yard Types](#) and the following:
 - i. Where townhouses occupy a common site, each townhouse with an entrance towards a frontage shall have a walkway connecting the sidewalk to the townhouse entrance.
 - ii. At cluster courts, the shared court shall have have a walkway connecting the sidewalk at the primary frontage with building entries.
- 5.4.4. In R-NC, R-NCB, R-2, C-1, C-2, and C-3, any portion of a frontage not occupied by buildings, driveways, or walkways shall be lined with a streetscreen as follows:
 - a. Streetscreens shall meet the fencing and wall standards for the frontage yard type.
 - b. Streetscreens shall be coplanar with the primary building facade or located further into the lot than the facade.
- 5.4.5. Street trees and landscaping in frontage yards shall comply with the requirements of [Section 6](#).

Table 5.4.1: Frontage Yard Types**A. Standard Yard (Fenced or not)**

Illustration	
Surface	50% minimum shall be pervious material. A minimum of one (1) tree is required per Section 6.1. Paving is limited to walkways, and driveways.
Walkways	One (1) per frontage providing access to building entries
Fencing	Permitted along frontage lines, and according to Section 5.8

B. Cluster Court

Illustration	
Surface	A minimum 50% of the court shall be landscaped with ground cover, trees, or understory trees. Paving is limited to walkways, and driveways.
Walkways	Court shall be a minimum 20 feet wide and a min. 1,000 sq.ft. in size, and shall have a walkway connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted at or beyond the building setback line, and street frontages not along frontage lines, according to Section 5.8

Table 5.4.1: Frontage Yard Types**C. Shallow Yard**

Illustration	
Surface	Maximum setback of eight (8) feet. 50% minimum shall be landscaped in R-1A, and R-1B and up to 100% may be paved in R-NC and R-NCB.
Walkways	1 per frontage providing access to building entries.
Fencing	Permitted interior to the building setback line at primary street frontages. Permitted at or interior to secondary street frontage lines according to Section 5.8 .

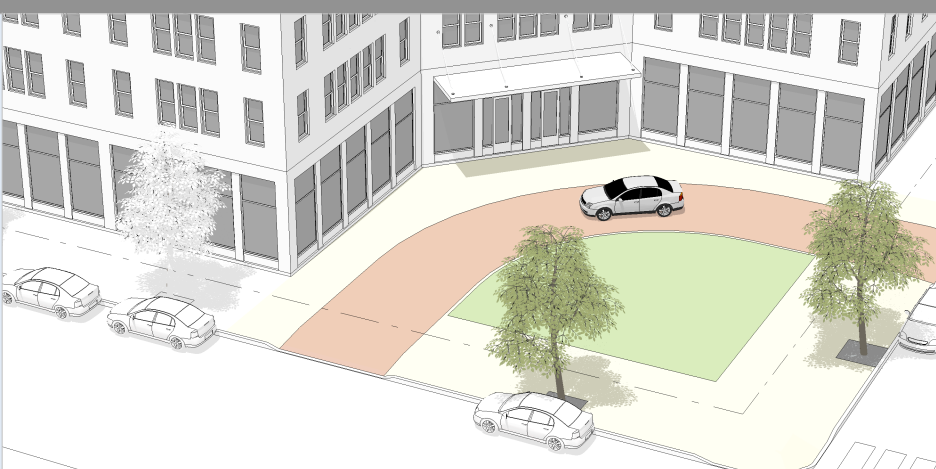
D. Urban Yard

Illustration	
Surface	Shall be paved at sidewalk grade, trees in grates or in tree pit.
Walkways	Shall be paved at sidewalk grade. Vegetation is permitted in raised containers.
Fencing	Not permitted

Table 5.4.1: Frontage Yard Types**E. Pedestrian Forecourt**

Illustration	
Surface	Minimum 80% paving-at-sidewalk-grade.
Fencing	Permitted at or interior to building setback lines and according to Section 5.8
Area	Forecourt: A minimum 20 ft. wide up to 30% of the allowable frontage, and a maximum 50 ft. deep.
Activation	Shall be lined with habitable space on 3-sides, or on 2-sides at corner sites.

F. Vehicular Forecourt

Illustration	
Surface	Driveway shall be paved at sidewalk grade. The remainder of frontage setback may be paved or landscaped.
Fencing	Low wall, maximum 24 inches high, of either brick, or stone is permitted.
Area	Forecourt: 4,200 sq.ft. maximum
Activation	Shall be lined with habitable space on 3-sides, or on 2-sides at corner sites.

5.5. BUILDING ELEMENTS

Intent: *Buildings should be designed in proportions that reflect human-scaled pedestrian movement, and to encourage interest at the street level.*

5.5.1. Building entries shall be as follows:

- a. Building entrances shall be clearly visible from the street.
- b. One (1) building entry shall be provided every 80 feet of facade leading to a habitable space.
- c. Building entries for mixed-use buildings shall differentiate entrances for residential and commercial uses.
- d. Entries for multifamily buildings shall provide protection from the elements with canopies, marquees, recesses or roof overhangs.
- e. Residential building entries at grade are restricted as follows:
 - i. Single-Family residential buildings shall be raised above average sidewalk grade according to [Table 5.5.1 Facade Types](#). Exceptions include:
 - (1) First floor elevation shall be a minimum nine (9) feet above sea level.
 - ii. Multi-family residential buildings shall be raised above average sidewalk grade according to [Table 5.5.1 Facade Types](#). In no instance shall the entry be raised less than 18 inches.
 - iii. Mixed-use and non-residential building entries shall be at sidewalk grade.

5.5.2. Facade Types shall be as follows:

- a. Facades shall be assigned along frontages and are limited by type according to [Table 5.5.1 Facade Types](#).
- b. Projections into setbacks are permitted as follows, but not beyond the property line:
 - i. Roof overhangs, cornices, window and door surrounds and other facade decoration may project up to two (2) feet.
 - ii. Where permitted, shading devices may project into the front setback up to the property line with a minimum eight (8) foot clearance.
 - iii. Balconies may project up to three (3) feet.
 - iv. Bay windows may project up to three (3) feet.
 - v. Porches and stoops may project according to [Table 5.5.1 Facade Types](#).

Table 5.5.1: Facade Types**A: Porch**

Entry Grade	Minimum 18 inches above grade	
Requirements	- Required at the primary building entrance. - Porches shall be a minimum 6 feet in depth. - Porches and related structures may project into frontage setbacks a maximum 10 feet. - Porch openings shall be vertical in proportion. - Porches shall be a maximum 10 feet in height. Columns should have a diameter between 1/9th and 1/14th their height.	

B: Stoop

Entry Grade	Minimum 36 inches and a maximum 48 inches above grade	
Requirements	- A stoop is required at building entrances, projecting from the facade. - Wood is prohibited for stoop railings. - Stoops and related structures may project into frontage setbacks up to 100%.	

C: Common Entry

Entry Grade	Minimum 18 inches and a maximum 24 inches above grade	
Requirements	- A single collective entry to a multi-family lobby is required at the primary building entrance. - Canopies and awnings are permitted to project into frontage setbacks up to 100% of their depth.	

Table 5.5.1: Facade Types**D: Gallery**

Entry Grade	At sidewalk grade
--------------------	-------------------

Requirements (see section 5.5.3)	- Where a gallery occurs, it is required along a minimum of 80% of the frontage. - Encroachments are permitted according to Section 5.6. - Awnings are not permitted in galleries.	
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**E: Arcade & Colonnade**

Entry Grade	At sidewalk grade
--------------------	-------------------

Requirements (see section 5.5.3)	- Where an Arcade or Colonnade occurs, it is required along a minimum of 80% of the frontage. - Encroachments are permitted according to Section 5.6. - Awnings are not permitted in arcades and colonnades.	
--	--	---

**F: Storefront**

Entry Grade	At sidewalk grade
--------------------	-------------------

Requirements (see section 5.5.3)	- A storefront is required at the primary entrance of the tenant space. - A minimum 70% of the ground floor of a storefront shall be glazing	
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5.5.3. Storefronts

Intent: Retail storefronts should be architecturally articulated through the varied use of high-quality durable materials, display windows, entrances, awnings and buildings signs. Their signage, glazing and doors should be conceived as a unified design.

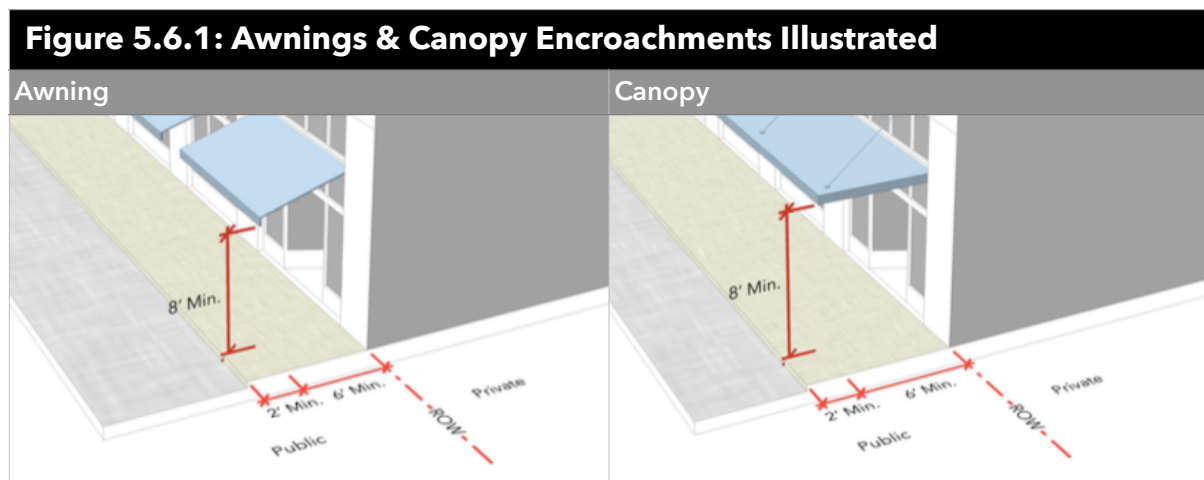
- a. Retail shops shall provide a minimum of 70% glazing (void to solid ratio of surface area along principal facades at the ground level).
- b. Storefronts shall not be constructed of extruded aluminum frames or panels.
- c. Opaque, smoked, and reflective glass on storefront windows shall be prohibited unless used as accent materials.
- d. High-quality, durable materials are especially important at street level within reach of pedestrians. The materials for the retail storefronts shall consist of stone, brick, concrete, stucco, metal, glass, cementitious siding and/or wood. Construction detail and finish shall adhere to craftsman standards.
- e. Outdoor dining areas on sidewalk and public right-of-ways shall be allowed subject to the following standards:
 - i. Outdoor dining areas shall be separated from public walkways and streets using railings, wrought-iron fences, planters, landscaping and other suitable materials; and
 - ii. A minimum unobstructed pedestrian path of at least six (6) feet wide shall be provided along public right-of-ways.

5.6. BUILDING ENCROACHMENTS

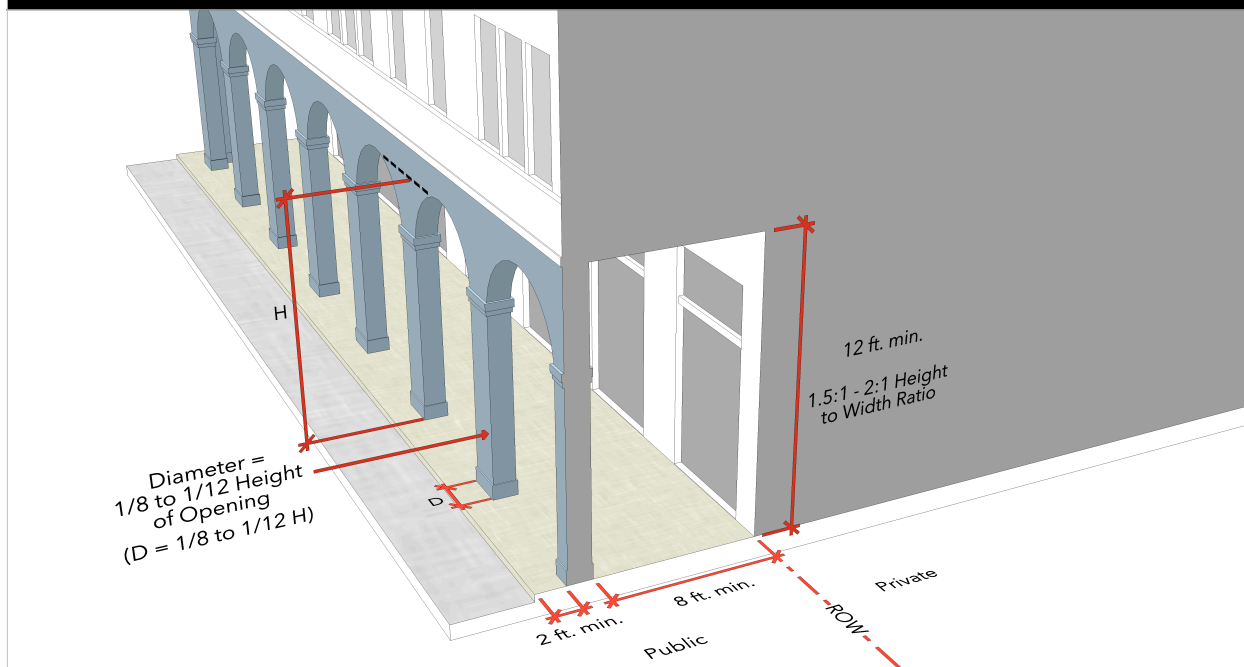
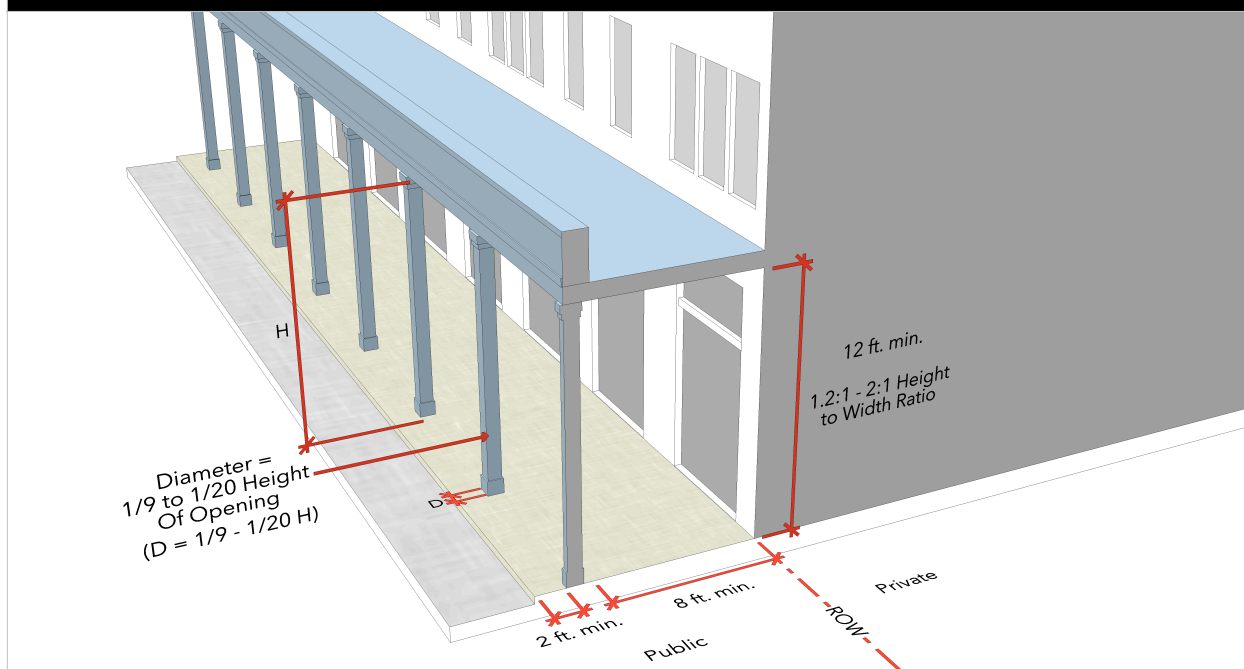
5.6.1. When encroachments are within public right-of-ways, they shall meet Public Works clearance standards.

5.6.2. Awnings and canopies are restricted as to as illustrated in [Figure 5.6.1](#) and as follows:

- a. May project into the public right-of-way, up to two (2) feet of the curb.
- b. Awnings and canopies shall be a minimum of six (6) feet in depth and have a minimum of eight (8) feet of vertical clearance.



- 5.6.3. Arcades and Colonnades are restricted according to [Figure 5.6.2](#) and as follows:
- a. Shall be a minimum of eight (8) feet in depth and a minimum of 12 feet in height, maintaining a 1.5:1 to a 2:1 height-to-width ratio, as illustrated in [Figure 5.6.2](#).
 - b. Columns or piers should have a diameter between 1/8th and 1/12th the height, measured from the base to the bottom of the arched opening or the bottom of the entablature, as illustrated in [Figure 5.6.2](#).
 - c. Arcades and Colonnades should encroach into building setbacks.
 - d. Where Arcades and Colonnades encroach over sidewalks, they shall not extend beyond two (2) feet of the curb.
 - e. They should not change height or width along a facade.
 - f. They should align along the length of the block.
- 5.6.4. Galleries are restricted according to [Figure 5.6.3](#) and as follows:
- a. Shall be a minimum of 8 feet in depth and a minimum of 12 feet in height, maintaining a 1.2:1 to a 2:1 height to width ratio, as illustrated in [Figure 5.6.3](#).
 - b. Gallery columns should have a diameter between 1/9th and 1/20th their height, measured from the base to the bottom of the entablature, as illustrated in [Figure 5.6.3](#).
 - c. Galleries should encroach into building setbacks.
 - d. Galleries should encroach over sidewalks.
 - e. Where galleries encroach over sidewalks, they shall not extend beyond two (2) feet of the curb.
 - f. Galleries shall not change height or width along a building facade.

Figure 5.6.2: Encroachment for Arcades & Colonnades Illustrated**Figure 5.6.3: Encroachment for Galleries Illustrated**

5.7. PARKING ACCESS, DESIGN & REDUCTIONS

Intent: *The intent of these standards is to guide the placement and design of parking, when it is provided.*

Vehicular parking spaces should be carefully integrated to avoid the negative impacts of large surface parking areas on the pedestrian environment. In general, parking supply should be shared by multiple users and property owners to facilitate the ability to “park once and walk”. On-street parallel parking is encouraged on both sides of the street to provide a supply of convenient shared parking, and as a means to provide a protective buffer for pedestrians on the sidewalk. Where surface parking is permitted, it should be hidden or screened from the pedestrian realm by use of garden walls and narrow landscape edges.

Parking garages, where provided, should be lined. They are encouraged to be designed for possible future conversion to other non-parking functions, including office, residential and/or commercial uses.

5.7.1. Minimum parking requirements are as follows:

- a. Parking requirements shall be in accordance with [12-3-1\(B\)](#).
- b. Shared parking shall be according to [12-3-1\(D\)](#).
- c. Parking reductions shall be calculated according to [Table 12.3-1](#).
- d. Lots less than 30 feet in width have no minimum parking requirement, except for:
 - i. Lots fronting streets where on-street parking is not permitted.
- e. Lots less than 42 feet wide shall be accessed from a rear lane, where possible. Where not possible, the following exceptions are permitted:
 - i. Parking in the rear of the lot, subject to accessory structure setbacks of their zoning district. Shared driveways are encouraged.
 - ii. A single-car garage, subject to meeting the minimum frontage requirements.

5.7.2. Bicycle parking is required as follows:

- a. Minimum bicycle parking requirements are as follows:
 - i. Bicycle parking is not required for single-family residential or multi-family residential with less than eight (8) units.
 - ii. Bicycle parking requirements shall be according to [Table 5.7.1](#).
 - iii. Bicycle parking locations within the public right-of-ways shall be coordinated with Public Works.

Table 5.7.1: Minimum Required Bicycle Parking

Use	Location	R-NC, R-NCB, R-2, C-1	C-2, C-3*
Multi-family Residential	Primary & Secondary Frontages	minimum 0.25 spaces per unit	minimum 0.5 spaces per unit
Non-residential	Primary & Secondary Frontages	minimum 0.5 spaces per 1,000 square feet	minimum 0.75 spaces per 1,000 square feet

* not adjacent to C3C

- b. Bicycle parking configuration is required as follows:
 - i. Bicycle racks shall not be located within:
 - (1) Five (5) feet of fire hydrants.
 - (2) Four (4) feet of loading zones and bus stop markers.
 - (3) Three (3) feet of driveways and manholes.
 - (4) Two (2) feet of utility meters and tree planters.
 - c. Bicycle parking located along private or public streets is subject to the following:
 - i. Bicycle racks installed parallel to curbs shall be set back from the curb a minimum of two (2) feet.
 - ii. Bicycle racks installed perpendicular to curbs shall allow for a minimum clearance of two feet at the curb and six (6) feet of pedestrian way with a 56cm bicycle properly locked to the rack.
 - iii. Bicycle racks should be spaced a minimum of 36 inches apart.
 - d. Bicycle racks shall allow bicycle frames to be locked at two points of contact with the rack.
- 5.7.3. Vehicular parking location is restricted as follows:
- a. Residential: single-family, duplex, and townhouse:
 - i. Off-street covered or garage parking for detached single-family and duplex buildings shall be set back a minimum 20 feet behind the principal building facade.
 - ii. Off-street parking for attached single-family residential shall only be permitted in the rear 50% of the lot.
 - iii. Residential off-street parking, where required, shall be provided within garages, carports or on driveways in residential zoning districts.
 - iv. The minimum distance between two driveways on the same lot shall be 20 feet.
 - v. Tandem parking is encouraged
 - vi. Shared driveways are encouraged
 - b. Multi-family residential and all other non-residential buildings:
 - i. Off-street parking shall not be permitted within the front setback area. Exceptions include:
 - (1) Properties which are adjacent to a thoroughfare identified as FDOT C3C Context Zone, shall conform to the Form Standards according to **Table 5.3.5 Hybrid Commercial**.
 - ii. Off-street parking shall be masked from frontages by liner buildings no less than 24 feet in depth.
 - iii. The ground floor of commercial buildings with a gross floor area less than 1,500 square feet is exempt from parking requirements.

5.8. FENCES AND WALLS

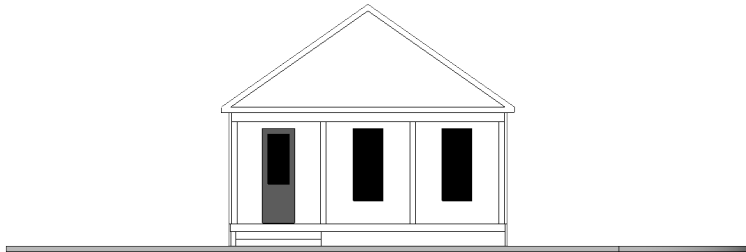
- 5.8.1. Where provided, fences and walls shall provide full enclosure.
- 5.8.2. Fences and walls are restricted according to [Table 5.4.1 Frontage Yard Types](#) and [Required Visibility Triangle Section 12-2-35](#).
- 5.8.3. Height of fences and walls shall comply with the following:
 - a. Height is limited to a minimum 30 inches and a maximum 42 inches within the front setback.
 - b. Height is limited to eight (8) feet beyond the building face at non-frontages.
- 5.8.4. Materials for fences and walls are limited as follows:
 - a. Approved materials include, but are not limited to wood, brick, stone, and wrought iron.
 - b. Vinyl is discouraged on all frontages.
 - c. Chain-link, exposed concrete block, barbed-wire and razor wire are prohibited.
 - d. Wood fences shall be a different 'picket' design to adjacent properties.
 - e. Wrought iron fences shall be painted if the principal building is painted. The use of wrought iron or brick fences shall be in conjunction with buildings which use masonry materials in their construction.
- 5.8.5. Where hedges are utilized along frontages, they shall be maintained at a minimum 30 inches and a maximum 42 inches in height.

5.9. WINDOWS & GLAZING

- 5.9.1. Windows shall meet the following requirements:
 - a. Windows shall be vertical in proportion
 - b. Windows shall have muntins, with the exception of commercial and office.
 - c. Window panes shall be vertical in proportion.
 - d. Single panes of glass shall not exceed 20 square feet, with the exception of commercial and office.
- 5.9.2. Glazing shall meet the following requirements:
 - a. Storefront glazing requirements, according to [Table 5.9.1](#).
 - b. For residential and mixed-use buildings, excluding commercial uses at grade, the percentage of glazed wall area shall be a minimum 20%.
 - c. Stained, reflective or tinted windows are prohibited, except as an accent window.

Table 5.9.1: Glazing Requirements**Residential**

At & Above Grade	Minimum 20% along frontages
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**Multi-Family & Office**

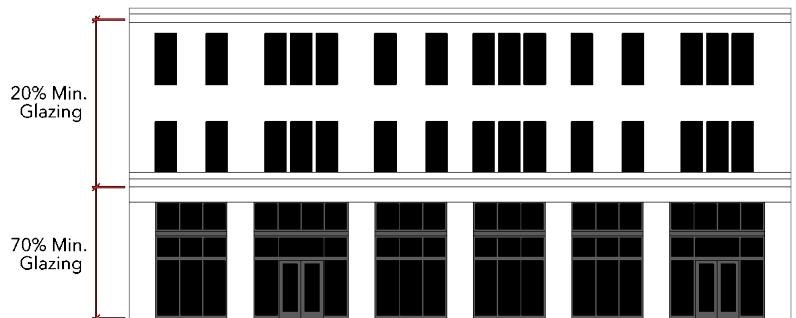
Above Grade	Minimum 20% along frontages
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At Grade	Minimum 35% along frontages
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**Mixed-use**

Above Grade	Minimum 20% along frontages
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At Grade	Minimum 70% along frontages
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6. ADDITIONAL LANDSCAPE STANDARDS

Refer to Appendix A for proposed edits to the Pensacola Code of Ordinances, Land Development Code Section 12-2-32. - Buffer yards, Section 12-6 Tree/Landscape Regulations, and Section 11-4-88 Placement of Trees and Poles.

Intent: Supplement the urban canopy, accommodate stormwater, increase access to open space and facilitate pedestrian movement throughout the existing block patterns to meet the urban design goals of the CRA.

A healthy tree canopy contributes to the health of citizens and the environment, and is fundamental to a vibrant pedestrian life and a well-defined public realm. Trees closely aligned to the street edge with consistent setbacks, provide a clear sense of enclosure of streets, enabling them to function as pedestrian-scaled outdoor rooms. The placement of trees along the edge of the sidewalk should be given particular attention as a major contributor to pedestrian activity. Trees and other native plants placed in drainage right-of-ways and parking islands contribute to the control of stormwater quantity and quality.

6.1. LANDSCAPE ON PRIVATE PROPERTY

6.1.1. Landscaping in frontage yards are subject to the requirements of [Table 5.4.1 Frontage Yard Types](#) and the following:

- a. For single-family and duplex lots, one tree for every lot or for every 50 feet of linear frontage along the right-of-way shall be preserved or planted. Trees planted to meet this requirement shall measure a minimum of three (3) inches DBH. If planted, the tree shall be a minimum of three (3) feet from the right-of-way.
- b. Ground vegetation or shrub plantings with spines, thorns, or needles that may present hazards to pedestrians, bicyclists, or vehicles must be maintained a minimum distance of two (2) feet from the edge of walkways.
- c. In single-family and duplex lots, trees shall be protected in accordance with [Section 12-2-10\(A\)\(5\)\(b\)](#).
- d. When off-street parking is located in front or side setbacks, a year-round landscaped hedge or wall along the street edge(s) of the parking lot shall be installed as a means of buffering, according to [Section 12-6-3\(B\)](#).
- e. Hedges planted along street right-of-ways shall be between three (3) and five (5) feet in height at maturity.

6.2. BUFFER YARDS

6.2.1. In addition to the buffer yard requirements of [Section 12-2-32](#) the following shall apply:

- a. Berms shall not be installed as part of a required buffer without review and approval by the City Engineering Department to ensure a proposed berm will not have a detrimental effect on adjacent properties by impeding or diverting stormwater flow.
- b. Berms shall be planted and stabilized to prevent erosion.
- c. Buffer yards may be used to create rain gardens or other stormwater facilities with the selection of appropriate plant material and approval of the City Engineering Department.

- d. Plants in these stormwater facilities shall be selected to meet any applicable buffer yard screening requirements, and they should be tolerant of periodic inundation and drought. It is recommended that native plants be selected from the *Florida Friendly Landscaping Guide to Plant Selection & Landscape Design*, Northern Region, and *Waterwise Landscapes* by the South Florida Water Management District, according to [Table 6.2.1 Bioretention & Rain Garden Plant List](#).

Table 6.2.1: Bioretention & Rain Garden Plant List	
Flowers	
Common Name	Scientific Name
Blue Flag Iris	Iris Hexagona
Cardinal Flower	Lobelia Cardinalis
Chipola Coreopsis	Coreopsis Integrifolia
Goldenrod	Solidago spp.
Swamp Sunflower	Helianthus Angustifolius
Spider Lily	Hymenocallis Latifolia
Swamp Lily	Crinum Americanum
Swamp Milkweed	Asclepias Perennis
Grasses	
Common Name	Scientific Name
Blue-Eyed Grass	Sisyrinchium Atlanticum Bicknell
Florida Gamma Grass	Tripsacum Floridanum
Muhly Grass	Muhlenbergia Capillaris
Path or Soft Rush	Juncus spp.
Rainlily	Zephyranthes spp.
River Oats	Chasmanthium Latifolium
Wiregrass	Aristida Stricta
Shrubs	
Common Name	Scientific Name
Beautyberry	Callicarpa Americana
Buttonbush	Cephalanthus Occidentalis
Virginia Willow	Itea Virginica
Wax Myrtle	Myrica Cerifera

Note: New suggested table to be inserted as Appendix C in Chapter 12-6

6.3. STREET TREES IN THE PUBLIC RIGHT-OF-WAY

[to be administered by Public Works]

- 6.3.1. Street trees shall be provided as specified in [Section 12-6-3](#) except for single-family and duplex, and [Section 6.3.5](#) for all buildings.
- 6.3.2. ROW tree selections and placements shall be reviewed and approved by the city engineer prior to planting.
- 6.3.3. Greenway street tree plantings are required. When planted, they shall be in accordance with [Section 11-4-88](#) and [Section 12-6-3](#) except for single-family and duplex, and [Section 6.3.5](#) for all buildings.
- 6.3.4. Where required trees cannot be reasonably planted, payment in lieu of planting shall be made to a new and dedicated CRA tree planting fund, at the value established in [Section 12-6-6\(B\)\(5\)](#).
- 6.3.5. Street trees shall be planted as follows:
 - a. Trees planted three (3) feet or less from a public sidewalk shall have a minimum clearance of six feet and six inches (6'-6") between the public walking surface and the lowest branches at planting.
 - b. Mature trees shall be maintained at a minimum clearance of eight (8) feet above the public walking surface.
 - c. In greenways six (6) feet or more in width, trees shall be planted three (3) feet from the sidewalk, in those less than six (6) feet, trees shall be planted in the center.
 - d. One (1) tree shall be provided per 35 linear feet of public right-of-way frontage, where no underground utility conflicts exist.
 - e. Where overhead utilities occur, a tree with smaller size at maturity shall be selected.
 - f. Tree selections shall be from [Section 12-6 Appendix B](#). Palm trees are not acceptable for use as street trees.
 - g. Where the greenway is less than three (3) feet wide, between sidewalk and curb, street trees should be planted on the lot, where practical.

- 6.3.6. Commercial and mixed-use buildings shall comply with the following:
- a. Where galleries, arcades or colonnades are not provided, street trees shall be planted, unless in conflict with underground utilities. Where there are overhead utilities, appropriate species from [Section 12-6, Appendix B, Tree Replant List](#) shall be selected.
 - b. Where a gallery, arcade or colonnade is provided, and the greenway that occurs between the sidewalk and the back of curb is less than three (3) feet wide, no street trees are required.
 - c. Where a greenway at least three (3) feet wide occurs between the arcaded sidewalk and the back of curb, and no overhead or underground utilities prevent street tree installation, planting of a columnar variety street tree is required.
 - d. Where paved surface occurs between the arcade and curb, installation of street trees in individual tree pits with tree grates, or linear planters with pervious pavers between several trees, is required.
 - e. Where trees are planted in sidewalk planters, the minimum sidewalk planting pit dimensions shall be four feet by four feet (4' x 4').

7. ADDITIONAL THOROUGHFARE STANDARDS

7.1. LOCAL STREET DESIGN

- 7.1.1. Design of local streets should be guided by the Florida Greenbook, Chapter 19 Traditional Neighborhood Design.
- 7.1.2. Driveway aprons should not be permitted to interrupt sidewalks.

7.2. STATE STREET DESIGN

- 7.2.1. The Context Classification system, as developed by FDOT, should be adopted to identify place and guide streets and other transportation features, to allow transportation to support adjacent land uses.
- 7.2.2. Streets should be classified as one of the following:
 - a. Classification C4-Urban General
 - b. Classification C5-Urban Center
 - c. Classification C3C Suburban Commercial:
 - i. Should be limited to locations adjacent to Industrial areas and commercial areas that are not envisioned to be walkable.
- 7.2.3. The following table equates the Context Classifications with applicable zoning districts.

Table 7.2.1: Zoning to Context Classification Translation	
Context Classification (FDOT)	Zoning Districts
C4 - Urban General	R-1AA
	R-1A
	R-1B
C5 - Urban Center	R-NC
	R-NCB
	C-1
	C-2
	C-3
C3C - Suburban Commercial	C-3
	M-1
	M-2

8. ADDITIONAL DEFINITIONS

Arcade means a series of arches, supported by columns, or piers. Arcades may cover sidewalks and may front retail storefronts.

Building height, *single-family residential*, means the vertical distance of a building measured from the average elevation of the finished grade to the bottom of the eave.

Building height, *multi-family and non-residential*, means the vertical distance of a building measured by stories. The restrictions to story height are according to [Section 5.1](#).

Cluster Court means a collection of buildings on a semi-public, privately owned open space.

Colonnade means a row of columns joined by an entablature. Colonnades may cover sidewalks and may front retail storefronts.

[FDOT] Distinct Context Classifications Zone means classifications, along with functional classification and design speed, determine the corresponding thoroughfare design standards within the Florida Design Manual. (<http://www.fdot.gov/roadway/CSI/files/FDOT-context-classification.pdf>)

Entablature means a horizontal, continuous building element supported by columns or a wall.

Facade, building, means the exterior wall of a building that is set along a frontage line.

Facade Type means the different configurations of building elements that make up a building facade, such as a storefront, porch, etc. [See Table 5.5.1](#)

Frontage line means a property line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other property lines.

Frontage Occupation means the length of the frontage that is occupied by a building.

Frontage Yard Type means the configuration of the area between the facade of the building and the frontage line such as a standard, shallow, cluster court, etc. [See Table 5.4.1](#)

Gallery means a covered sidewalk in front of a retail storefront that supports either a roof or outdoor balcony above.

Habitable Space means building space which use involves human presence with direct view of the enfronting streets or public or private open space, excluding parking garages, self-service storage facilities, warehouses, and display windows separated from retail activity.

Parkway, Greenway, Verge means the planting strip between the edge of the road and sidewalk or right-of-way, which may be used for tree planting. [See Section 11-4-86 through 11-4-88.](#)

Streetscreen means a freestanding wall built along the frontage line, or aligned with the facade. It may mask a parking lot from the thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

Chapter 12-2. Zoning District

Article VIII: CRA Overlay District

Appendix A: Code Revisions

We are recommending the following edits to your zoning code, for the CRA areas only, separate to the proposed Urban Design Standards and Guidelines.

Sec. 12-2-81. - Development plan requirements.

(B) *General conditions, procedures and standards.*

- (1) *Preapplication conference.* Prior to submitting a formal application for approval of a proposed new development plan or plan for an addition to an existing development, the owners(s) shall request a preapplication conference with the staff of the Department of Planning and Neighborhood Development, engineering department, the Inspection Services Department, the department of leisure services, the traffic engineer, the fire department, the architectural review board, the Escambia County Utilities Authority, and/or other appropriate staff to review:
 - (a) The relationship between the proposed development plan and the surrounding Context Classifications, land usage and the Comprehensive Plan of the city.
 - (b) The adequacy of the existing and proposed vehicular and pedestrian context, character and right-of-way, utilities and other public facilities and services, which will serve the proposed development.
 - (c) The character, design and applicability of the following factors:
 1. Traffic control;
 2. Walkability and Complete Street character;
 3. Noise reduction;
 4. Sign and light control;
 5. Preservation of open space and visual corridors;
 6. Police and fire protection;
 7. Storm drainage;
 8. Landscaping;
 9. Fencing and screening; and
 10. Other matters specifically relevant to the proposed development site necessary to foster desirable living and working conditions and compatibility with the existing environment;

At the time of the preapplication conference, the developer shall provide a sketch plan indicating the location of the proposed development and its contextual relationship to surrounding properties. The advisory meeting should provide insight to both the developer

and the city staff regarding potential development problems which might otherwise result in costly plan revisions or unnecessary delay in development. At this time a decision will be made as to whether the review process will require a separate preliminary and final plan or if they can be combined.

(C) *Contents of the preliminary development plan.*

(2) *Existing conditions, including:*

- (b) Zoning districts, Context Classifications, major shopping areas, residential areas, public buildings, rights-of-way, public utilities and other major facilities surrounding the proposed development for a radius of three hundred (300) feet;

(3) *Proposed development.* Preliminary layout showing as applicable:

- (b) General location of all existing and proposed off-street parking and loading areas and roadways, by type and complete street design, including expected travel modes and width of right-of-way and paved streets;

(D) *Contents of final development plan.* The final development plan may be on several sheets. However, in that event, an index shall be provided. For a large project, the final development plan may be submitted for approval progressively in contiguous sections satisfactory to the planning board.

(2) *Existing conditions.* The same information as required in paragraph (B)(2) shall be provided with the addition of the following detailed information:

- (a) Existing streets, both on and within three hundred (300) feet of the proposed development, shall be described including:

1. Street names;
2. Right-of-way width of each street;
3. Parking design, on-street and off-street;
4. Medians and median cuts locations.

(3) *Proposed development.* The same information as required in paragraph (B)(3) shall be provided with the addition of the following detailed information:

- (b) Location of existing and proposed land uses and exact locations of all existing and proposed improvements including:

1. Buildings and structures;
2. Curb cuts;
3. Driveways and interior drives;
4. On-street and ~~Off~~-street parking and loading;
5. Storage facilities;
6. Proposed roadways, by type and by Context Classification, including width of right-of-way and paved streets; and
7. Traffic control features and signage.

(g) Design for Walkability based on area's Context Classification;

Sec. 12-2-82. - Design standards and guidelines (for the CRA areas).

(A) *Purpose.* The requirements set forth in this subsection are intended to coordinate land development in accordance with orderly physical patterns; to implement goals, objectives and policies of the Comprehensive Plan; to provide for adequate access to building sites for ingress and egress; to achieve context based Complete Streets; to improve the physical appearance of the city, and; to preserve the environmental character of the city.

(C) *Design standards.* Except where specific approval is granted by the city engineer and city planner due to unique and peculiar circumstances or needs resulting from the size, configuration or location of a site requiring a modification of the standards as set forth below, the minimum standards shall be as follows:

(1) *Streets and rights-of-way.* Whenever public or private streets, rights-of-way, pedestrian ways, bikeways or driveway approaches are to be constructed as part of any development after the effective date of this chapter, they shall be designed in accordance with the requirements of this paragraph. Whenever existing public or private streets, rights-of-way, pedestrian ways, bikeways or driveway approaches abutting a development do not meet the requirements of this paragraph, the city engineer may require that they be improved to conform to these requirements.

(a) Driveway approaches and curb cuts.

1. Width (residential except multifamily). In properties developed for residential use (except multifamily), curbcuts and driveway approach shall conform to the following requirements:

	Minimum Driveway	Maximum Driveway
Driveway	12 <u>10</u> feet	24 <u>20</u> feet
Joint-use driveway	20 <u>10</u> feet	24 <u>22</u> feet

2. Width (residential multifamily). Properties developed for residential multifamily use shall have curbcuts for driveways not ~~less~~ more than twenty-four (24) feet wide ~~and not more than forty (40) feet wide.~~
3. Width (nonresidential). Properties developed for commercial use shall have curbcuts for driveways not less than twelve (12) feet nor more than ~~forty~~ twenty-four (~~40~~24) feet wide.
5. Spacing. Where more than one (1) curbcut is to be located on any single property, the minimum distance between such curbcuts on local streets shall be forty-two (42) feet, and on all arterial and collector streets shall be in accordance with the requirements set forth in subsection (2) below. Exceptions shall be permitted for individual lots, less than forty-two (42) feet wide.

- (d) Street improvements. All streets and public ways shall be paved and curbed in accordance with standards established by the city engineer, including context based Complete Streets and the following requirements:
1. Additional improvements for existing thoroughfares. Where any existing arterial or collector lying within or abutting a proposed development requires construction of ~~additional~~ a different number of lanes or other improvements to meet the standards of the city engineer, the amount of construction required (or money escrowed) for such improvements shall be commensurate with the impact of the proposed development.
 2. Missing arterial or collector links. Where there are missing segments in the arterial or collector system or new arterials or collectors are to be constructed which are context based and designated in the Comprehensive Plan, such segments lying within or abutting the proposed development shall be improved (or money escrowed in an appropriate manner) by the developer along with other required improvements. Where such construction creates an undue hardship in a particular case, appeals are available in accordance with chapter 12-13.
 3. Traffic control devices. context based Intersection improvements and traffic control devices such as acceleration, deceleration, and turning lanes, signalization devices, and other traffic control devices required by the development shall be installed at the developer's expense in accordance with the State of Florida Manual for Uniform Traffic Control Devices, and the latest adopted Florida Greenbook.
 4. Improvements required to nearest acceptable paved public street. Each development shall abut, or have as its primary access, a street improved to the minimum context based requirements of the city engineer. Wherever the abutting street does not meet these requirements, the developer shall construct the street where it abuts the development and to the nearest structurally acceptable paved public street as determined by the city engineer.
- (e) Sidewalks. Sidewalks shall be required on all street frontages in residential, nonresidential, commercial and industrial developments in accordance with context based standards established by the city engineer.
- (2) *Driveway and curbcut design along arterial and collector streets.* Recognizing that the traffic movement function of arterial and collector streets can be compromised by the provision of unlimited access to individual properties. Whenever any building site will require vehicular access from an arterial or collector street as designated on the city's adopted Future Traffic Circulation Map, the development shall be designed in accordance with the Context classification and the requirements of this paragraph.
- (a) Driveways and curbcuts. In addition to any applicable driveway approach and curbcut requirements of subsection (1) above, the following standards shall apply:

1. Curbcut spacing. The minimum distance between curbcuts on any one block face, shall be context based and whether or not such curbcuts are located on the same property, shall be based upon the posted speed of the thoroughfare, in accordance with the following schedule:

Posted Speed	Minimum Spacing
30 Mph	125 ft.
35 Mph	150 ft.
40 Mph	175 ft.
45 Mph	200 ft.
50+ Mph	250 ft.

Curbcuts in areas with Context Classifications C-4 or greater shall be designed for greatest walkability with posted speeds that may be 15, 20 or 25 mph.

2. Spacing reductions and joint-use driveways. Where the existing configuration of properties and curbcuts in the vicinity of the building site precludes spacing of a curbcut access in accordance with the schedule above, the city engineer shall be authorized to reduce the spacing requirement if he finds that all of the following conditions have been met: wherever feasible, the city engineer shall require the establishment of a joint-use driveway serving two (2) abutting building sites, with cross-access easements provided; the property owner shall agree to close and eliminate any pre-existing curbcuts on the building site after the construction of both sides of the joint-use driveway; and where feasible, the building site shall incorporate unified access and circulation in accordance with the requirements of subsection (2)(a)3. below.
 3. Unified access and circulation. The planning director, in coordination with the city engineer, shall be authorized to designate context based cross-access corridors on properties adjacent to arterial or collector streets. Such designation may be made in connection with the approval of any site plan within the affected area, or as part of an overall planning program. The planning director, in coordination with the city engineer, shall be authorized to modify the requirements of this subparagraph where he finds that abutting properties have been so developed that it is clearly impractical to create a unified access and circulation system within part or all of the affected area.
- (3) *Public facilities.* All developments shall be provided with sufficient, context based utility easements including potable water, sanitary sewer, electric power and light, telephone, natural gas, cable television, and any other franchised utilities, including access for maintenance. Sufficient easements shall be provided for stormwater management facilities, including access for maintenance. Based on the unique character of each Context Classification, Aall public and private street networks and parking lots shall be designed to allow easy access for solid waste disposal and emergency service vehicles. In addition to new development, any remodeling, enlargement, reconstruction or redesign of any existing building site for specific uses and within the Gateway Redevelopment District and the resource

protection overlay districts shall require submittal of a drainage plan to ensure that stormwater management requirements are met pursuant to chapter 12-9 of this title.

(7) *Parking.*

- (a) The city discourages construction of more than the minimum number of parking spaces required by this title, ~~in order so~~ that more natural vegetation may be preserved, greater walkability design might be achieved and ~~in order~~ to control stormwater runoff in a more natural manner. Parking in excess of more than ten (10) spaces or ten (10) percent (whichever is greater) above the parking total dictated by chapter 12-3 will require an administrative waiver as described in subsection 12-2-82(C) of this section.

Site design should minimize the impact of automobile parking and driveways on the pedestrian, complete street environment, adjacent properties and pedestrian safety.

- (c) The following are some examples of techniques used to minimize the impacts of driveways and parking lots.

1. Locate surface parking at the rear or side of the zoning lot.
2. Break large parking lots into multiple smaller ones.
3. Minimize the number and width of driveways and curb cuts.
4. Share driveways with abutting zoning lots.
5. Locate parking in less visible areas of the site.
6. Locate driveways so they are visually less dominant.
7. Provide special pavers or other surface treatments to enhance and separate pedestrian areas from vehicle maneuvering and parking areas.
8. Off-street ~~P~~parking located along a commercial street front where pedestrian traffic is desirable lessens the attractiveness of the area to pedestrians and compromises the safety of pedestrians along the street. On-street parking enhances walkability for urban Context Classification areas (C4 to C6) and is strongly encouraged. On-site (off-street) surface parking on a commercial street front should be minimized and where possible should be located behind a building.

- (9) *Non-residential site lighting.* Non-residential and multiple-family developments, shall be designed to provide safe and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the entire site (including outparcels). Lighting shall be designed so as to enhance the visual impact of the project and/or should be designed to blend into the surrounding landscape. Lighting design and installation shall ensure that lighting accomplishes on-site lighting needs without intrusion on adjacent properties and shall meet the following design requirements:

- (a) Fixture (luminaire). When feasible, the light source shall be completely concealed within an opaque housing and shall not be visible from any street right-of-way or adjacent properties.
- (b) Light source (lamp). Only florescent, LED, metal halide, or color corrected high-pressure sodium may be used. The same light source type must be used for the same or similar types of lighting on any one site throughout any development.

- (c) Mounting. Fixtures shall be mounted in such a manner that the maximum candela from each fixture is contained on-site and does not cross any property line of the site.

(d) Height. Pole mounted street lighting shall be pedestrian scale with a maximum of 16 feet within Context Classification areas C4, C5 and C6.

- (d) Limit lighting to periods of activity. The use of controls such as, but not limited to, photocells, occupancy sensors or timers to activate lighting during times when it will be needed may be required by the director of community development, or their designee, to conserve energy, provide safety, and promote compatibility between different land uses.

(D) *Design guidelines.* Most development in the city is located on infill or redevelopment sites; therefore, projects should take their surroundings and context into account. These recommended design guidelines are intended as suggested methods to improve the character and fit of new development and to encourage respect for how architecture, landscape features, and public improvements help establish context, and steadily improve the quality of the city's residential and commercial neighborhoods. These guidelines are intended for designers and developers to look closely at the context and area surrounding their specific project and create developments that enhance and complement the built and natural environment. The design guidelines are flexible in their application and maybe applied to specific projects during review by city staff and any applicable review board(s). The intent is to create the highest level of design quality while providing the needed flexibility for creative site design. Use of the following design guidelines is a means for addressing urban design, aesthetic and environmental concerns in the development process.

- (2) Building design and architectural elements. The placement of buildings should respond to specific site conditions and opportunities such as irregular-shaped lots, location on prominent intersections, views, or other natural features. On-site surface parking should be visually minimized and where possible should be located behind a building. Site characteristics to consider in building design include, but are not limited to, the following:

- (f) The placement and orientation of buildings ~~should~~ shall be context based, according to the adopted Context Classification areas and also acknowledge and reinforce the existing desirable spatial characteristics of the public right-of-way. For example, a multi-story mixed use building proposed for a C5 and C6 Classification, downtown corner zoning lot ~~shall~~ should reinforce the existing streetscape by utilizing the ground level for pedestrian oriented retail and restaurants and maintaining a consistent building edge abutting the sidewalk.

- (g) Building entrances should be clearly visible from the street. Using entries that are visible from the street makes a project more approachable and creates a sense of association with neighboring structures.

- (h) New development and redevelopment in Context Classifications C4, C5 and C6 ~~shall~~ should be sited and designed to encourage human activity on the street. To accomplish this end, entrances, porches, balconies, decks, seating and other elements can be designed to promote use of the street front and provide places for human interaction. For example, for commercial developments such elements can include shop front windows, outdoor seating/dining, rooftop decks, balconies, and canopies that protect pedestrians from the elements.

- (i) Development projects in that area adjacent to a less-intensive zoning district with differing development standards, may create substantial adverse impacts that result from inappropriate height, bulk and scale relative to their neighbors. Careful siting and design

treatments can help mitigate some height, bulk and scale impacts; in other cases, actual reduction in the height, bulk and scale of a project ~~are advisable to adequately can~~ mitigate adverse effects. In some instances, careful, context based siting and design treatment may be sufficient to achieve reasonable transition and mitigation of height, bulk and scale differences. Some techniques for achieving compatibility are:

3. Location of features in Context Classification C3, on-site to facilitate transition, such as locating required open space on the zone district edge so the building is located farther from the lesser intensity zone district. In Classifications C4 and higher, walkability between varying land uses should guide site design.
 4. In a mixed-use project, siting the more compatible use(s) near the zone district edge, while designing for high degrees of walkability.
- (k) Architectural context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.
2. In cases where an existing architectural context is either not well defined, or may be undesirable, a well-designed new project has the opportunity to establish a pattern or identity that future redevelopment can build on.
- (3) Human scale. The design of new buildings should incorporate architectural features, elements and details that achieve a desirable human scale through the use of human-proportioned architectural features and site design elements clearly oriented to higher walkability and other human activity. Building elements that may be used to achieve human scale are as follows:
- a. In Context Classifications C4 and greater, pPedestrian-oriented storefront windows and doors shall directly ~~face~~ing the street or publicly accessible open space such as courtyards, gardens, patios, or other unified landscaped areas.

Sec. 12-2-4. - Medium density residential land use district regulations.

Table 12-2.2

Standards	R-1AAA	CRA R-1AA		
		SF	SFA Duplex	SFA TH
Maximum Residential Gross Density	4.8	8.7	11.6 14	11.6 18
Minimum Lot Area	9000-sf	5000-sf	7500-sf	3750-sf
Lot Width at Minimum Building Setback Line	75 ft	40 ft	60 ft	30 ft
Minimum Lot Width at Street ROW Line	50 ft	40 30 ft	50 30 ft	25 16 ft
Front Setback <u>(max.)</u>	30 ft	30 20 ft		30 8 ft
Side Setback <u>(min.)</u>	7.5 ft	5 6 ft		0 or 5 6 ft
Rear Setback <u>(min.)</u>	30 ft	5 30 ft		
Off-Street Parking (Space / unit) <u>(min.)</u>		1		1 2
Maximum Building Height	35 ft	45 35 ft		

Table 12-2.2

Standards	CRA R-1A		
	SF	SFA Duplex	SFA TH
Maximum Residential Gross Density	12.4	17.4	17.4 2418
Minimum Lot Area	3500-sf	5000-sf	2500-sf
Lot Width at Minimum Building Setback Line	30 ft	50 ft	25 ft
Minimum Lot Width at Street ROW Line	30 ft	50 30 ft	25 16 ft
Front Setback <u>(max.)</u>	20 ft		20 8 ft
Side Setback <u>(min.)</u>	5 ft		0 or 5 5 ft
Rear Setback <u>(min.)</u>	25 5 ft		
Off-Street Parking (Space / unit) <u>(min.)</u>	1		2 1
Max. Building Height	35 ft	35 45 ft	

Table 12-2.3

Standards	<u>CRA</u> R-1B		
	SF	SFA Duplex	SFA TH
Maximum Residential Gross Density	8.7	11.6 <u>17.4</u>	17.4 <u>24</u>
Front Setback (<u>max.</u>)	10 ft	10 <u>8</u> ft	
Side Setback (<u>min.</u>)	5 ft	5 <u>0 or 5</u> ft	
Rear Setback (<u>min.</u>)	10 ft	10 ft (<u>5</u>)	
Off-Street Parking (Space / unit) (<u>min.</u>)	1		1 <u>2</u>
Max. Building Height (<u>max.</u>)	45 ft.		
Lot Coverage Requirements (Res. SF, Duplex, TH)	50% max.	50 <u>75</u> % max.	
Lot Coverage Requirements (Other)	1-4 Stories 5-7 Stories 8-9 Stories	30% 25% 20%	

Sec. 12-2-7. - Residential/neighborhood commercial land use district.

Table 12-2.6

Standards	<u>CRA</u> R-NC	
	Within 100 ft of SF District	Over 100 ft of SF District
Max. Building Height	35 <u>ft 4</u> Stories	45 ft
Front Setback (<u>max.</u>)	<u>5</u> 15 ft	<u>15</u> 10 ft
Side Setback (<u>min.</u>)	<u>0 – 5</u> 5 ft	5 ft
Rear Setback (<u>min.</u>)	15 <u>ft</u> <u>None</u>	10 ft
Lot Coverage Requirements (Res. SF, Duplex, TH) (<u>max.</u>)	<u>75</u> 50 %	
Lot Coverage Requirements (Other)	1-4 Stories 5-7 Stories 8-9 Stories	30% 25% 20%
Max. Floor Area for Uses Under 12-2-7	4000 sf	

Sec. 12-2-8. - Commercial land use district.

Table 12-2.7

Standards	C-1	C-2A	<u>CRA</u> R-C, C-2, C-3
Setbacks	N/A / 20 ft near res	Max. 10 ft	N/A / 20 ft near res (15 max.)
<u>Lot Width (min.)</u>		<u>16 ft.</u>	
<u>Front Setback (max.)</u>		<u>5 / 15 ft.</u>	
<u>Side Setback (min.)</u>		<u>0 / 5 ft.</u>	
<u>Rear Setback</u>		<u>None</u>	
Max. Building Height	45 ft	100 ft <u>10 stories</u>	
Lot Coverage	70% up to 100 ft bldg height 65% over 100 ft bldg height	100% up to 100 ft bldg height 90% over 100 ft bldg height <u>100% max.</u>	100% up to 100 ft bldg height 90% over 100 ft bldg height Outside of dense business area: 75% put to 100 ft bldg height 65% over 100 ft bldg height
Max. MF Density	135 du/ac	135 du/ac	135 du/ac Outside dense business area: 35 du/ac

CHAPTER 12-6. TREE/LANDSCAPE REGULATIONS^[4]

Sec. 12-6-1. - Purpose.

The purpose of this chapter is to establish protective regulations for trees and landscaped areas within the city, and to provide for the planting of Street Trees and Lot/Shade Trees for new residential or non-residential development. Such areas preserve the ecological balance of the environment, control erosion, sedimentation and stormwater runoff, provide shade and reduce heat and glare, abate noise pollution, and buffer incompatible land uses. The intent of this chapter is to encourage the preservation of existing trees, and to increase the tree canopy to develop a more walkable community. It is critical that a balance be maintained between developed areas and natural/landscaped areas with appropriate existing and/or newly planted trees and other vegetation. The intent is also to provide for the future of our citizens through maintaining vital vegetative species that will reproduce for future generations.

Sec. 12-6-2. - Applicability.

- (C) *Exemptions.* All single-family and duplex uses are exempt from the provisions of this chapter, except as provided for in sections 11-4-86 through 11-4-88 (parkways), section XX (frontage yards), section 12-2-35 (visibility triangle), section 12-2-32 (buffer yards), subsection 12-6-2(D) (heritage trees) and subsection 12-6-6(D) (new subdivisions). The C-2A downtown retail commercial district is exempt from the provisions of this chapter, except as provided for in subsections 12-6-6(A), (E), (F), and (G). All healthcare related uses of property owned or controlled by an entity which is licensed as an acute care hospital under F.S. Ch. 395, owned or controlled by a parent company of an entity which is licensed as an acute care hospital under F.S. Ch. 395 are exempt from the provisions of this chapter, except as provided for in section 12-6-3 and subsections 12-6-6(A), (C), (E), (F), and (G). In conjunction with the development of any such healthcare related use, a payment of five thousand dollars (\$5,000.00) per acre of new developed impervious surface area shall be made to the tree planting trust fund. The designated clear zone areas around the Pensacola Regional Airport and any other area identified by the airport manager and approved by the city council as critical to aircraft operations shall be exempt from this chapter.
- (E) *DBH.* All tree measurements for existing trees shall be taken at Diameter Breast Height (DBH), which is the diameter of the tree at four and one-half (4½) feet (54 inches) above ground. If the tree has a bump or branch at four and one-half (4½) feet above ground then DBH shall be measured immediately below the bump or branch. If the tree is growing vertically on a slope, DBH shall be measured from the midpoint of the trunk along the slope. If the tree is leaning, DBH shall be measured from the midpoint of the lean. If the tree forks below or near DBH the tree shall be measured at the narrowest part of the main stem below the fork. If the tree splits into more than one (1) trunk close to ground level, DBH shall be determined by measuring each of the trunks separately

Sec. 12-6-3. - Landscaping requirements.

The following landscaping requirements apply to all types of land uses and zoning districts listed in section 12-6-2 of this chapter:

- (A) *Landscape area requirements.* The minimum percentage of the total developable site, which shall be devoted to landscaping, unless otherwise specified in this chapter, shall be as follows:

ZONING DISTRICT		PERCENT
R-ZL, R-2A, R-2B, R-2		25
R-NC, C-1, C-2 , R-C		25
C-1, C-2 , C-3, M-1, M-2		20-15
SSD, ATZ-1, ATZ-2		25

- (B) *Off-street parking and vehicle use areas.* Off-street parking regulations apply to all parking facilities of twenty (20) spaces or more. Off-street parking facilities and other vehicular use areas shall meet the following requirements:

- (1) *Perimeter requirements.* A ten-foot wide strip of privately owned land, located along the front and/or side property line(s) adjacent to a street right-of-way shall be landscaped. In no case shall this strip be less than ten (10) feet wide. Width of sidewalks shall not be included within the ten-foot wide perimeter landscape area. This perimeter landscape requirement shall be credited toward the percentage required for the total developable site in subsection 12-6-3(A), above. Exemptions from the ten-foot wide strip only shall be permitted for R-NC, R-NCB, C-1 and C-2 zones.

APPENDIX B TREE REPLANT LIST

<i>A. Small Trees:</i>	
7.	Glossy Privet (<i>Ligustrum lucidum</i>) CAT 1 INVASIVE – REMOVE -www.fleppc.org

Sec. 12-2-32. - Buffer yards.

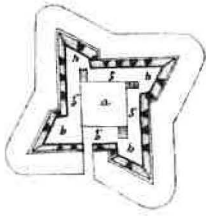
TABLE 12-2.11 RECOMMENDED VEGETATION LIST FOR BUFFER YARD VISUAL SCREEN

Thorny elaeagnus (<i>Elaeagnus pungens</i>) CAT II INVASIVE – REMOVE -www.fleppc.org
--

Sec. 11-4-88. - Placement of trees and poles.

In greenways of a width of six (6) feet or more, poles and trees shall be planted three (3) feet from the sidewalk, in those less than six (6) feet, trees must be planted in the center. [See section 12-6 \(D\) Greenway / Street tree planting requirements. \(6.4 Street trees in the public right-of-way\)](#)

DRAFT



June 12, 2018

Ms. Helen Gibson
CRA Administrator

The Community Redevelopment Agency (CRA) of City of Pensacola
222 W. Main St., Third Floor
Pensacola, Florida 32502

RE: Proposed CRA Urban Design Overlay

Ms. Gibson,

I appreciate you meeting with me on May 21st to discuss the proposed CRA overlay, as well as notifying me of the posting of the revised draft overlay on May 31st. As you know, my brother and I have partnered to create the Galveztown development on the former YMCA site at the NE corner of Palafox Street and Belmont Street. We are excited about bringing a mix of commercial and residential uses to this site.

As discussed with you previously, I had pre-development meetings with Brandi Deese and other city staff on August 3, 2016 and again, along with my civil engineer, on October 26, 2016 to confirm our plans for the parcel were allowed under the City of Pensacola's land development code. Once confirmed, we moved forward and closed on the property on January 4, 2017. Since then, an asbestos remediation was performed on the building, followed by its demolition. Subsequently, most of the site was capped with two feet of clean fill, as required by the state of Florida. The completed work was formally approved last month and the driveways and parking area are being completed this week. The new residential lots have been surveyed and underground utilities have been placed, at our expense, to accommodate the new single family homes on these lots. Design is almost complete for the total renovation and adaptive reuse of an existing commercial building on the site, as well as the design of a single family home we intend to build. We have several buyers for the lots who have been working on home designs and should be ready to close within the next 60 days. With the assistance of Dalrymple Sallis Architecture, we have created a set of design guidelines and planned a new development which will be a great addition to our downtown. As you know, the addition of residential units, and getting "eyes on the street" is critical to creating a more walkable environment. To my knowledge, our nine single family homes are the only residential units downtown which will be located on Palafox until you travel South of Garden Street.

In addition, we have incorporated the following into our design:

- 1.) Rear entry garages
- 2.) Conversion of the site to underground utilities at our expense
- 3.) Collaboration with the Downtown Improvement Board to help implement a road diet on Palafox and other recommendations from their parking study

The design of our development has been publicly praised by the North Hill Neighborhood Association and Mr. Christian Wagley, who is part of the DPZ team. Unfortunately, the proposed overlay regulations on window proportions and size, and requirements for tree placement could force us and our lot buyers to redesign these homes. According to DPZ, anyone who has been issued a development order or a building permit is exempt from these overlay requirements, however those of us who are developing in accordance with the existing subdivision plat have been completely overlooked. As described earlier, we met with the City in advance of purchasing the YMCA property to determine the proposed use was acceptable, have made very significant expenditures towards improvements and design since then, and are now suddenly being told all of the requirements will change within a few months. These sudden changes are a hardship.

As you know, I have requested that property owners who have already attended pre-development meetings with the City and have developments in process be exempted from the new requirements of the overlay. I have also offered solutions as to how the City's planning department could accomplish this, such as writing a letter explaining that development of a particular property was underway at the time the overlay was passed and as a result, it is exempt from the new overlay requirements. The latest draft of the overlay does not address this problem. As a result, I am writing you to formally request the inclusion of this provision in the overlay once again.

The resolutions which formed our CRA, continually refer to the CRA's purpose as "fostering the development and redevelopment" of the CRA area. The CRA's 2010 Urban Core Plan specifically mentions the need to "support private investment in new real estate development". It goes on to state "The CRA may assist private property owners and developers in redeveloping properties in a number of ways including recruiting businesses and/or developers to do business within the CRA urban core and connecting would-be developers with potential property owners to facilitate redevelopment."

DPZ, the CRA's consultant, has stated, "Research proves that communities which adopt urban design standards outperform those who do not" and "Research shows that design standards do not curtail development." I found no research offered by DPZ to support these claims. If you compare the City of Pensacola's CRA areas to planned communities such as Seaside and Alys Beach, I have no doubt these communities do outperform us, however this cannot be held up as proof that imposing strict design standards increases property values and does not discourage new development. Regardless of the methodology, no study has been done on the effects of implementing the particular set of draft design requirements being considered, so to generally say "design standards do not curtail development" is misleading at best.

The reality is, if an individual wants to design and build a modern home in Pensacola and the CRA prohibits modern design elements, that individual will simply build elsewhere. If builders and developers cannot depend on City staff to tell them what can be built on a property without the rules suddenly changing, they will either pay less for properties within the CRA in order to offset the risk involved or build elsewhere in a place where they are confident they will be treated with some basic level of decency. These scenarios clearly do not help foster development or redevelopment within the CRA. In fact, they do exactly the opposite.

I appreciate your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Gunther", written in a cursive style.

Fred Gunther
Galveztown, LLC

cc: Brandi Deese, Assistant Planning Services Administrator
City of Pensacola Planning Board



COMMUNITY REDEVELOPMENT AGENCY

July 18, 2018

Gunther Properties, LLC.
Galveztown, LLC.
Attn: Fred Gunther
503 East Government Street
Pensacola, FL 32502

Re: PROPOSED CRA URBAN DESIGN OVERLAY DISTRICT

Dear Mr. Gunther:

Thank you for providing comments in reference to the proposed CRA Urban Design Overlay District. You have submitted meaningful feedback to us throughout the course of the proposed overlay district's development, which been addressed and incorporated into the final recommended document to the extent practicable. Please find below a summary of the items of concern presented to us and their corresponding response(s):

1) Setbacks and lot occupation within the Dense Business Area.

Property located within the Dense Business Area will adhere to the existing front setback and lot coverage requirements, as defined in the Land Development Code (LDC) for the Dense Business Area.

2) Front yard tree planting requirements.

The provision contained within the draft overlay which required that trees planted on private property be setback at least three (3) feet from the right-of-way has been removed. The language has been modified to allow required trees to be planted elsewhere on the block (including within rear, and/or side yards, the right-of-way or clustered on adjoining lots) for lots with a front setback of less than eight (8) feet, where planting in the front yard is not possible.

3) Maximum entry grade – 48”.

Maximum entry grade heights have been removed for all façade types except common entry.

4) Request that pre-development meetings be considered for grandfathering.

Grandfathering must be limited to circumstances where a formal approval related to site development has been granted. The authorization must establish a set time period for development, and be based on a final set of plans. Since a final set of plans are typically unavailable, and therefore not considered during a pre-development or development review meeting, and no

approval is granted or set time period established, these meetings cannot be considered for grandfathering.

5) Permissibility of flat roofs.

Flat roofs are permitted for all building types.

6) Minimum height standards for substantial modifications to existing buildings.

A provision has been added to the overlay exempting the adaptive re-use of buildings from compliance with minimum height standards.

7) Standard yard type within the C-2A zoning district.

The form standards tables have been clarified to permit a standard yard type for single family detached and two-family (duplex) units within the C-2A zoning district. In the Dense Business Area, front setbacks are limited to a maximum of 10 feet under the existing regulations. The Galveztown development would adhere to this rule as it is located within the Dense Business Area.

8) Muntin requirements for windows.

The muntin requirement for windows has been changed from a "shall" to a "should" statement.

9) Building width limitations for 30' lot due to 20' parking setback requirement.

Parking requirements have been modified to allow driveways within a maximum of two feet from the property line to allow for wider homes on 30' lots. Options for wider homes on 30' lots also include on-street parking, where permitted, and rear access, where feasible.

10) Horizontal windows and restriction of modern building types.

The overlay seeks to retain key characteristics which exist within the CRA neighborhoods to ensure that new development and redevelopment blends into the authenticity of the surrounding community and is conducive to a walkable, urban environment. The proposed overlay does not prohibit modern design, however, it does require that modern designs respect the context of the surrounding neighborhoods. Our consultant, DPZ, has recommended, however, that the original language be modified to allow square windows, transoms and special windows. Vertical windows placed side by side would also be permissible. These requirements would be limited to frontages only. Interior, non-street fronting sides would not be required to adhere to window proportionality requirements.

11) Consideration of existing subdivision plats for grandfathering.

Plat approvals authorize the subdivision of land and supporting infrastructure, they do not constitute a design approval for site development or an authorization to build.

Grandfathering must be limited to circumstances where a formal approval related to site development has been granted. Authorization must be limited to a set period of time, and based on

a final set of plans. Therefore, grandfathering is limited to the issuance of a building permit or development order.

12) DPZ assertions that “research proves that communities which adopt urban design standards outperform those who do not” and “research shows that design standards do not curtail development.”

DPZ is a nationally acclaimed urban planning and design firm who has developed successful form-based codes and design standards for municipalities all over the world. The firm was selected based on their credentials and qualifications in the field of urban and architectural planning and design. Although providing research citations was not a component of their scope of work, a recent local presentation provided by Ed McMahon with the Urban Land Institute cited a variety of sources which define the value in adopting form-based urban design standards. Some of these sources include:

- *A study conducted in 2016 by the George Washington University School of Business titled, Foot Traffic Ahead; Ranking Walkable Urbanism in America’s Largest Metros which established that “a majority of new real estate development is occurring in walkable urban neighborhoods.” ;*
- *A study by the Urban Land Institute titled, Value by Design which indicated that landscaping “increases financial return from 5 to 15 percent, increases the rate of project absorption, increases employee productivity, moral and job satisfaction and helps developers win support for proposals.”; and*
- *The book, Building Greener Neighborhoods: Trees as Part of the Plan by the National Association of Home Builders (NAHB) which indicated that: “Studies show that developed lots with trees sell for an average of 20-30 percent more than similarly sized lots without trees.”*

Additionally, the City’s special review districts have been in effect for many years and have proven to yield positive results without curtailing development. In fact, many of these districts are far more prescriptive than the proposed overlay and all are subject to a review board. The proposed overlay is less prescriptive than the special review districts and will be administratively reviewed, lending itself to greater predictability.

13) “If builders and developers cannot depend on City staff to tell them what can be built on a property without the rules suddenly changing, they will either pay less for properties within the CRA in order to offset the risk involved or build elsewhere in a place where they are confident they will be treated with some basic level of decency. These scenarios clearly do not help foster development or redevelopment within the CRA. In fact, they do exactly the opposite.”

Public outreach has extended over a period of more than six (6) months, and included an extensive amount of public engagement, including more than sixteen (16) public input sessions, workshops, meetings and/or presentations. Developers/builders with current projects underway may either track the progression of the overlay and design to its specifications or submit their projects for permitting prior to the anticipated effective date. Based on the Planning Board’s recommendation and the current review schedule, the overlay is anticipated to take effect on the fifth business day after adoption or September 20, 2018, pending adoption.

The success of Pensacola's special review districts, and new codes and design standards adopted all over the world demonstrate that development is not curtailed by the implementation of these planning methods. Instead, communities are enhanced by the protection and predictability they provide, and their contributions to quality of place.

We look forward to continued coordination as the overlay progresses. Should you require any further information, please do not hesitate to contact me at (850) 436-5650 or hgibson@cityofpensaocla.com.

Sincerely,



M. Helen Gibson
CRA Administrator

Cc: file
Victoria D'Angelo, Asst. CRA Administrator

Enclosures: None.



Home Builders Association of West Florida

4400 Bayou Boulevard, Suite 45 • Pensacola, FL 32503-2692 • (850) 476-0318 • Fax (850) 494-9764

June 7, 2018

Ms. Helen Gibson
CRA Administrator
The Community Redevelopment Agency (CRA) of City of Pensacola
222 W. Main St., Third Floor
Pensacola, Florida 32502

RE: Proposed CRA Urban Design Overlay

Dear Ms. Gibson:

I appreciate your efforts to revitalize the City of Pensacola's CRA areas. While there are truly positive changes in the proposal, there are some areas of concern that the Home Builders Association's Governmental Affairs Committee would like to address. Please pardon the lateness of this letter but it could not be avoided with the various changes to the document over the past few weeks. We want to make sure that the proposed CRA Urban Design Overlay is not a compilation of unnecessary, costly regulations of home and building design than it is a benefit.

A few examples:

1. Page 28, Illustration 12-2-25.9 demonstrates that parking on one's lot will not be allowed unless it is at least 20' behind the principal building façade. For a 30' wide lot, this means the width of the home would need to be reduced from 20' to 15' to have any parking on site. The overlay proposes alleviating this problem by encouraging shared driveways. A driveway crossing a property line is considered an encroachment, which can prevent a lender from financing the purchase of a property.
2. Section 12-2-25(G)(j) requires:
 - a.) Windows shall be vertical in proportion.
 - b.) Single panes of glass shall not exceed 20 square feet for residential building types.
3. It has been stated in previous meetings that anyone who has been issued a development order or a building permit is exempt from these requirements, however this intentionally ignores properties which are being developed in accordance with their existing plat. Several of our members met with the City in advance of purchasing their properties to determine their proposed use is acceptable. Developers/builders have made very significant expenditures towards improvements and design since then and are now suddenly being told the requirements will change within a few months. The HBA request that the developers/builders who have been through the process be grandfathered in to avoid additional time and expense.

Resolution 54-80, which formed the City's CRA, states the purpose of the CRA is the elimination of blight and "rehabilitation, conservation and redevelopment" of the CRA area. Subsequent resolution 55-80 directs the CRA to "Work with private investors, other government agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment" of the CRA area. The HBA encourages the CRA to address these issues and work to make meaningful changes to the proposed CRA document. This will be helpful in fostering development or redevelopment.

I appreciate your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "David Peaden", written in a cursive style.

David Peaden
Executive Director



COMMUNITY REDEVELOPMENT AGENCY

July 18, 2018

Home Builders Association
of West Florida
Attn: David Peaden
4400 Bayou Blvd., Suite 45
Pensacola, FL 32503

Re: PROPOSED CRA URBAN DESIGN OVERLAY DISTRICT

Dear Mr. Peaden:

Thank you for providing comments in reference to the proposed CRA Urban Design Overlay District. You have submitted meaningful feedback to us which has been addressed and incorporated into the final recommended document to the extent practicable. Please find below a summary of the items of concern presented to us and their corresponding response(s):

- 1) **Page 28, Illustration 12-2-25.9 demonstrates that parking on one's lot will not be allowed unless it is at least 20' behind the principal building façade. For a 30' wide lot, this means the width of the home would need to be reduced from 20' to 15' to have any parking on site. The overlay proposes alleviating this problem by encouraging shared driveways. A driveway crossing a property line is considered an encroachment, which can prevent a lender from financing the purchase of a property.**

Uncovered driveway parking is permitted in front of the building façade. To allow for wider homes on 30' lots, parking requirements have been modified to allow driveways within a maximum of two feet from the property line. Options for wider homes on 30' lots also include on-street parking, where permitted, and rear access, where feasible.

- 2) **Section 12-2-25(G)(j) requires: a.) Windows shall be vertical in proportion. b.) Single panes of glass shall not exceed 20 square feet for residential building types.**

Window requirements were established to preserve the unique character of the CRA neighborhoods, and to encourage contextual development which is conducive to a walkable, urban environment. Our consultant, DPZ, has recommended, however, that the original window verticality language be modified to allow square windows, transoms and special windows. Vertical windows placed side by side would also be permissible. This provision would be limited to frontages only.

- 3) **It has been stated in previous meetings that anyone who has been issued a development order or a building permit is exempt from these requirements, however this intentionally ignores properties which are being developed in accordance with their existing plat.**

Several of our members met with the City in advance of purchasing their properties to determine their proposed use is acceptable. Developers/builders have made very significant expenditures towards improvements and design since then and are now suddenly being told the requirements will change within a few months. The HBA request that the developers/builders who have been through the process be grandfathered in to avoid additional time and expense.

Plat approvals authorize the subdivision of land and supporting infrastructure, they do not constitute a design approval for site development or an authorization to build.

Grandfathering must be limited to circumstances where a formal approval related to site development has been granted. Authorization must be limited to a set period of time, and based on a final set of plans. Since a final set of plans are typically unavailable, and therefore not considered during a pre-development or development review meeting, and no approval is granted or set time period established, these meetings cannot be considered for grandfathering.

Public outreach has extended over a period of more than six (6) months and included an extensive amount of public engagement, including more than sixteen (16) public input sessions, workshops, meetings and/or presentations. Developers/builders with current projects underway may either track the progression of the overlay and design its specifications or submit their projects for permitting prior to the anticipated effective date. Based on the Planning Board's recommendation and the current review schedule, the overlay is anticipated to take effect on the fifth business day after adoption or September 20, 2018, pending adoption.

- 4) **Resolution 54-80, which formed the City's CRA, states the purpose of the CRA is the elimination of blight and "rehabilitation, conservation and redevelopment" of the CRA area. Subsequent resolution 55-80 directs the CRA to "Work with private investors, other government agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment" of the CRA area. The HBA encourages the CRA to address these issues and work to make meaningful changes to the proposed CRA document. This will be helpful in fostering development or redevelopment.**

The proposed CRA Urban Design Overlay District is intended to ensure that rehabilitated and redeveloped properties blend into the traditional character of the existing CRA neighborhoods, therefore, conserving the authenticity of these areas. The extensive public engagement process undertaken as a component of this project has proven to ensure that many, meaningful comments provided by private investors, outside government agencies, their agents and consultants, City staff, community groups and neighborhood associations, and the general public were incorporated into the final recommended overlay district. All comments provided have been addressed to the extent practicable.

We look forward to continued coordination as the overlay progresses. Should you require any further information, please do not hesitate to contact me at (850) 436-5650 or hgibson@cityofpensaocla.com.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Helen Gibson".

M. Helen Gibson
CRA Administrator

Cc: file
Victoria D'Angelo, Asst. CRA Administrator

Enclosures: None.



Charles S. Liberis

Real Estate Closing Department
Kaylan Walden- Licensed Closing Agent

June 11, 2018

Ms. Helen Gibson
CRA Administrator
The Community Redevelopment Agency (CRA) of City of Pensacola
222 W. Main St., Third Floor
Pensacola, FL 32502

RE: Proposed CRA Urban Design Overlay

Dear Ms. Gibson:

I write this letter on behalf of Olde City Developers, LLC. In the past 24 months, Olde City has constructed (and sold) 22 houses in the Government and Intendencia core area. Those houses were affordable and proved to be very popular. All 22 houses were sold before completion and are now on the tax rolls replacing vacant lots or abandoned buildings. The proposed regulation would have prevented this vital revitalization.

A few examples:

1. Page 28, Illustration 12-2-25.9 demonstrates that parking on one's lot will not be allowed unless it is at least 20' behind the principal building façade. For a 30' wide lot, this means the width of the home would need to be reduced from 20' to 15' to have any parking on site. This would have prevented development of all 22 houses completed by Olde City Developers, LLC.
2. It has been previously stated that anyone who has obtained a development order or building permit is exempt from these requirements. This ignores properties which are being developed in accordance with their existing plat. Olde City has purchased 16 lots for future development in the Government and Intendencia core area. Olde City has made significant expenditure on engineering and design. These changes will impose a financial hardship and greatly increase the cost of infill housing. We wish to build similar houses and do not want to reinvent what has worked and been well received by all.

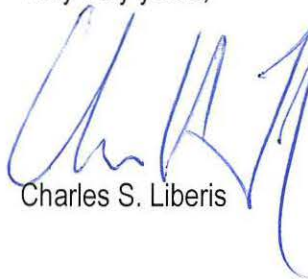
PENSACOLA (reply here)
212 West Intendencia Street
Pensacola, FL 32502
(850) 438-9647 Fax (850) 433-5409

www.liberislaw.com

PERDIDO KEY
13700 Perdido Key Dr., Suite 223
Pensacola, FL 32507
(850) 492-2109

Resolution 55-80 directs the CRA to "Work with private investors, other government agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment" of the CRA area. Notwithstanding, numerous meeting and workshops, the CRA has failed to address the issues facing developers and builders nor to address needed changes to the proposed CRA document. Adoption of the proposed CRA Urban Development Design Overlay will discourage future development of the CRA area.

Very truly yours,



Charles S. Liberis

CSL/kw

cc: Mayor Ashton Hayward

City Council

PNJ



COMMUNITY REDEVELOPMENT AGENCY

July 18, 2018

Liberis Law Firm
Attn: Charles S. Liberis
212 West Intendencia Street
Pensacola, FL 32502

Re: PROPOSED CRA URBAN DESIGN OVERLAY DISTRICT

Dear Mr. Liberis:

Thank you for providing comments in reference to the proposed CRA Urban Design Overlay District. You have submitted meaningful feedback to us which has been addressed and incorporated into the final recommended document to the extent practicable. Please find below a summary of the items of concern presented to us and their corresponding response(s):

- 1) **I write this letter on behalf of Olde City Developers, LLC. In the past 24 months, Olde City has constructed (and sold) 22 houses in the Government and Intendencia core area. Those houses were affordable and proved to be very popular. All 22 houses were sold before completion and are now on the tax rolls replacing vacant lots or abandoned buildings. The proposed regulation would have prevented this vital revitalization.**

Thank you for your investment in the CRA area. Models of special review districts, new codes and design standards in many cities prove that while Land Development Code (LDC) changes may require adaptation, they do not prevent revitalization. In fact, urban planning efforts such as the proposed overlay district, protect real estate and development investments by providing predictable outcomes which enhance market strength and stability.

- 2) **Page 28, Illustration 12-2-25.9 demonstrates that parking on one's lot will not be allowed unless it is at least 20' behind the principal building facade. For a 30' wide lot, this means the width of the home would need to be reduced from 20' to 15' to have any parking on site. This would have prevented development of all 22 houses completed by Olde City Developers, LLC.**

To allow for wider homes on 30-foot lots, parking requirements have been modified to allow driveways within a maximum of two feet from the property line. Options for wider homes on 30-foot lots also include on-street parking, where permitted, and rear access, where feasible.

- 3) **It has been previously stated that anyone who has obtained a development order or building permit is exempt from these requirements. This ignores properties which are being developed in accordance with their existing plat. Olde City has purchased 16 lots for future development in the Government and Intendencia core area. Olde City has made significant expenditure on engineering and design. These changes will impose a financial hardship and greatly increase**

EVERYTHING THAT'S GREAT ABOUT FLORIDA IS BETTER IN PENSACOLA.

222 West Main Street Pensacola, FL 32502/T: 850.436.5650/www.cityofpensacola.com

the cost of infill housing. We wish to build similar houses and do not want to reinvent what has worked and been well received by all.

Any development which has obtained a development or building permit by the effective date would be exempt from the overlay district requirements.

Plat approvals authorize the subdivision of land and supporting infrastructure, they do not constitute a design approval for site development or an authorization to build.

Grandfathering must be limited to circumstances where a formal approval related to site development has been granted. Authorization must be limited to a set period of time, and based on a final set of plans. Therefore, grandfathering is limited to the issuance of a building permit or development order.

Public outreach has extended over a period of more than six (6) months and included an extensive amount of public engagement, including more than sixteen (16) public input sessions, workshops, meetings and/or presentations. Developers/builders with current projects underway may either track the progression of the overlay and design to its specifications or submit their projects for permitting prior to the anticipated effective date. Based on the Planning Board's recommendation and the current review schedule, the overlay is anticipated to take effect on the fifth business day after adoption or September 20, 2018, pending adoption.

Additionally, CRA staff has surveyed local builders and architectural firms to determine the estimated costs associated with the proposed standards. Associated costs were determined to be nominal, especially when factoring potential cost reductions related to parking exemptions.

- 4) Resolution 54-80, which formed the City's CRA, states the purpose of the CRA is the elimination of blight and "rehabilitation, conservation and redevelopment" of the CRA area. Subsequent resolution 55-80 directs the CRA to "Work with private investors, other government agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment" of the CRA area. The HBA encourages the CRA to address these issues and work to make meaningful changes to the proposed CRA document. This will be helpful in fostering development or redevelopment.**

The proposed CRA Urban Design Overlay District is intended to ensure that rehabilitated and redeveloped properties blend into the traditional character of the existing CRA neighborhoods, therefore, conserving the authenticity of these areas. The extensive public engagement process undertaken as a component of this project has proven to ensure that many, meaningful comments provided by private investors, outside government agencies, their agents and consultants, City staff, community groups and neighborhood associations, and the general public were incorporated into the final recommended overlay district. All comments provided have been addressed to the extent practicable.

We look forward to continued coordination as the overlay progresses. Should you require any further information, please do not hesitate to contact me at (850) 436-5650 or hgibson@cityofpensaocla.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Helen Gibson'.

M. Helen Gibson
CRA Administrator

Cc: file
Victoria D'Angelo, Asst. CRA Administrator

Enclosures: None.

1. LONG TERM STRATEGIES

1.1. COMPREHENSIVE PLAN

- 1.1.1. Adjust FLUM density for townhouses in R districts as follows:
 - a. 18 du/acre for R-1A and R-1B (permitting 24-foot wide townhouses)
 - b. 24 du/acre in R-NC and R-NCB (permitting 18-foot wide townhouses)

1.2. ZONING CODE

- 1.2.1. Make edits to Zoning Code as provided in Appendix A.

1.3. LANDSCAPE, OPEN SPACE & STORMWATER MANAGEMENT STRATEGIES

- 1.3.1. A CRA tree fund should be established, with assistance available to homeowners to plant trees in their R.O.W. or front yards where none currently exist, per Sec. 12-6-3 (D).
- 1.3.2. The City should acquire additional park/open space properties within the ¼ mile, 5-minute walk radius to serve those neighborhoods identified as underserved by parks.
- 1.3.3. Required open space should be designed as a central square, plaza or green to provide a community focal point and gathering space for residents. Leftover strips at edges should be avoided except where trail connections are made, or buffers are required. Trees, seating and pervious paving should be included, at a minimum.
- 1.3.4. Streets and parking lots shall be designed to temporarily detain stormwater with aesthetically-planted, curb-less drainage swales within parking lots and buffer areas.
- 1.3.5. The City should acquire additional stormwater management sites to manage runoff from small parcels where on-site storage is impractical. Provide incentives to developers for reduction of pervious surfaces and installation of stormwater detention facilities.
- 1.3.6. The City should implement and maintain aesthetically-planted low-impact stormwater mitigation test sites, such as rain gardens, at existing and proposed *drainage rights-of-way* with a minimum width of 15 feet, on residential and commercial properties.

1.4. ENFORCEMENT

- 1.4.1. Enforcement the current regulation prohibiting parking on greenways along local streets

1.5. SMALL SCALE SUBDIVISIONS

- 1.5.1. Consider revising small scale subdivision requirements from 3 lots or more to 4 or 5 lots or more.
- 1.5.2. Discuss equity factor, benefits and disadvantages of lot history on subdivision requirements.

Transportation Design & Code Amendment Support Document

By Richard A. Hall, P.E.

DRAFT

Prepared For:
Pensacola's CRA
&
DPZ CoDESIGN



Hall Planning & Engineering, Inc.
March 8, 2018

Introduction: Transportation Design Guidance

Review of current CRA documents revealed a need for Transportation Procedures tied to a variety of context types that naturally occur across cities and their suburban and rural areas. Currently, the CRA areas have a variety of street conditions, some are highly walkable and compact, some are not. The primary benefit for walkability within the CRA areas is block sizes less than 500 feet per side. This occurs in almost all context areas. One negative however, is the general prohibition of on-street parking in some of the CRA areas. Where possible, it should be permitted and encouraged. Moreover, the city should enforce parking regulations that prohibit parking on greenways which create blight on the street, prevent the possible planting of trees and discourage walking. Most local streets reflect a pedestrian scale, with parallel on-street parking and paved street width of 25 to 30 feet; good, general urban street dimensions/conditions. Many Collectors and Arterials, however, have been built to suburban standards with 70-foot ROW and 54 feet of paved area between curb faces and no parallel, on-street parking allowed. For example, the current street dimensions on Cervantes, Garden and Main, west of A Street have these suburban scale dimensions. This occurs on both state owned and city owned streets. Wider and faster streets should only occur in the suburban and rural areas of the city and county. Guidance for many transportation related elements must be sensitive to a wider set of context types than the oversimplified rural or urban types used in the past. Two major documents support broader context application:

1. The Florida Greenbook
2. The Florida Complete Streets Initiative (CSI) and Companion Florida Design Manual

These documents are described below and their applicability for Pensacola's Community Redevelopment Authority are encouraged and discussed below.

Florida Greenbook - Design of Local Streets in Florida

The ***Manual of Uniform Minimum Standards for Design, Construction and Maintenance (Florida Greenbook)*** provides criteria for public streets, roads, highways, bridges, sidewalks, curbs and curb ramps, crosswalks, bicycle facilities, underpasses, and overpasses used by the public for vehicular and pedestrian travel.

Authority for the **Florida Greenbook** is established by [Chapters 20.23\(3\)\(a\), 334.044\(10\)\(a\)](#), and [336.045, Florida Statutes](#), and [Rule 14-15.002, Florida Administrative Code](#). The manual is intended for all projects off the state and national highway systems. Thus, the Greenbook provides transportation design guidance for City of Pensacola streets.

Within the **Greenbook**, **Chapter 19 Traditional Neighborhood Design (TND)** provides guidance on transportation design within urban sections of Florida's cities and counties.

TND Communities rely on strong integration of land use and transportation. A TND has compact, human scaled development patterns and a variety of land uses within a small block structure. All these characteristics combine to yield many more pedestrian, bicycle and transit trips than found in low density suburban patterns of development. The chapter specifies criteria and design standards that help achieve this “walkability” and Complete Street character.

HPE recommends adoption of the Florida Greenbook as design guidance for transportation facilities under jurisdiction of the City of Pensacola. This would allow the application of TND design guidance for all non-state facilities. While the local neighborhood streets are generally in compliance with TND principals, the Arterials and Collectors are not, and would benefit from this context based guidance for re-construction or new construction. All streets would benefit from the encouragement of on-street parking found in the TND Chapter.

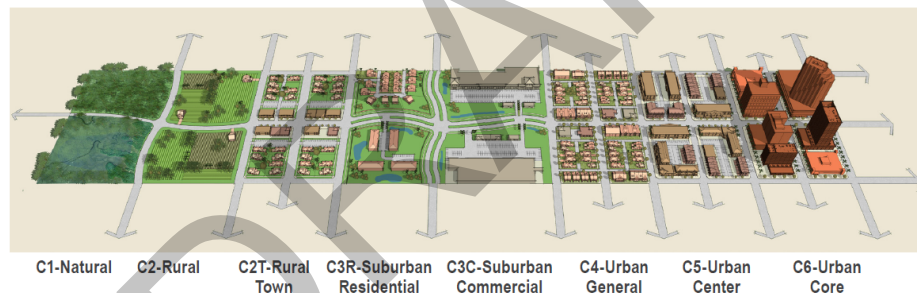
FDOT Complete Streets Initiative [CSI] & Florida Design Manual for design of State facilities

Streets under State of Florida jurisdiction are guided by similar context based design guidance. ***FDOT Complete Streets Initiative [CSI]*** document provides a land area framework consisting of Context Classifications from rural to most urban character.



The Context Classifications are described as follows.

C1-Natural	Lands preserved in a natural or wilderness condition, including lands unsuitable for settlement due to natural conditions.
C2-Rural	Sparsely settled lands; may include agricultural land, grassland, woodland, and wetlands.
C2T-Rural Town	Small concentrations of developed areas immediately surrounded by rural and natural areas; includes many historic towns.
C3R-Suburban Residential	Mostly residential uses within large blocks and a disconnected/ sparse roadway network.
C3C-Suburban Commercial	Mostly non-residential uses with large building footprints and large parking lots. Buildings are within large blocks and a disconnected/ sparse roadway network.
C4-Urban General	Mix of uses set within small blocks with a well-connected roadway network. May extend long distances. The roadway network usually connects to residential neighborhoods immediately along the corridor and/or behind the uses fronting the roadway.
C5-Urban Center	Mix of uses set within small blocks with a well-connected roadway network. Typically concentrated around a few blocks and identified as part of the civic or economic center of a community, town, or city.
C6-Urban Core	Areas with the highest densities and building heights and within FDOT classified Large Urbanized Areas (population > 1,000,000). Many are regional centers and destinations. Buildings have mixed uses, are built up to the roadways, and are within a well-connected roadway network.



Context Classifications for suburban areas, C3R Suburban Residential and C3C Suburban Commercial occur outside the CRA boundary. Within the CRA, the finer street grid, smaller lot sizes and compactness of buildings generally qualify for Classifications C4-Urban General and C5-Urban Center. The following table equates the CRA Context Classifications with Zoning classifications:

Context Classification to Zoning Translation	
Context Classification	Zoning Code
C4 - Urban General	R-1AA
	R-1A
	R-1B
C5 - Urban Center	R-NC
	R-NCB
	C-1
	C-2
	C-3

Transportation facilities constructed under C4 and C5 have more Walkable design elements scaled to be more pedestrian friendly. Arterial and Collector streets have 10 foot lanes allowed, 8 foot parallel, on-street parking is strongly encouraged, lower range speeds of 20 and 25 miles per hour are specified, and maximum block length of 600 feet are required. These criteria and others yield lower motor vehicle speed, multiple travel modes active and generally greater economic value and sustainability. They encourage more Complete Streets. Federal research has yielded *An Expanded Functional Classification System for Highways & Streets* that also defines more context areas to diversify design solutions in urban settings.

The DPZ and HPE team members recommend adoption of the Context Classification system developed by FDOT as definitions to identify place and to subsequently guide streets and other transportation features within the CRA. The City should encourage FDOT to classify the streets in Pensacola's CRA as C4 and C5 and limit the C3S so that transportation can become more walkable and support the adjacent land uses.

Field Reviews

Field observations within the CRA confirmed that the small block size nature of the overall street grid is one of the strongest assets of the CRA toward increasing Walkability and Complete Streets. Traffic Counts show that most arterial and collector streets have more capacity than needed and in some cases can design lane reductions to further manage motor vehicle speeds and increase pedestrian comfort.

Past Studies were reviewed and the following results were determined:

- Cervantes Corridor study, by Atkins, has two recommendations, for 4L and 2L sections
 - Nodes and Place Types are identified along the Cervantes corridor as potential focus areas of greater compactness. C5 Town Center classifications creating more diverse travel notes and greater walkability.

- i. There is great potential for combining information and setting the stage for Transforming the Cervantes corridor into a Complete Street.
- CRA Participation in Future Street Design Corridors should also be Context sensitive, complete streets.
 - i. Cervantes
 - ii. Main Street [West]
 - iii. Dr. MLK Jr. Dr./N. Davis Hwy. Pair

Other general recommendations include:

- Continuous sidewalks should take precedence over driveway aprons so the sidewalk maintains a constant elevation.
- Coordinate tree placement with utility location in all cases. Meetings to workshop this important relationship are essential.
- Importance of yield street design for local streets and need to design for, and encourage, on-street parking.
- Remove parking from green swales/parkways/planting strips.

In summary, the following recommendations are primary:

1. Adopt the Florida Greenbook with emphasis on the TND Chapter 19, for application within the entire CRA District.
2. Adopt the Florida CSI reports and policies for design guidance on state owned streets within the CRA.
3. Future conversations on design of all CRA Arterials and Collectors shall be Context Sensitive and CRA staff should be at the table.

Rider Height Chart - 56 cm Classic Road Bike

This is a general guide to help you determine if a bike will fit or not. Use our [road bike size calculator](#) for a better frame size recommendation. There are NO GUARANTEES with the information provided here.

Bike Measurement

Information on this page is for a **road bike** measuring:

56 cm

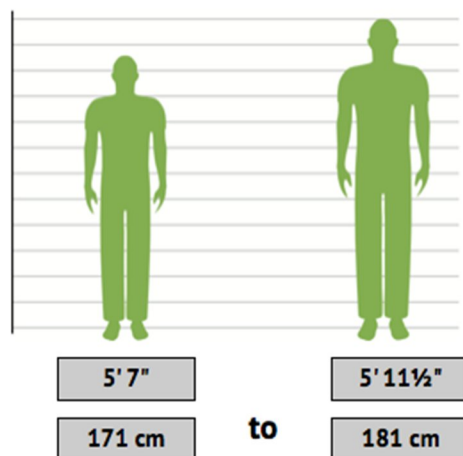
22"



Classic Road Bike

Height Range

You can probably use this bike if your height is in the range below. Check your leg length to be sure.



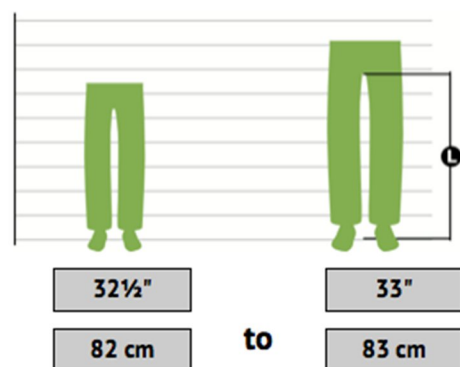
What's Your Bike Size?

Getting the right size bike is important. Find out your specific bike size using our [road bike size calculator](#).



Leg Length Range

This bike fits riders with the following leg lengths:



What is Leg Length?

The distance between the floor and your crotch. Also known as your bicycling inseam. This is more accurate than height when determining if the bike will fit you.

Measuring Your Leg Length



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 21-18

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Member P.C. Wu

SUBJECT:

PROPOSED ORDINANCE 21-18 - AN ORDINANCE CREATING SECTION 12-2-25 OF THE CODE OF THE CITY OF PENSACOLA, PROVIDING FOR THE CRA URBAN DESIGN OVERLAY DISTRICT

RECOMMENDATION:

That City Council approve Ordinance 21-18 on first reading.

AN ORDINANCE CREATING SECTION 12-2-25 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR THE CRA URBAN DESIGN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

The development of urban design standards has been identified as a key redevelopment project within each of the City of Pensacola's adopted community redevelopment plans. The City of Pensacola Community Redevelopment Agency (CRA) approved the FY17/18 CRA Work Plan on April 10, 2017, which authorized the development, adoption and codification of design standards for each of the City's three redevelopment areas. On October 9, 2017, the CRA authorized the CRA Chairperson to negotiate and execute a contract with DPZ CoDESIGN, the top-ranked firm selected in response to RFQ No. 17-043.

Under the contract with DPZ CoDESIGN, the project kicked-off in early January 2018. From February through April, an extensive public input process was launched which included a series of charrettes, public workshops, input sessions, presentations and a written comment period. For reference purposes, a full list of public outreach and input opportunities, as well as, comments received and corresponding responses are attached.

The final recommended document was released on May 31, 2018 and presented with recommended modifications to the Planning Board for consideration and public hearing on June 12, 2018. The Planning Board recommended adoption of the document and the recommended modifications presented at the meeting with the following modifications:

-
- a. Change the capital and base requirement for porch columns contained within Table 12-2-25.10, Façade Types from a “shall” to a “should” statement.
 - b. Modify the language contained in Sec. 12-2-25(G)(h)(b)4.c.(2) regarding bicycle parking as follows to clarify reference to an adult-sized bicycle: Bicycle racks installed perpendicular to curbs shall allow for a minimum clearance of two (2) feet at the curb and six (6) feet of pedestrian way with a ~~56cm~~ 22 to 26 inch bicycle properly locked to the rack.
 - c. Change the vertical window requirement contained in Sec. 12-2-25(G)(j)(a)1, Windows and Glazing, from a “shall” to a “should” statement.
 - d. Clarify the minimum landscape area requirements contained in Sec. 12-2-25(H)(b)(b), Landscape on Private Property, as it relates to minimum landscaping for single family detached and two-family attached buildings.
 - e. Remove the requirement for street trees in front of galleries to be of a “columnar variety”, as contained in Sec. 12-2-25(H)(d)(f)3, Street Trees in Public Right-of-Way.
 - f. Establish an effective date of five (5) business days following adoption by City Council.

The project consultant, DPZ CODESIGN, recommends incorporation of all modifications recommended by Planning Board with the following exceptions:

- a. The vertical window requirement contained in Sec. 12-2-25(G), Windows and Glazing, should be retained as a “shall” statement and modified as follows: “Windows on frontages shall be square or vertical in proportion, with the exception of transoms and special windows.”
- b. The language contained in Sec. 12-2-25(G)(h)(b)4.c.(2) regarding bicycle parking should be clarified as follows: Bicycle racks installed perpendicular to curbs shall allow for a minimum clearance of two (2) feet at the curb and six (6) feet of pedestrian way with a 56cm or 22in bicycle properly locked to the rack.

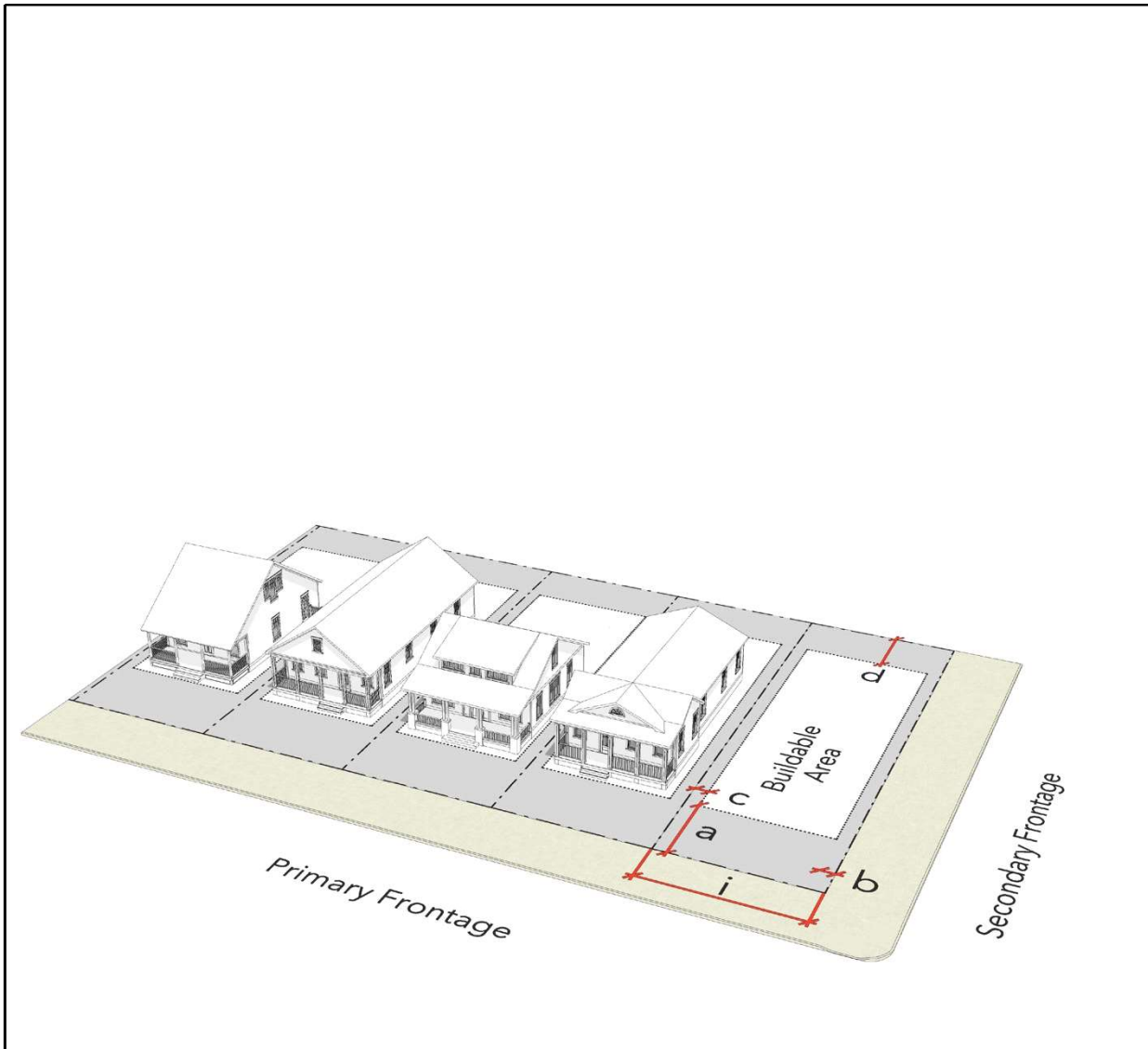
Further, the following clarifications and adjustments should be incorporated into the amendment:

- a. Review procedures contained within Sec. 12-2-25(E) should be clarified to provide additional detail for plan submittals as follows:
 - (A) *Procedure for Review.* All development regulated by this subsection shall be subject to the submission requirements contained within Sec. 12-12-5 (building permits) and Sec. 12-2-81 (development plan requirements), as applicable. In addition to the plan submission requirements listed in Sec. 12-12-5 and 12-2-81, drawings illustrating compliance with Sec. 12-2-25 (CRA Urban Design Overlay District) shall be provided. Plans shall include drawings or sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of the building (both before and after the proposed work is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plat plan or site layout, including all site improvements or features such as walls, fences, walkways, terraces, landscaping, accessory buildings, paved areas, signs, lights, awnings, canopies, screening and other appurtenances. Façade and frontage yard types shall be specified along

[frontages in accordance with Table 12-2-25.10 \(Façade Types\) and Table 12-2-25.9 \(Frontage Yard Types\).](#)

- b. Accessory building rear setbacks for single family residential buildings should be reduced from a minimum of five (5) feet to a minimum of three (3) feet to adhere to the underlying standard.
- c. Side and rear setbacks for single family detached and duplex developments on thirty-foot (30') lots should be reduced as follows:
 - a. Side setback reduction from five (5) feet to three (3) feet for single family detached and duplex buildings (Tables 12-2-25.3 and 12-2-25.4).
 - b. Rear setback reduction from 25-30' to 20' for single family detached and duplex buildings (Tables 12-2-25.3 and 12-2-25.4).

Table 12-2-25.3 -Single Family Detached and Two-Family Attached (Duplex) Residential Building Types- R-1AAA through R-1A



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a	Front	20 min.
b	Front, Secondary	5 min.
c	Side (Interior)	45 min.
d	Rear	30 min. / 20 min.

Frontage (min.)		
	Primary	45% / 40% (lots)

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a	Front	50 min.
b	Front, Secondary	5 min.
c	Side (Interior)	1 min.
d	Rear	5 min.

Frontage Yard Types	
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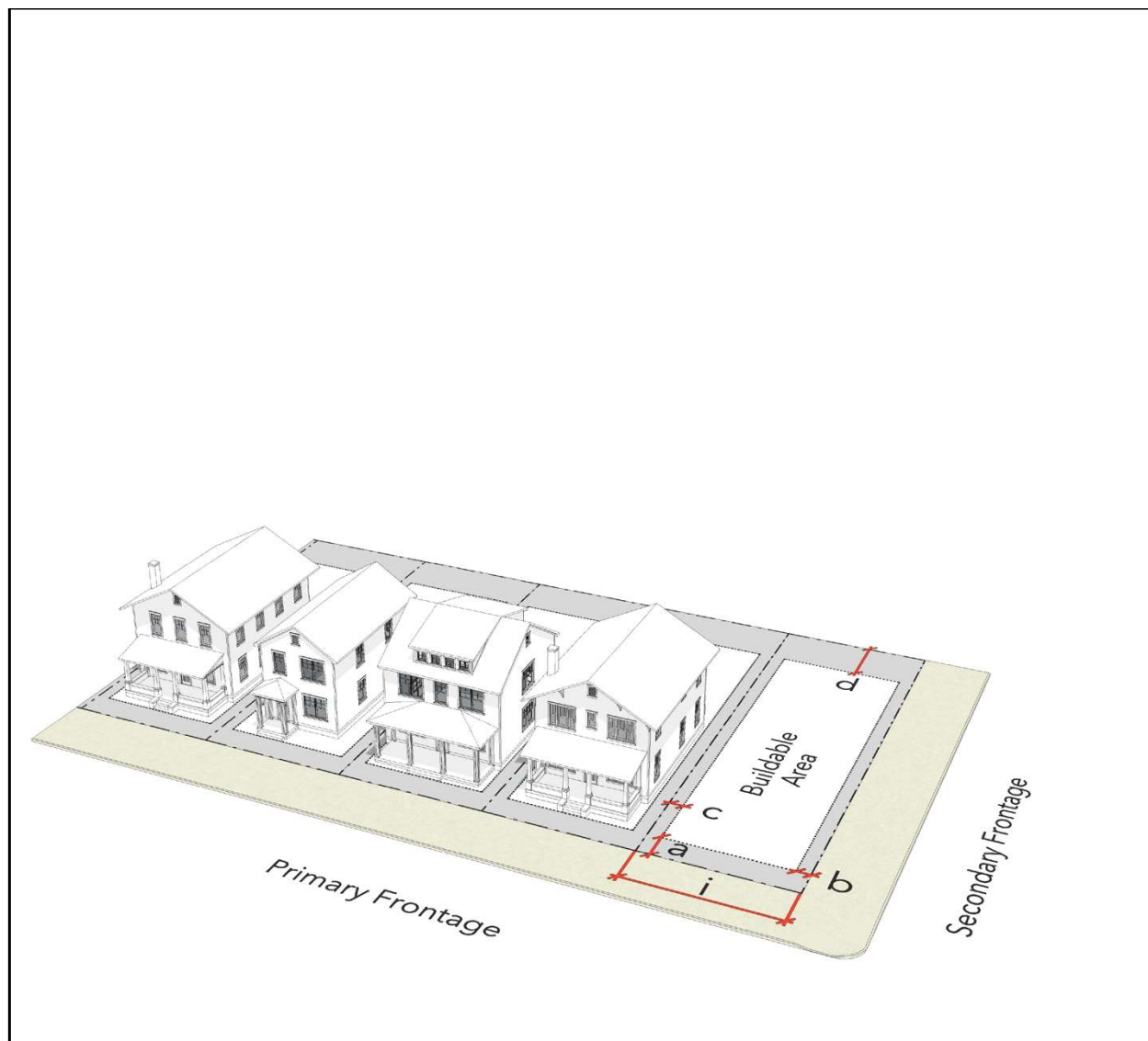
Standard	Permitted
Shallow	Not Permitted

Lot Occupation	Urban	Not Per mitt ed
i Lot Width (3) 30 ft. min.	Pedest rian Foreco urt	Not Permitted
Lot Coverage 50% max.	Vehicul ar Foreco urt	Not Permitted
Building Height (max.)	Facade Types	
Principal Buildi35 ft.	Porch	Permitted
Accessory Buil24 ft.	Stoop	Not Permitted
Parking (min.)	Common Entry	Not Per mitt ed
Off-street 1/unit (2)	Gallery	Not Per mitt ed
	Storefr ont	Not Per mitt ed

Notes:

- (1) Measured according to Section 12-2-25(G)(a)(c).
- (2) See Section 12-2-25(G)(h)(b) for exceptions.
- (3) Lot width shall only be measured from the right-of-way line. Lot width at the building setback
- (4) [Minimum side yard setback for thirty-foot \(30'\) lots shall be three \(3\) feet measured from the required per applicable Florida Building Code.](#)

Table 12-2-25.4 -Single-Family Detached and Two-Family Attached (Duplex) Residential Building Types- R-1B through C-3



Setbacks - Principal Building (feet)

a	Front	8 min. / 20 max
b	Front, Secondary	5 min.
c	Side (Interior)	5 min.
d	Rear	25 min. / 20 min

Frontage (min.)

Primary 45% / 40% (lots)

Setbacks - Accessory Building (feet)

a	Front	50 min.
b	Front, Secondary	5 min.
c	Side (Interior)	1 min.
d	Rear	5 3 min.

Frontage Yard Types

Standard Permitted

Lot Occupation	Shallow Urban	Permitted
		Not Permitted
Lot Width (3) 30 ft. min.	Pedestrian Forecourt	Not Permitted
		Not Permitted
Lot Coverage 50% max.	Vehicular Forecourt	Not Permitted
		Not Permitted
Building Height (max.)	Facade Types	
Principal Building 35 ft.	Porch	Permitted
		Not Permitted
Accessory Building 24 ft.	Stoop	Not Permitted
		Not Permitted
Parking (min.)	Common Entry	Not Permitted
		Not Permitted
Off-street (2) 1/unit	Galler	Not Permitted
		Not Permitted
	Storefront	Not Permitted
		Not Permitted

Notes:

- (1) Measured according to Section 12-2-25(G)(a)(c).
- (2) See Section 12-2-25(G)(h)(b) for exceptions.
- (3) Lot width shall only be measured from the right-of-way line. Lot width at the building setback
- (4) [Minimum side yard setback for thirty-foot \(30'\) lots shall be three \(3\) feet measured from the per applicable Florida Building Code.](#)

These modifications are intended to allow for greater living quarter proportions for thirty-foot (30') lots while maintaining traditional parking configurations including side and rear parking.

- d. Single family detached and duplex façade type requirements should be clarified to provide that porches shall not be required, and stoops shall not be permitted as follows:

Sec. 12-2-25(G)(f)(b)2 - Façade Types

2. Façade Types shall be selected and specified along frontages in accordance with Table 12-2-25.10.

- a. Porches shall not be required for single family detached and two family (duplex).

Tables 12-2-25.3 and 12-2-25.4 - Form Standard Tables

Façade Types	
Porch	Permitted
Stoop	<u>Not</u> Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted

- e. Porch and stoop façade types should be defined as follows:

Sec. 12-2-25(J) - Definitions

Porch means a private façade type which is an open-air room appended to the mass of a building with a floor and roof but no walls on at least two sides.

Stoop means a private façade type wherein the façade is aligned close to the front property line with the first story elevated for privacy with an exterior stair and landing at the entrance. This type is suitable for ground-floor residential uses at short setbacks with townhouses and apartment buildings. Stoops may encroach into the setback.

- f. Measurements for building entries should be clarified as follows:

Sec. 12-2-25(G)(f)(c)[Building Entries]

3. Residential building entries shall be restricted as follows:
 - a. Single family and multi-family residential buildings shall be raised above average finished grade, measured at the front property line, according to Façade Types defined in Table 12-2-25.10.
 - b. In no instance shall single-family and multi-family residential building entries be raised less than eighteen (18) inches above average finished grade.
 - c. Entry grade shall be measured from the average finished grade to the first finished floor.
6. Mixed-use and ~~non-residential~~ commercial building entries shall be at average sidewalk grade.

Table 12-2-25.10 - Façade Types

A: Porch		
Entry Grade	Minimum 18 inches above average finished grade	
Requirements	• Required at the primary building entrance. • Porches shall be a minimum 6 feet in depth. • Porches and related structures may project into front setbacks a maximum 10 feet. • Porch openings shall be vertical in proportion. • Porches shall be a maximum 10 feet in height. Columns shall have a minimum diameter of 6 (6) inches, and should have a capital and a base.	

B: Stoop		
Entry Grade	Minimum 34 inches above average finished grade	
Requirements	• A stoop is required at building entrances, projecting from the facade. • Wood is prohibited for stoop railings. • Stoops and related structures may project into front setbacks up to 100 inches.	

C: Common Entry		
Entry Grade	Minimum 18 inches and a maximum 24 inches above average finished	
Requirements	• A single collective entry to a multi-family lobby is required at the primary building entrance. • Canopies and awnings are permitted to project into front setbacks up to 100% of their depth.	

D: Gallery		
Entry Grade	At average sidewalk grade	
Requirements	• Where a gallery occurs, it is required along a minimum of 80% of the frontage. • Encroachments are permitted according to Section 12-2(E)(G). • Awnings are not permitted over galleries.	

E: Storefront	
Entry Grade	At average sidewalk grade

Requirements	• A storefront is required at the principal entrance of the tenant space. Storefronts are permitted according to Sec. 12-2-25(G)(f)(d). • A minimum of 70% of the ground floor of a storefront shall be glazing.	
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Sec. 12-2-25(J) [Definitions]

Building height, single-family residential, means the vertical distance of a building measured from the average elevation of the finished grade to the bottom of the eave for pitched roof buildings or the bottom of the parapet for flat roof buildings.

- g. Underlying land development regulations currently contained within the Land Development Code (LDC) were intended to apply within the overlay district. To meet the intent, clarifying language regarding Sec. 12-2-82(C)(8) should be incorporated as follows:

Section 12-2-25(G)(c) [Building Massing and Materials]

(j) Material requirements contained within Sec. 12-2-82(C)(8) shall apply within the CRA Urban Design Overlay District.

- h. Material provisions for single family residential building types should be clarified as follows:

(i) Exterior wall materials prohibited for all single family residential types shall include:

1. Corrugated metal panels; and
2. Exposed concrete block.

- i. Illustration 12-2-25.10 depicting driveway placement on 30-foot wide lots in Sec. 12-2-25(G)(h)(b)3.a. (3)(b) should be added as follows:

- b. The outer edge of driveways shall be placed a maximum of two feet from either side property line. See Illustration 12-2-25.10 for a depiction of driveway placement for single family detached

[and two-family attached \(duplex\) buildings on 30' wide lots.](#)



Illustration 12-2-25.10 - Driveway Locations Illustrated

- j. Measurements for trees on private property contained in Sec. 12-2-25(H)(b)(1)(1)a-b should be modified as follows:
1. For single-family detached and two-family lots, one tree for every lot or for every 50 feet of linear frontage along the right-of-way shall be preserved or planted. Trees planted to meet this requirement shall be as follows:
 - a. ~~Trees with a caliper equal to or less than four (4) inches shall be measured at six (6) inches off the ground.~~ Measured at diameter breast height (DBH), as described in Sec. 12-6-2(E) (DBH).
 - b. ~~Trees with a caliper greater than four (4) inches shall be measured at 12 inches off the ground.~~

Measuring at diameter breast height (DBH), rather than caliper, is consistent with existing City practices.

Following the Planning Board hearing, the proposed overlay district was presented to the Eastside Redevelopment Board (ERB) and the Westside Redevelopment Board (WRB) on July 11, 2018 and July 24, 2018, respectively. Both Boards recommended adoption of the overlay district, as recommended by the consultant.

In addition to the final overlay document and recommendations, DPZ CODESIGN and the firm's partner, Hall Planning & Engineering, have provided two documents containing recommended long term and transportation strategies for consideration. These documents are attached.

PRIOR ACTION:

October 26, 2000 - City Council adopted the Urban Infill and Redevelopment Plan.

February 9, 2004 - City Council approved the Eastside Neighborhood Plan.

October 27, 2005 - City Council amended and readopted the Urban Infill and Redevelopment Plan, incorporating therein the Eastside Neighborhood Plan.

May 24, 2007 - City Council adopted the Westside Community Redevelopment Plan.

January 14, 2010 - City Council adopted the Urban Core Community Redevelopment Plan (2010).

April 10, 2017 - The CRA approved the FY17/18 CRA Work Plan which included the development of design standards for the Urban Core, Westside and Eastside community redevelopment areas.

July 26, 2017 - The CRA issued Request for Qualifications (RFQ) No. 17-043 for Urban Design and Code Amendment Services for a Community Redevelopment Area Overlay.

October 10, 2017 - The CRA approved the ranking of the selection committee for RFQ No. 17-043 and authorized the CRA Chair to negotiate and execute a contract with DPZ CoDESIGN.

May 7, 2018 - The CRA approved the FY18/19 CRA Work Plan which included the development of design standards for the Urban Core, Westside and Eastside community redevelopment areas.

June 12, 2018 - The Planning Board recommended adoption of the CRA Urban Design Overlay District with modifications.

July 11, 2018 - The Eastside Redevelopment Board recommended adoption of the CRA Urban Design Overlay District as recommended by the project consultant.

July 24, 2018 - The Westside Redevelopment Board recommended adoption of the CRA Urban Design Overlay District as recommended by the project consultant.

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Proposed Ordinance No. 21-18
- 2) Planning Board Minutes - June 12, 2018
- 3) Public Outreach and Input Opportunities
- 4) Comment Responses & Draft Document - Draft Comment Period
- 5) Comment Responses - Post Draft Comment Period
- 6) Recommended Long Term Strategies - DPZ CODESIGN
- 7) Transportation Support Document - Hall Planning & Engineering
- 8) Bicycle Measurements

PRESENTATION: No

PROPOSED
ORDINANCE NO. 21-18

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE CREATING SECTION 12-2-25 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR THE CRA URBAN DESIGN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 12-2-25 of the Code of the City of Pensacola, Florida, is hereby created to read as follows:

Section 12-2-25. - CRA Urban Design Overlay District

The regulations in this Section shall be applicable to the CRA Urban Design Overlay District (CRAUDOD).

Table of Contents

Intent	Sec. 12-2-25(A)
Boundaries of the District.	Sec. 12-2-25(B)
Applicability	Sec. 12-2-25(C)
Existing Conditions	Sec. 12-2-25(D)
Procedure for Review	Sec. 12-2-25(E)
Appeals and Variances	Sec. 12-2-25(F)
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Building Height	Sec. 12-2-25(G)(a)
Building Orientation	Sec. 12-2-25(G)(b)
Building Massing and Materials	Sec.12-2-25(G)(c)
Form Standards	Sec. 12-2-25(G)(d)
Frontage Types	Sec. 12-2-25(G)(e)
Building Elements	Sec. 12-2-25(G)(f)
Building Encroachments	Sec. 12-2-25(G)(g)
Parking Access, Design and Reductions	Sec. 12-2-25(G)(h)

Fences and Walls	Sec. 12-2-25(G)(i)
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Lighting on Private Property	Sec. 12-2-25(G)(k)
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Landscape in the Public Right-of-Way	Sec. 12-2-25(H)(d)
Thoroughfare Standards and Guidelines	Sec. 12-2-25(I)
Context Classification	Sec. 12-2-25(I)(a)
Street Design	Sec. 12-2-25(I)(b)
Definitions	Sec. 12-2-25(J)

(A) *Intent.* The requirements set forth in this Section are intended to:

- (a) Preserve and maintain the urban pattern and architectural character of Pensacola's community redevelopment areas, while encouraging new construction that is compatible with that heritage, but also reflective of its time.
- (b) Improve the physical appearance of the community redevelopment areas with urban design standards that provide more predictable results in terms of the form and character of buildings.
- (c) Support the removal of blight within the community redevelopment areas by encouraging quality redevelopment.
- (d) Support the future growth of Pensacola, to ensure compatible and cohesive development, to remain resilient long-term, and to support the goals, objectives and policies of the City's Comprehensive Plan and community redevelopment area master plans.
- (e) Coordinate the placement, orientation, and design of buildings to ensure a coherent and walkable streetscape and traditional urban character by creating well-defined street edges with continuous building walls, articulated facades, and architectural features that create visual interest and an attractive pedestrian environment.

development regulations, contained within Title XII (Land Development Code), this Section shall prevail.

- (c) Standards, activated by "shall", are regulatory in nature, as defined within Sec. 12-1-8 (general interpretative terms). Deviations from these standards shall only be permitted by variance in accordance with Sec. 12-12-2 (appeals and variances).
- (d) Guidelines, activated by "should", are encouraged and recommended but not mandatory, as defined within Sec. 12-1-8 (general interpretative terms). Developments subject to this overlay district are encouraged to incorporate them as appropriate in order to enhance and complement the built and natural environment. The intent is to create the highest level of design quality while providing the needed flexibility for creative site design.
- (e) Figures, tables and illustrations shall be interpreted as defined in Sec. 12-1-8 (general interpretative terms) unless the context clearly indicates otherwise.

(D) *Existing Conditions.*

- (a) Existing buildings and structures that do not conform to the requirements of this overlay district may be occupied, operated, repaired, renovated or otherwise continue in use in their existing non-conforming state until such time as a substantial modification is requested, as defined by the Florida Building Code.
- (b) The adaptive re-use of a building shall not be required to comply with minimum height standards established in Sec. 12-2-25(G)(a).
- (c) The restoration or rehabilitation of an existing building does not require the provision of parking in addition to the existing, if less than six (6) new spaces are required.

(E) *Procedure for Review.* All development regulated by this subsection shall be subject to the submission requirements contained within Sec. 12-12-5 (building permits) and Sec. 12-2-81 (development plan requirements), as applicable. In addition to the plan submission requirements listed in Sec. 12-12-5 and 12-2-81, drawings illustrating compliance with Sec. 12-2-25 (CRA Urban Design Overlay District) shall be provided. Plans shall include drawings or sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of the building (both before and after the proposed work

is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plat plan or site layout, including all site improvements or features such as walls, fences, walkways, terraces, landscaping, accessory buildings, paved areas, signs, lights, awnings, canopies, screening and other appurtenances. Façade and frontage yard types shall be specified along frontages in accordance with Table 12-2-25.10 (Façade Types) and Table 12-2-25.9 (Frontage Yard Types).

(F) *Appeals and Variances.* Appeals and variances shall be subject to Sec. 12-12-2 (appeals and variances).

(G) *Urban Design Standards and Guidelines.*

(a) *Building Height.*

- (a) *Intent.* Within the overlay district, height for single family residential types will be measured in feet and multi-family, mixed-use and non-residential buildings will be measured in stories. Measuring height in stories rather than feet has numerous benefits which include: a) to provide greater creativity for a natural variety of roof forms; b) to recognize the need of different users, as commercial floor plates are different than residential floor plates; c) to remove the incentive to create short floorplates, and instead encourage more gracious floor-to-ceiling heights for environmental health, without penalizing property owners; and d) to protect the historical proportions of Pensacola's community redevelopment areas.
- (b) Maximum building heights for principal and accessory buildings shall be as defined by the Form Standards in Tables 12-2-25.3 to 12-2-25.8.
- (c) Building height is measured as follows:
 - 1. Where maximum height is specified, the measurement shall be taken from the average grade at the front property line.
 - 2. Building height shall be measured in feet for single family residential types as defined in the Form Standards in Tables 12-2-25.3 to 12-2-25.8 and as follows:

- a. For pitched roof buildings, to the bottom of the lowest eave of the principal structure.
 - b. For flat roof buildings, to the bottom of the parapet.
 - c. Minimum floor to ceiling height in single-family residential types shall be nine (9) feet per floor.
3. Building height shall be measured in stories for multi-family, mixed use and nonresidential buildings as follows:
- a. Multi-family buildings shall be limited by ground floor story and above ground story height in accordance with Table 12-2-25.1:

Table 12-2-25.1 - Multi-family Story Height Requirements

Zoning Category	Ground Floor Story Height		Above Ground Story Height
	Max.	Min.	Max.
R-2A through C-3	16 ft.	12 ft.	14 ft.

- b. Mixed use and non-residential buildings shall be limited by ground floor story and above ground story height in accordance with Table 12-2-25.2:

Table 12-2-25.2 - Mixed Use/Non-Residential Story Height Requirements

Zoning Category	Ground Floor Story Height		Above Ground Story Height
	Max.	Min.	Max.
R-1AAA through R-2A	16 ft.	12 ft.	14 ft.
R-NC, R-NCB and R-2	20 ft.	14 ft.	14 ft.
C-1, C-2, C-2A and C-3	24 ft.	14 ft.	14 ft.

- c. Stories are measured from finished floor to finished floor with the exception of one (1) story buildings which shall be measured floor to ceiling.
- d. Story heights which exceed the maximum permitted height specified in Tables 12-2-25.1 and 12-2-25.2 shall count as two (2) stories. Height defined within this subsection shall not supersede height as defined by the Florida Building Code.

4. See Illustration 12-2-25.1 for a depiction of height measurements in feet and stories.

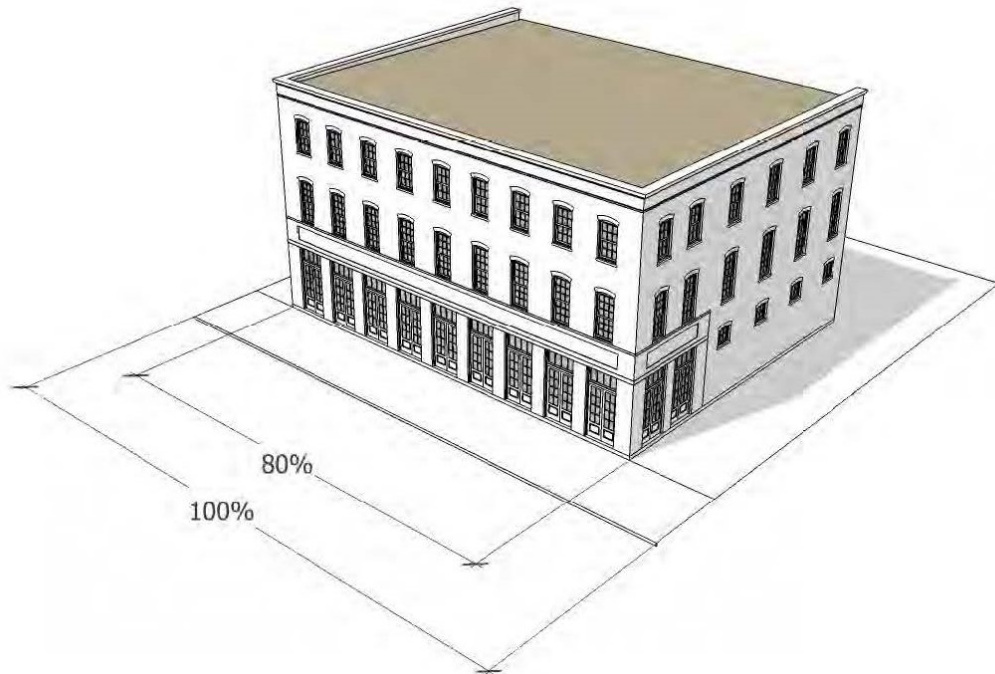
Illustration 12-2-25.1 – Measuring Building Height



- (d) Parking garages shall not exceed the height of the principal building on the site. Parking garages shall not be subject to floor to floor height requirements according to Sec. 12-2-25(G)(a)(c)3. Stand-alone parking garages shall only conform to the number of stories permitted within the Form Standards in Tables 12-2-25.3 to 12-2-25.8.
- (e) *Roof Pitch.*
1. Gable or hipped roofs shall have a minimum pitch of 6:12 and a maximum pitch of 12:12.
 2. Shed roofs shall have a minimum pitch of 4:12.
- (b) *Building Orientation.*
- (a) *Intent.* Buildings should have their principal pedestrian entrance along a street, pedestrian way or open space, with the exception of entrances off a courtyard, visible from public right-of-ways.
- (b) Building frontage occupation shall conform to the Form Standards in Tables 12-2-25.3 to 12-2-25.8.

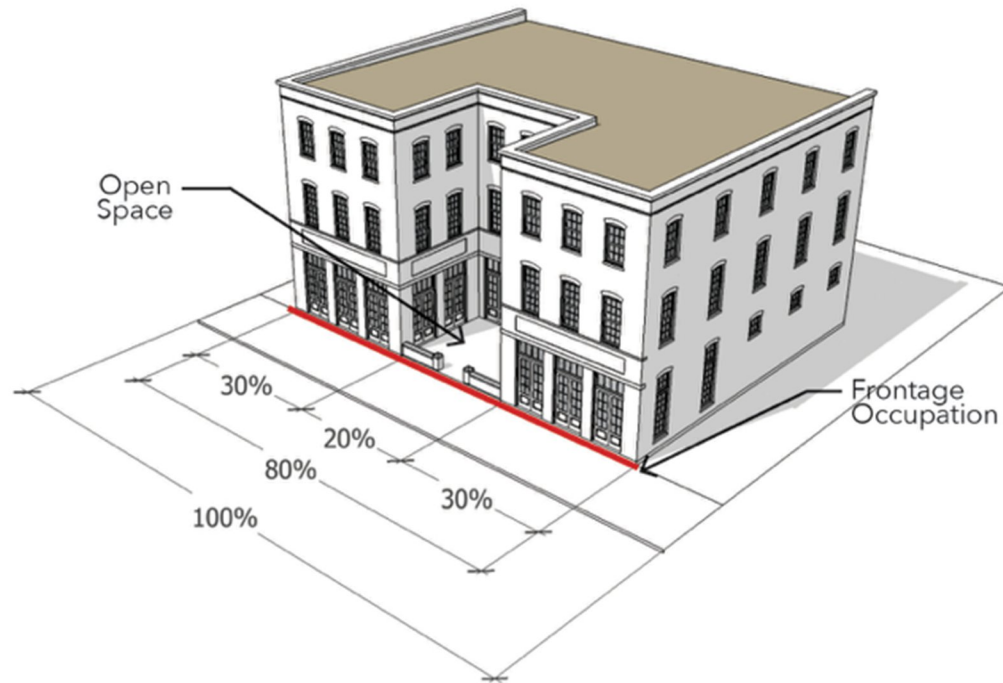
- (c) Buildings shall be oriented so that the principal façade is parallel to the street it faces for the minimum building frontage occupation required in the Form Standards in Tables 12-2-25.3 to 12-2-25.8. See Illustration 12-2-25.2 for a depiction of minimum frontage occupation requirements.

Illustration 12-2-25.2 - Minimum Building Frontage Occupation



- (d) Lot width shall be measured along the right-of-way at the front property line. Lot width measurements at the building setback line shall not apply.
- (e) Forecourts, courtyards and other such defined open spaces shall count towards minimum frontage requirements. See Illustration 12-2-25.3 for an illustration depicting minimum frontage occupation requirements with open space.

Illustration 12-2-25.3 - Minimum Building Frontage Occupation with Open Space



- (f) Ground floor units in multi-family residential buildings shall provide landscaping, walls, and/or fences that provide some privacy for the building.

(c) *Building Massing.*

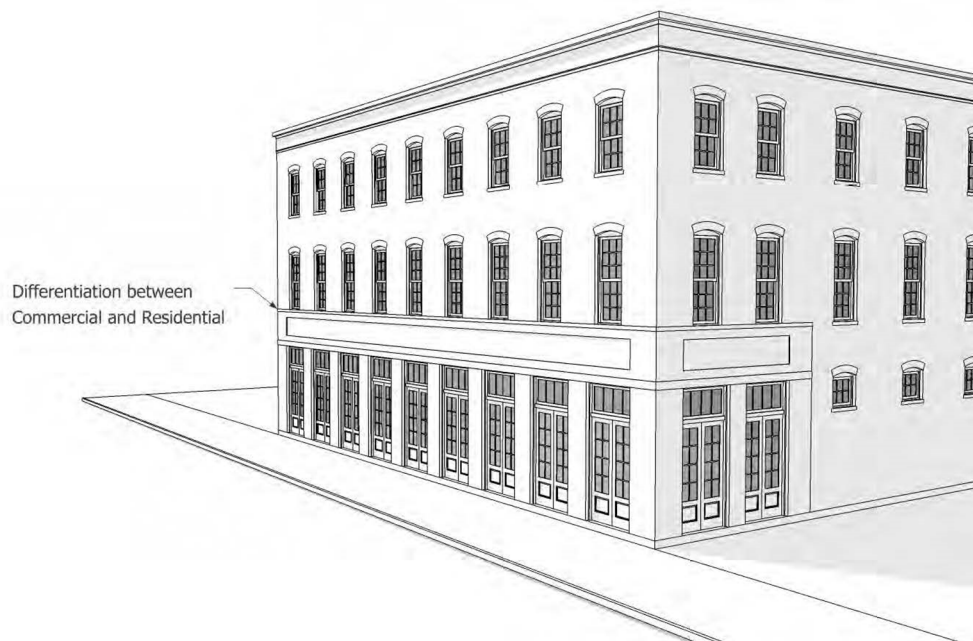
- (a) *Intent.* Buildings should be designed in proportions that reflect human-scaled pedestrian movement, and to encourage interest at the street level.
- (b) Where provided, multi-family building courtyards shall maintain a minimum width to height ratio of 1 to 3 in at least one dimension in order to avoid light well conditions. Courtyards should be wider than the minimum where possible. See Illustration 12-2-25.4 for depiction of courtyard ratio measurements.

Illustration 12-2-25.4 – Courtyard Height to Width Ratio Measurements



- (c) The design and façade treatment of mixed-use buildings shall differentiate commercial from residential uses with distinguishing expression lines (such as cornices, projections, banding, awnings, terraces, etc.), changes in fenestration, façade articulation and/or material changes. See Illustration 12-2-25.5 for depiction of mixed use building differentiation of uses.

Illustration 12-2-25.5 – Mixed Use Building Differentiation of Uses

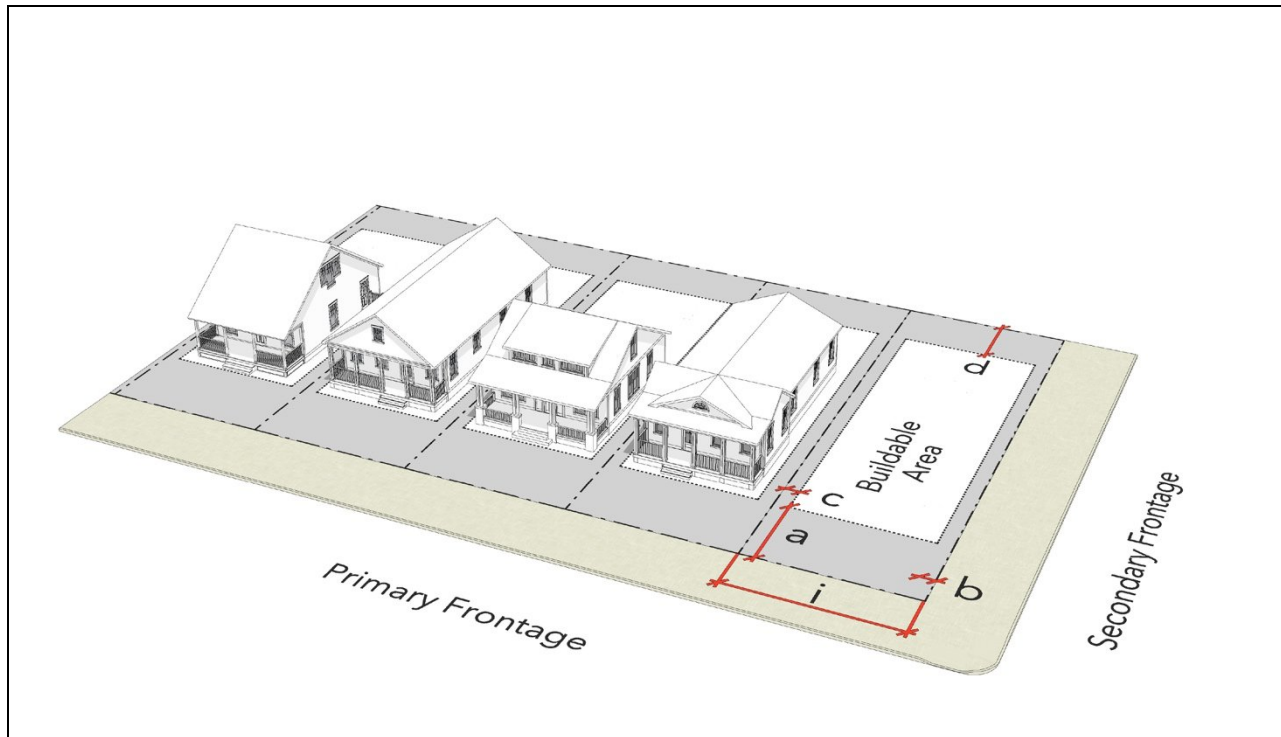


- (d) Single-family units shall be distinguished from abutting units with changes in unit entry, plane, color, materials, front porches, front stoops, fenestration, and/or building elements such as railings.
 - (e) All service and loading areas shall be entirely screened from public right-of-way as follows:
 - 1. Equipment shall be screened.
 - 2. If outdoor storage areas are separate from the building they serve, the fence materials shall be limited to masonry, concrete, stucco, wood, PVC and metal, excluding chain-link.
 - (f) HVAC and mechanical equipment are restricted as follows:
 - 1. They shall be prohibited in frontage yards.
 - 2. They shall be integrated into the overall building design and not be visible from adjoining streets and or open spaces.
 - 3. Through-wall units shall be prohibited along street frontages and open spaces, unless recessed within a balcony.
 - (g) Mechanical equipment on roofs shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same.
 - (h) Roof top parking shall be visually screened with articulated parapet walls or other architectural treatment.
 - (i) Exterior wall materials prohibited for all single family residential types shall include:
 - 1. Corrugated metal panels; and
 - 2. Exposed concrete block.
 - (j) Material requirements contained within Sec. 12-2-82(C)(8)(Design standards and guidelines) shall apply within the CRA Urban Design Overlay District.
- (d) *Form Standards.*
- (a) Form standards within the CRA Urban Design Overlay District shall be as defined in Tables 12-2-25.3 to 12-2-25.8.

(b) Exceptions to Form Standards.

1. Front setbacks in R-1AAA, R-1AA, and R-1A shall not be less than the average setback of all frontage yards (front and exterior side yards) located on either side of the block face, up to the minimum front setback defined in Form Standards in Tables 12-2-25.3 and 12-2-25.5. In cases where no other dwellings exist within the block, the front setback shall be no less than the front setback defined in Form Standards in Tables 12-2-25.3 and 12-2-25.5.
2. Each single-family attached dwelling unit shall be located on its own lot. If a development requires subdivision procedures it shall be subject to and must comply with subdivision regulations as set forth in Chapter 12-8.
3. Where lot occupation and setback standards differ from the Dense Business Area (DBA), as defined in Chapter 12-14 (definitions), the standards in the DBA shall prevail.

Table 12-2-25.3 –Single Family Detached and Two-Family Attached (Duplex) Residential Building Types–
R-1AAA through R-1A



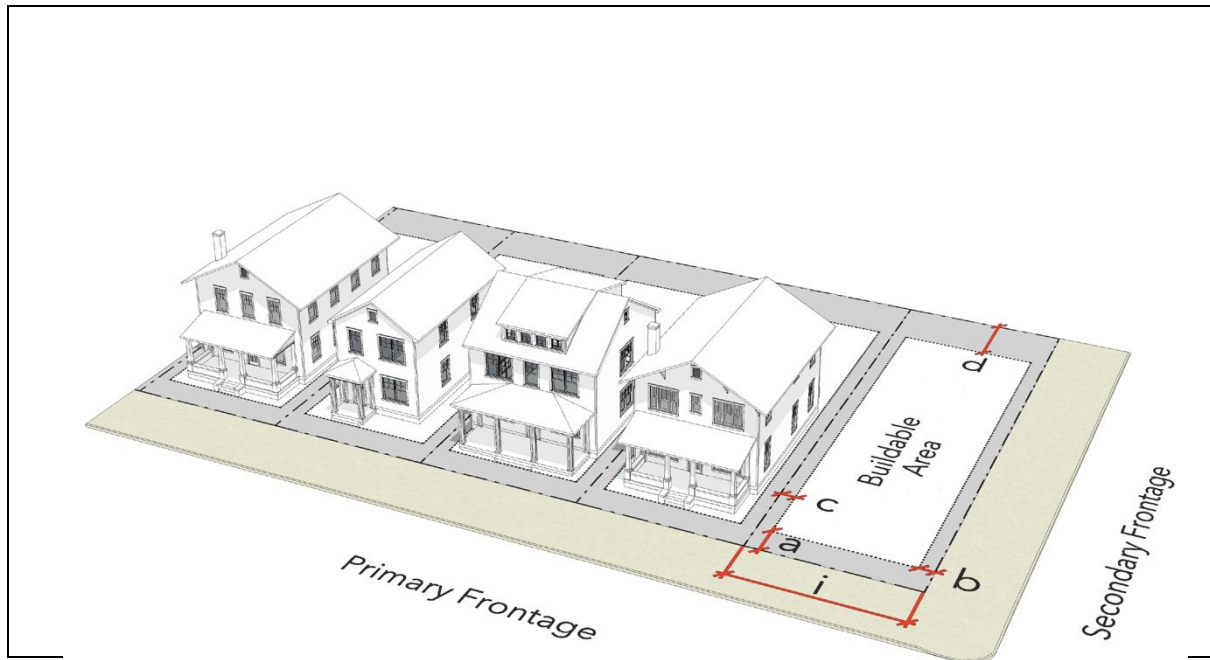
Setbacks - Principal Building (feet)		
a	Front	20 min.
b	Front, Secondary ⁽⁴⁾	5 min.
c	Side (Interior) ⁽⁴⁾	5 min.
d	Rear	30 min./ 20 min. (30' lots)
Frontage (min.)		
	Primary	45% / 40% (lots<42')
Lot Occupation		
i	Lot Width ⁽³⁾	30 ft. min.
	Lot Coverage	50% max.
Building Height (max.)		
	Principal Building ⁽¹⁾	35 ft.
	Accessory Building ⁽¹⁾	24 ft.
Parking (min.)		
	Off-street ⁽²⁾	1/unit

Setbacks - Accessory Building (feet)	
a	Front 50 min.
b	Front, Secondary ⁽⁴⁾ 5 min.
c	Side (Interior) 1 min.
d	Rear 3 min.
Frontage Yard Types	
Standard	Permitted
Shallow	Not Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted
Facade Types	
Porch	Permitted
Stoop	Not Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted

Notes:

- (1) Measured according to Section 12-2-25(G)(a)(c).
- (2) See Section 12-2-25(G)(h)(b) for exceptions.
- (3) Lot width shall only be measured from the right-of-way line. Lot width at the building setback line shall not apply.
- (4) Minimum setback for thirty-foot (30') lots shall be three (3) feet measured from the finished wall or the minimum setback required per applicable Florida Building Code.

Table 12-2-25.4 –Single-Family Detached and Two-Family Attached (Duplex) Residential Building Types–
R-1B through C-3

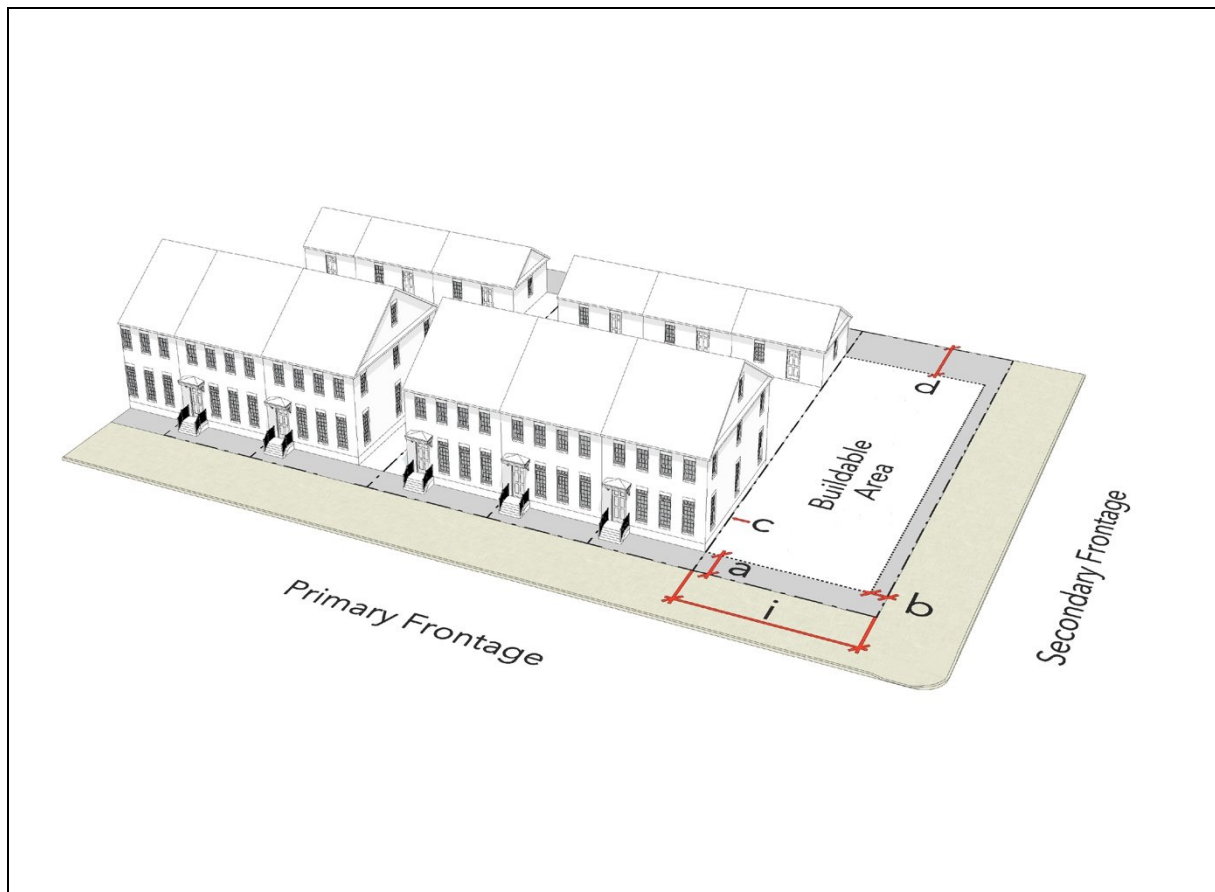


Setbacks - Principal Building (feet)		Setbacks - Accessory Building (feet)	
a	Front	8 min. / 20 max.	50 min.
b	Front, Secondary ⁽⁴⁾	5 min.	5 min.
c	Side (Interior) ⁽⁴⁾	5 min.	1 min.
d	Rear	25 min./20 min. (30' lots)	3 min.
Frontage (min.)		Frontage Yard Types	
Primary		45% / 40% (lots<42')	
Standard		Permitted	
Shallow		Permitted	
Urban		Not Permitted	
Pedestrian Forecourt		Not Permitted	
Vehicular Forecourt		Not Permitted	
Lot Occupation		Facade Types	
i	Lot Width ⁽³⁾	30 ft. min.	
	Lot Coverage	50% max.	
Porch		Permitted	
Stoop		Not Permitted	
Common Entry		Not Permitted	
Gallery		Not Permitted	
Storefront		Not Permitted	
Building Height (max.)		Parking (min.)	
Principal Building ⁽¹⁾		35 ft.	
Accessory Building ⁽¹⁾		24 ft.	
Off-street ⁽²⁾		1/unit	

Notes:

- (1) Measured according to Section 12-2-25(G)(a)(c).
- (2) See Section 12-2-25(G)(h)(b) for exceptions.
- (3) Lot width shall only be measured from the right-of-way line. Lot width at the building setback line shall not apply.
- (4) Minimum setback for thirty-foot (30') lots shall be three (3) feet measured from the finished wall or the minimum setback required per applicable Florida Building Code.

Table 12-2-25.5 –Single-Family Attached (Townhouse) Residential Building Types – R-1AA through C-3



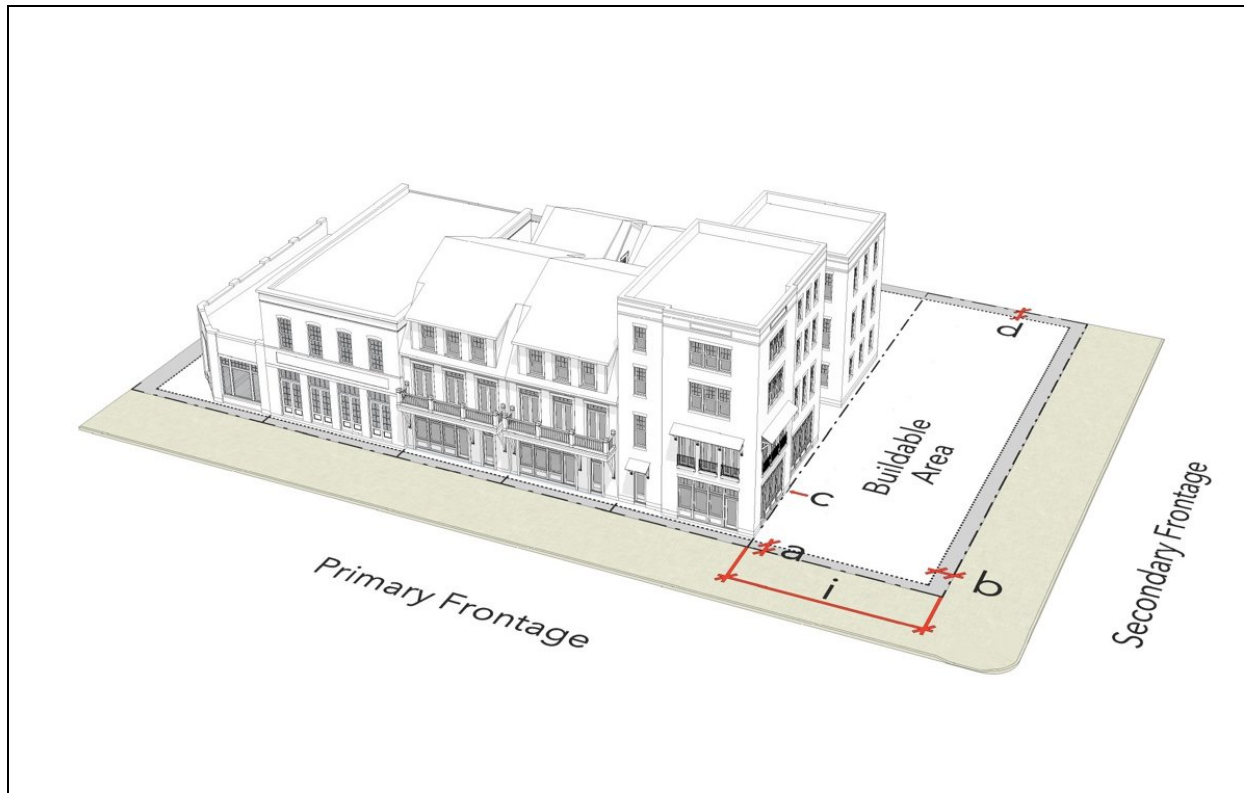
Setbacks - Principal Building (feet)		
a	Front	8 min.
b	Front, Secondary	5 min.
c	Side (Interior) ⁽¹⁾	0 or 5 min.
d	Rear	25 min.
Frontage (min.)		
	Primary	80%
Lot Occupation		
i	Lot Width	16 ft. min.
	Lot Coverage	75% max.
Building Height (max.)		
	Principal Building ⁽²⁾	45 feet
	Accessory Building ⁽²⁾	24 feet
Parking (min.)		
	Off-street	1/unit

Setbacks - Accessory Building (feet)		
a	Front	50 min.
b	Front, Secondary	5 min.
c	Side (Interior)	1 min.
d	Rear	3 min.
Frontage Yard Types		
Standard		Not Permitted
Shallow		Permitted
Urban		Not Permitted
Pedestrian Forecourt		Not Permitted
Vehicular Forecourt		Not Permitted
Facade Types		
Porch		Permitted
Stoop		Permitted
Common Entry		Not Permitted
Gallery		Not Permitted
Storefront		Not Permitted

Notes:

- (1) Mid-block units shall have a minimum 10 foot separation from each other.
- (2) Measured according to Section 12-2-25(G)(a)(c).

Table 12-2-25.6 – Multi-Family, Mixed Use, Neighborhood Commercial and Commercial Building Types
– R-1B through C-2A

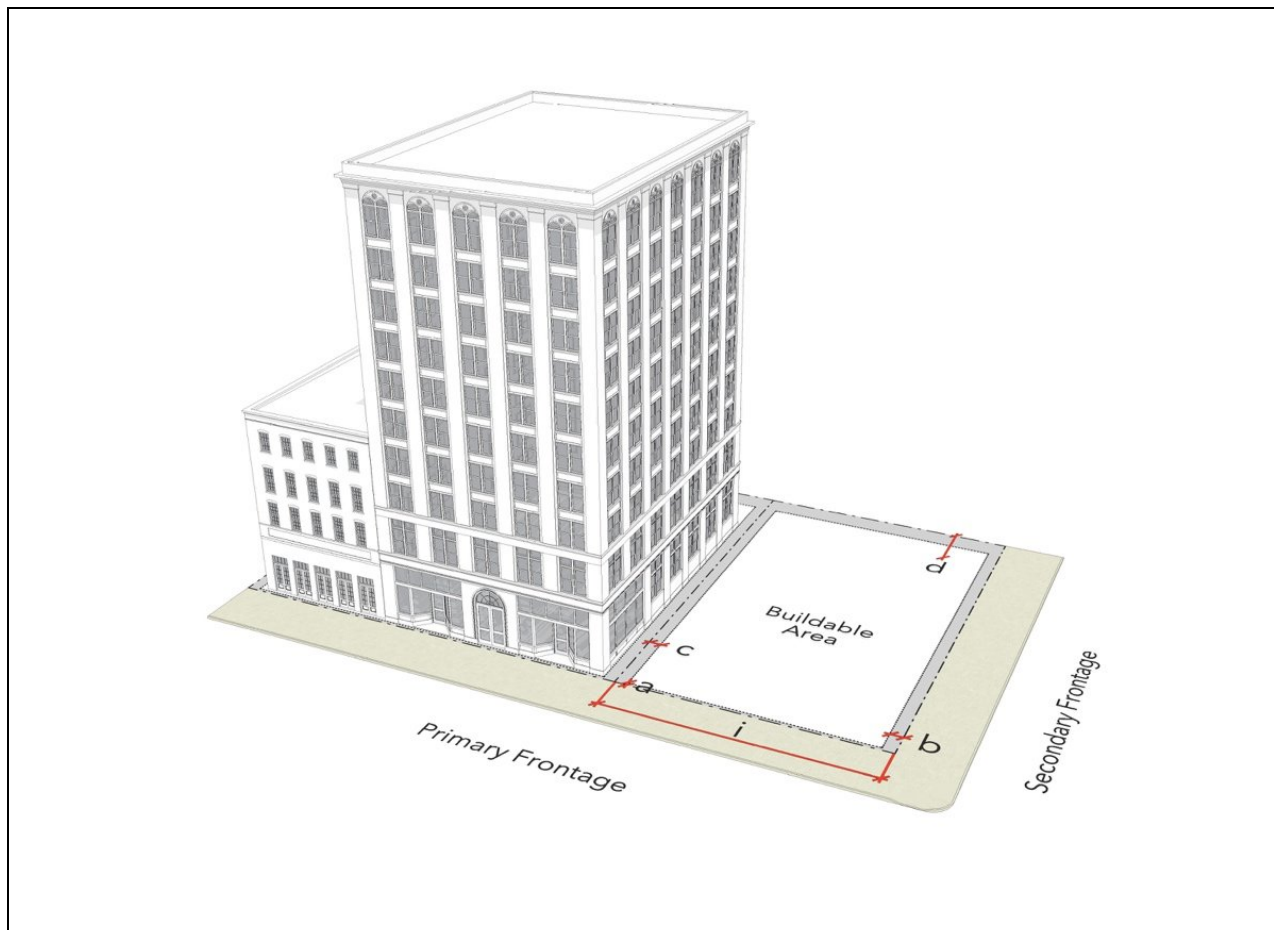


Setbacks - Principal Building (feet)			Setbacks - Accessory Building (feet)	
a	Front (Com./Res.) ⁽¹⁾	5 max. / 15 max.	Front	N/A
b	Front, Secondary (Com./Res.)	5 max. / 15 max.	Front, Secondary	N/A
c	Side (Interior)	0 or 5 min.	Side (Interior)	N/A
d	Rear	none	Rear	N/A
Frontage (min.)			Frontage Yard Types	
	Primary	80%	Standard	Not Permitted
			Shallow	Permitted
			Urban	Permitted
			Pedestrian Forecourt	Permitted
			Vehicular Forecourt	Permitted
Lot Occupation			Facade Types	
i	Lot Width	16 ft. min.	Porch	Not Permitted
	Lot Coverage	75% max.	Stoop	Permitted
Building Height (max.)			Common Entry	Permitted
	Principal Building ⁽²⁾	4 stories	Gallery	Permitted
	Accessory Building	N/A	Storefront	Permitted
Off-street Parking (min.)				
	Residential	1/unit		
	Commercial	Per Sec. 12-2-25(G)(h)		

Notes:

- (1) Lots within the Dense Business Area shall be permitted the lesser front setback.
- (2) Measured according to Section 12-2-25(G)(a)(c).

Table 12-2-25.7 –Multi-Family, Mixed Use and Commercial Building Types – C-2, C-3*



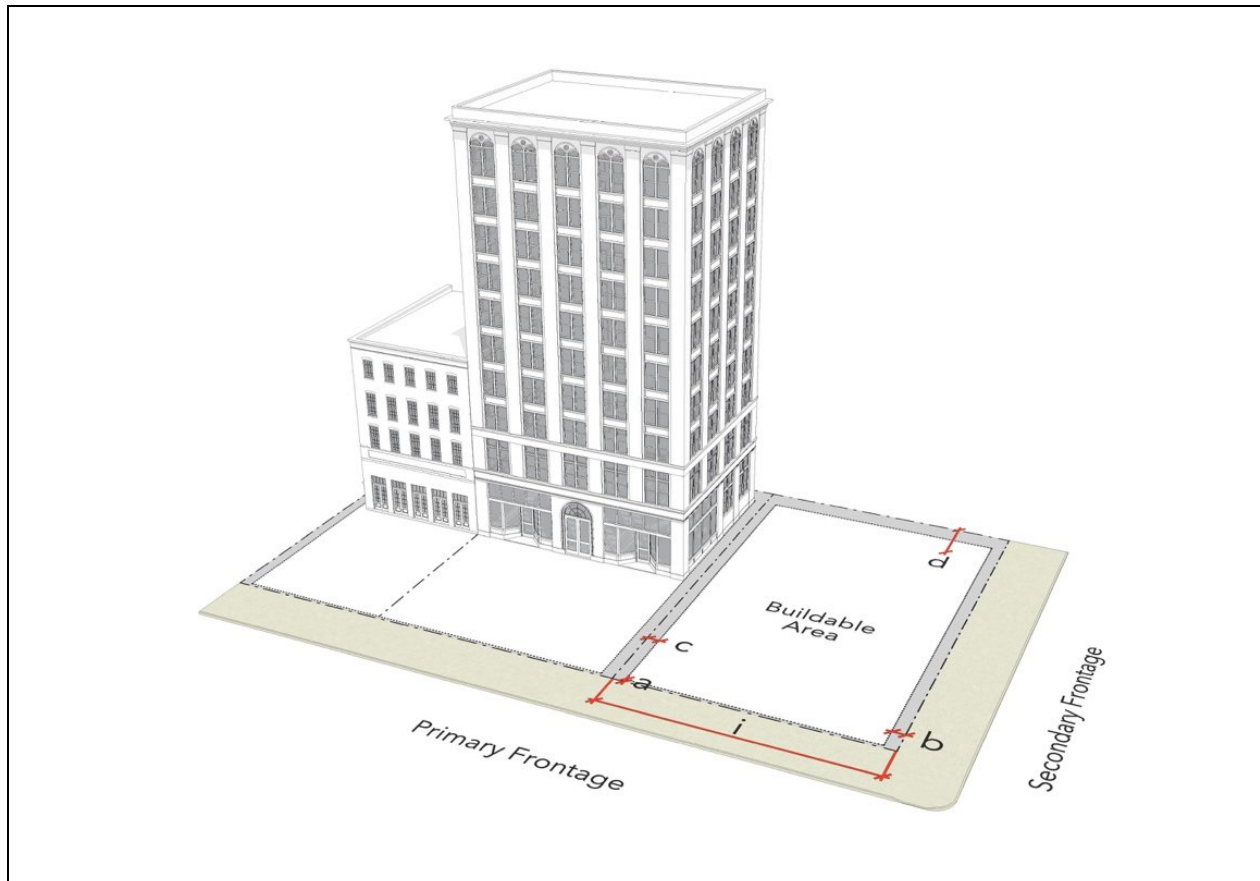
Setbacks - Principal Building (feet)		
a	Front (Com./Res) ⁽¹⁾	5 max. / 15 max.
b	Front, Secondary (Com./Res)	5 max. / 15 max.
c	Side (Interior)	0 or 5 min.
d	Rear	none
Frontage (min.)		
	Primary	80.0%
Lot Occupation		
i	Lot Width	16 ft. min.
	Lot Coverage	100% max.
Building Height (max.)		
	Principal Building ⁽²⁾	10 stories
	Accessory Building	N/A
Off-street Parking (min.)		
	Residential	1/unit
	Commercial	Per Sec. 12-2-25(G)(h)

Setbacks - Accessory Building (feet)	
Front	N/A
Front, Secondary	N/A
Side (Interior)	N/A
Rear	N/A
Frontage Yard Types	
Standard	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted
Facade Types	
Porch	Not Permitted
Stoop	Not Permitted
Common Entry	Permitted
Gallery	Permitted
Storefront	Permitted

Notes:

- (1) Lots within the Dense Business Area shall be permitted the lesser front setback.
- (2) Measured according to Section 12-2-25(G)(a)(c).

Table 12-2-25.8 – Hybrid Commercial: Multi-family, Mixed Use and Commercial Building Types - C-3 along C3C FDOT Context Zone)



Setbacks - Principal Building (feet)		
a	Front	60 max.
b	Front, Secondary	40 max.
c	Side (Interior)	0 or 5 min.
d	Rear	none
Frontage (min.)		
	Primary	60%
Lot Occupation		
i	Lot Width	16 ft. min.
	Lot Coverage	100% max.
Building Height (max.)		
	Principal Building (1)	10 stories
	Accessory Building	N/A
Off-street Parking (min.)		
	Residential	1/unit
	Commercial	Per Sec. 12-2-25(G)(h)

Setbacks - Accessory Building (feet)		
	Front	N/A
	Front, Secondary	N/A
	Side (Interior)	N/A
	Rear	N/A
Frontage Yard Types		
	Standard	Not Permitted
	Shallow	Permitted
	Urban	Permitted
	Pedestrian Forecourt	Permitted
	Vehicular Forecourt	Permitted
Facade Types		
	Porch	Not Permitted
	Stoop	Not Permitted
	Common Entry	Permitted
	Gallery	Permitted
	Storefront	Permitted

Notes:

(1) Measured according to Section 12-2-25(G)(a)(c).

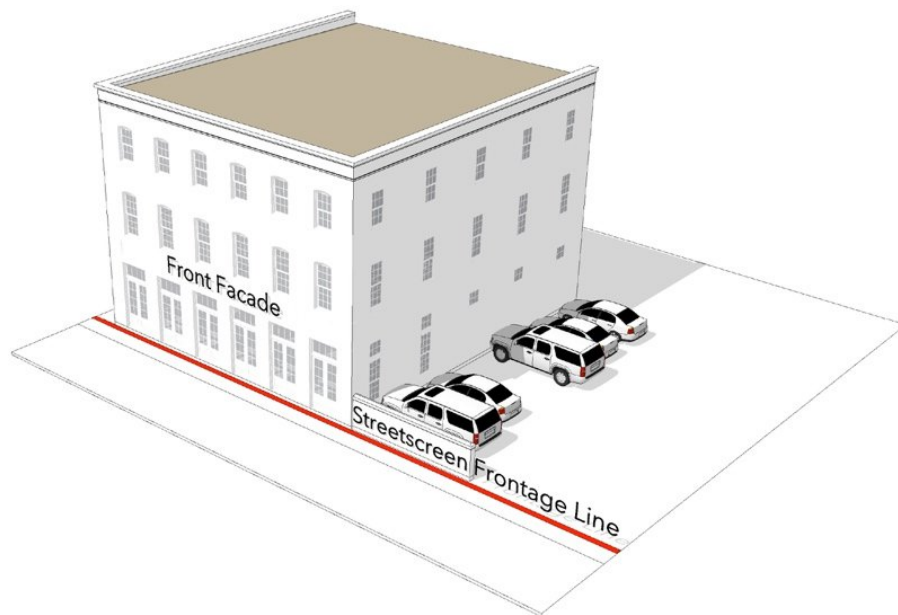
(e) *Frontage Types.*

- (a) *Intent.* New buildings proposed for existing neighborhoods should be compatible with or complement the architectural character and siting pattern of neighboring buildings. Maintaining a consistent street-wall is a fundamental component for a vibrant pedestrian life and a well-defined public realm. Buildings closely aligned to the street edge with consistent setbacks, provide a clear sense of enclosure of streets, enabling them to function as pedestrian-scaled outdoor rooms. The placement of buildings along the edge of the sidewalk should be given particular attention as it is that portion of the buildings that is the primary contributor to pedestrian activity.
- (b) Frontage yard type shall be selected and specified along frontages in accordance with the Frontage Yard Types in Table 12-2-25.9, and subject to the standards and guidelines in this Section, including the Form Standards in Tables 12-2-25.3 to 12-2-25.8.
- (c) In addition to the frontage yard type standards contained within Table 12-2-25.9, the following shall be required:
 - 1. Frontage yards shall be wholly open to the sky and unobstructed, except for trees, roof projections, and permitted encroachments attached to principal buildings and/or accessory buildings.
 - 2. Impervious surfaces and walkways in frontage yards shall be subject to the following requirements:
 - a. Where single family attached units occupy a common site, each attached single-family unit with an entrance towards a frontage shall have a walkway connecting the sidewalk to the attached single-family entrance. See Table 12-2-25.9.A (Frontage Yard Types - Shallow Yard) for an illustration depicting single family attached walkway connections.
 - b. At cluster courts, the shared court shall have a walkway connecting the sidewalk at the primary frontage with building entries. See Table 12-2-25.9.B (Frontage Yard Types - Cluster Court) for an illustration depicting cluster court walkway connections.
 - 3. In R-NC, R-NCB, R-2, C-1, C-2, C-2A, and C-3, any portion of a frontage not occupied by buildings,

driveways, or walkways shall be lined with a streetscreen as follows:

- a. Streetscreens shall meet the fencing and wall standards according to the Frontage Yard Types specified in Table 12-2-25.9.
- b. Streetscreens shall be coplanar with the primary building façade, as depicted in Illustration 12-2-25.6 below.

Illustration 12-2-25.6 – Streetscreen Illustrated



4. Street trees and landscaping in frontage yards shall comply with the requirements of Sec. 12-2-25(H).
5. Stormwater ponds shall be prohibited along frontages.
6. Frontage yard setbacks shall be as follows:
 - a. Buildings shall be set back in accordance with the Form Standards specified in Tables 12-2-25.3 to 12-2-25.8.
 - b. Where maximum setbacks are specified, they pertain only to the amount of building façade required to meet the minimum building frontage occupation requirements defined in the Form Standards specified in Tables 12-2-25.3 to 12-2-25.8.

Table 12-2-25.9 – Frontage Yard Types

A. Standard Yard (Fenced or not)	
Illustration	
Surface	50% minimum shall be pervious material. A minimum of one (1) tree is required per Section 12-2-25(F)(A). Paving is limited to walkways, and driveways.
Walkways	One (1) per frontage connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted along frontage lines, and according to Section 12-2-25(E)(H).
B. Cluster Court	
Illustration	
Surface	A minimum 50% of the court shall be landscaped with ground cover, trees, or understory trees. Paving is limited to walkways, and driveways.
Walkways	Court shall be a minimum 20 feet wide and a min. 1,000 sq.ft. in size, and shall have a walkway connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted except along street frontages, fronted by a shared court, according to Section 12-2-25(E)(H).

C. Shallow Yard

Illustration	
Surface	Maximum setback of eight (8) feet. 50% minimum shall be landscaped in R-1A, and R-1B and up to 100% may be paved in R-NC and R-NCB.
Walkways	1 per frontage connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted interior to the building setback line at primary street frontages. Permitted at or interior to secondary street frontage lines according to Section 12-2-25(E)(H).

D. Urban Yard

Illustration	
Surface	Shall be paved at sidewalk grade.
Walkways	Shall be paved at sidewalk grade. Vegetation is permitted in raised containers.
Fencing	Not permitted

E. Pedestrian Forecourt

Illustration	
Surface	Minimum 80% paving-
Fencing	Permitted at or interior to building setback lines and according to Section 12-2-25(E)(H).
Area	Forecourt: A minimum 20 ft. wide up to 30% of the allowable frontage, and a maximum 50 ft. deep.
Activation	Shall be lined with habitable space on 3-sides, or on 2-sides at corner sites.

F. Vehicular Forecourt

Illustration	
Surface	Driveway shall be paved at sidewalk grade. The remainder of front setback may be paved or landscaped.
Fencing	Low wall, maximum 24 inches high, of either brick, or stone is permitted.
Area	Forecourt: 4,200 sq.ft. maximum
Activation	Shall be lined with habitable space on 3-sides, or on 2-sides at corner sites.

(f) *Building Elements.*

- (a) *Intent.* Buildings should be architecturally articulated with such elements as distinguishing expression lines, changes in fenestration, material and/or color and designed in proportions that reflect human-scaled pedestrian movement to encourage interest at the street level.
- (b) *Façade Types.* Façade Types shall be as follows:
 - 1. Porches, stoops, common entries, galleries and storefronts shall constitute allowable Façade Types as defined in Table 12-2-25.10 in accordance with the Form Standards in Tables 12-2-25.3 to 12-2-25.8.
 - 2. Façade Types shall be selected and specified along frontages in accordance with Table 12-2-25.10.
 - a. Porches shall not be required for single family detached and two family (duplex).
 - 3. Projections into setbacks shall be permitted as follows:
 - a. Roof overhangs, cornices, window and door surrounds and other facade decoration may project up to two (2) feet.
 - b. Where permitted, shading devices may project into the front setback up to the property line with a minimum eight (8) foot clearance.
 - c. Balconies may project up to three (3) feet.
 - d. Bay windows may project up to three (3) feet.
 - e. Porches and stoops may project in accordance with the Façade Types defined in Table 12-2-25.10.
 - f. Projections shall not, in any instance, exceed beyond the property line.

Table 12-2-25.10 – Façade Types

A: Porch		
Entry Grade	Minimum 18 inches above average finished grade	
Requirements	• Required at the primary building entrance. • Porches shall be a minimum 6 feet in depth. • Porches and related structures may project into front setbacks a maximum 10 feet. • Porch openings shall be vertical in proportion. • Porches shall be a maximum 10 feet in height. Columns shall have a minimum diameter of six (6) inches, and should have a capital and a base.	
B: Stoop		
Entry Grade	Minimum 34 inches above average finished grade	
Requirements	• A stoop is required at building entrances, projecting from the facade. • Wood is prohibited for stoop railings. • Stoops and related structures may project into front setbacks up to 100%.	

C: Common Entry

Entry Grade	Minimum 18 inches and a maximum 24 inches above average finished grade	
Requirements	• A single collective entry to a multi-family lobby is required at the primary building entrance. • Canopies and awnings are permitted to project into front setbacks up to 100% of their depth.	

D: Gallery

Entry Grade	At average sidewalk grade	
Requirements	• Where a gallery occurs, it is required along a minimum of 80% of the frontage. • Encroachments are permitted according to Section 12-2-25(E)(G). • Awnings are not permitted in galleries.	

E: Storefront

Entry Grade	At average sidewalk grade	
Requirements	• A storefront is required at the primary entrance of the tenant space. Storefronts are permitted according to Section 12-2-25(G)(f)(d).	

(c) *Building Entries.* Building entries shall be as follows:

1. Building entrances shall be clearly visible from the street.
2. One (1) building entry shall be provided every eighty (80) feet of facade leading to a habitable space.
3. Building entries for mixed use buildings shall differentiate entrances for residential and commercial uses.
4. Entries for multi-family buildings shall provide protection from the elements with canopies, marquees, recesses or roof overhangs.
5. Residential building entries shall be restricted as follows:
 - a. Single family and multi-family residential buildings shall be raised above average finished grade, at the front property line, according to Façade Types defined in Table 12-2-25.10.
 - b. In no instance shall single-family and multi-family residential building entries be raised less than eighteen (18) inches above average finished grade.
 - c. Entry grade shall be measured from the average finished grade to the first finished floor.
6. Mixed-use and commercial building entries shall be at average sidewalk grade.

(d) *Storefronts.*

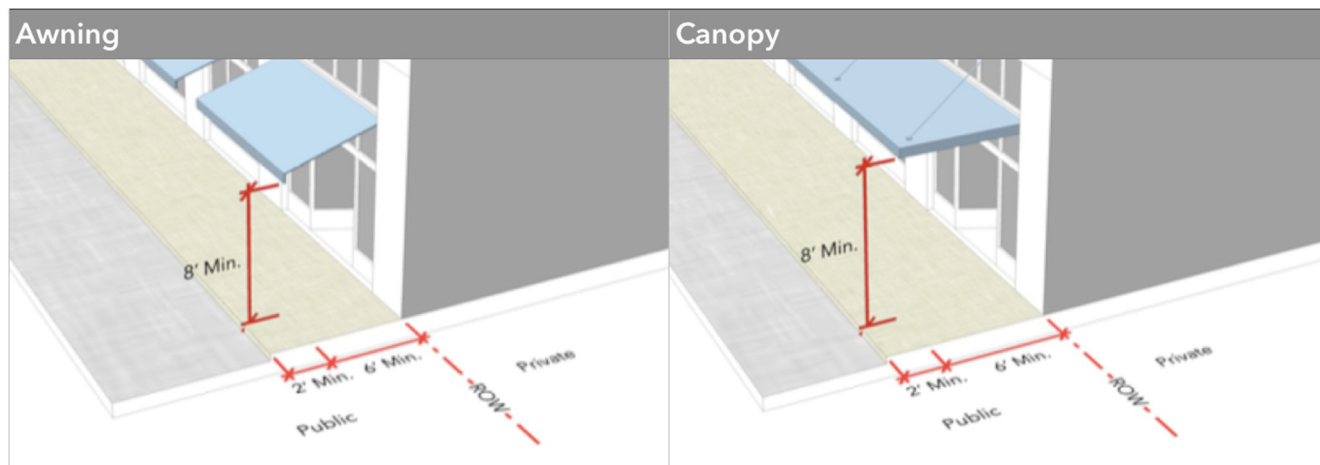
1. Intent. Storefronts should be architecturally articulated through the varied use of high-quality durable materials, display windows, entrances, awnings and buildings signs. Their signage, glazing and doors should be conceived as a unified design. High quality, durable materials are especially important at street level within reach of pedestrians.
2. Storefronts shall provide a minimum of 70% glazing (void to solid ratio of surface area along principal facades at the ground level).
3. Extruded aluminum storefront frames are discouraged, and where used, shall present a simple, relatively flat profile to avoid heavily extruded profiles.

4. Opaque, smoked, and reflective glass on storefront windows shall be prohibited. Low-E shall be permitted as per Florida Building Code.
5. Materials for storefronts shall consist of stone, brick, concrete, stucco, metal, glass, cementitious siding and/or wood. Construction detail and finish shall adhere to craftsman standards.
6. Outdoor dining areas on sidewalks and/or within the public right-of-way shall be permitted subject to the following standards:
 - a. Outdoor dining areas shall be separated from public walkways and streets using railings, fences, bollards, planters, and/or landscaping.
 - b. A minimum unobstructed pedestrian path of at least six (6) feet wide shall be provided along public right-of-ways.
 - c. Outdoor dining areas within the public right-of-way shall comply with Sec. 12-12-7 (license to use).

(g) Building Encroachments.

- (a) Encroachments located within the public right-of-way shall comply with Sec. 12-12-7 (license to use), Sec. 12-2-35 (visibility triangle) and any clearance standards established by the Engineering Division of the City of Pensacola Public Works and Facilities Department and the Florida Greenbook.
- (b) Awnings for storefronts and canopies are not subject to Sec. 12-12-7 (license to use) but shall be restricted as follows:
 1. Awning and canopies may project into the public right-of-way, up to a maximum of two (2) feet from the curb.
 2. Awnings and canopies shall be a minimum of six (6) feet in depth and have a minimum of eight (8) feet of vertical clearance. See Illustration 12-2-25.7 for a depiction of awning and canopy encroachment measurements.

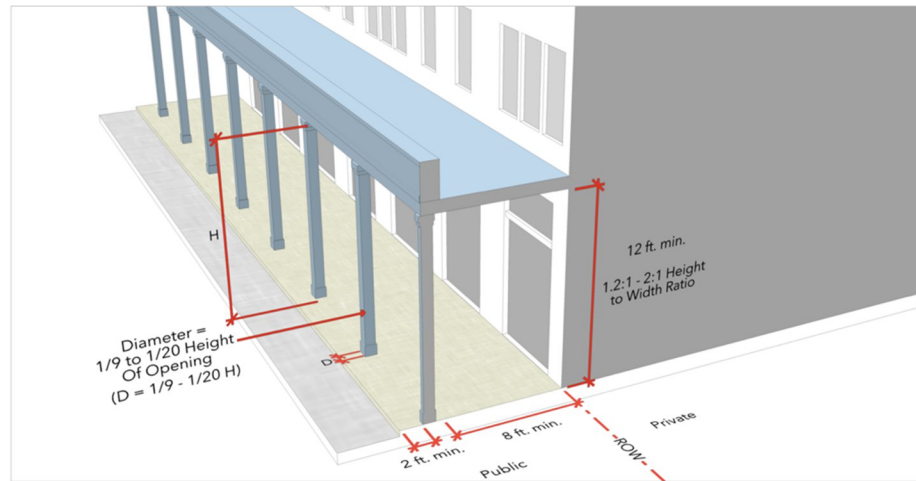
Illustration 12-2-25.7 – Awning and Canopy Encroachment Measurements



(c) Galleries shall be restricted as follows:

1. Galleries shall be subject to and shall comply with Sec. 12-12-7 (license to use).
2. Galleries shall not alter height or width along a building façade.
3. Galleries shall be a minimum of 8 feet in depth and a minimum of 12 feet in height, maintaining a 1.2:1 to a 2:1 height to width ratio, as depicted in Illustration 12-2-25.8.
4. Gallery columns should have a diameter between 1/9th and 1/20th their height, measured from the base to the bottom of the entablature, as depicted in Illustration 12-2-25.8, and should have a capital and a base.
5. Galleries should encroach into building setbacks.
6. Galleries should encroach over sidewalks.
7. Where galleries encroach over sidewalks, they shall not extend beyond a maximum of two (2) feet from the curb, as depicted in Illustration 12-2-25.8.

Illustration 12-2-25.8 - Gallery Encroachments



(h) *Parking Access, Design and Reductions.*

- (a) Intent. The intent of these standards is to guide the placement and design of parking, when it is provided. Vehicular parking spaces should be carefully integrated to avoid the negative impacts of large surface parking areas on the pedestrian environment. In general, parking supply should be shared by multiple users and property owners to facilitate the ability to “park once and walk”. On-street parallel parking is encouraged on both sides of the street to provide a supply of convenient shared parking, and as a means to provide a protective buffer for pedestrians on the sidewalk. Where surface parking is permitted, it should be hidden or screened from the pedestrian realm by use of garden walls and narrow landscape edges. Parking garages, where provided, should be masked from frontages by liner buildings no less than 24 feet in depth. They are encouraged to be designed for possible future conversion to other non-parking functions, including office, residential and/or commercial use.
- (b) All parking access and design shall comply with the Form Standards in Tables 12-2-25.3 to 12-2-25.8 and the following:
 1. Parking standards in the Dense Business Area (DBA) defined in Chapter 12-14 (definitions) shall take precedence over the Form Standards in Tables 12-2-25.3 to 12-2-25.8 and those included in this subsection.

2. Minimum parking requirements are as follows:

a. Parking requirements shall be in accordance with Sec. 12-3-1(B) (parking requirements for specific land uses) with the following exception:

(1) Off-street parking requirements for residential use types shall be one (1) space per unit unless otherwise exempted.

b. Shared parking shall be according to Sec. 12-3-1(D) (off-site parking).

c. Parking reductions shall be calculated according to Table 12.3-1 (Downtown Pensacola CRA Parking Reductions).

d. Lots thirty (30) feet or less in width shall not be subject to minimum parking requirements, except for:

(1) Lots fronting streets where on-street parking is not permitted.

e. Lots less than forty-two (42) feet wide shall be accessed from a rear lane, where possible. Where not possible, the following exceptions shall be permitted, in coordination with the Engineering Division of the City of Pensacola Public Works and Facilities Department:

(1) Parking in the rear of the lot, subject to accessory structure setbacks as defined within the Form Standards in Tables 12-2-25.3 to 12-2-25.8. Shared driveways are encouraged.

(2) A single-car garage, subject to the minimum frontage occupation requirements defined within the Form Standards in Tables 12-2-25.3 to 12-2-25.8.

(3) Driveways shall be exempt from minimum width and spacing requirements defined in Sec. 12-2-25(I)(b)(d).

f. Lots shall be accessed through a rear lane when the development is over 75% of the block.

3. Vehicular parking location is restricted as follows:

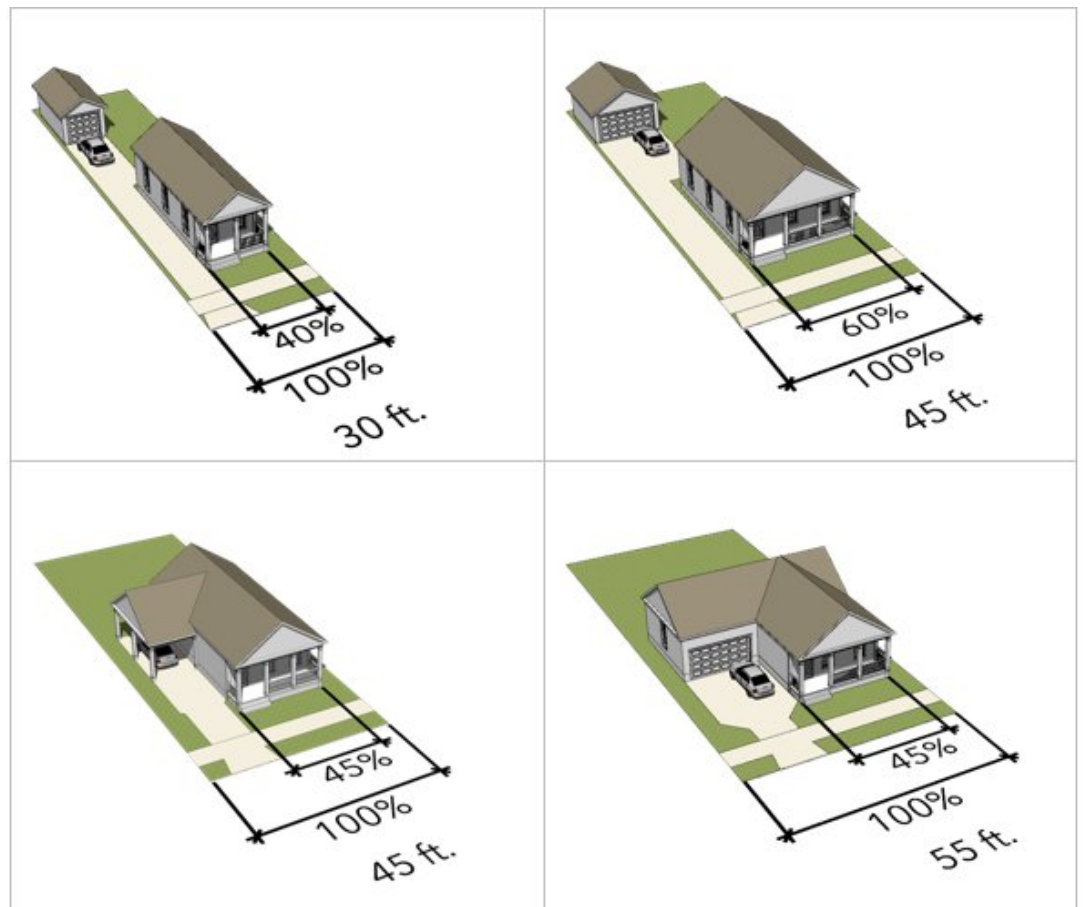
a. *Single family residential types.*

(1) Residential off-street parking, where required, shall be provided within garages,

carports or on driveways for all single family residential types.

- (2) Uncovered parking shall be permitted the entire length of the driveway, including within the front setback, but not beyond the property line.
- (3) *Single-family detached and two-family (duplex) Off-street Parking.*
 - a. Covered or garage parking for single-family detached and two-family (duplex) buildings shall be setback a minimum twenty (20) feet behind the principal building façade. See Illustration 12-2-25.9 for a depiction of covered parking placement for single family detached and two-family attached (duplex) buildings.

Illustration 12-2-25.9 – Garage Locations Illustrated



- b. The outer edge of driveways shall be placed a maximum of two feet from either side property line. See Illustration 12-2-25.10 for a depiction of driveway placement for single family detached and two-family attached (duplex) buildings on 30' wide lots.

Illustration 12-2-25.10 – Driveway Locations Illustrated



- (4) *Single-family attached.* Off-street parking for single-family attached residential types shall only be permitted in the rear 50% of the lot.

- (5) Tandem parking is encouraged.

(6) Shared driveways are encouraged.

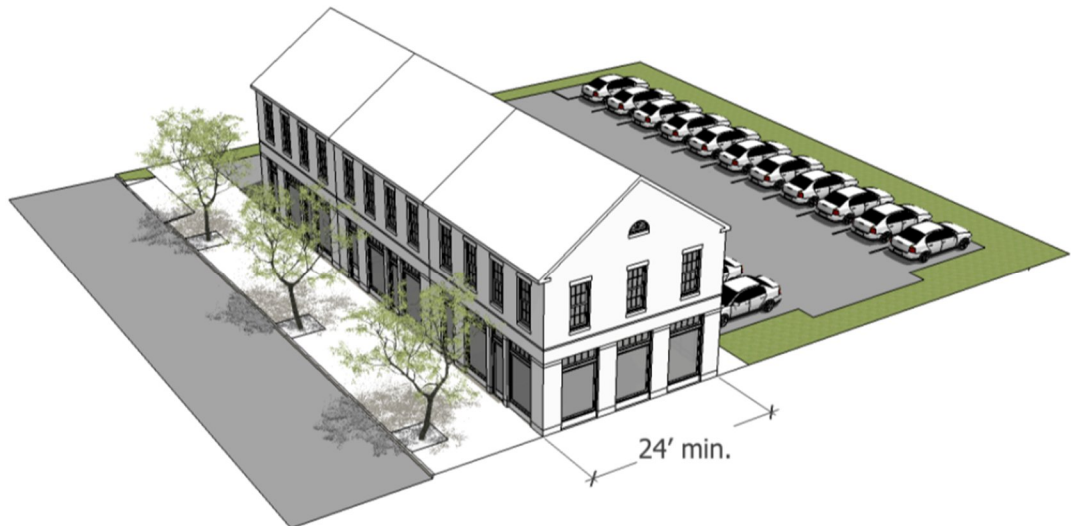
b. Multi-family, mixed use and non-residential types.

(1) *Off-street* parking shall not be permitted within the front setback area. Exceptions include:

a. Properties adjacent to a thoroughfare identified as an FDOT C3C Suburban Commercial Context Classification Zone as defined within Sec. 12-2-25(I)(a)b (context classification). Such properties shall conform to the Form Standards according to Table 12-2-25.8 (Hybrid Commercial).

(2) Off-street parking shall be masked from frontages by liner buildings no less than 24 feet in depth. See Illustration 12-2-25.11 depicting off-street parking lot masking with liner buildings.

Illustration 12-2-25.11 – Parking Lot Masking with Liner Buildings



- (3) The ground floor of commercial buildings with a gross floor area less than 1,500 square feet shall be exempt from parking requirements.

4. Bicycle parking.

a. Minimum bicycle parking requirements shall be as follows:

- (1) Bicycle parking shall not be required for single-family residential or multi-family residential with less than eight (8) units.
- (2) Bicycle parking requirements shall be according to Table 12-2-25.11.

Table 12-2-25.11 - Minimum Required Bicycle Parking

Building Type	Location	R-2A through C-2A	C-2, C-3*
Multi-Family	Primary & Secondary Frontages	Minimum 0.25 spaces per unit	Minimum 0.50 spaces per unit
Non-Residential	Primary & Secondary Frontages	Minimum 0.50 spaces per 1,000 square feet	Minimum 0.75 spaces per 1,000 square feet

*Excluding C3C Context Zones.

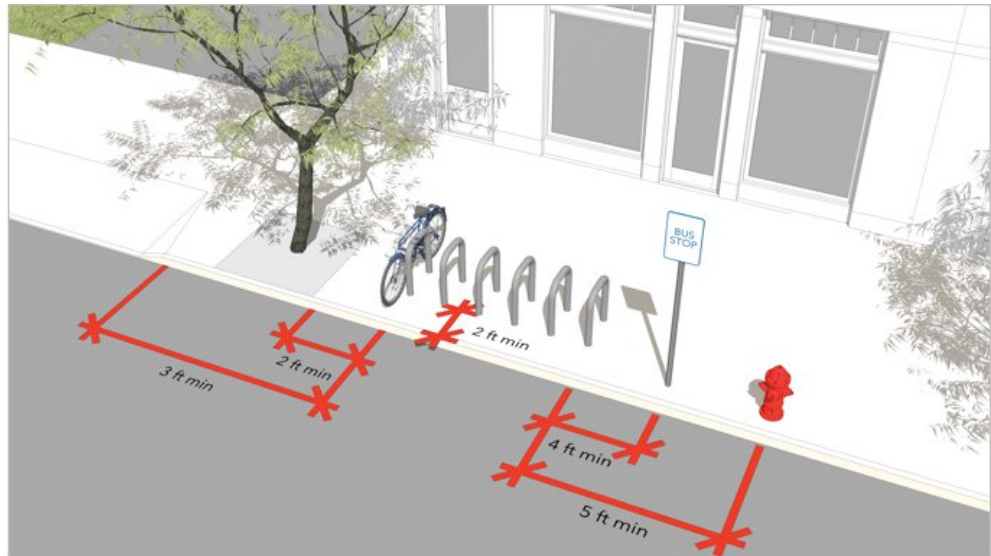
- (3) Bicycle parking locations within the public right-of-way shall be coordinated with the Engineering Division of the City of Pensacola Public Works and Facilities Department and subject to Sec. 12-12-7 (license to use), and minimum clearance distances.

b. Bicycle parking configuration shall be as follows:

- (1) Bicycle racks shall not be located within:
- a. Five (5) feet of fire hydrants.
 - b. Four (4) feet of loading zones and bus stop markers
 - c. Three (3) feet of driveways and manholes
 - d. Two (2) feet of utility meters and tree planters

See Illustration 12-2-25.12 for a depiction of bicycle parking clearances.

Illustration 12-2-25.12 – Bicycle Rack Clearances



c. Bicycle parking located along private or public streets shall be subject to the following:

- (1) Bicycle racks installed parallel to curbs shall be set back from the curb a minimum of two (2) feet, as illustrated in Illustration 12-2-25.11.
- (2) Bicycle racks installed perpendicular to curbs shall allow for a minimum clearance of two (2) feet at the curb and six (6) feet of pedestrian way with a 56 cm or 22 in bicycle properly locked to the rack.
- (3) Bicycle racks should be spaced a minimum of 36 inches apart.
- (4) Bicycle racks shall allow bicycle frames to be locked at two points of contact with the rack.

(i) *Fences and walls.*

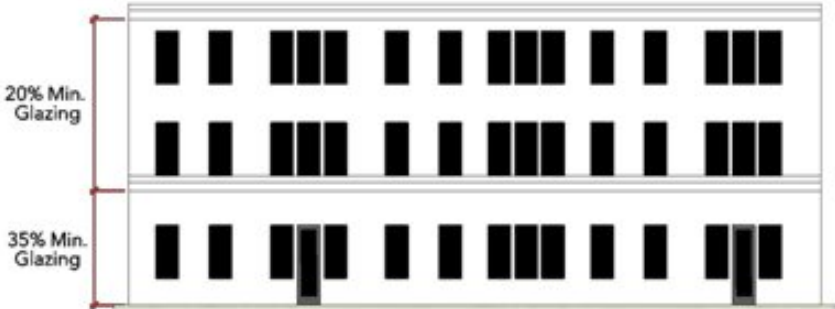
- (a) Where provided, fences and walls shall provide full enclosure.
- (b) Fences and walls shall be restricted according to Frontage Yard Types in Table 12-2-25.9 and Sec. 12-2-35 (visibility triangles).
- (c) Height of fences and walls shall comply with the following:

1. Height shall be limited to a minimum 30 inches and a maximum 42 inches within the front setback.
 2. Height shall be limited to eight (8) feet behind the building face at non-frontages.
- (d) Materials for fences and walls shall be limited as follows:
1. Approved materials shall include, but are not limited to wood, brick, stone, and wrought iron.
 2. Vinyl is discouraged on all frontages.
 3. Chain-link, exposed concrete block, barbed-wire and razor wire shall be prohibited.
 4. Wood fences shall have the finished side to the public frontage.
 5. Where hedges are utilized along frontages, they shall be maintained in accordance with Sec. 12-2-25(H)(b)5.

(j) Windows and Glazing.

- (a) Windows shall meet the following requirements:
1. Windows on frontages shall be square or vertical in proportion, with the exception of transoms and special windows.
 2. Windows should have muntins for residential building types, which should be vertical in proportion.
 3. Single panes of glass shall not exceed 20 square feet for residential building types.
- (b) Glazing shall meet the following requirements:
1. Storefront glazing requirements shall be according to Table 12-2-25.12.
 2. For residential and mixed use buildings, excluding commercial uses at grade, the percentage of glazed wall area shall be a minimum 20%.
 3. Reflective and tinted windows shall be prohibited for residential buildings.
 4. Stained, reflective and tinted windows shall be prohibited at ground floor commercial uses. Low-E is permitted as per Florida Building Code.

Table 12-2-25.12 – Glazing Requirements

Residential	
At & Above Grade	Minimum 20% along frontages
	
Multi-Family & Office	
Above Grade	Minimum 20% along frontages
At Grade	Minimum 35% along frontages
	
Mixed-use	
Above Grade	Minimum 20% along frontages
At Grade	Minimum 70% along frontages
	

(k) *Lighting on Private Property*

- (a) Lighting shall be arranged to be contained on-site and to reflect away from adjacent property.

(H) *Landscape Standards and Guidelines.*

- (a) *Intent.* Supplement the urban canopy, accommodate stormwater, increase access to open space and facilitate pedestrian movement throughout the existing block patterns to meet the urban design goals of the Community Redevelopment Agency. A healthy tree canopy contributes to the health of citizens and the environment, and is fundamental to a vibrant pedestrian life and a well-defined public realm. Trees closely aligned to the street edge with consistent setbacks, provide a clear sense of enclosure of streets, enabling them to function as pedestrian-scaled outdoor rooms. The placement of trees along the edge of the sidewalk should be given particular attention as a major contributor to pedestrian activity. Trees and other native plants placed in drainage right-of-ways and parking islands contribute to the control of stormwater quantity and quality.

(b) *Landscape on Private Property.*

- (a) Landscaping in frontage yards are subject to the requirements of the Frontage Yard Types in Table 12-2-25.9, and Sec. 12-2-25 (visibility triangles), and the following:

1. For single-family detached and two-family lots, one tree for every lot or for every 50 feet of linear frontage along the right-of-way shall be preserved or planted. Trees planted to meet this requirement shall be as follows:
 - a. Measured at diameter breast height (DBH), as described in Sec. 12-6-2(E)(DBH).
 - b. For lots with a front setback of less than eight (8) feet where planting in front yards is not possible, required trees shall be planted elsewhere on the block itself.
2. Ground vegetation or shrub plantings with spines, thorns, or needles that may present hazards to pedestrians, bicyclists, or vehicles shall be maintained a minimum distance of two (2) feet from the edge of walkways and sidewalks.

3. In single-family detached and two-family lots, trees shall be protected in accordance with Section 12-2-10(A)(5)(b) (protection of trees).
 4. When off-street parking is located in front or side setbacks, a year-round streetscreen along the street edge(s) of the parking lot shall be installed as a means of buffering, according to Sec. 12-6-3(B) (off-street parking and vehicle use areas).
 5. Hedges planted along street right-of-ways shall be between three (3) and five (5) feet in height at maturity.
- (b) Minimum landscape area requirements of the development site for all building types except single family detached and two-family attached (duplex) shall be according to Table 12-2-25.13. Landscape requirements for single family detached and two-family attached shall be in accordance with Sec. 12-2-25(H)(b)(a) and Table 12-2-25.9, Frontage Types.

Table 12-2-25.13 - Minimum Landscape Area Requirements

Zoning District	Percent
R-1AAA through R-2	25
R-NC, R-NCB, C-1, C-2, C-2A, C-3, M-1, M-2	15

(c) *Buffer Yards.*

- (a) In addition to the buffer yard requirements of Sec. 12-2-32 the following shall apply:
1. Berms shall not be installed as part of a required buffer without review and approval by the Engineering Division of the City of Pensacola Public Works and Facilities Department to ensure a proposed berm will not have a detrimental effect on adjacent properties by impeding or diverting stormwater flow.
 2. Berms shall be planted and stabilized to prevent erosion.
 3. Buffer yards may be used to create rain gardens or other stormwater facilities with the selection of appropriate plant material, according to the City's approved plant list and approval by the a Engineering Division of the City's Public Works and Facilities Department.

4. Plants in these stormwater facilities shall be selected to meet any applicable buffer yard screening requirements, and they should be tolerant of periodic inundation and drought. It is recommended that native plants be selected from the *Florida Friendly Landscaping Guide to Plant Selection & Landscape Design*, Northern Region, and *Waterwise Landscapes* by the South Florida Water Management District, according to Table 12-2-25.14.

Table 12-2-25.14 – Bioretention & Rainwater Garden Plant List.

Flowers	
Common Name	Scientific Name
Blue Flag Iris	Iris Hexagona
Cardinal Flower	Lobelia Cardinalis
Chipola Coreopsis	Coreopsis Integrifolia
Goldenrod	Solidago spp.
Swamp Sunflower	Helianthus Angustifolius
Spider Lily	Hymenocallis Latifolia
Swamp Lily	Crinum Americanum
Swamp Milkweed	Asclepias Perennis
Grasses	
Common Name	Scientific Name
Blue-Eyed Grass	Sisyrinchium Atlanticum Bicknell
Florida Gamma Grass	Tripsacum Floridanum
Muhly Grass	Muhlenbergia Capillaris
Path or Soft Rush	Juncus spp.
Rainlily	Zephyranthes spp.
River Oats	Chasmanthium Latifolium
Wiregrass	Aristida Stricta
Shrubs	
Common Name	Scientific Name
Beautyberry	Callicarpa Americana
Buttonbush	Cephalanthus Occidentalis
Virginia Willow	Itea Virginica
Wax Myrtle	Myrica Cerifera

(d) *Street Trees in the Public Right-of-Way.*

- (a) Street trees shall be provided in the public right-of-way for all developments except single family detached and two-family (duplex), in accordance with Sec. 11-4-88 (placement of trees and poles), Sec. 12-6-3 (landscaping requirements) and this subsection.
- (b) Where street trees cannot reasonably be planted, payment in lieu of planting shall be made to a new and dedicated CRA tree planting fund, at the value established in Section 12-6-6(B)(5).
- (c) Street tree planting, and maintenance requirements shall be as follows:
 - 1. For each lot, one tree shall be provided on an average of thirty-five (35) linear feet of public right-of-way frontage, where no underground utility conflicts exist.
 - 2. Where greenways exist, trees shall be required to be planted within the greenway. The following exceptions shall apply:
 - a. Where no greenway exists or where the greenway is less than three (3) feet wide, between sidewalk and curb, required street trees shall be planted on the block.
 - b. Where planting within the greenway is infeasible due to utility conflicts, required street trees shall be planted on the block
 - 3. Trees planted three (3) feet or less from a public sidewalk shall have a minimum clearance of six feet and six inches (6'-6") between the public walking surface and the lowest branches at planting.
 - 4. Mature trees shall be maintained at a minimum clearance of eight (8) feet above the public walking surface.
 - 5. Trees planted within the public right-of-way shall include a root barrier to prevent the shifting of sidewalks at maturity.
 - 6. Installation of tree pits and grates within the public right-of-way shall be coordinated with the City of Pensacola Public Works and Facilities Department for style consistency. Installed tree pits and grates shall be maintained by the property owner in perpetuity.

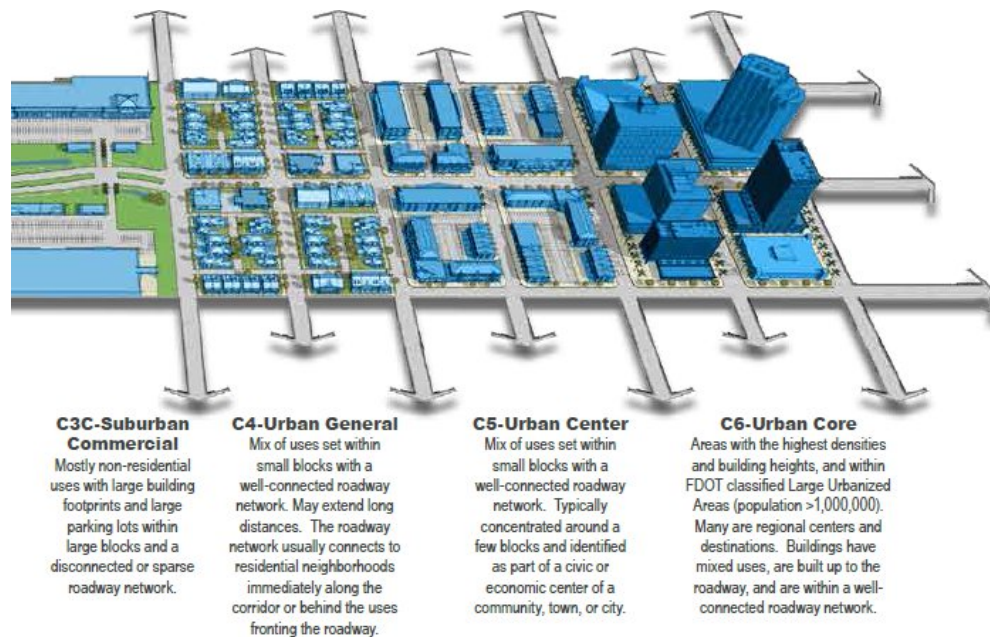
7. Where possible, trees may be clustered together to share soil space.
- (d) Tree selection shall be limited to those allowable plantings contained within the Tree Replant List specified in Appendix B (Tree Replant List). The following conditions shall apply:
1. Where overhead utilities occur, a tree with smaller size at maturity shall be selected.
- (e) Tree selection and placement shall be coordinated with the Engineering Division of the City of Pensacola Public Works and Facilities Department and subject to Sec. 12-2-35 (visibility triangle) and Sec. 12-2-7 (license to use).
- (f) Mixed-use and non-residential building types shall comply with the following:
1. Where galleries are not provided, street trees shall be planted, unless in conflict with underground utilities. Where there are overhead utilities, appropriate species from the Tree Replant List specified in Appendix B shall be selected.
 2. Where a gallery is provided, and the greenway that occurs between the sidewalk and the back of curb is less than three (3) feet wide, no street trees shall be required.
 3. Where a greenway at least three (3) feet wide occurs between the gallery and the back of curb, and no overhead or underground utilities prevent street tree installation, planting of a street tree shall be required.
 4. Where paved surface occurs between the gallery and curb, installation of street trees in individual tree pits with tree grates, or linear planters with pervious pavers between several trees, shall be required.
 5. Where trees are planted in sidewalk planters, the minimum sidewalk planting pit dimensions shall be four feet by four feet (4' x 4').

(I) Thoroughfare Standards and Guidelines.

(a) Context Classification.

- (a) The Context Classification system, as developed by FDOT and described within the FDOT Complete Streets Manual, shall be adopted to identify place and guide streets and other transportation features, and to allow transportation to support adjacent land uses. See Illustration 12-2-25.13 depicting context classification zones.

Illustration 12-2-25.13 – Context Classification Zones Illustrated.



- (b) Streets shall be classified in accordance with the Zoning to Context Classification Translations specified in Table 12-2-25.15.

Table 12-2-25.15 – Zoning to Context Classification Translation

Context Classification (FDOT) Zone	Zoning District
C4 – Urban General	R-1AAA through R-2
C5 – Urban Center	R-NC through C-3
C3C – Suburban Commercial	C-3 adjacent to M-1 or M-2. <i>Limited to segments which abut such zoning districts.</i> M-1 M-2

(b) Street Design.

- (a) Design of local streets shall be guided by the Florida Greenbook, Chapter 19 Traditional Neighborhood Design.
- (b) Where a greenway of at least five (5) feet exists, driveway approaches and curb cuts shall not be permitted to interrupt the sidewalks.
- (c) *Sidewalks.* Sidewalks shall be required on all street frontages in residential, nonresidential, commercial and industrial developments in accordance with standards established by the Engineering Division of the City's Public Works and Facilities and the Florida Greenbook.
- (d) *Driveways and curb cuts.* Driveway, driveway approaches and curb cut requirements shall be as follows:
 - 1. *Single-family residential types.* Driveway and curb cut widths for single-family residential types shall be according to Table 12-2-25.16.

Table 12-2-25.16 - Single-family Residential Driveway & Curb Cut Widths

Driveway Type	Minimum Width	Maximum Width
Single-Use	10 feet	20 feet
Joint-Use	10 feet	22 feet

- 2. *Multifamily, mixed use and non-residential types.* Driveway and curb cut widths for multi-family and non-residential types shall be according to Table 12-2-25.17.

Table 12-2-25.17 - Multi-family/Non-Residential Driveway & Curb Cut Widths

Driveway Type	Minimum Width	Maximum Width
All	12 feet	24 feet

3. Driveway and curb cut spacing on a single property shall be a minimum of 42 feet with the following exception:

a. Lots less than forty-two (42) feet wide shall be exempt from driveway spacing requirements.

(J) Definitions. [Definitions enumerated.]

As limited to Sec. 12-2-25 (CRA Urban Design Overlay District) unless context clearly indicates otherwise.

Building height, *single-family residential*, means the vertical distance of a building measured from the average elevation of the finished grade to the bottom of the eave for pitched roof buildings or the bottom of the parapet for flat roof buildings.

Building height, *multi-family and non-residential*, means the vertical distance of a building measured by stories. The restrictions to story height are according to Section 12-2-25(G)(a)(c).

Cluster Court means a collection of buildings on a semi-public, privately owned open space.

Colonnade means a row of columns joined by an entablature. Colonnades may cover sidewalks and may front storefronts.

Complete street means a thoroughfare that is designed giving each user an equal level of priority including pedestrians, cyclists, transit users, and drivers.

Craftsman Standards means a baseline of construction quality denoting a finished project.

[FDOT] Distinct Context Classifications Zone means classifications, along with functional classification and design speed, determine the corresponding thoroughfare design standards within the Florida Design Manual. (<http://www.fdot.gov/roadway/CSI/files/FDOT-context-classification.pdf>)

Eave means the edge of the roof that meets or overhangs the walls of a building.

Encroachment means certain permitted building elements which may cross established setbacks or rights-of-way.

Entablature means a horizontal, continuous building element supported by columns or a wall.

Facade, building, means the exterior wall of a building that faces a frontage line.

Facade Type means the different configurations of building elements that make up a building facade, such as a storefront, porch, etc. See Table 12-2-25.10.

Figures and Tables mean any chart or graphic presentation in this title which is specifically designated as a "Figure" or "Table" shall be deemed to be a part of the text of the title and controlling on all development.

Frontage line means a property line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other property lines.

Frontage, primary, means the frontage facing a public space such as a street of higher pedestrian importance (i.e. traffic volume, number of lanes, etc.). Typically, the shorter side of a lot.

Frontage, secondary, means the frontage facing the public space such as a street that is of lesser pedestrian importance (i.e. traffic volume, number of lanes, etc.). Typically, the longer side of the lot.

(Building) Frontage Occupation means the length of the frontage that is occupied by a building or a building and open space.

Frontage Yard Type means the configuration of the area between the facade of the building and the frontage line such as a standard, shallow, cluster court, etc. See Table 12-2-25.9.

Frontage Yard Type (Cluster Court) means a frontage yard type where a group of houses has their primary facades facing a common green or open space that is horizontal to the primary frontage.

Frontage Yard Type (Pedestrian forecourt) means a frontage yard type where the primary facade is located near the lot line with an area setback to accommodate open space and the primary entrance of the building.

Frontage Yard Type (Shallow) means a frontage yard type where the facade is slightly setback from the lot line.

Frontage Yard Type (Standard) means a frontage yard type where the facade is set back from the lot line. Fences are permitted and the setbacks are visually continuous with adjacent yards.

Frontage Yard Type (Urban yard) means a frontage yard type where the facade is at or near the lot line and the surface is paved.

Frontage Yard Type (Vehicular Forecourt) means a frontage yard type where the primary facade is located near the lot line with an area setback to accommodate a driveway meant for passenger loading and unloading.

Gallery means a covered sidewalk in front of a storefront that supports either a roof or outdoor balcony above.

Habitable Space means building space which use involves human presence with direct view of the enfronting streets or public or private open space, excluding parking garages, self-service storage facilities, warehouses, and display windows separated from retail activity.

Human-scaled means buildings and their elements designed to be comfortably viewed and experienced by people on foot.

Hybrid Commercial means a commercial type in the C3C FDOT Context Zone that transitions between urban and suburban types, typically permitting one row of parking at the frontage.

Liner Building means a building specifically designed to mask a parking lot or a parking structure from a frontage.

Parallel means two lines or planes that are equidistant apart and do not touch on an infinite plane.

Parapet means the extension of a false front or wall above a roof line.

Parkway, Greenway, Verge means the planting strip between the edge of the road and sidewalk or right-of-way, which may be used for tree planting. See Sec. 11-4-86 through 11-4-88.

Paving means to cover or lay with concrete, stones, bricks, tiles, wood or the like to make a firm, level surface. The term paving in this part includes all pavement materials, both pervious and impervious.

Pervious means materials or natural earth which allows for the natural percolation of water.

Porch means a private façade type which is an open-air room appended to the mass of a building with a floor and roof but no walls on at least two sides.

Principal Building means the main building on a lot, usually located toward the frontage.

Principal Building Facade means the front of the building which faces the front of the lot.

Single-family residential means a single-family ownership on a single lot. Multiple ownership on a single lot is not construed as a single-family type. Single-family is restricted to the following types on their own lots: detached single-family, attached single-family, and two-family attached (duplex).

Stoop means a private façade type wherein the façade is aligned close to the front property line with the first story elevated for privacy with an exterior stair and landing at the entrance. This type is suitable for ground-floor residential uses at short setbacks with townhouses and apartment buildings. Stoops may encroach into the setback.

Streetscreen means a freestanding wall built along the frontage line, or aligned with the facade. It may mask a parking lot from the thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

Travel mode means the different means of transport around an area including by foot, bicycle, public transit, and car.

Walkability means a measurement of comfort, convenience, safety, and ease of pedestrian movement throughout an area.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided

pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: _____

Approved: _____
President of City Council

Attest:

City Clerk



PLANNING SERVICES

THE UPSIDE *of* FLORIDA

MINUTES OF THE PLANNING BOARD

June 12, 2018

MEMBERS PRESENT: Chairman Paul Ritz, Nathan Monk, Kurt Larson, Jared Moore, Danny Grundhoefer, Victor Jordan

MEMBERS ABSENT: Nina Campbell

STAFF PRESENT: Brandi Deese, Assistant Planning Services Administrator, Leslie Statler, Planner, William Weeks, Building Official, Helen Gibson, CRA Administrator, Victoria D'Angelo, Assistant CRA Administrator, Ryan Novota, Transportation Engineer

OTHERS PRESENT: Don Kraher, Council Executive, Austin Tenpenny, Steven Shelley, Fred Gunther, Ashley Patterson, Steven Sebold, Christian Wagley, Mike Kilmer, Rivka Kilmer, Marcie Whitaker, Kevin Wade, C. Marcel Davis, Fran Jones, Diane P. Robson, Ryan Wiggins, Jonathan Wiggins, Kacee Bidnick, Glib Kazak, David Peaden, J. Scott Sallis, Beverly Perry, Troy Stepherson, Doug Baldwin, Randy Wilkerson, James L. Gulley

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from May 8, 2018
- New Business:
 1. Consider Right-of-Way Vacation Request – North 18th Avenue Between Moreno & Mallory
 2. Consider Amendment to LDC – CRA Urban Design Standard Overlay
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:01 pm with a quorum present.

Approval of Meeting Minutes

Mr. Larson made a motion to approve the May 8, 2018 minutes, seconded by Mr. Moore, and it carried unanimously.

New Business

Consider Right-of-Way Vacation Request – North 18th Avenue between Moreno & Mallory

Jonathon and Ryan Wiggins, in conjunction with Michael Callaghan and Galen Nase, are requesting approval for the vacation of approximately 34 feet of the western right-of-way of the 1600 Block of North 18th Avenue. This request would bring the property line to the back of the layback curb on the western side of 18th Avenue.

EVERYTHING THAT'S GREAT ABOUT FLORIDA IS BETTER IN PENSACOLA.

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Mr. and Mrs. Wiggins have indicated the reason for their request is to be able to construct a garage and small attached guest house. Mr. Callaghan and Mr. Nase have indicated their reason for the request is to acquire the land where their semi-circular driveway is located. This request has been routed through the various City departments and utility providers and those comments are attached; any comments received after the packets were mailed were sent email and hard copies provided to the Board.

Chairman Ritz explained the right-of-way vacation as giving away a piece of public property over to the property owner; if approved, the City of Pensacola gives the property to the property owner with no fees involved. He then called the applicants to speak.

Ms. Wiggins thanked the Board for their consideration and was eager to answer any questions. Mr. Monk asked if the applicant had any issue with the proposal with the reduction and relocation of the sidewalk to the front. Ms. Wiggins advised they had no problem with the 24' but with that sidewalk not leading anywhere, they would pay for the replacement of the sidewalk if the City ever decided to replace it.

Mr. Wagley pointed out it was great the see neighbors improving their properties, but the public's interests should also be respected and protected. He wanted to make sure the existing sidewalk was replaced at the applicant's expense and in a manner for full public access, leaving the 5' planting strip. He pointed out this location was also one block from the city park and wanted to make sure we stay consistent with what happens on other projects with the relocation of sidewalks which is necessary to protect the interest of the public.

Mr. Wiggins advised they were agreeable to the 24' feet as opposed to the full setback. With regard to the sidewalk, if you drive the entirety of 18th Street, almost two miles, there are two blocks with houses with sidewalks which connect east and west arteries. To suggest the removal of this sidewalk at this time would make anything less accessible or less safe was not common sense to him. He pointed out 18th Street is a very safe road where they see strollers, bikers and walkers using this street. Mr. Jordan explained to the applicant that if the sidewalk was replaced, it would be fully ADA compliant and wanted that understood.

Chairman Ritz explained the vacation all the way to the back of the curb is a bit much and the Board had not granted that in the past, and where would you place the sidewalk, easements, and the City would have no place to operate for utility repairs, etc. He appreciated sidewalks and connectivity which did not force the public to walk in the street.

Mr. Larson made a motion to approve with 5' from the street for plantings, 5' sidewalk built to City of Pensacola standards as well as current ADA requirements, with the balance to be vacated to the owners, with the provision the sidewalk be put in immediately to replace the one taken out. The motion was seconded by Mr. Jordan.

Mr. Jordan was concerned the sidewalk would not be replaced in a reasonable time. Chairman Ritz explained that once the property was given to the owners, they could do as they pleased, but they were giving them 24' of property at East Hill rate. Mr. Grundhoefer was concerned with setting a precedent. He offered the Board could go 10' to that street and vacate it, and people could get more property. He felt the Board was setting a dangerous precedent. Mr. Moore agreed that it seemed the right-of-way on 18th was larger than the standard right-of-way. Mr. Monk felt the location of the sidewalk to the house was awkward. The concern from others was making sure the sidewalk stayed.

Mr. Novota stated the roadway was mostly in the center of the right-of-way, and the likelihood of the city expanding or relocating the roadway was slim. Chairman Ritz explained that should the vacation be granted, as part of the approval the sidewalk would continue all the way out to the asphalt. Ms. Wiggins explained if they build a structure and then tore up the sidewalk, they would be replacing it twice. Mr. Grundhoefer pointed out his concern was maintaining a 60' right-of-way on 18th Street; his hope was that when other residents applied, the City would also get a sidewalk, with sidewalks on both sides of 18th Street. He did not support giving 24' of the City's right-of-way to homeowners. Chairman Ritz asked if the motion were amended to include verbiage toward maintaining minimum right-of-way, would that be supported. Mr. Grundhoefer explained that would send a signal that they were trying to maintain 60' right-of-ways in East Hill, and they were not changing that character.

Mr. Monk clarified that Mr. Grundhoefer wanted to make part of the requirement that with any future vacation, the property owner that received the property would pay for the sidewalk; Mr. Grundhoefer agreed he wanted to enforce this. Chairman Ritz restated the motion that the Board approved the vacation of 24.5' of the right-of-way, always maintaining a 60' right-of-way for city streets. Mr. Grundhoefer stated with a 24' street, they would be granting an additional 18' ($18+18+24=60$) from the curb to the property line. This would put the emphasis on maintaining the street right-of-way, not necessarily giving each landowner their particular request based on whatever they think their need is. **Chairman Ritz stated the motion would then be vacating the appropriate amount of property while maintaining a 60' right-of-way; the amendment was accepted by Mr. Larson. Chairman Ritz explained this would set the idea that the right-of-way is a number which is set – the vacation occurs to whatever the appropriate distance is if the road is left or right of center. The motion was accepted by Mr. Jordan with the additional information on the sidewalk.**

Mr. Monk asked if the current 18' would be enough for the applicants to accomplish their goal. Ms. Wiggins stated it would not, but they would make it work. Mr. Monk pointed out they were trying to make the neighborhoods more walkable. Chairman Ritz advised there were more requests for vacation of right-of-ways in East Hill than any other location. East Hill is a desirable neighborhood and is easily walked. Mr. Grundhoefer pointed out the Board was considering all citizens and not just the applicants. Chairman Ritz emphasized that this decision would proceed to City Council for their approval. Mr. Grundhoefer wanted the motion to state the applicants must build a sidewalk. Mr. Jordan asked Mr. Novota, Transportation Engineer, about the cost of the ramp, and Mr. Novota advised the cost would be around \$1,500.00 to \$1,800.00 plus the sidewalk itself. **Ms. Deese confirmed the original motion was for approval for 5' landscape strip, 5' sidewalk, sidewalk to be constructed immediately, sidewalk will be built to the road and to City of Pensacola and ADA standards, amended to maintain the 60' right-of-way. Chairman Ritz clarified the vacation was dependent on where the right-of-way falls. Mr. Larson changed the time for replacement to 90 days, and it was accepted, and the motion carried unanimously.**

Consider Amendment to LDC – CRA Urban Design Standard Overlay

Ms. Gibson, CRA Administrator, presented to the Board, and advised that for the past six months the CRA had been presenting a proposal for an overlay district which would be form-based standards which would apply to the neighborhoods within the CRA areas and not within any type of review district. She indicated these neighborhoods have not had any protection from incompatible uses relative to their traditional character. Because some of them have been blighted neighborhoods, there has been deterioration and demolition. What is being proposed will not restrict future demolition but will help to govern what is rebuilt. The proposal is a very light form of design review and a streamlined review which will be handled administratively by staff. Applicants interested in building can refer to a checklist to meet the requirements in this standard. She pointed out they had extensive community input with public informational sessions. Ms. Gibson then turned the presentation over to Marina Khoury of DPZ CoDesign who gave an overview of any changes to the guidelines; these were provided to the Board. Chairman Ritz then asked for audience input.

Mr. Gunther wanted to confirm that the vertically proportionate window requirement was removed, and Ms. Khoury stated that had been removed but would remain only on the frontages. Mr. Gunther informed the Board he had purchased the former YMCA property on Palafox, and they have three potential buyers and had confirmed in pre-development meetings with Brandi Deese and other departments in 2016 and 2017 that all their plans were allowed under the LDC. They then moved forward and closed in January 2017. They have paid architects for design, laid underground utilities and essentially planned a new development. In moving forward, no exception had been granted, and he asked that those who have been working with the City should be grandfathered in and not be required to adhere to the new requirements after designing around the current codes.

Concerning trees, he further explained they had pushed their houses to the street with urban design, and properties on Palafox from their property to the bay have no trees on private property. Mr. Grundhoefer offered this document would be going to City Council and felt all those with projects might rush in before the new guidelines were approved; he did not feel this was appropriate. Mr. Monk stated this was a difficult situation to be in as we move toward the form-based code, and this is a long-term developmental plan finally proceeding to the end. Ms. Gibson advised she did distribute a list of all comments received but did not know if they addressed every single comment on every project. She advised there were seven or eight concerns addressed by Mr. Gunther, and they were able to adjust this overlay so that six or seven were addressed. A site like this one was constrained, but he could place trees within the block. Mr. Monk asked if there could be a date certain for previous applications. Chairman Ritz explained this could be discussed during deliberations. Mr. Gunther further stated that long vertical windows were unfair to be imposed over such a large portion of the city.

Mr. Kazak who develops single residence housing in downtown Pensacola stated he had plans for larger developments on Government and A Street which met the current requirements, however, the new codes might require significant changes. He wanted to make sure they were safe with their investment and possibly exempted partially from the new regulations.

Mr. Wagley was excited to see the Board working through the process. He explained the trend toward form-based standards is growing all over America, and the existing codes were never going to give people the type of community they want – one that is walkable, bikeable and reveals the character of the older neighborhoods. He stated DPZ's work in capturing the existing character was completely accurate. He explained vertical windows were actually defining character from the homes built prior to the 1940s. He referenced the Florida Greenbook, with garages preferred in the rear and side on corner lots. He wanted staff to address the grandfathering possibly and using the easy checklist that would facilitate the process. He also pointed out no specific styles were restricted and encouraged the Board to approve this change which would be a huge historic step for this community.

Mr. Kilmer thanked the CRA and the Board for considering this change and Mr. Wagley for keeping the community informed.

Mr. Sallis spoke for the local chapter of AIA. He indicated the city has needed this document for a long time. The concern was that it be modified. (1) The section of applicability should be modified to allow for a date set for when the overlay applies, and developments after that would comply. (2) With residential building entries, the cost of elevating a house really is the cost of building a good product and making a great city. (3) Roof pitch is too restrictive over such a large area and should be removed from the document. (4) Windows and glazing should be removed because it is too restrictive for such a large section of the city and does not allow for contemporary architecture. Otherwise, the AIA supported the documents with these changes.

Ms. Khoury advised regarding applicability, the majority of cities state if you have a building permit in hand, you are grandfathered in; if you do not, you must comply with the new rules. The new document has in many cases made it easier to develop, and the reason for the document was to preserve the existing character.

Mr. Peaden appreciated the process but the key thing pertained to the applicants who have already begun the process and need to be protected in terms of what they have invested. Setting a date would be one way to address this, since most of these people have been in the process for a while.

Ms. Perry explained form-based code works in her neighborhood since there is no ARB, and the form-based code is a good middle ground giving parameters for a good framework where builders can respect the existing character while maintaining creativity.

Ms. Gibson responded to Mr. Monk's assertion about the influx of outside builders/developers.

She explained she had seen over the past 20 years a loss of historic vernacular and what has replaced those structures has looked nothing like the neighbors and has not added to the value of the neighborhood – many times by local builders. Mr. Monk stated in the East Hill area there have been massive demolitions of houses he knew could have been renovated.

Mr. Jordan addressed page 31 of the presentation dealing with a bicycle locked at 56 cm and explained that would only accommodate a child size bike. Ms. Khoury stated it could be converted to 22” – 26” to be consistent.

Mr. Grundhoefer was supportive of the document and suggested the window verticality requirement needed to state “should” instead of “shall” and agreed we should not stifle design because we feel a vertical window is more appropriate for a particular design. He explained some of the structures in Aragon Court comply with the ARB standards but are very contemporary. Ms. Khoury stated they may want to put in a clause to reassess the requirements in six months to see if they are working. Chairman Ritz offered his historical house has square windows. Mr. Grundhoefer advised the roof pitch was no problem since there was a caveat to have flat or low-pitched roofs. However, columns with capitals and bases was dictating architectural styles and pushed it beyond a form-based standard to an architectural standard. On page 37 regarding planting columnar trees, Pensacola is not known for Cedar or Poplar column type trees. Ms. Khoury advised this could be removed. Mr. Grundhoefer also asked if on Page 35 the single-family and two-family buildings were exempt. Ms. Khoury indicated this red lined language should probably be stricken out.

Chairman Ritz explained that with the document being placed on the Board agenda today, it was emphasized there needs to be a particular time set which starts this process and definitive language for what defines this process which has already started by someone. The building permit in hand means that someone has submitted plans for permitting, but Mr. Gunther has been working on a particular project for some number of years, and the larger projects tend to take longer lead times. So under our applicability, we do not have that really good timeline which defines projects discussed with Planning as of July 4, 2018 will be under a certain code. From a developer’s standpoint, the Board needs to pick some legitimate time so that is not so far down the road that anyone can come in and say they thought about a project in 2017 and they should come under the old Code.

Ms. Khoury asked how the Code has been amended, and Chairman Ritz indicated historically, there has never been a change this drastic and in such a short period of time. He explained the Florida Building Code and the grace period when it is amended. Mr. Grundhoefer explained a date could be set after Council adoption. Ms. Gibson stated they had responded by saying 45 days from Council approval. Mr. Grundhoefer felt the document should be enforced at the date it is adopted. Ms. Gibson explained normally an ordinance is in force 5 days from Council approval. Chairman Ritz explained the Board is an advisory board, and the Council can choose to do what they want to do after the fact.

Mr. Jordan made a motion to approve and support the CRA Guidelines with these stipulations: (1) that the language for the vertical windows and the columns be “should” instead of “shall”; (2) change the columnar tree language; (3) clarify this landscape paragraph which she said they would strike; (4) under applicability, to state it is enforced 5 days after City Council approval. The motion was seconded by Mr. Larson. Mr. Monk advised that changing “shall” to “should” meant it was not enforceable. Chairman Ritz advised if someone wanted to do something else, they would be allowed to. Mr. Monk did not see the point of going through the process to get to “if you would please.” Chairman Ritz pointed out in the case of the windows, there was evidence offered internal to the Board as well in the Contemporary House book and the public has stated that “shall” on that particular item of verticality of the windows was detrimental to design creativity. Mr. Monk offered so many people want to live downtown but cannot because of varying reasons, but this Code will encompass the whole city. Chairman Ritz offered a citizen could always request a variance.

Ms. Deese clarified that the LDC stated only a few reasons where you could qualify for a variance, and variances to these overlay guideline standards would not be permitted.

Regarding the windows, Ms. Khoury stated in the homes that did not look good, the vast majority of them are because the windows were not vertical or square, and cautioned not to look at what you were preventing, but rather look at what you were allowing. Chairman Ritz clarified a person could not request a variance if the language became "shall" and Ms. Deese agreed. Mr. Monk restated he did not want to limit creativity but wanted history preserved.

Ms. D'Angelo clarified the document text in blue was not actually in the document sent to the Board and were proposed modifications. Ms. Gibson advised the presentation showed the modifications. Chairman Ritz explained the document supplied to the Board and for public inspection was not the same one in the presentation.

Mr. Monk questioned the styles of homes to be built in the CRA neighborhoods and if we were not dictating style, he was not sure how helpful the document was if it did not dictate building in a certain number of styles. Chairman Ritz explained the form-based code was not dictating a particular building style. **Mr. Grundhoefer had perused the blue text and added to Mr. Jordan's motion the June 12th guidelines were presented to the Board. Ms. Deese read the motion to approve with stipulations (1) to remove the window language shall and amend to should, (2) revise the tree language, (3) clarify the landscape paragraph and she (4) clarified it should be 5 business days for enforcement, and (5) the addition of the bike modification from 22" to 26".**

Mr. Weeks asked the Board if an architect could get professional plans within 5 days, and Chairman Ritz explained it could not be done in 5 days. Mr. Grundhoefer pointed out the process needed to begin somewhere. Mr. Weeks suggested adopting it like the Florida Building Code and cautioned on being careful with the applicable date. Mr. Monk was concerned with applicants who had already submitted their work. Mr. Grundhoefer pointed out Ms. Gibson had notified the public, and if the applicants wanted to submit their plans, they should submit them now in advance of the Council's approval. Ms. Gibson verified the document would go through two readings at the Council meeting, and Ms. D'Angelo advised the document was currently scheduled for September 13, 2018 for the final reading.

Chairman Ritz explained if there were two readings, there would be two opportunities for citizen input to the Council who is the ultimate deciding body. **Mr. Grundhoefer amended Mr. Jordan's motion to enforce the Code when the Council approves it, but was reminded of the 5 business days and left his motion as is. The motion then carried unanimously.**

It was determined the first reading to Council would be August 9, 2018.

Open Forum – None

Adjournment – With no further business, Chairman Ritz adjourned the meeting at 4:36 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Brandi C. Deese', with a long, sweeping horizontal line extending to the right.

Brandi C. Deese
Secretary to the Board

CRA Urban Design Standards Overlay Outreach and Public Input Opportunities

2/7/2018: Pre-Charrette Lunch & Learn Public Notice

2/9/2018: Pre-Charrette Lunch & Learn Meeting

2/9/2018: Public Notice: Urban Design Guideline Overlays for CRA Neighborhoods: Notice of Pre-Charrette, Charrette and Public Meetings to be held during the period February 12-15, 2018 and March 19-June 14, 2018

2/9/2018: Pre-Charrette Lunch & Learn Follow-up Email

2/11/2018: Legal Ad – Notice of Interactive Public Workshop

2/12/2018 – 2/15/2018: 4-Day CRA Urban Design Standards Overlay Charrette

2/13/2018: Charrette Email Blast

2/14/2018: Charrette Email Blast

2/15/2018: Charrette Email Blast

2/15/2018: Charrette Email Blast

3/9/2018: Draft Urban Design Standards Overlay Lunch & Learn Public Notice

3/9/2018: Draft Urban Design Standards Overlay and Support Documents Posted to Website

3/15/2018: Draft Urban Design Standards Overlay Lunch & Learn Meeting

3/16/2018: Draft Urban Design Standards Overlay Lunch & Learn Follow-up Email

3/16/2018: Draft Urban Design Standards Overlay and Upcoming Workshops Email

3/19/2018: Planning Board and Community Redevelopment Agency Combined Workshop: Draft Urban Design Standards Overlay – 2:00 p.m.

3/19/2018: City Council Workshop: Draft Urban Design Standards Overlay – 5:30 p.m.

3/26/2018: Public Input Extension and Revised Schedule Email Blast

3/30/2018: Legal Ad- Notice of Public Input Extension, Additional Sessions and Revised Schedule

4/3/2018: Additional Public Input Session – 5:30 p.m.

4/7/2018: Additional Public Input Session – 8:30 a.m.

6/12/2018: Planning Board Public Hearing – 2:00 p.m.

8/6/2018: CRA Meeting – 3:31 p.m. (Following City Council Agenda Conference)

8/9/2018: City Council Public Hearing – 5:30 p.m.

9/13/2018: City Council Meeting – 5:30 p.m.

Other Outreach Efforts:

- Charrette Mailer – Sent 2/6/2018
- Preliminary Webpage Launch – 2/7/2018
- Facebook Post: Charrette – 2/8/2018
- YouTube Video- CRA Charrette Updates: Week of February 13, 2018
- Flyer Distributed – Beginning 2/13/2018
- Official Webpage Launch – 2/14/2018 to 2/15/2018
- City Webpage Banner and Announcement #1 2/8/2018
- City Webpage Banner and Announcement #2 2/9/2018
- City Webpage Banner and Announcement #3 3/8/2018
- City Webpage Banner and Announcement #4 3/27/2018
- Public Input Extension and Revised Schedule Mailer – Sent 3/27/2018
- Facebook Post: Public Input Extension and Revised Schedule – 3/28/2018
- Meetings posted to City Board Meeting and Event Calendars

CRA Urban Design Overlay District- City Staff and Community Comments

CITY STAFF COMMENTS			
Commentator	Referenced Section	Comment	Response
Public Works	2.2-2.4	Is this document going to trump the LDC entirely?	No, the document will not trump the LDC entirely. Where a conflict exists between the Overlay and the underlying land development regulations, the Overlay will prevail. The Overlay will not alter allowable land uses under the current zoning, however, it will, in some instances modify dimensional standards and provide additional clarifying language related to the existing zoning. The Overlay's provisions will be limited to the Urban Core, Westside and Eastside Redevelopment Areas, excluding the City's existing Special Review Districts (SRD's) and the Port of Pensacola.
Public Works	Table 5.4.1.(D)	Tree cannot reduce required width for 5' wide pedestrian path.	Correct, trees cannot reduce the required width for a 5' wide pedestrian path. All ADA regulations must be adhered to. Table 5.4.1.(D) does not supersede ADA, not does any other section of this Overlay.
Public Works	Section 5.5.1.e.i. (1)	First floor elevation shall be a minimum of 9 feet above sea level. 9' above sea level? Having a hard time understanding that elevation requirement.	Section deleted.
Public Works	Section 5.5.1.e.iii	"Mixed-use and non-residential building entries be at sidewalk grade." What if you're in a flood zone and your FFE has to be elevated?	Section 5.5.1.e.iii relates to minimum elevation, and will not impact flood zone requirements. Existing regulations pertaining to ADA and flood zone requirements must be adhered to.
Public Works	Table 5.5.1.D	"Encroachments are permitted according to Section 5.5.3. No encroachment into the City right of way is allowed without a license to use (LTU).	Added language re: LTU for all encroachments.
Public Works	Table 5.5.1.E	Arcade & Colonnade states "Encroachments are permitted according to Section 5.5.3. No encroachment into the City right of way is allowed without a license to use (LTU).	Removed arcades and colonnades as possible encroachments.
Public Works	Entirety of Section 5.6	No encroachment into the City right of way is allowed without a license to use (LTU). This entire section promotes/encourages the idea of encroachments.	Added language re: LTU for all encroachments.
Public Works	5.7 Intent	This is going to impede development.	Your Land Development Code and Comprehensive Plan encourage on-street parking already.
Public Works	5.7.1.d	So is this saying if no on-street parking is allowed they have to build a garage? Then in 5.7.3.ii they force them back into the lot?	If on-street parking is not allowed then parking will be placed behind the front facade or in the rear of the lot, however, a garage is not required.
Public Works	5.7.1.e.i	So who determines if the rear lane is possible?	Rear lane feasibility will be subject to the discretion of the developer.
Public Works	5.7.2.a	How is this even possible to enforce? Also in the ROW requires LTU.	Language included to coordinate with Public Works. As for enforcement, it is same as meeting parking requirements. Submissions will have to show how and where bicycle parking is provided.
Public Works	5.7.3.a.ii	How do you do this if the lot is 30 ft wide and no on-street parking.	It requires that covered or garage parking be placed towards the back of the lot for theses narrowest of lots to ensure garages do not overwhelm the front yard. Uncovered parking is also permissible.
Public Works	5.7.3.a.iv	LDC requires 42 feet, 20 feet is way to close and will clutter up City right of way. Also poses a safety issue.	Modified language to 42 feet. This makes circular driveways for single-family lots not possible. Not a bad thing!
Public Works	5.7.3.a.vi	Shared driveways are not good. They're contradicting themselves in iv and vi.	No contradiction. Shared driveways are encouraged not required.
Public Works	5.7.3.b.i	How is this going to be enforced after the building is built and they park in front of the house?	For multi-family buildings, off-street parking cannot be provided in the front yard. If the front yard is not designed as a parking lot it should be simple This is an enforcement issue.
Public Works	5.8.4.c	Chain link is actually allowed in Old East Hill Preservation District but according to these standards would not be allowed in the CRA.	Chain link is prohibited in many of the SRD and should be also in the CRA areas for commercial and residential properties. For industrial, it is permitted.
Public Works	6	Landscaping is subject to visibility triangles like everything else.	It was always the intention to have visibility triangles maintained. We have added that language as a reminder.
Public Works	6.1.1.a	How do you do this with a 30' or 50' lot? Is the City going to take ownership of said tree due to requirements imposed?	Any lot 50 feet or less requires a tree planted in private yard, with restrictions, so property owner's responsibility.
Public Works	6.1.1.b	Enforcement...most sidewalk owners don't keep clear now let alone 2' from them.	Agreed, enforcement issue.
Public Works	6.1.1.3	Depending on location visibility triangle will not allow this.	Visibility triangles must be adhered to.

CRA Urban Design Overlay District- City Staff and Community Comments

Public Works	6.3.2	Replace “city engineer” with “A certified arborist and the Engineering Division of the City’s Public Works and Facilities Department.”	Currently, tree plantings within the public right-of-way are subject to review and approval by the Engineering Division of the City’s Public Works and Facilities Department. A certified arborist is not currently required or available on staff. The Overlay standards would maintain the City’s existing procedure for trees in the public right-of-way. Tree selections shall be limited to species identified within the City’s recommended plant list contained within Section 12-6, Appendix B.																																																																																																																																																															
Public Works	6.3.5.a and 6.3.5.c:	Shall include root barrier to not shift sidewalks at maturity.	Added language.																																																																																																																																																															
Public Works	6.3.5.b	Enforcement? Owner? Which brings us back to the first question.	Yes, enforcement issue.																																																																																																																																																															
Public Works	6.3.5.d	What if you only have a 30’ lot?	This section addressed tree planting in public ROW, not private lots.																																																																																																																																																															
Public Works	6.3.6.a and 6.3.6.c:	Again not without “A certified arborist and the Engineering Division of the City’s Public Works and Facilities Department.”	Resolved per revised 6.3.2. Any tree planted in public ROW must be approved by the Engineering Division of the City’s Public Works and Facilities Department.																																																																																																																																																															
Public Works	6.3.6.c, 6.3.6.d, and 6.3.6.e	Shall include root barrier to not shift sidewalks at maturity.	Added language once at beginning of section 6.3.																																																																																																																																																															
Public Works	7.1.2	Refers to “driveway apropos”. Don’t think that is the correct word you are wanting to use...aprons?	Correction made.																																																																																																																																																															
Public Works	8	Define the following: buffer yard, and greenway.	Greenway already defined (see Parkway/Greenway/Verge in Section 8) Buffer yard is already defined in your zoning code, in Section 12-14.																																																																																																																																																															
Public Works	12-2-82 (1)(a) (C)	Driveway width reduction may be detrimental to large commercial development.	Proposed reduction minor. For maximum driveways it is reduced from 24 feet to 22 feet. The proposed reduction for minimum driveway is to permit a single travel lane minimum driveway width of 10 feet, verses 20 feet.																																																																																																																																																															
Public Works	12-6-01	Gulf Power and other aerial utility providers may want a chance to review this.	Coordination is required with Engineering Division of the City’s Public Works and Facilities Department.																																																																																																																																																															
Public Works	General/Admin Comments	Is it the intent to have a LDC for the City and a completely separate LDC that only applies to the CRA? This creates confusion for staff. I don’t fully understand this Context Classification concept, but the more rules we create, the harder it’s going to be for staff to enforce.	We are proposing an Overlay District for the CRA areas, much like the existing Special Review Districts (SRD) work today. This is not a completely separate LDC. Please review the Transportation Support Document written by Hall Planning & Engineering as part of this scope of work.																																																																																																																																																															
Public Works	5.7.2.c.ii	Does not meet clear recovery zone requirements.	While the AASHTO Green Book and the Roadside Design Guide provide excellent guidance for areas of general context, the Florida Greenbook Chapter 19 applies to Traditional Neighborhood Design context. The entire Community Redevelopment Area is characterized as a traditional neighborhood design, based on features such as the universal small block grid layout originally platted. Clear zone considerations are addressed and will be guided by the Florida Greenbook.																																																																																																																																																															
Public Works	5.7.2.c.ii	Again there are many considerations on determination of the distance of a clear zone but this is just the basic lengths. Most of the City lands under the very top one of 40MPH or lower and under 750 ADT but depending on what road it is the ADT does rise and the distance gets bigger.																																																																																																																																																																
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Public Works	5.7.2.c.ii	When the Green Book and the Roadside Design Guide were last updated, the AASHTO committees coordinated to dispel the misunderstanding that 2 feet (actually, 18 inches) behind a curb constituted a clear zone. Since curbs are now generally recognized as having no significant containment or redirection capability, clear zone should be based on traffic volumes and speeds, both without a curb. The AASHTO A Policy on Geometric Design of Highways and Streets (Green Book) enumerates a clear zone value for two functional classes of highway. For local roads and streets, a minimum clear zone of 7 to 10 feet is considered desirable on sections without curb. In the discussion on collectors without curbs, a 10-foot minimum clear zone is recommended. The general discussion on Cross-section Elements also indicates a clear zone of 10 ft. for low-speed rural collectors and rural local roads should be provided. Resulting in the previous email of the clear zone to be minimum of 7 to 10 ft with or without a curb. Again this is just for a flat roadway... when you get into drop offs or where the side of the road is higher than the roadway these can increase in distance. Therefor making a standard outside the AASHTO/FHWA standards is not recommended and is difficult to perform correctly. Sidewalk are not considered to be impediments in the recovery zones like a bike rack, a tree, or utility pole.	
Public Works	5.8.3.b	May conflict with building code, though was 6' not 8'.	Zoning currently permits up to 6.5 feet in rear, but residents have asked for taller for privacy issues. 8 feet does not conflict with Building Code.
Public Works	6.0 Intent	Trees in tight spaces block sight triangles, lift up sidewalks, grow into utilities (below grade and aerial). Trees aligned closely to the street edge are a safety hazard. They need to be outside the clear recovery zone and meet site visibility triangle requirements.	The benefits of trees in public ROWs are well documented. 6.3 requires any tree planted in the ROW to be approved by the Engineering Division of the City of Pensacola Public Works and Facilities Department and comply with the existing requirements. We have also added language to ensure they are also planted outside of clear recovery zone and meet site visibility triangles. 6.3.5 c) replaced with section reference as already in your Code under Sec 11-4-88.
Public Works	6.3	Who is responsible since mandating the placement of tree?	The adjoining property owner is responsible under the current City Code of Ordinances. However, tree placement must be coordinated with the Engineering Division of the City's Public Works and Facilities Department.
Public Works	5.7 Intent	Fire/EMS is probably not going to support this. Not to mention, sight visibility triangle when trying to get out into traffic.	The Overlay will not alter "no parking" areas, and parking will be subject to sight visibility triangle requirements, as it currently is. However, where on-street parking is feasible it should be encouraged.
Public Works	5.7.2.b.i (1-4)	All things listed are located in the ROW and would require LTU to be placed.	Correct, language for LTU and coordination with Public Works included. It does require an LTU.
Public Works		For bike racks to be placed in City right of way, it would need to be approved by the appropriate City staff with regards to aesthetics, any sight distance issue it may create, and ensure it doesn't encroach upon required widths for pedestrians to get around the bike rack. From there, the owner of the bike rack would have to obtain a license to use. Once it cleared the above described hurdles, there's a chance we could do the license to use administratively through Engineering.	
Public Works	7.1.1:	Remove "Florida Greenbook, Chapter 19 Traditional Neighborhood Design." CRA does not trump LDC, FDOT, etc.	Requiring that local streets be designed to Chapter 19 standards does not trump FDOT standards. If there is a conflict with the LDC, Chapter 19 shall prevail for local streets within the Overlay boundaries
Planning Dept. (PD)	Section 4	Are these intended to be actual zoning changes? Need to add a section pertaining to appeals of decisions. Something similar to the text below: "Sec. ---. - Appeal. Any person directly and adversely affected by a decision of the Building Official, the City Engineer, the Parks and Recreation Department, or the Mayor or his or her designee in the interpretation or enforcement of the provisions of this section may appeal such decision to the zoning board of adjustment. Such appeal shall be submitted in writing to the within thirty (30) days of the rendering of the subject order, requirement, decision or determination."	The overlay will not alter allowable land uses under the currently zoning, however, it will, in some instances modify dimensional standards and provide additional clarifying language related to the existing zoning Instead of copying LDC language into the Overlay District, we will reference Section 12-12-2 for appeals and variances.

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Planning Dept.	Section 4	It was mentioned (at least once by a member of the public) that this would help with “preservation” in these districts, but the context in which that was stated referred to demolition of existing structures. Sections 5 & 6 in the Table of Contents actually describe the contents of Appendix A, so my suggestion would be to consider either removing Section 4 from the Table of Contents or revising it to say “Amendments to Land Development Regulations” or something similar that is less specific to zoning.	This section and the Appendix A reference has been removed in its entirety. The contents of Appendix A have been incorporated into the Overlay, as appropriate.
Planning Dept.	12-2-8 Table 12-2.7	The Dense Business Area has a maximum setback of 10' for all commercially zoned properties (C-1, C-2A, C-2 and C-3). Is the intent to supersede that requirement with this table in the CRA? If so, is C-1 excluded from having a build-to line/max setback intentionally?	According to the tables, commercial is restricted to a maximum 5 foot setback. Our proposed regulations will supersede.
Planning Dept.	General/Admin Comments	The overlay as written would not protect against demolition of existing structures, it preserves neighborhood character by determining what can be rebuilt. Given recent concerns regarding the demolition of older structures in neighborhoods that don't have a formal Board review of that process, I want to make sure we are clear to the neighborhood stakeholders that there is nothing in the proposed overlay that would prevent someone from coming in to get a permit to demolish a structure, and does not add a review process for approval of a demo permit.	Agreed with comment
Planning Dept.	12-2-81 (B)(1)	Is the intent to involve the ARB in the review process? It is referenced in the main section of the Code due to its applicability in some areas citywide, so might need to clarify if it is only referenced as it would pertain to areas in the CRA already under the purview of the ARB.	No, it is not the intent to involve ARB in the review process. All plans will be reviewed through the City's existing review processes. No special review will be required.
Planning Dept.	12-2-4 Table 12-2.2	Is the intent to actually create a zoning category of "CRA R-1AA" or is this prefix only used for clarification purposes in the document? If it will actually be an amendment to the zoning category title (creating a new category of CRA R-1AA) then the zoning map would need to be amended for consistency.	No, it is not the intent to create a separate CRA zoning categories. All dimensional modifications will be incorporated into the Overlay. Allowable land uses under the current zoning will not be impacted.
Planning Dept.	12-6-3 (A)	Is this specific to the CRA areas only? If so, would recommend editing the zoning districts to remove ATZ, R-C and any other districts that are not located in the CRA.	Yes, the Overlay is specific to the Urban Core, Westside and Eastside Redevelopment Areas, excluding the City's existing Special Review Districts (SRD's) and the Port of Pensacola. This section have been incorporated into the Landscaping Standards section of the Overlay.
Planning Dept.	12-2-81 (B)(1)	Department/Division titles are outdated (were being updated via recodification which was not approved by Council). Current titles are: Planning Services Division; Engineering is a Division under Public Works & Facilities (would check with Derrik for correct wording); Inspections Services Division; Parks and Recreation Department (no longer Leisure Services); Fire Department is unchanged; see my note regarding ARB; ECUA is now Emerald Coast Utilities Authority vs Escambia County Utilities Authority. Would also add CRA staff to the list.	Once 12-2-81 is amended, the changes becomes effective. It should not be necessary for CRA to be a formal party to the review process since it is the intent for the overlay to be concise and regulatory in nature, rather than subjective. Additionally, it is rare for projects located outside of the SRD's to be subject to this review process - most go straight through permitting.
Planning Dept.	5.5	Would add a provision for CRA staff to be involved in review and approval of building design/layout.	Review processes are intended to remain as they currently exist. Overlay requirements will not be subjective in nature and therefore will not require additional review or input. All requirements will be incorporated into an administrative checklist and subject to a "yes" or "no" response. In addition, CRA staff are not zoning experts.
Planning Dept.	12-2-82 (D)	This section reads “Design guidelines” but most of the language is changed from “should” to “shall” in the subsequent text. It should read “Design Standards” and be double-checked for any remaining “should” to be changed to “shall”.	This section has been removed.
Parks & Recreation Dept.	Table 5.4.1.(B)	Trees: Who maintains? What type? Are there limits?	Trees in private yards shall be maintained by property owner or HOA. See section 6.1 for restrictions on landscaping in private yards.
Parks & Recreation Dept.	Table 5.4.1.(D)	Tree grates: Who maintains?	This section related to the installation of tree grates, pits and pots on private property. Reference to installation of tree grates and pits have been removed. Installed pots on the private lot are to be maintained by the property owner. However, language has been added to Section 6.3 for installation of tree grate and pits within the public right-of-way to provide that grates and pits installed by private owners be maintained by the owner. Also, tree grate and pit installations must be consistent with surrounding grate/pit style and subject to review and approval by the Public Works and Facilities Department.
Parks & Recreation Dept.	5.7.2.b	who selects type, approves location, maintains and installs?	Language clarified.

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Parks & Recreation Dept.	6.1.1.a	Trees: Who maintains?	Any landscaping / planting in private lots maintained by property owner.
Parks & Recreation Dept.	6.1.1.e	Hedges: Who maintains?	Any landscaping / planting in private lots maintained by property owner.
Parks & Recreation Dept.	6.3.2	Why not Parks and Recreation Dept. Director for approval?	Will follow current City procedure.
Parks & Recreation Dept.	6.3.5.f	No palms – redundant.	Agreed, reference removed.
Parks & Recreation Dept.	6.3.6.a-e	Trees maintained by who?	Trees planted in ROWs are maintained by the adjoining property owner.
Parks & Recreation Dept.	12-6-02	“Section XX (frontage yards)” – Section XX?	Response provided above.
Parks & Recreation Dept.	12-6-02	Where is section D?	No changes proposed to Section D. Only included those sections with proposed edits.
Parks & Recreation Dept.	Table 5.4.1.(A)	What type? Are there limits?	This standard requires that 50% of the front yard be pervious material. Paving, including pervious pavement, is limited to walkways and driveways. All pervious materials which do not constitute paving are permissible.
Parks & Recreation Dept.	Table 5.4.1.(C)	Landscape: Who regulates?	Landscaping to comply with existing landscape regulations. Any landscaping in private lots maintained by property owner.
Parks & Recreation Dept.	6.3.4	Tree fund – Who manages?	The CRA Tree Fund is proposed to be managed by the CRA.
Parks & Recreation Dept.	6.3.5.b	Trees maintained by who?	Adjoining property owner.
Parks & Recreation Dept.	6.3.5.e	Trees – who determines?	Subject to coordination with PW.
Building Inspections	5.1.2.b	Please address how this is determined if there is no sidewalk adjacent to the site.	Language revised to read average grade, as defined in building code.
Building Inspections	5.1.2e.ii	Clarify statement as to how ground floor height is measured.	Language revised to read average grade, as defined in building code.
Building Inspections	5.1.2.f.iv	Clarify statement as to how ground floor height is measured.	Language revised to read average grade, as defined in building code.
Building Inspections	5.1.2.g	This statement contradicts the definition of story height in the Florida Building Code.	Clarified language in code.
Building Inspections	5.1.4.a	Provide the definition and use of towers and loggias.	Deleted this section since your underlying regulations are more permissive in this case.
Building Inspections	5.1.5.a	Explain how this roof pitch was determined. Minimum 6:12	Discussed in meeting on 3/19. It is in keeping with the character of your neighborhoods and your SRDs recognize this already. It is our recommendation to extend this regulation across the CRA areas.
Building Inspections	Table 5.3.1	States front setback is 20’ minimum, with a façade type of porch. When viewing Table 5.5.1Facade Types a covered porch is a requirement and must be a minimum of 6’ deep and no more than 10 feet. This seems to be a large encroachment into a required setback.	Discussed in meeting on 3/19. This will permit existing homes to add a porch.
Building Inspections	Table 5.3.1	(Setbacks – Accessory Structures) the minimum side yard setback is 1 foot. Please take into account eave overhangs, water runoff and fire rating requirement of walls.	Discussed in meeting on 3/19. This will permit existing homes to add a porch.
Building Inspections	Table 5.3.2	(Setbacks – Accessory Structures) the minimum side yard setback is 1 foot. Please take into account eave overhangs, water runoff and fire rating requirement of walls.	Discussed in meeting on 3/19. Retaining water on own lot is a requirement. We encourage smaller setbacks for accessory structures given narrow width of many lots. Building code standards will have to be adhered to for fire-rating.
Building Inspections	Table 5.3.5	Define Hybrid Commercial.	Defined.
Building Inspections	5.4.1	Identifies urban design guidelines, but all sections state “shall” which indicates these are in fact standards and not guidelines.	Section removed.
Building Inspections	Section 5.5.1.e.i. (1)	States first floor elevation shall be a minimum of 9 feet above sea level. I don’t understand this requirement as Main Street is basically where the 9 foot seal level occurs and anything below that must meet the floodplain requirements.	Deleted this section as already addressed in the underlying regulations and we do not want to repeat anything in the Overlay that is already covered.
Building Inspections	Section 5.5.1.e.ii and iii	Once again mention sidewalk grade. This is assuming sidewalk exists	Changed to average grade as defined within the Building Code Standards
Building Inspections	Table 5.5.1	Do not address the Florida Accessibility Code as far as accessible entrances. The Stoop type entry at 36” minimum would require a 41 foot long ramp for accessibility and the Common Entry would require a minimum 18 foot long accessible ramp.	Revised minimum height to 34 inches, instead of 36 inches.
Building Inspections	Section 5.5.3.b	Prohibits the use of extruded aluminum storefronts. Since Florida Product Approval is required for external building components, please identify what components can be used for storefronts that will meet the code requirements.	Revised language to read use of extruded aluminum storefronts permitted with decorative trim.
Building Inspections	Section 5.6.3 and Table 5.6.2:	The illustration show the actual building encroaching the right of way by 8 feet. Please advise as to how this would be possible.	Arcades and colonnades removed from Overlay.

CRA Urban Design Overlay District- City Staff and Community Comments

Building Inspections	5.8	This section is totally contrary to the fence requirements in the Land Development Code for every other area in the City, including historic and preservation districts in regard to heights.	Our recommendation is a slightly lower height in the front (42", instead of 48" max) but a taller height in the rear (up to 8 feet).
Building Inspections	5.8.4.d	Requiring adjacent wood fences to have a different picket design is not even a requirement in the historic districts.	Removed this section.
Building Inspections	5.8.4.e:	This section stating that you can only have wrought iron or brick fences only in conjunction with masonry buildings. Where did this come from? And please explain why they would not be allowed.	Discussed in meeting on 3/19. This regulation included in your SRDs. Removed this section.
Building Inspections	General/Admin Comments	Where is the appeals process for reconsideration of a decision by whichever office conducts the review?	Appeals process will remain as it currently is. All appeals will be processed in accordance with Section 12-12-2.
Building Inspections	General/Admin Comments	Has there been any cost studies conducted to determine how much these standards will add to the cost of a home, multifamily or commercial building?	Not in scope and difficult to quantify accurately. Generally, we would urge you to look at cost reductions too, if you are to look at cost increases, in addition to appreciating property values.
Building Inspections	General/Admin Comments	At yesterday's meeting it was stated that there were still changes being made so this list of comments may not be complete.	Changes are being tracked for ease of review.
Building Inspections	Section 5.5.3.b/5.9.2	Florida Energy Code encourages the use of reflective glass to cut energy costs.	Clarified language to apply only to ground floor commercial uses.
Building Inspections	General/Admin Comments	Who or what board is going to do the actual review of plans to verify compliance with the Overlay Standards? No one has approached my office with any requests to do reviews, or asked for my recommendations	Review processes are intended to remain as they currently exist. All requirements will be incorporated into an administrative checklist and subject to a "yes" or "no" response. No additional review board will be necessary.
Building Inspections	General/Admin Comments	Is there to be a review fee associated with verification of compliance?	No new fee structure is proposed.

COMMUNITY COMMENTS			
Commentator	Referenced Section	Comment	Response
Sandy Walker	5.8.4.b	In the area regarding fences, why does it not permit vinyl? Typically it holds up better than wood, especially if the wood is not treated or stained.	We can, however your most beloved neighborhoods do not permit vinyl, it is an inferior material that looks and feels cheap, in comparison to more authentic materials.
Christopher Kariher, STOA Architects	None Referenced	I enjoyed yesterday's meeting yesterday and thank you for inviting architects. We really appreciate your efforts in making Pensacola a better community. Here is my comment: INTENT: To encourage parking toward the rear of lots in single family development; allowable size of accessory structures should be increased beyond the current zoning code. ACTION: Allow for larger accessory structures located in the rear of single family residential to accommodate parking in the back of lot with a detached garage. This would encourage standalone car garages and give some allowance for the lost buildable area square footage by using part of the lot buildable area for the driveway to get back to the detached garage.	Mr. Kariher, thank you for your comments. We will consider.
Wayne O'Hara	None Referenced	Thank you for the update on the CRA Overlay process. I would like to express my concern over the lack of notification to concerned and affected citizens, like me, about these proposed guidelines and standards. I own property in the CRA District and I was not notified by the City about this process being in place. The only way I knew about yesterdays "Lunch and Learn" was because of a discussion I had with a developer near my office. Fortunately, he let me know about this meeting and I was able to attend. This is a very lengthy and complicated proposal that will require hours of review to fully understand the potential impact this will have on future development and construction. We understand the City has good intentions by implementing this process/proposal, but we also believe the people of Pensacola deserve a reasonable amount of time to review and respond to this new Overlay District Proposal. The email you sent today, which notified us of two meetings this Monday, is greatly appreciated, but hardly gives ample time for us to plan to attend and formulate an educated response to this proposal. We would ask that you either postpone this meeting or provide additional opportunities for our input prior to this becoming the Law of the Land. I have meetings already scheduled during both of the meetings on Monday so will be unable to attend. I would like to ask, if possible, you read this message during the Q & A session at one or both of those meetings. Thanks again for all your help.	Mr. O'Hara, thank you for your comments. It has been the intent of the CRA to maximize public input and participation throughout the design standards overlay process. Please be advised that a postcard was sent to all property owners located within the affected area prior to the charrette that was held the week of February 12, 2018. The CRA has verified that your address was included on the charrette notification postcard mailing list. Additionally, the comment period was extended and additional public input sessions added to the schedule to provide additional opportunity for public comment and engagement.

CRA Urban Design Overlay District- City Staff and Community Comments

Jarah Jacquay	None Referenced	I am writing to express my strong support for the CRA's Draft Urban Design Standard Overlays. I commend you, Ms. Helen Gibson, our City Council, the Planning Board, and Mayor Ashton Hayward for your vision and strong leadership in support of this project. I believe that the proposed standards will achieve their desired end-- "Strengthening Connectivity, Strengthening Neighborhoods, and Ensuring Quality in Design and Development"-- and will, by preserving our historic character and charm and by promoting high-quality development that is compatible with our vernacular form, have a transformative effect on our city. If implemented, I believe that the CRA's Urban Design Standard will make Pensacola a better place to "Live, Work, and Play" and will greatly enhance walkability and streetscape vibrancy, increase property values and tax revenue, promote place-based tourism, and facilitate talent recruiting/retention. Thank you again for your service to our community and your efforts to make Pensacola a more vibrant and livable city! I think these Urban Design Standards are a strong step in the right direction and am excited to see how they contribute to the revitalization of our CRA districts.	Thank you for your comments.
Griffin Vickery	5.1.2.g	Please accept the following comments on the proposed urban design standards. I am not familiar with the current city regulations more generally, and could not make a complete review of the proposed overlay standards in the time available, but the following are in response to what I was able to review: Section 5: Urban Standards & Guidelines 5.1 Building Height 5.1.2.g implies that building heights can exceed the maximums, but the intent appears to be that a building story that exceeds the maximum story heights in "e" or "f", as applicable, will be considered two stories.	No buildings are not encouraged to exceed the maximum - quite the contrary. It just means that if a building does exceed the height it is considered an additional story higher which may make it non-compliant.
Griffin Vickery	Table 5.3.1	Detached Single-Family & Duplexes (R-1AA, R-1A) The identification of a "Front, Side" as item "b" of the principal building setbacks (and "f" for accessory buildings) would be less confusing if identified as "Front, secondary," consistent with both the illustration and "Frontage & Lot Occupation" section of the table. The front setback (a) would accordingly then be "Front, primary."	This was changed to side, so less need for primary.
Griffin Vickery	Table 5.3.1	The "Frontage & Lot Occupation" section appears to only be frontage occupation, especially since a lot occupation section follows.	Correct, this has been changed.
Griffin Vickery	Table 5.3.1	The referenced Section 5.6.1 regarding encroachments in note (2) does not appear to be the intended reference regarding principal building height.	Yes, these were updated in subsequent drafts.
Griffin Vickery	Table 5.3.1	There is reference to note (3) in the parking section of the table, but no such note appears.	Yes, these were updated in subsequent drafts.
Griffin Vickery	Table 5.3.1	The illustration would benefit from an accessory building buildable area. If not provided, the lettering of the individual setbacks (e-h) should be discarded.	Correct, this has been changed.
Griffin Vickery	Table 5.3.1	The illustrations would benefit from more realistic and proportional representations of front and rear setbacks (i.e., closer to 4 and 6 times the side setback, respectively).	Correct, this has been changed, with the fixes that were tied to the prior comment.
Griffin Vickery	Table 5.3.1	The illustration would benefit from enlargement to fully utilize the space.	Agreed, the illustrations have been enlarged.
Griffin Vickery	Table 5.3.1	Additionally, it is not necessary to show four different renderings of single-family dwellings – two would be adequate.	Thank you for your comments. We will consider reducing the number of renderings.

CRA Urban Design Overlay District- City Staff and Community Comments

Griffin Vickery	Table 5.3.2	Table 5.3.2: Attached Single-Family (Townhouses) (R-1A, R-1B). The principal building setbacks section of the table indicates a 0 or 5-foot minimum interior side setback. Since these are attached units, the 5-foot is assumed to apply only to an end unit on an interior lot. If so, it would be clearer to separate it in the table section or show a 10-foot separation between two midblock units in the illustration.	Thank you for your comments. We will clarify.
Griffin Vickery	Table 5.3.1/5.3.2	Some of the comments made on these two tables also apply to the other tables of the section. Tables are helpful to summarize information, but if too brief in content they can cause confusion.	We agree. Thank you for your comments.
Griffin Vickery	6.1.1.a	Section 6: Additional Landscape Standards 6.1 Landscape on Private Property In 6.1.1.a, DBH is used to identify the diameter of “trees planted to meet this requirement,” but Florida Grades and Standards indicate DBH is not an appropriate measure for nursery trees. It is presumed that those grades and standards are specified in the other landscaping standards to achieve quality tree plantings the City wants. If so, caliper is the standard diameter measure of such trees. If not, I would recommend their adoption as a common reference for all parties in development.	Agreed, we will change from DBH to caliper for standard diameter measurements.
Griffin Vickery	Section 8	Section 8: Definitions. Additional definitions. In the definition of Building height, single-family residential , the measure is proposed to be “to the bottom of the eave.” Since houses often have more than one eave height, the definition should specify which eave height – lowest, highest, average, or other.	Agreed. The definition of "Building height, single-family residential" will be clarified to mean "the vertical distance of a building measured from the average elevation of the finished grade to the bottom of the lowest eave.
Griffin Vickery	Section 8	In the definition of Facade, building , the phrase “set along a frontage line” may be less confusingly defined as “facing a frontage line,” which is the explanation included in the definition of Frontage line . That, or some other phrasing, would more clearly indicate the possibility of some area between the building facade and the frontage line as is revealed in the definition of Frontage yard type . As building facade is proposed to be defined, one must read several other definitions to conclude that the facade is not necessarily directly along or coterminous with the frontage line.	Agreed. The definition of "Façade, building" will be clarified to mean "an exterior wall of a building that faces a frontage line."
Fred Gunther	Not referenced	Can you define what Special Review Districts are exempted from the DPZ design requirements? I assume Gateway Redevelopment District, Governmental Center District, Palafox Historic Business District, South Palafox Business District, Dense Business District, Old East Hill Preservation District, Waterfront Redevelopmetn District, North Hill Preservation District and the Historic District, correct?	The Special Review Districts (SRD's) which are exempt from the CRA Urban Design Standards Overlay include the Gateway Redevelopment District, South Palafox Business District, Waterfront Redevelopment District, Governmental Center District, Old East Hill Preservation District, Palafox Historic Business District, Historic District, and the North Hill Preservation District. The Port of Pensacola is also exempt.
Fred Gunther	Not referenced	If so, will this be defined in writing within the standards?	Yes, the overlay district boundaries will be defined in writing within the standards, and is available on the project website (www.cityofpensacola.com/CRAOverlay).
Fred Gunther	None Referenced	Can you tell me where to find the maps for each existing Special Review District within the Urban Core CRA?	The Special Review District (SRD) boundaries are available for review through the CityView application located on the City of Pensacola website (www.cityofpensacola.com), however, please verify all SRD boundaries with the City of Pensacola Planning Department.
Fred Gunther	Table 5.5.1: Façade Types	Can you also tell me how grade is defined on page 21? There is nothing listed under definitions in the draft and I see a couple of façade types have an entry grade with a maximum height above grade. I am asking because my site is built up and sits approximately 2' higher than the sidewalk (slopes from sidewalk to 2' higher approximately 10' in from the sidewalk).	Grade shall be determined by the average grade along the front property line, as defined by Building Code Standards. This clarification will be included.

CRA Urban Design Overlay District- City Staff and Community Comments

Fred Gunther	None Referenced	I appreciate the invitation to comment on the Community Redevelopment Agency's plan to implement design requirements and change the Land Development Code related to all properties within CRA overlays which are not within a Special Review District. I have become involved in the process because my brother and I are in the middle of creating a mixed use development, called Galveztown, at the NE corner of Palafox and Belmont Street on the former YMCA site. Over the last year we have hired engineers to create a site plan and held predevelopment meetings with City staff to confirm that all aspects of our project are compliant with the City of Pensacola's Land Development Code. After this, we contracted to have the building demolished and have engaged Gulf Power to have the power lines surrounding the site moved underground. Several of the lots are under contract with Buyers who are planning to build their personal residences on the site. In addition, we have hired architects to design two single family homes on the site which we will begin building this year. Essentially, we have invested an incredible amount of time and money creating a Class A development in our downtown core. As a result, we want to make sure this investment is protected and have been attending the recent charrettes.	Mr. Gunther, thank you for your comments. It is the intent of the CRA to preserve the traditional urban neighborhood environment by establishing urban design standards which adhere to a form-based methodology and result in a predictable development. We believe that adoption of these standards will, in fact, prove to protect the investments of developers and the investments of their buyers who chose to live here. Research proves that communities which adopt urban design standards expodentially outperfrom those who do not. The benefits of implementation include enhanced resident and visitor attraction, community health and economic viability, amongst many others.
Fred Gunther	None Referenced	During this process, we were pleased to find out that our property was not included in the Urban Core CRA overlay area. I hope you can understand the frustration we felt when the map changed today (After all of the charrettes and input sessions are over and on the very last day comments are due to the CRA), suddenly including us in the overlay. As a result, new aesthetic, landscaping and setback requirements affecting us are being fast-tracked for implementation. These requirements have nothing to do with the building code and they are both arbitrary and subjective. In addition, no exception has been made for those who have already proceeded with developing a property based upon the existing land development code. Allow me to give you several examples:	The boundary maps were revised to correct boundaries which were incorrectly referenced due to a geographical conversion error. Since the project's inception, the CRA has confirmed that the overlay boundaries would be limited to the City's three community redevelopment areas which include the Urban Core, Westside and Eastside, excluding the City's existing Special Review Districts (SRD). The Port of Pensacola was added to the excluded area during the map revision, as it was established that the Port's activities were inappropriate for inclusion within the Overlay. No additional changes were made. We sincerely apologize for any inconvenience this has caused, and extended the public comment period accordingly. The extended schedule included two additional public input sessions in which the correct map was distributed.
Fred Gunther	Table 5.3.2, Form Standards	1.) There are currently no setbacks required on our site. As a result of input from our Architect, as well as our Civil Engineer, we created a 3' side setback on each lot so there will be a distance of approximately 6' between each of the homes. This allows the homes to have windows on the side but still maintain the high density you would expect along the downtown Palafox Street corridor. These parcels have been surveyed and are ready to be transferred. The new requirements state the side setback needs to be either 0', or a minimum of 5'.	None.
Fred Gunther	6.1.1.a	2.) We have designed the Palafox residences to be pushed to the street, as you would expect in an urban environment. Our Architect has designed a home which uses a 2.5' front setback. The new requirements state you must plant a tree in your front yard and the tree must be at least 3' from the right-of-way. DPZ has agreed on two separate occasions that this requirement is not appropriate for a residence in the downtown core and yet the requirement is still contained in the draft.	The reference to distance from right-of-way for trees on private property has been removed. Property located within the Dense Business Area will adhere to the front setback and lot coverage defined in Section 12-2-8, Table 12-2.7, as it relates to the Dense Business Area.
Fred Gunther	Table 5.5.1: Façade Types	3.) Because our site is built up several feet already, we would likely violate the maximum entry grade height of 48' even if we only slightly elevate the slab. If addition, the slab at the front entry will need to be built up by several feet because there is a significant slope to the lot.	Elevations will be measured based on the average grade, measured from the front property line. This will address sloping issues. This language has been clarified within the text.
Fred Gunther	Section 2, Applicability	As you can see, all of our plans meet the current land development code, but the proposed overlay will result in additional expense and problems if these changes are implemented. We have already created a set of design guidelines for our development, with the intent of holding residents to high standards, as well as maintaining some consistency in the development of these parcels. If we obtain building permits for several homes now with a 2.5' front setback on Palafox before the design standards are implemented, we could end up with some homes 2.5' from the sidewalk, with others, permitted later, approximately 6' away to allow room for a tree in the front yard. A person should have the right to know what they are able to build on a property without worrying about the government arbitrarily changing the entitlements associated with the property in the middle of the development process. As a result, I respectfully request the following amendment to your draft: "Section 2.9 - These standards shall not apply to any property where the property owner has had a pre-development meeting with City Staff, prior to implementation of the CRA Overlay District, which met the requirements of the City of Pensacola land development code at that time."	In accordance with the City's standard practices, the new standards will not apply to any proposed development which has received a development order or a building permit as of the effective date. Pre-development meetings serve as informal informational sessions rather than an approval procedure, and therefore cannot be considered due to their nature. To accomodate transitions, a forty-five (45) day grace period will be provided . This is a forty (40) day extension beyond the City's standard practice. Upon the conclusion of the grace period, the standards will become effective and implementation will begin.
Nina Goodrich	None Referenced	I would like to share a concern of citizens on the edge of downtown. Gregory Street, Chase Street, and L Streets flood now when a small rain comes through. With all the new buildings this flooding problem could become much worse. I would hate to see Pensacola become the next New Orleans, or Houston---people dying during hurricanes due to preventable flooding. The problem began when sidewalks were created---Throughout the Maxent Track, now West Garden District. This is a stable area of the city. People look out for one another. Thank you for all you do.	Ms. Goodrich, thank you for providing these comments. Flooding and stormwater issues are a concern for many downtown areas. The proposed requirement to elevate homes has the potential to reduce flooding of new construction homes, however, the overlay in and of itself cannot directly address stormwater and flooding overall. Instead, these standards are intended to ensure that development is contextual with the City's goals and vision for its redevelopment areas by preserving the traditional urban neighborhood characteristics of these areas.

CRA Urban Design Overlay District- City Staff and Community Comments

Fred Gunther	None Referenced	What Board will review and approve variance requests to the proposed changes?	The Zoning Board of Adjustments (ZBA) will review and approve variance requests in accordance with Section 12-12-2 of the Land Development Code.
Fred Gunther	None Referenced	What fee will the City charge in order to apply for said variance?	No fee changes are proposed. Fees will be assessed in accordance with the City's adopted fee schedule.
Fred Gunther	None Referenced	Will the fee be charged regardless of whether or not the applicant demonstrates a hardship and is granted the variance?	Fees will be assessed and reimbursed in accordance with the City's current policies.
Scott Sallis	3.1	Recommend adding "development orders, plat approvals, or other projects discussed with City staff prior to ????? date"	To accommodate transitions, a forty-five (45) day grace period will be provided. This is a forty (40) day extension beyond the City's standard practice. Upon the conclusion of the grace period, the standards will become effective and implementation will begin. Project discussions with City staff do not serve as an approval process and therefore cannot be included due to their nature.
Scott Sallis	5.1.5	recommend "should" have minimum. (It's too restrictive to demand roof pitch requirements)	The intent for adopting urban design standards is to preserve traditional neighborhood character. Roof pitch is a key component of the character which exists within the community redevelopment area neighborhoods. It must be preserved in order to ensure that new development dovetails into and complements the existing neighborhood environment.
Scott Sallis	5.5.3.b	recommend removing this text. (The LDC must consider extruded aluminum for commercial storefronts as a viable option)	This language has been revised to allow extruded aluminum storefronts with decorative trim.
Scott Sallis	5.5.3.d.	recommend changing to "shall consist of.." (demanding materials here will easily be seen as restrictive)	The language contained within this section will ensure quality development which maintains its integrity over time and complements the existing neighborhoods.
Scott Sallis	5.9	WINDOWS & GLAZING (recommend striking this entire section) It is full of too many unnecessary restrictions)	The window proportions, design and glazing proposed are key elements which preserve neighborhood character and integrity, and provide welcoming, and walkable public spaces by preventing blank walls. These proposed standards are essential and necessary factors in meeting the goals and objectives of the overlay.
Scott Sallis	Table 12-2.7	C-2A, (if zero is allowed, it doesn't make sense to demand 5' as next option. We have a development within the CRA that needs 6' between buildings and thus we have 3' side setbacks) See example below. As written this development would not comply....	Properties within the Dense Business Area will be exempt from the 5' setback requirement.
			

CRA Urban Design Overlay District- City Staff and Community Comments

Steve Dana	6.1	Thank you for this effort to improve our standards in the CRA district. As a landscape architect I understand what a great impact well designed landscape and exterior space has on a community. Our current landscape standards require impervious surface requirements, and tree island in off-street parking, however, the codes do not require landscape plantings or even trees in these areas. Section 12-6-3 Landscape Requirements sets up interior planting areas but does not require trees to be planted in interior islands or areas and states that the remaining areas can be landscaped with "other landscape materials." In many cases "other landscape materials" results in pine straw. I hope that you can clean this up so that the code actually requires canopy trees in the interior landscape areas and requires some percentage of shrubs, turf, mulch in the remaining areas. The City of Fort Walton Beach and Panama City Beach have decent language that describes such percentages. Please let me know if you have any questions regarding these comments. Thank you again.	Mr. Dana, thank you for your comments.
Wayne O'Hara	None Referenced	Please find attached the summary of my verbal comments from the public input session of last Thursday, April 5, 2018. Thanks again for the opportunity to provide this input and please let me know if you have any questions or need additional information. 1. Thanks for opportunity to provide input on this proposed set of standards and guidelines. 2. Commend DPZ on thorough and comprehensive proposal. 3. I began investing in real estate in the CRA area in 2002-16 years ago. Have purchased 6 separate pieces of property since that time. 4. I have a vested interest in area and currently maintain my construction office on Intendencia Street. 5. Enjoy the neighborhood and want to continue to promote and support future good development in the area. 6. I am Concerned about extra layer of rules and regulations that will be mandated by this new set of CRA Urban Design Standards. I have both "General" and "Specific" areas of concern a. Generally-Additional set of hurdles for developers/real estate investors to clear. May discourage development. b. Specifically-Reference paragraphs in Proposal:	Mr. O'Hara, thank you for your comments. It is the intent of the CRA to preserve the traditional urban neighborhood environment by establishing urban design standards which adhere to a form-based methodology and result in a predictable development. We believe that adoption of these standards will, in fact, prove to protect the investments of developers and the investments of their buyers who chose to live here. Research proves that communities which adopt urban design standards expodentially outperfrom those who do not. The benefits of implementation include enhanced resident and visitor attraction, community health and economic viability, amongst many others.
Wayne O'Hara	1.1.1	1.1.1 States "Encouraging new construction" -I tend to disagree, since this presents another set of rules and regulations, above and beyond what already exists, that complicates the development process.	As described above, research shows that design standards do not curtail development. While additional requirements are enforced, the standards lend themselves to a better built environment which improves value and attraction. Additionally, the proposed standards will not require the additional time or cost of a special review board. Rather, projects will be reviewed administratively through the City's existing processes.
Wayne O'Hara	2.1.1/3.2	2.1.1 States "Apply to all new construction, additions and renovations" Vs. 3.2- refers to "Substantial Modification" -which one is it? Please clarify.	The standards will apply to all new construction and substantial modifications as defined by the existing Building Code Standards. This clarification has been made within the text.
Wayne O'Hara	2.2	2.2 "In addition" to applicable regulations-Already many regulations in place, ie., Comprehensive Plan, Future Land Use, Zoning, Land Development Code, Architectural Review Committee, Florida Building Code. Don't think we need more rules.	Existing regulations do not sufficiently address building form or character. Rather, development is unpredictable yielding both good and bad results. The design standards are proposed to ensure predictable results which preserve the traditional urban neighborhood character of some of the City's most treasured and valuable areas.
Wayne O'Hara	5.1	5.1 Measure in stories vs. table 5.3.2 sets building height@ 45 feet. Conflicting rules, please clarify.	Measurement in stories relates to nonresidential and multifamily. Measurement in feet relates to single family detached, attached and two-family attached (duplex).
Wayne O'Hara	5.1.5	S.1.5 Roof pitch min. 6:12--many commercial metal buildings have a 2:12 roof pitch or less. Will hamper commercial development.	The traditional roof pitch within these neighborhoods contain a 6:12 or greater roof pitch. While there may be some outlyers, the majority of development adheres to this standard. The intent of the proposed standards is to preserve the traditional neighborhood form. The roof pitch proposed ensures that development dovetails into the existing framework.
Wayne O'Hara	5.3.4.b	5.3.4b Dictates what fence material can be used. Due to costs of materials itemized, will force all fences to be wood.	Thank you for your comments.
Wayne O'Hara	5.4	5.4 Frontage types. "Existing neighborhoods with a well-established character" Who decides what the "well-established character" is? Do other Standards and Guidelines still apply? This paragraph seems to add subjectivity and vagueness.	The language contained within this section is guiding language intended to establish intent, it is not regulatory. Standards which are regulatory and mandatory are activated by the word "shall", guidelines which are recommended and encouraged, but not mandatory are activated by "should". The standards and guidelines contained within the overlay apply in accordance with these definitions.

CRA Urban Design Overlay District- City Staff and Community Comments

Wayne O'Hara		Some examples of eliminating driveways and parking of vehicles in the front yard area were shown. While this concept sounds and appears attractive, I'm concerned over where the vehicles would then park. If forced to park in the street, with the width of many of the neighborhood streets in this area, it will cause a traffic hazard with parked vehicles obstructing traffic flow.	Most Pensacola streets are considered yield streets capable of accomodating on-street parking on both sides, and a travel lane in between. These streets are common in cities all over the world, and are utilized in a manner in which maximizes on-street parking and density, improves walkability on the sidewalks and enhances pedestrian safety. Enforcement is required to ensure that parking is orderly, however, this design is a tried and true method which provides many benefits in urbanized settings. All parking will be subject to maintaining visibility triangles, and no parking will be allowed in "no parking" zones.
Wayne O'Hara		To summarize--Many codes, regulations, rules, etc. already in place - construction and development {good development) is vibrant in downtown area and CRA District - I express my concern and encourage you to be cautious in moving forward with an additional set of standards that have the potential for negative effects on development and cause developers/investors to consider other areas.	As stated above, existing regulations yield unpredictable results - some good and some bad. Due to the magnitude and extent of development and redevelopment within the City's CRA neighborhoods, it is critical that standards be adopted which inform neighborhood character and layout. The proposed standards are the minimum necessary to protect the value and integrity of the redevelopment areas, and are not intended to be overly burdensome or regulatory.
Thomas Douthat	Appendix A, Sec. 12-2-82 €	I am writing in full support of the Proposed Chapter 12-2. Zoning Districts Article VIII: CRA Overlay District. The only specific comment I have would be with Sec. 12-2-82. - (e) regarding sidewalks. I support the mandatory rule, but it should be specified with the 6 foot width and setback traditional to Pensacola, not based on the personal judgment of the City Engineer. This is not leading to a strong and well designed sidewalk network in other areas of the city. The standard as proposed is too vague.	Mr. Douthat, thank you for your comments. A component of the proposed urban design standards is adoption of the the Florida Greenbrook, Chapter 19, Traditional Neighborhood Design (TND) to guide street design, including sidewalks, within the overlay boundaries. This chapter rely's on strong integration of land use and transportation, and is intended to support improved walkability and complete street design within the overlay. Unfortunately, specific sidewalk widths cannot be adopted for all areas of the redevelopment districts as each thoroughfare is unique and faces different challenges and needs.
Thomas Douthat	None Referenced	Beyond this, what I think needs to be improved is what is "missing." Specifically, I would also like the city to allow "of right" missing middle housing in the area, including duplexes, triples, and multifamily-units consistent with the neighborhood character. The great strength of a form based code is that it can allow more housing diversity and mixing of uses, while still preserving character. Changing the design standards alone are insufficient to obtain the CRA's objective of a vibrant diverse area. Our family sizes are smaller than when the area was built in the 1900s-1950s, and we need greater numbers of units to build back population density in the urban core. The goal of a vibrant and diverse area, also necessitates an equity housing plan for strategic multi-site public housing and tax credit projects. Moreover, a large part of the problem in terms of design comes from the management of roads. These also need to be accompanied by changes to the street design and management standards to support "Complete Streets" and a Vision Zero approach to pedestrian and cycling injuries. Beyond this, I would like these standards applied in all parts of Pensacola, and at a minimum on the contiguous grid. Thank you for your efforts on this important topic for the future of the city. I hope you receive full support from City Council.	While the CRA recognizes the need for "missing middle housing" in the redevelopment areas, the development of urban design standards is limited to an overlay of the underlying land development regulations, it does not alter the underlying allowable land use types. Modifications to allowable use types would require rezoning areas currently zoned for low or medium density development to a higher zoning category.
John David Ellis, Jr.	None Referenced	I just wanted to send a quick note in support of the CRA Overlay. I think it is a critical step in promoting the unique character of the neighborhoods located in the CRA, and it will help streamline the building & development process in these areas. Thank you for your help facilitating this process.	Thank you for your comments.
Charles Holland	None Referenced	As a practicing architect w/ offices here since 1993, I really appreciate good design and hate projects where there is an absence of any originality or design thought. I also hate laws trying to regulate every choice. So I encourage a small fee to be added to those projects that do not provide a design idea and w/specific ways, directions, a project is original or builds on other good design. Which could be used to help increase property values. Also provide Guidelines to owners w/proposed project's that identify: concept intent, identifying visual contribution to community include offering community awards for excellence or original design.	Mr. Holland, thank you for your comments. We will consider this.
Zachary Lane	None Referenced	I live at 420 E Brainerd St in the East Side Neighborhood. The East Side Neighborhood is one of the neighborhoods that is a focus of the Urban Design Standards Overlay that was completed by DPZ. I would like to express my support for the plan. The East Side Neighborhood, I feel, would greatly benefit from the implementation of the plan.	Mr. Lane, thank you for your comments.

CRA Urban Design Overlay District- City Staff and Community Comments

Jordan Yee	None Referenced	I spoke briefly at the April 6 input session and would like to submit the following recap of my comments for your records: I would like to thank and applaud the City and the CRA for making such a strong effort to preserve and strengthen the character of our historic communities. DPZ is widely recognized as one of the top urban design and planning firms and I feel confident that Pensacola has chosen an experienced partner to help guide us through this process. I was three when my family moved to Pensacola in 1983. My father is a local dentist and my mother manages the practice. Both have been active in many local community organizations. I am now 38 years old and live in East Hill with my wife and two young children, but less than 10 years ago, I nearly left Pensacola for a larger urban area in search of more culture and better, more interesting career opportunities. Timing is everything and despite an exciting job offer and a built-in community of friends in another city, I chose to stay in Pensacola to start a family with my now wife. It was a difficult decision and I felt like I was leaving a lot on the table by not moving away. Fortunately, my initial reluctance and loss has turned into hope as I have witnessed the transformation of Pensacola over the last ten years. As a licensed architect, I closely watch where and how development occurs and there is so much to be excited about right now. That being said, I recently "quit" architecture because I know we deserve and can produce better development. Rather than wait for projects to be brought to me, I wanted to take a more active role in the development of our community. I am now working for a local general contractor and intend to use the construction experience as a springboard to developing my own small projects. During Ed McMahon's recent CivicCon presentation, I was particularly struck by one of his many pithy challenges, "Do you want the character of your community to shape development or do you want development to shape the character of your community?" I believe the answer to his challenge is clear. While the downtown development boom can be attributed to the efforts of many people and groups that believe Pensacola can and must be better, at its core, the boom is a testament to one idea—Downtown Pensacola is a special place worth preserving and strengthening. Downtown is where we host our most treasured local events—the Arts, Music, and Seafood Festivals, and most recently Cicovia to name a few. And it is where we host our most treasured personal events like weddings. And it is where young couples take wedding announcement photos because the most intimate, human scaled places in our community only exist downtown. The local ballet, opera, arts, and symphony communities all call downtown a few points regarding concerns from the local development, construction, and real estate communities that the new CRA overlay guidelines and standards will make development and construction in the new districts more difficult and expensive: 1) The areas in question are in highest demand and deliver the greatest returns precisely because of their historic character; 2) The best way to protect their business interests in these areas is by establishing standards that preserve and strengthen the character of those areas; 3) The idea that "regulations" make development more difficult is shortsighted when viewed in the context with the long term profitability of their real estate investments. Property owners should expect development to be deliberate and contextually appropriate or risk the decline of property values over time as the original character of the place is lost; 4) Countless case studies have shown form-based codes and the associated checklists make development easier because the review process is more objective and not subject to panel or board review. 5) The notion that added costs required by overlay standards make new development unfeasible ignores the fact that those costs directly translate to value added AND increased resale value. Residential properties values in downtown can top \$300/sf, which far exceeds \$225/sf in East Hill, which is continues to be one of the hottest neighborhoods in the area. 6) Guidelines are well-intentioned, but have no teeth and standards are a much stronger tool to ensure that local historic character (and	
Jordan Yee	None Referenced	new CRA overlay guidelines and standards will make development and construction in the new districts more difficult and expensive: 1) The areas in question are in highest demand and deliver the greatest returns precisely because of their historic character; 2) The best way to protect their business interests in these areas is by establishing standards that preserve and strengthen the character of those areas; 3) The idea that "regulations" make development more difficult is shortsighted when viewed in the context with the long term profitability of their real estate investments. Property owners should expect development to be deliberate and contextually appropriate or risk the decline of property values over time as the original character of the place is lost; 4) Countless case studies have shown form-based codes and the associated checklists make development easier because the review process is more objective and not subject to panel or board review. 5) The notion that added costs required by overlay standards make new development unfeasible ignores the fact that those costs directly translate to value added AND increased resale value. Residential properties values in downtown can top \$300/sf, which far exceeds \$225/sf in East Hill, which is continues to be one of the hottest neighborhoods in the area. 6) Guidelines are well-intentioned, but have no teeth and standards are a much stronger tool to ensure that local historic character (and	Mr. Yee, thank you for your comments.
Jordan Yee	None Referenced	Rather than close with a line by line confirmation of the wisdom captured in the proposal, I would like to close instead with a few personal notes and a challenge to our City. My 32-year old sister creates custom jewelry and her husband is an online trader. They recently left San Francisco and returned to Pensacola to care for a sick family member. While Pensacola is dramatically different than it was when she left over a decade ago, being home is a daily reminder of the amazing quality of life they gave up when they left San Francisco. I will be disappointed, but I won't be surprised if they leave Pensacola for an urban area that offers more...everything. My 29-year old brother is a dentist and officer in the Air Force. His wife is also a dentist. They currently live in Charleston, SC, one of the best preserved and most walkable small cities in our country. They are considering where to move when my brother's time commitment is fulfilled next year. Pensacola is in the running for a number of reasons—proximity to family and friends, a turnkey business opportunity, our beautiful natural resources, etc.—but they remain on the fence because they have both spent the last ten years of their lives living in urban areas that offer more...everything. Pensacola will never be San Francisco or Charleston, but as citizens we are responsible for creating the best version of Pensacola we can. I can tell my sister and brother that good things are happening in Pensacola all I want, but they have to feel the energy for themselves when they walk down the street. I spent this Easter weekend visiting family in Memphis. On the drive home, we stopped in West Point, MS to grab a bite to eat. Rather than stop at a chain on the bypass, which looks like every other bypass in small town America, we chose to drive an extra half-mile off the bypass to West Point's historic downtown. Thanks to my smartphone I was able to find Magnolia's at the Ritz, a new local restaurant attached to West Point's historic theater, the Ritz. The food was delicious and a huge improvement from the chain on the bypass, but the real treat was the old main street, the dining room, and the people. The old storefront was attached to the restored historic theater and it was located directly across the street from a still operating local hardware store. The 20-foot tall ceilings in the dining room featured original wood posts and details that are too expensive to recreate. And the pride of the business owner and the local community was obvious, especially with everyone decked out in Easter attire. We left Magnolia's with happy bellies and made our way back onto the bypass. Unfortunately, the consequences of choosing cars over people and bad development over good had never been so clear to me. I was pleased to later discover that West Point had joined countless small towns across the country and partnered with Main Street America to help strengthen the historic resources of their community. The community made a deliberate choice to preserve its historic character and the local business community responded by restoring the Ritz and opening Magnolia's. It goes without saying that neither the theater nor the restaurant could exist along the bypass. My challenge to the	Mr. Yee, thank you for your comments.

CRA Urban Design Overlay District- City Staff and Community Comments

Jordan Yee	None Referenced	I did forget to add one important comment--I had hoped the overlays would take full advantage of the efficiencies of form-based codes and allow for more diverse land uses. If I understand correctly, none of the uses changes under the draft proposal and I feel like it's a missed opportunity if the CRA can't be developed more like areas in the historic commercial districts that successfully integrate a variety of uses.	Mr. Yee, you are correct. As mentioned in a previous response, the proposed urban design standards would be adopted as an overlay to the underlying land development regulations, they would not alter allowable land uses. Rezoning would be required to upzone lower density areas to allow for higher densities and mixed uses.
Charles Washington	5.1	I appreciate having the opportunity to comment on the Proposed CRA Overlay District Urban Design Standards and Guidelines. My specific comments and observation are listed below. Overall Report. The overall report is a commendable effort to present both technical and nontechnical information in a manner the average citizen can follow and be informed. However, because this is draft, the report could benefit from careful final editing before the final copy is published. Specifically, attention needs to be given to: 1. The way in which reference is made to information in a table or tables rather than to a table or table number. For example: rather than saying, "Building heights are as assigned by the Table 5.3.1 - 5.3.5 Form Standards," why not consider this instead: "Building heights are as assigned by the Form Standards in Tables 5.3.1 - 5.3.5." (See pages 5, 8, 9, 16, 20, 27, 29, and 30.)	Agreed. We will clarify.
Charles Washington	Tables 5.3.1-5.3.5	The inconsistency found in what is shown in a table illustration and its letter notations and how or if the letter notations are defined in the table legend. For example: in Table 5.3.1 that is to replace Table 12-2.2 the graphic illustration includes notations a, b, c, and d, but the notations in the legend includes letters f, g, and h. Letters f, g, and h are assigned substantive meaning or data, but neither of these notations appears in the illustration in the table. (Typically, drawings and illustrations are referred to as Figures, and tables refer to matrices of data and information.)	Agreed, we will clarify.
Charles Washington	Table 5.3.3	The lack of clarity in the meaning of some of the legend notations beneath tables. For example: it is unclear whether using the convention of the forward slash to separate two numbers is meant to convey a minimum on one side and a maximum on the other side as in the legends under the tables on pages 12 and 14. For example, what does 5 max./15 max., referring to principal building setback, mean on page 12 or 5 max./ 15 max. mean on page 14?	Agreed, we will clarify.
Charles Washington	Table 5.4.1 and Figures 5.6.2 and 5.6.3	Missing Tables or Figures. The draft has several missing (not included) tables or figures. Tables are missing on pages 17 and 18. Figures are missing on page 24.	Thank you for your comments.
Charles Washington	Tables 5.3.1-5.3.5 and Figure 5.6.1	Properly labeling or identifying the contents of a table or tables. See, for example, the table on pages 12, 14, 15, and 23.	Thank you for your comments. We will clarify.
Charles Washington	None Referenced	Substantive Content. 1. Deteriorating and Abandoned Housing. I was very surprised and disappointed that there is not one mention (that I could find) of keeping the CRA area free of deteriorating and abandoned buildings--private residence, commercial building or churches. The absence of such mention is to suggest that the intent is to preserve the area with its historic blight of abandoned and/or deteriorating buildings. This deserves at least a mention if not a policy statement or guideline to prevent such or to eliminate such buildings,	One of the CRA's main purposes is to remove and eradicate blight within the redevelopment areas. We will add a statement to the Intent section of the Overlay establishing that one of the goals of the design standards is to support the removal of blight within the redevelopment areas. The overlay, in and of itself, however cannot remove deteriorating and abandon housing, but it can support redevelopment of such within its boundaries.
Charles Washington	Section 2, Applicability	Superiority of Standards in Article VIII over any other conflicting Standard or Guideline. While I think I know what is meant by Article VIII, 2.4 under Applicability, there is lack of certainty given the way the provision is stated. Here is what needs clarification. The written statement, not including the Italic text, is "The Design Standards and Guidelines in Section 12-2-82 shall apply. [unless preempted by these standards in Article VIII: CRA Overlay District]. Where a conflict exists between the standards in this Article {VIII: CRA Overlay District, 2.4} and the standards of Chapter 12-6, the standards in this Article [VIII: CRA Overlay District] shall prevail." The insertion of the bracketed article text will eliminate the ambiguity and implicit conflict in the original language.	We will clarify this language.
Charles Washington	Appendix A, Table 12-2-2	The report provides no justification or rationale for the proposed changes medium density in residential land use district regulations (Table 12-2.2). In the absence of a rationale or justification there is no need to make the proposed changes in Minimum Lot Area, Minimum Lot Width, and Front, Side, and Rear Setback Standards. This comment also applies to proposed changes in Standards in tables that are not titled or labeled following Table 12-2.2.	The proposed edits to Table 12-2.2 within Appendix A support the Form Standards contained within Tables 5.3.1-5.3.5, and will be incorporated into these tables, as appropriate.
Charles Washington	Section 8 and 5.1.3	(See: 8, 5.1.3) The criterion for determining or defining a two-story building is ambiguous and can be made clearer by stating how much of a distance above the single-story height requirement is. If the standard were to state by how much the building must exceed the maximum height standard that defines a one-story building, the ambiguity is removed.	We will clarify this language.

CRA Urban Design Overlay District- City Staff and Community Comments

Charles Washington	5.4.3(a)	The use of the term "elements" in Standard 5.4.3 (a) adds ambiguity unclear because "elements" is not defined and can have many meanings. It is also not defined by its usage here. It needs to be defined or a synonym used.	This term has been removed.
Charles Washington	5.5.1€	Standard 5.5.1(e) proposes a First-Floor elevation of a minimum of nine (9) feet above sea level. Is this a typo? Does this standard apply throughout the CRA area? Nine feet high is quite high.	This standard has been removed.
Charles Washington	5.7	In all instances where on-street parking is required or discussed, there is no caveat that the street must be of a minimum width for this to occur. This is a serious oversight. Many neighborhood streets will not easily accommodate a car parked on the street if owners on both sides of the street utilize on-street parking and enough space remains to allow cars to use the street for normal travel.	Thank you for your comments. On-street parking is encouraged but not required. Standards contained within the Florida Greenbook Chapter 19 address these concerns. The Florida Greenbook Chapter 19 standards are proposed to be adopted as a component of the overlay.
Charles Washington	5.7.3	The notion of a shared parking space for residents living side by side is a good idea if the space is large enough for two cars. If not, how will this work, and why is it a "good" idea?	Minimum driveway width standards have been incorporated for joint driveways.
Charles Washington	6.1.1	I would urge a careful review of the Landscape on Private Property Standards, especially 6.1.1, to make sure what is stated is the intended standard.	Thank you for your comments.
Charles Washington	6.3.5(a)	Standard 6.3.5(a) should be reviewed carefully to make sure that what was intended to be proposed is what is really proposed. I have made many more comments on the reviewed draft, but these are the ones I offer for consideration.	Thank you for your comments.
Jimmie Jarrett	Section 6	Some thoughts for consideration for long term tree viability in the Urban Design Standards for the street trees in the public Right of Way: 1) Is there an alternative to using metal tree grates? Tree grates must be maintained and cut away from the trunk of a tree. The grate needs to be periodically cut to allow for trunk expansion otherwise the grate will strangle and eventually kill the tree.	Yes, there are alternatives to using metal tree grates. The proposed standards allow for planting in tree grates or tree pits which would not required to be cut away with trunk expansion.
Jimmie Jarrett	Section 6	The amount and type of soil used in planting trees will directly affect the tree size and health. Consider option for structural soil or spec the percentage of porous material and organic matter for tree pits.	Thank you for your comments. We will consider.
Jimmie Jarrett	Section 6	To reduce sidewalk and root conflicts, in guidelines mention or suggest using one of several systems that that will limit root and sidewalk conflict. Low cost systems can be as easy as a root deflection system or using 57 stone to create air space under the side walk.	Requirements to install a root barrier system have been included.
Jimmie Jarrett	Section 6	Consider adding an option for cluster planting trees in one large soil area. Tree roots are able to spread out and share soil space. Trees will perform better and grow larger with a bigger shared space rather than being confined to small planting pits.	Language for clustering tree plantings has been included.

PROPOSED

Chapter 12-2. Zoning Districts

Article VIII: CRA Overlay District

[actual location in code to be confirmed]

Urban Design Standards and Guidelines

[draft date: 3/15/18]

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Notes:

*Text in **Blue** relates to specific references within Chapter 12 Land Development Code and Chapter 11 Traffic and Vehicles, of Pensacola's City Code of Ordinances*

*Text in **Red** are internal references (only noted as red for this draft)*

*Text in **Grey** relates to the intent specific to sub-sections*

1. INTENT

- 1.1. The requirements set forth in this Article are intended to:
 - 1.1.1. Preserve and maintain the urban pattern and architectural history of Pensacola's CRA areas, while encouraging new construction that is compatible with that heritage, but also reflective of its time.
 - 1.1.2. Improve the physical appearance of the CRA areas with urban design standards that provide more predictable results in terms of the form and character of buildings.
 - 1.1.3. Support the future growth of Pensacola, to ensure compatible and cohesive land uses, to remain resilient long-term, and to support the goals, objectives and policies of the City's Comprehensive Plan and CRA area master plans.
 - 1.1.4. Coordinate the placement, orientation, and design of buildings to ensure a coherent and walkable streetscape and traditional urban character by creating well-defined street edges with continuous building walls, articulated facades, and architectural features that create visual interest and an attractive pedestrian environment.
 - 1.1.5. Capitalize on opportunities to attract and grow a variety of residential building types, retail, service, and cultural establishments to serve local needs, create regional attractions and a robust economic base.
 - 1.1.6. Enable and encourage mixed-use development within the CRA areas in support of viable and diverse locally-oriented businesses and cultural institutions.

2. APPLICABILITY

- 2.1. These standards shall apply to all new construction, including building additions and renovations within the following three CRA areas:
 - 2.1.1. The Urban Core, excluding all plots within the Special Review Districts;
 - 2.1.2. The Eastside; and
 - 2.1.3. The Westside.
- 2.2. These standards are proposed as an overlay, in addition to all applicable regulations pertaining to the underlying zoning districts. Where a conflict exists between the standards in this Article and the standards of the underlying zoning districts, the standards in this Article shall prevail.
- 2.3. The Design Standards and Guidelines in [Section 12-2-82](#) shall apply. Where a conflict exists between the standards in this Article and the standards of [Section 12-2-82](#), the standards in this Article shall prevail.
- 2.4. Trees/Landscape Regulations in [Chapter 12-6](#) shall apply. Where a conflict exists between the standards in this Article and the standards of [Chapter 12-6](#), the standards in this Article shall prevail.
- 2.5. Modifications to the dimensional requirements of the existing zoning districts are included in [Section 5.3 and Tables 5.3.1-5.3.5 Form Standards](#).
- 2.6. References to sections in this Chapter refer to the Pensacola Code of Ordinances, Land Development Code.
- 2.7. Standards, defined by “shall” are regulatory and new development is required to comply with these standards. Deviations from these standards shall only be permitted by a variance.
- 2.8. Guidelines, defined by “should” are advisory, and new development is encouraged to incorporate them as appropriate in order to enhance and complement the built and natural environment. The intent is to create the highest level of design quality while providing the needed flexibility for creative site design.

3. PRE-EXISTING CONDITIONS

- 3.1. Existing buildings and structures that do not meet the requirements of this Overlay may be occupied, operated, repaired and renovated in the existing non-conforming state.
- 3.2. Existing buildings and structures that do not conform to the requirements of this Overlay may continue in use as they are until a substantial modification is requested, according to Building Code Standards.
- 3.3. The restoration or rehabilitation of an existing building does not require the provision of parking in addition to the existing, if less than six (6) new spaces are required.

4. ZONING CHANGES

- 4.1. Refer to [Appendix A](#) for proposed edits to the Pensacola Code of Ordinances, Land Development Code.
-

5. ADDITIONAL URBAN STANDARDS & GUIDELINES

5.1. BUILDING HEIGHT

Intent: *Measuring height in stories rather than feet has numerous benefits which include: a) to provide greater creativity for a natural variety of roof forms; b) to recognize the need of different users, as commercial floor plates are different than residential floor plates; c) to remove the incentive to create short floorplates, and instead encourage more gracious floor-to-ceiling heights for environmental health, without penalizing property owners; and d) to protect the historical proportions of Pensacola's CRA areas.*

5.1.1. Building heights are as assigned by the [Tables 5.3.1-5.3.5 Form Standards](#).

5.1.2. Building height is measured as follows:

- a. Building height shall be measured in stories, with the exception of single-family residential, which shall be measured in feet.
- b. Where maximum height is specified, the measurement shall be taken from the average grade of sidewalk adjacent to the site.
- c. Above ground stories are measured from finished floor to finished floor.
- d. Single-family and duplex residential height is restricted to 35 feet, measured as follows:
 - i. To the bottom of the eave for pitched roof buildings; and
 - ii. To the top of the parapet for flat roof buildings.
- e. Height by story for residential buildings, excluding single-family and duplex residential buildings, is limited as follow:
 - i. In R-1AA, R-1A, R-1B, R-2A, and R-NC, R-NCB: above ground story height shall be a maximum 14 feet.
 - ii. Ground floor height shall be a minimum 12 feet.
- f. Height by story for non-residential and mixed-use buildings is limited as follows:
 - i. In R-NC, R-NCB, and R-2: ground floor story height shall be a maximum of 20 feet.
 - ii. In C-1, C-2 and C-3, ground floor story height shall be a maximum of 24 feet.
 - iii. Above ground story height shall be a maximum 14 feet.
 - iv. Ground floor height shall be a minimum 14 feet.
- g. Building height that exceeds the maximum permitted height shall count as two (2) stories.

5.1.3. Parking garages shall not exceed the height of the principal building on the site. Parking garages shall not be constrained by floor to floor height requirements, but stand-alone parking garages shall appear from the street to conform to the number of stories permitted in the zoning district in which it is located.

5.1.4. Exceptions to maximum height:

- a. Towers and loggias may exceed the maximum height, provided their footprint is less than 400 square feet.

5.1.5. Roof pitch:

- a. Gable or hipped roofs shall have a minimum pitch of 6:12 and a maximum pitch of 12:12.
- b. Shed roofs shall have a minimum pitch of 4:12.

5.2. BUILDING ORIENTATION

Intent: *Buildings should have their principal pedestrian entrance along a street, pedestrian way or open space, with the exception of entrances off a courtyard, visible from public right-of-ways.*

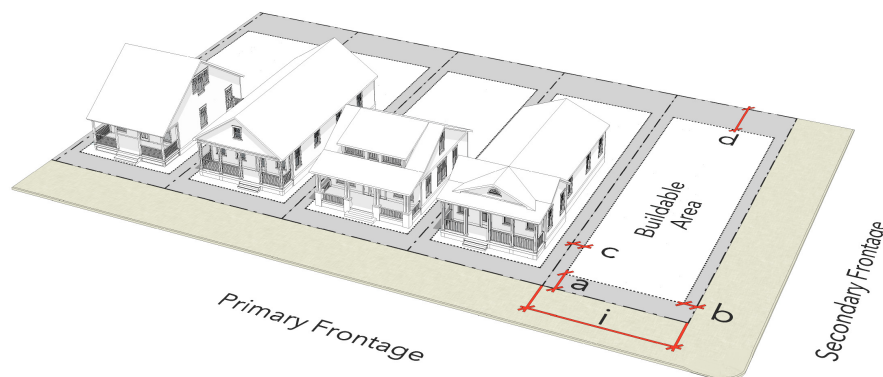
- 5.2.1. Building frontage occupation shall be regulated by the underlying zoning district according to [Tables 5.3.1 to 5.3.5 Form Standards](#).
- 5.2.2. Buildings shall be oriented so that the principal façade is parallel, or nearly parallel to the street it faces for the minimum building frontage requirement specified in the zoning district.
- 5.2.3. Forecourts, courtyards and other such defined open spaces shall count towards minimum frontage requirements.
- 5.2.4. Ground floor units in multi-family residential buildings shall provide landscaping, walls, fences, stoops or similar elements to provide an attractive and private frontage to the building.

5.3. BUILDING MASSING

Intent: *Buildings should be designed in proportions that reflect human-scaled pedestrian movement, and to encourage interest at the street level.*

- 5.3.1. Where provided, multi-family building courtyards shall maintain a minimum width:height ratio of 1:3 in at least one dimension, in order to avoid light well conditions. Courtyards should be wider where possible.
- 5.3.2. The design and façade treatment of mixed-use buildings shall differentiate commercial from residential uses with distinguishing expression lines (such as cornices, projections, banding, awnings, terraces, etc.), changes in fenestration, façade articulation and/or material changes.
- 5.3.3. Townhouses shall distinguish each unit entry with changes in plane, color, materials, front porches, front stoops or railings.
- 5.3.4. All service and loading areas shall be entirely screened from public right-of-ways as follows.
 - a. Equipment shall be screened in such a manner as to be compatible with the character of the building or to minimize its visibility.
 - b. If outdoor storage area is separate from the building it serves, the fence materials are limited to masonry, concrete, stucco, wood, PVC and metal, excluding chain-link.

- 5.3.5. HVAC and mechanical equipment are restricted as follows:
 - a. They are prohibited in frontage yards.
 - b. They shall be integrated into the overall building design and not be visible from adjoining streets and or open spaces.
 - c. Through-wall units or vents are prohibited along street frontages and open spaces, unless recessed within a balcony.
- 5.3.6. Mechanical equipment on a roof shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same.
- 5.3.7. Roof top parking shall be visually screened with articulated parapet walls or other architectural treatment.

Table 5.3.1: Detached Single-Family & Duplexes (R-1AA, R-1A)*Replaces Table 12-2.2***Setbacks - Principal Building (feet)**

a	Front	20 min.
b	Front, Side	5 min.
c	Side (Interior)	5 min.
d	Rear	30 min.

Frontage & Lot Occupation (min.)

Primary	45%
Secondary	40%

Lot Occupation

i	Lot Width	30 ft. min.
	Lot Coverage	50% max.

Building Height (max.)

Principal Building	35 ft. ⁽¹⁾⁽²⁾
Accessory Building	24 ft. ⁽¹⁾

Parking (min.)

Off-street	1/unit
------------	--------

Density (max.)

12 du/acre

Setbacks - Accessory Building (feet)

e	Front	50 min.
f	Front, Side	5 min.
g	Side (Interior)	1 min.
h	Rear	5 min.

Frontage Yard Types

Standard	Permitted
Shallow	Not Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted

Facade Types

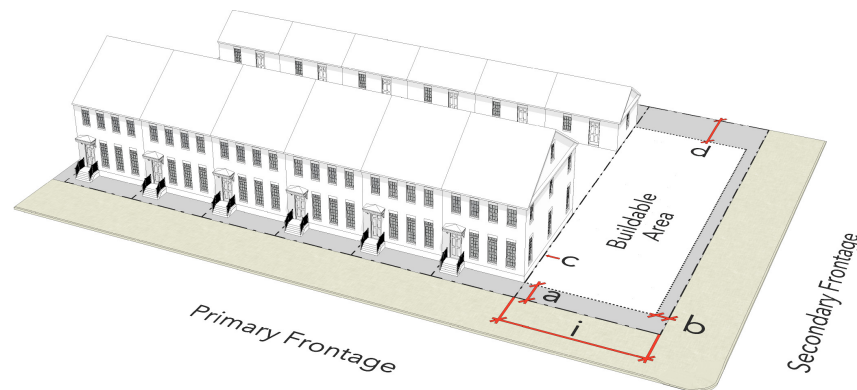
Porch	Permitted
Stoop	Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted

Notes:

- (1) Measured according to [Section 5.1.2](#)
 (2) First floor elevation shall be according to [Section 5.6.1](#)

Table 5.3.2: Attached Single-Family (Townhouses) (R-1A, R-1B, R-2A)

Replaces Table 12-2.2 & 12-2.3

**Setbacks - Principal Building (feet)**

a	Front	8 min.
b	Front, Side	5 min.
c	Side (Interior)	0 or 5 min.
d	Rear	30 min.

Frontage & Lot Occupation (min.)

Primary	60%
Secondary	40%

Lot Occupation

i	Lot Width	16 ft. min. 60 ft. max.
	Lot Coverage	75% max.

Building Height (max.)

Principal Building	45 feet ⁽¹⁾⁽²⁾
Accessory Building	24 feet ⁽¹⁾

Parking (min.)

Off-street	1/unit
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Density (max.)

18 du/acre

Setbacks - Accessory Building (feet)

e	Front	50 min.
f	Front, Side	5 min.
g	Side (Interior)	1 min.
h	Rear	5 min.

Frontage Yard Types

Standard	Not Permitted
Shallow	Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted

Facade Types

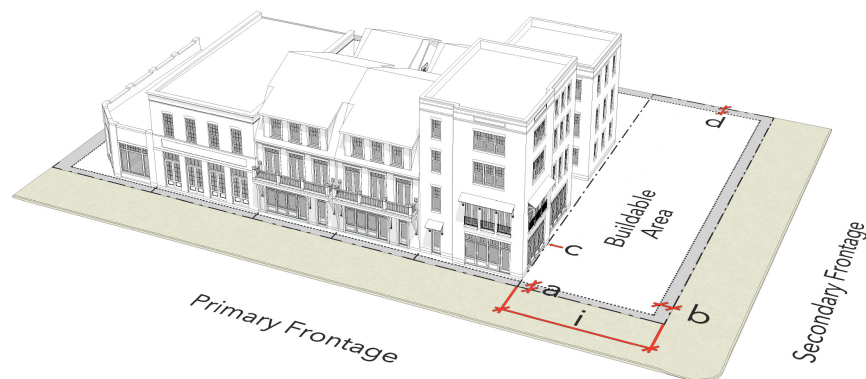
Porch	Permitted
Stoop	Permitted
Common Entry	Not Permitted
Gallery	Not Permitted
Storefront	Not Permitted

Notes:

- (1) Measured according to [Section 5.1.2](#)
 (2) First floor elevation shall be according to [Section 5.5.1.e](#)

Table 5.3.3: Neighborhood Commercial & MF Res. (R-NC, R-NCB, R2, C-1)

Replaces Table 12-2.6 & 12-2.7

**Setbacks - Principal Building (feet)**

a	Front (Com./MF)	5 max. / 15 max.
b	Front, Side (Com./MF)	5 max. / 15 max.
c	Side (Interior)	0 or 5 min.
d	Rear	none

Frontage & Lot Occupation (min.)

Primary	80%
Secondary	50%

Lot Occupation

i	Lot Width	16 ft. min.
	Lot Coverage	75% max.

Building Height (max.)

Principal Building	4 stories ⁽¹⁾
Accessory Building	N/A

Off-street Parking (min.)

Residential	1/unit
Commercial	Per Section 5.7.1

Density (max.) 24 du/acre**Setbacks - Accessory Building (feet)**

e	Front	N/A
f	Front, Side	N/A
g	Side (Interior)	N/A
h	Rear	N/A

Frontage Yard Types

Standard	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted

Facade Types

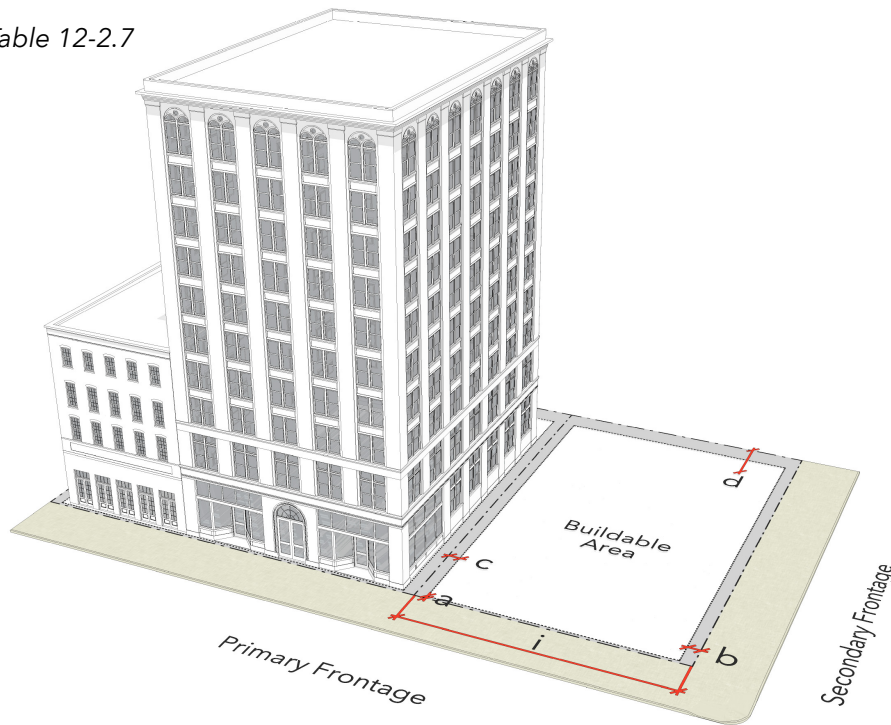
Porch	Not Permitted
Stoop	Permitted
Common Entry	Permitted
Gallery	Permitted
Storefront	Permitted

Notes:

⁽¹⁾ First floor elevation shall be according to [Section 5.5.1.e](#)

Table 5.3.4: Core Commercial & Multi-Family Residential (C-2, *C-3)

Replaces Table 12-2.7

**Setbacks - Principal Building (feet)**

a	Front (Com./MF)	5 max. / 15 max.
b	Front, Side (Com./MF)	5 max. / 15 max.
c	Side (Interior)	0 or 5 min.
d	Rear	none

Frontage & Lot Occupation (min.)

Primary	80%
Secondary	60%

Lot Occupation

i	Lot Width	16 ft. min.
	Lot Coverage	100% max.

Building Height (max.)

Principal Building	10 stories ⁽¹⁾
Accessory Building	N/A

Off-street Parking (min.)

Residential	1/unit
Commercial	Per Section 5.7.1

Density (max.) 135 du/acre**Setbacks - Accessory Building (feet)**

e	Front	N/A
f	Front, Side	N/A
g	Side (Interior)	N/A
h	Rear	N/A

Frontage Yard Types

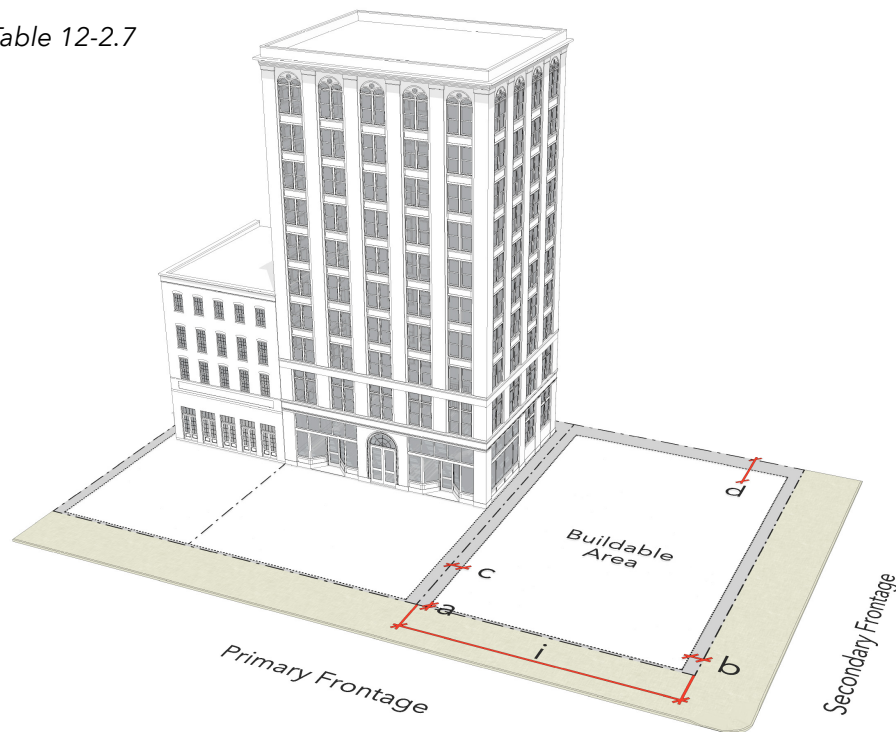
Standard	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted

Facade Types

Porch	Not Permitted
Stoop	Not Permitted
Common Entry	Permitted
Gallery	Permitted
Storefront	Permitted

Notes:

⁽¹⁾ First floor elevation shall be according to [Section 5.5.1.e](#)

Table 5.3.5: Hybrid Commercial (C-3 along C3C FDOT Context Zone)*Replaces Table 12-2.7***Setbacks - Principal Building (feet)**

a	Front	60 max.
b	Front, Side	40 max
c	Side (Interior)	0 or 5 min.
d	Rear	none

Frontage & Lot Occupation (min.)

Primary	60%
Secondary	40%

Lot Occupation

i	Lot Width	16 ft. min.
	Lot Coverage	100% max.

Building Height (max.)

Principal Building	10 stories ⁽¹⁾
Accessory Building	N/A

Off-street Parking (min.)

Residential	1/unit
Commercial	Per Section 5.7.1

Density (max.) 135 du/acre**Setbacks - Accessory Building (feet)**

e	Front	N/A
f	Front, Side	N/A
g	Side (Interior)	N/A
h	Rear	N/A

Frontage Yard Types

Standard	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted

Facade Types

Porch	Not Permitted
Stoop	Not Permitted
Common Entry	Permitted
Gallery	Permitted
Storefront	Permitted

Notes:

⁽¹⁾ First floor elevation shall be according to [Section 5.5.1.e](#)

5.4. FRONTAGE TYPES

Intent: *New buildings proposed for existing neighborhoods with a well-established character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.*

Maintaining a consistent street-wall is a fundamental component for a vibrant pedestrian life and a well-defined public realm. Retail buildings closely aligned to the street edge with consistent setbacks, provide a clear sense of enclosure of streets, enabling them to function as pedestrian-scaled outdoor rooms. The placement of buildings along the edge of the sidewalk should be given particular attention as it is that portion of the buildings that is the primary contributor to pedestrian activity.

- 5.4.1. Site and building development is subject to the frontage types and to the urban design guidelines in this Section.
- 5.4.2. Setbacks shall be as follows:
 - a. Buildings shall be set back from site boundaries according to [Tables 5.3.1 to 5.3.5 Form Standards](#).
 - b. Where a maximum setback is specified, it pertains only to the amount of building facade required to meet the minimum frontage occupation requirements of the zoning district.
- 5.4.3. Frontage Yard Types shall be as follows:
 - a. Frontage yards shall be wholly open to the sky and unobstructed, except for roof projections, elements and permitted encroachments attached to principal buildings, accessory buildings, and trees.
 - b. Applicants shall select and specify frontage yard types along frontages from [Table 5.4.1 Frontage Yard Types](#).
 - c. Impervious surfaces and walkways in frontage yards are subject to the requirements of [Table 5.4.1 Frontage Yard Types](#) and the following:
 - i. Where townhouses occupy a common site, each townhouse with an entrance towards a frontage shall have a walkway connecting the sidewalk to the townhouse entrance.
 - ii. At cluster courts, the shared court shall have have a walkway connecting the sidewalk at the primary frontage with building entries.
- 5.4.4. In R-NC, R-NCB, R-2, C-1, C-2, and C-3, any portion of a frontage not occupied by buildings, driveways, or walkways shall be lined with a streetscreen as follows:
 - a. Streetscreens shall meet the fencing and wall standards for the frontage yard type.
 - b. Streetscreens shall be coplanar with the primary building facade or located further into the lot than the facade.
- 5.4.5. Street trees and landscaping in frontage yards shall comply with the requirements of [Section 6](#).

Table 5.4.1: Frontage Yard Types**A. Standard Yard (Fenced or not)**

Illustration	
Surface	50% minimum shall be pervious material. A minimum of one (1) tree is required per Section 6.1. Paving is limited to walkways, and driveways.
Walkways	One (1) per frontage providing access to building entries
Fencing	Permitted along frontage lines, and according to Section 5.8

B. Cluster Court

Illustration	
Surface	A minimum 50% of the court shall be landscaped with ground cover, trees, or understory trees. Paving is limited to walkways, and driveways.
Walkways	Court shall be a minimum 20 feet wide and a min. 1,000 sq.ft. in size, and shall have a walkway connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted at or beyond the building setback line, and street frontages not along frontage lines, according to Section 5.8

Table 5.4.1: Frontage Yard Types**C. Shallow Yard**

Illustration	
Surface	Maximum setback of eight (8) feet. 50% minimum shall be landscaped in R-1A, and R-1B and up to 100% may be paved in R-NC and R-NCB.
Walkways	1 per frontage providing access to building entries.
Fencing	Permitted interior to the building setback line at primary street frontages. Permitted at or interior to secondary street frontage lines according to Section 5.8 .

D. Urban Yard

Illustration	
Surface	Shall be paved at sidewalk grade, trees in grates or in tree pit.
Walkways	Shall be paved at sidewalk grade. Vegetation is permitted in raised containers.
Fencing	Not permitted

Table 5.4.1: Frontage Yard Types**E. Pedestrian Forecourt****Illustration****Surface**

Minimum 80% paving-at-sidewalk-grade.

Fencing

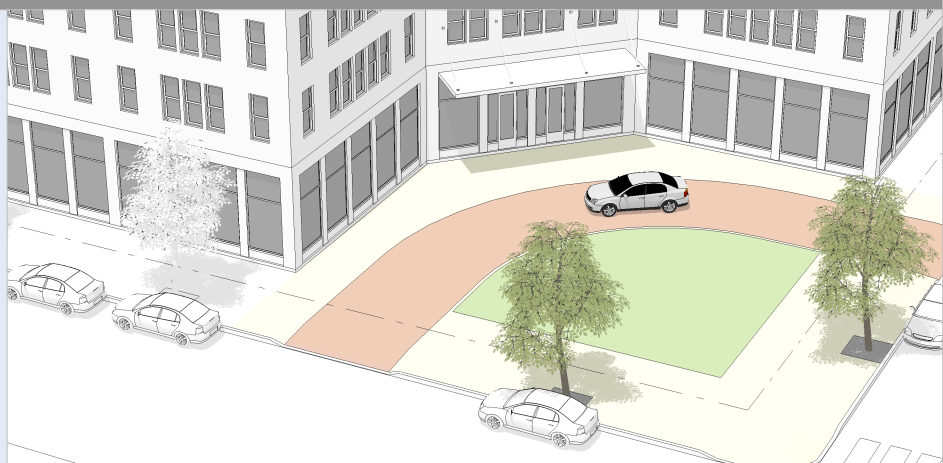
Permitted at or interior to building setback lines and according to [Section 5.8](#)

Area

Forecourt: A minimum 20 ft. wide up to 30% of the allowable frontage, and a maximum **50 ft.** deep.

Activation

Shall be lined with habitable space on 3-sides, or on 2-sides at corner sites.

F. Vehicular Forecourt**Illustration****Surface**

Driveway shall be paved at sidewalk grade. The remainder of frontage setback may be paved or landscaped.

Fencing

Low wall, maximum 24 inches high, of either brick, or stone is permitted.

Area

Forecourt: **4,200 sq.ft.** maximum

Activation

Shall be lined with habitable space on 3-sides, or on 2-sides at corner sites.

5.5. BUILDING ELEMENTS

Intent: *Buildings should be designed in proportions that reflect human-scaled pedestrian movement, and to encourage interest at the street level.*

5.5.1. Building entries shall be as follows:

- a. Building entrances shall be clearly visible from the street.
- b. One (1) building entry shall be provided every 80 feet of facade leading to a habitable space.
- c. Building entries for mixed-use buildings shall differentiate entrances for residential and commercial uses.
- d. Entries for multifamily buildings shall provide protection from the elements with canopies, marquees, recesses or roof overhangs.
- e. Residential building entries at grade are restricted as follows:
 - i. Single-Family residential buildings shall be raised above average sidewalk grade according to [Table 5.5.1 Facade Types](#). Exceptions include:
 - (1) First floor elevation shall be a minimum nine (9) feet above sea level.
 - ii. Multi-family residential buildings shall be raised above average sidewalk grade according to [Table 5.5.1 Facade Types](#). In no instance shall the entry be raised less than 18 inches.
 - iii. Mixed-use and non-residential building entries shall be at sidewalk grade.

5.5.2. Facade Types shall be as follows:

- a. Facades shall be assigned along frontages and are limited by type according to [Table 5.5.1 Facade Types](#).
- b. Projections into setbacks are permitted as follows, but not beyond the property line:
 - i. Roof overhangs, cornices, window and door surrounds and other facade decoration may project up to two (2) feet.
 - ii. Where permitted, shading devices may project into the front setback up to the property line with a minimum eight (8) foot clearance.
 - iii. Balconies may project up to three (3) feet.
 - iv. Bay windows may project up to three (3) feet.
 - v. Porches and stoops may project according to [Table 5.5.1 Facade Types](#).

Table 5.5.1: Facade Types**A: Porch**

Entry Grade	Minimum 18 inches above grade	
Requirements	- Required at the primary building entrance. - Porches shall be a minimum 6 feet in depth. - Porches and related structures may project into frontage setbacks a maximum 10 feet. - Porch openings shall be vertical in proportion. - Porches shall be a maximum 10 feet in height. Columns should have a diameter between 1/9th and 1/14th their height.	

B: Stoop

Entry Grade	Minimum 36 inches and a maximum 48 inches above grade	
Requirements	- A stoop is required at building entrances, projecting from the facade. - Wood is prohibited for stoop railings. - Stoops and related structures may project into frontage setbacks up to 100%.	

C: Common Entry

Entry Grade	Minimum 18 inches and a maximum 24 inches above grade	
Requirements	- A single collective entry to a multi-family lobby is required at the primary building entrance. - Canopies and awnings are permitted to project into frontage setbacks up to 100% of their depth.	

Table 5.5.1: Facade Types**D: Gallery**

Entry Grade	At sidewalk grade
--------------------	-------------------

Requirements (see section 5.5.3)	- Where a gallery occurs, it is required along a minimum of 80% of the frontage. - Encroachments are permitted according to Section 5.6. - Awnings are not permitted in galleries.	
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**E: Arcade & Colonnade**

Entry Grade	At sidewalk grade
--------------------	-------------------

Requirements (see section 5.5.3)	- Where an Arcade or Colonnade occurs, it is required along a minimum of 80% of the frontage. - Encroachments are permitted according to Section 5.6. - Awnings are not permitted in arcades and colonnades.	
--	--	---

**F: Storefront**

Entry Grade	At sidewalk grade
--------------------	-------------------

Requirements (see section 5.5.3)	- A storefront is required at the primary entrance of the tenant space. - A minimum 70% of the ground floor of a storefront shall be glazing	
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5.5.3. Storefronts

Intent: Retail storefronts should be architecturally articulated through the varied use of high-quality durable materials, display windows, entrances, awnings and buildings signs. Their signage, glazing and doors should be conceived as a unified design.

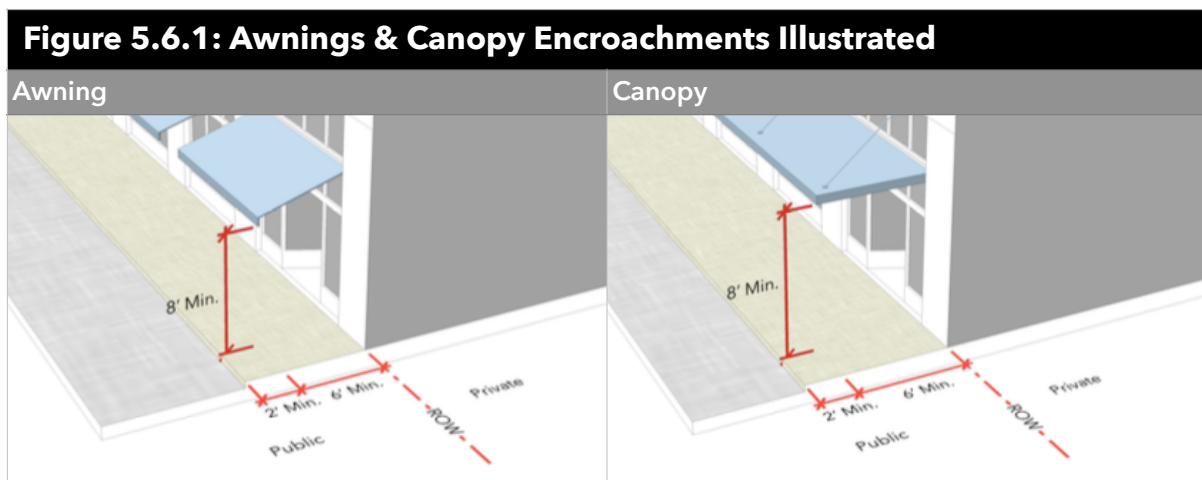
- a. Retail shops shall provide a minimum of 70% glazing (void to solid ratio of surface area along principal facades at the ground level).
- b. Storefronts shall not be constructed of extruded aluminum frames or panels.
- c. Opaque, smoked, and reflective glass on storefront windows shall be prohibited unless used as accent materials.
- d. High-quality, durable materials are especially important at street level within reach of pedestrians. The materials for the retail storefronts shall consist of stone, brick, concrete, stucco, metal, glass, cementitious siding and/or wood. Construction detail and finish shall adhere to craftsman standards.
- e. Outdoor dining areas on sidewalk and public right-of-ways shall be allowed subject to the following standards:
 - i. Outdoor dining areas shall be separated from public walkways and streets using railings, wrought-iron fences, planters, landscaping and other suitable materials; and
 - ii. A minimum unobstructed pedestrian path of at least six (6) feet wide shall be provided along public right-of-ways.

5.6. BUILDING ENCROACHMENTS

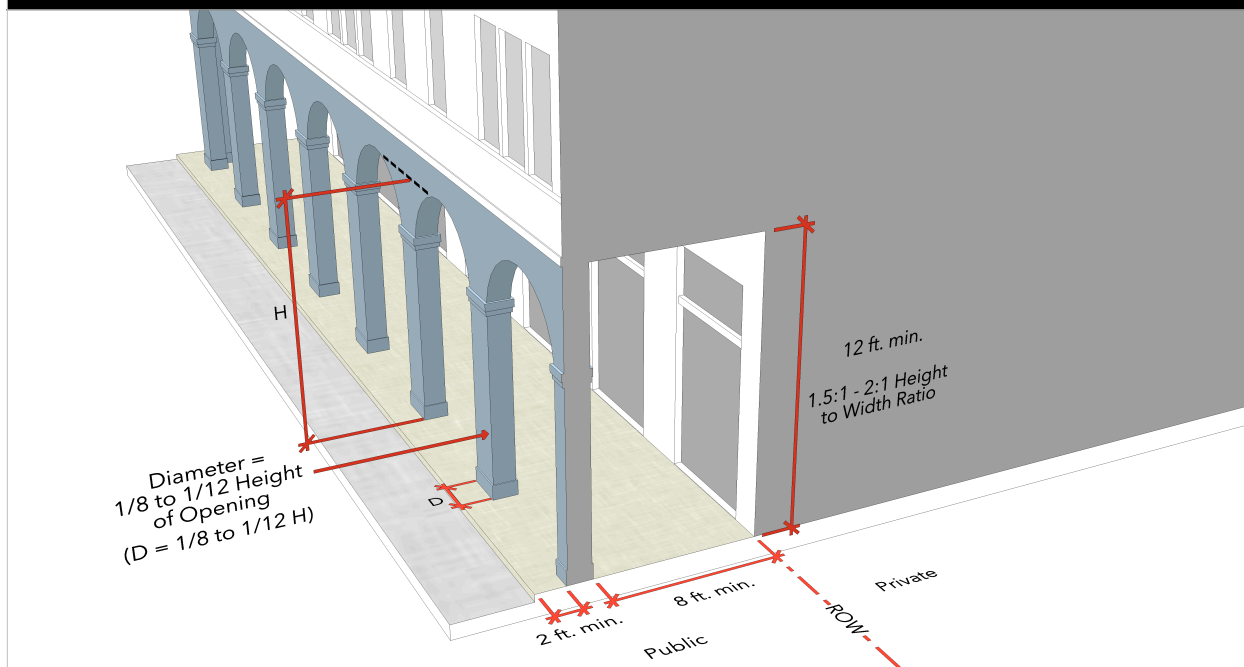
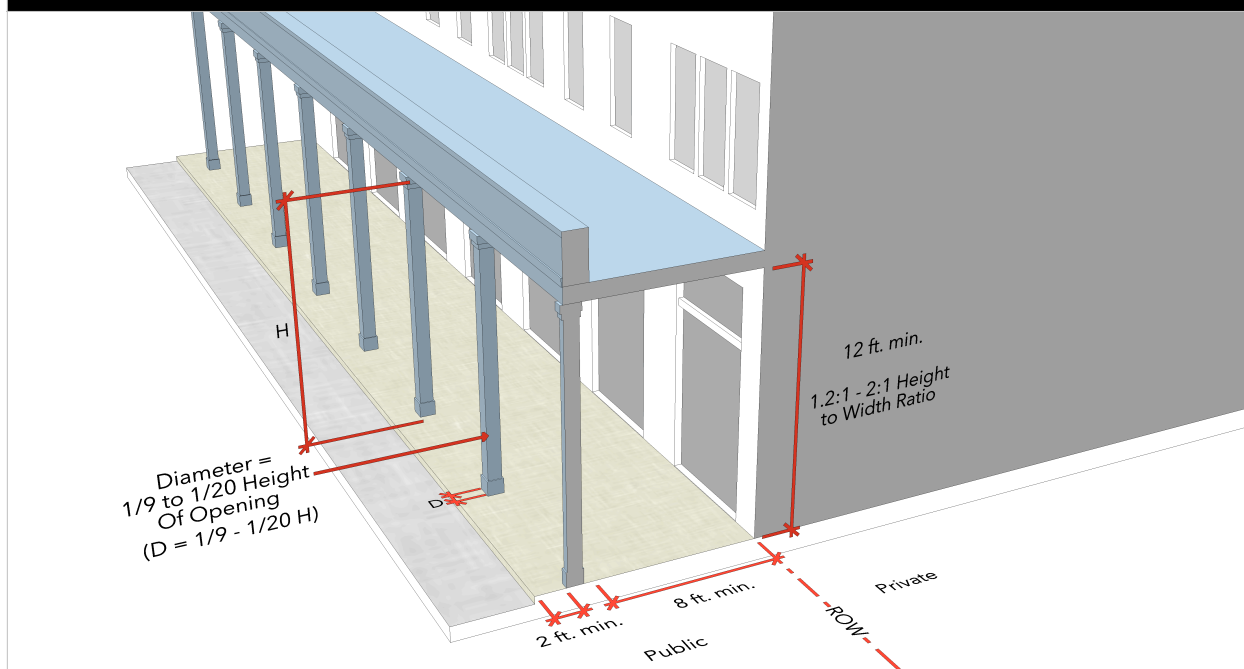
5.6.1. When encroachments are within public right-of-ways, they shall meet Public Works clearance standards.

5.6.2. Awnings and canopies are restricted as to as illustrated in [Figure 5.6.1](#) and as follows:

- a. May project into the public right-of-way, up to two (2) feet of the curb.
- b. Awnings and canopies shall be a minimum of six (6) feet in depth and have a minimum of eight (8) feet of vertical clearance.



- 5.6.3. Arcades and Colonnades are restricted according to [Figure 5.6.2](#) and as follows:
- a. Shall be a minimum of eight (8) feet in depth and a minimum of 12 feet in height, maintaining a 1.5:1 to a 2:1 height-to-width ratio, as illustrated in [Figure 5.6.2](#).
 - b. Columns or piers should have a diameter between 1/8th and 1/12th the height, measured from the base to the bottom of the arched opening or the bottom of the entablature, as illustrated in [Figure 5.6.2](#).
 - c. Arcades and Colonnades should encroach into building setbacks.
 - d. Where Arcades and Colonnades encroach over sidewalks, they shall not extend beyond two (2) feet of the curb.
 - e. They should not change height or width along a facade.
 - f. They should align along the length of the block.
- 5.6.4. Galleries are restricted according to [Figure 5.6.3](#) and as follows:
- a. Shall be a minimum of 8 feet in depth and a minimum of 12 feet in height, maintaining a 1.2:1 to a 2:1 height to width ratio, as illustrated in [Figure 5.6.3](#).
 - b. Gallery columns should have a diameter between 1/9th and 1/20th their height, measured from the base to the bottom of the entablature, as illustrated in [Figure 5.6.3](#).
 - c. Galleries should encroach into building setbacks.
 - d. Galleries should encroach over sidewalks.
 - e. Where galleries encroach over sidewalks, they shall not extend beyond two (2) feet of the curb.
 - f. Galleries shall not change height or width along a building facade.

Figure 5.6.2: Encroachment for Arcades & Colonnades Illustrated**Figure 5.6.3: Encroachment for Galleries Illustrated**

5.7. PARKING ACCESS, DESIGN & REDUCTIONS

Intent: *The intent of these standards is to guide the placement and design of parking, when it is provided.*

Vehicular parking spaces should be carefully integrated to avoid the negative impacts of large surface parking areas on the pedestrian environment. In general, parking supply should be shared by multiple users and property owners to facilitate the ability to “park once and walk”. On-street parallel parking is encouraged on both sides of the street to provide a supply of convenient shared parking, and as a means to provide a protective buffer for pedestrians on the sidewalk. Where surface parking is permitted, it should be hidden or screened from the pedestrian realm by use of garden walls and narrow landscape edges.

Parking garages, where provided, should be lined. They are encouraged to be designed for possible future conversion to other non-parking functions, including office, residential and/or commercial uses.

5.7.1. Minimum parking requirements are as follows:

- a. Parking requirements shall be in accordance with [12-3-1\(B\)](#).
- b. Shared parking shall be according to [12-3-1\(D\)](#).
- c. Parking reductions shall be calculated according to [Table 12.3-1](#).
- d. Lots less than 30 feet in width have no minimum parking requirement, except for:
 - i. Lots fronting streets where on-street parking is not permitted.
- e. Lots less than 42 feet wide shall be accessed from a rear lane, where possible. Where not possible, the following exceptions are permitted:
 - i. Parking in the rear of the lot, subject to accessory structure setbacks of their zoning district. Shared driveways are encouraged.
 - ii. A single-car garage, subject to meeting the minimum frontage requirements.

5.7.2. Bicycle parking is required as follows:

- a. Minimum bicycle parking requirements are as follows:
 - i. Bicycle parking is not required for single-family residential or multi-family residential with less than eight (8) units.
 - ii. Bicycle parking requirements shall be according to [Table 5.7.1](#).
 - iii. Bicycle parking locations within the public right-of-ways shall be coordinated with Public Works.

Table 5.7.1: Minimum Required Bicycle Parking

Use	Location	R-NC, R-NCB, R-2, C-1	C-2, C-3*
Multi-family Residential	Primary & Secondary Frontages	minimum 0.25 spaces per unit	minimum 0.5 spaces per unit
Non-residential	Primary & Secondary Frontages	minimum 0.5 spaces per 1,000 square feet	minimum 0.75 spaces per 1,000 square feet

* not adjacent to C3C

- b. Bicycle parking configuration is required as follows:
 - i. Bicycle racks shall not be located within:
 - (1) Five (5) feet of fire hydrants.
 - (2) Four (4) feet of loading zones and bus stop markers.
 - (3) Three (3) feet of driveways and manholes.
 - (4) Two (2) feet of utility meters and tree planters.
 - c. Bicycle parking located along private or public streets is subject to the following:
 - i. Bicycle racks installed parallel to curbs shall be set back from the curb a minimum of two (2) feet.
 - ii. Bicycle racks installed perpendicular to curbs shall allow for a minimum clearance of two feet at the curb and six (6) feet of pedestrian way with a 56cm bicycle properly locked to the rack.
 - iii. Bicycle racks should be spaced a minimum of 36 inches apart.
 - d. Bicycle racks shall allow bicycle frames to be locked at two points of contact with the rack.
- 5.7.3. Vehicular parking location is restricted as follows:
- a. Residential: single-family, duplex, and townhouse:
 - i. Off-street covered or garage parking for detached single-family and duplex buildings shall be set back a minimum 20 feet behind the principal building facade.
 - ii. Off-street parking for attached single-family residential shall only be permitted in the rear 50% of the lot.
 - iii. Residential off-street parking, where required, shall be provided within garages, carports or on driveways in residential zoning districts.
 - iv. The minimum distance between two driveways on the same lot shall be 20 feet.
 - v. Tandem parking is encouraged
 - vi. Shared driveways are encouraged
 - b. Multi-family residential and all other non-residential buildings:
 - i. Off-street parking shall not be permitted within the front setback area. Exceptions include:
 - (1) Properties which are adjacent to a thoroughfare identified as FDOT C3C Context Zone, shall conform to the Form Standards according to **Table 5.3.5 Hybrid Commercial**.
 - ii. Off-street parking shall be masked from frontages by liner buildings no less than 24 feet in depth.
 - iii. The ground floor of commercial buildings with a gross floor area less than 1,500 square feet is exempt from parking requirements.

5.8. FENCES AND WALLS

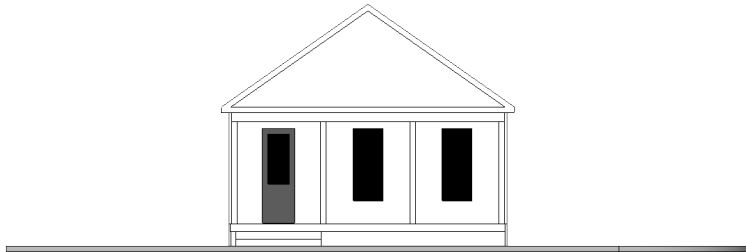
- 5.8.1. Where provided, fences and walls shall provide full enclosure.
- 5.8.2. Fences and walls are restricted according to [Table 5.4.1 Frontage Yard Types](#) and [Required Visibility Triangle Section 12-2-35](#).
- 5.8.3. Height of fences and walls shall comply with the following:
 - a. Height is limited to a minimum 30 inches and a maximum 42 inches within the front setback.
 - b. Height is limited to eight (8) feet beyond the building face at non-frontages.
- 5.8.4. Materials for fences and walls are limited as follows:
 - a. Approved materials include, but are not limited to wood, brick, stone, and wrought iron.
 - b. Vinyl is discouraged on all frontages.
 - c. Chain-link, exposed concrete block, barbed-wire and razor wire are prohibited.
 - d. Wood fences shall be a different 'picket' design to adjacent properties.
 - e. Wrought iron fences shall be painted if the principal building is painted. The use of wrought iron or brick fences shall be in conjunction with buildings which use masonry materials in their construction.
- 5.8.5. Where hedges are utilized along frontages, they shall be maintained at a minimum 30 inches and a maximum 42 inches in height.

5.9. WINDOWS & GLAZING

- 5.9.1. Windows shall meet the following requirements:
 - a. Windows shall be vertical in proportion
 - b. Windows shall have muntins, with the exception of commercial and office.
 - c. Window panes shall be vertical in proportion.
 - d. Single panes of glass shall not exceed 20 square feet, with the exception of commercial and office.
- 5.9.2. Glazing shall meet the following requirements:
 - a. Storefront glazing requirements, according to [Table 5.9.1](#).
 - b. For residential and mixed-use buildings, excluding commercial uses at grade, the percentage of glazed wall area shall be a minimum 20%.
 - c. Stained, reflective or tinted windows are prohibited, except as an accent window.

Table 5.9.1: Glazing Requirements**Residential**

At & Above Grade	Minimum 20% along frontages
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**Multi-Family & Office**

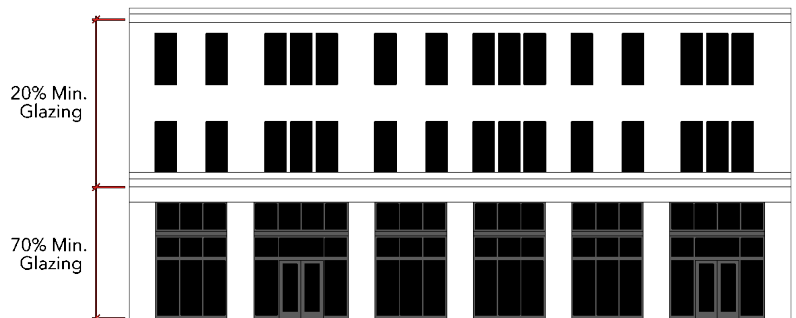
Above Grade	Minimum 20% along frontages
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At Grade	Minimum 35% along frontages
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**Mixed-use**

Above Grade	Minimum 20% along frontages
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At Grade	Minimum 70% along frontages
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6. ADDITIONAL LANDSCAPE STANDARDS

Refer to Appendix A for proposed edits to the Pensacola Code of Ordinances, Land Development Code Section 12-2-32. - Buffer yards, Section 12-6 Tree/Landscape Regulations, and Section 11-4-88 Placement of Trees and Poles.

Intent: Supplement the urban canopy, accommodate stormwater, increase access to open space and facilitate pedestrian movement throughout the existing block patterns to meet the urban design goals of the CRA.

A healthy tree canopy contributes to the health of citizens and the environment, and is fundamental to a vibrant pedestrian life and a well-defined public realm. Trees closely aligned to the street edge with consistent setbacks, provide a clear sense of enclosure of streets, enabling them to function as pedestrian-scaled outdoor rooms. The placement of trees along the edge of the sidewalk should be given particular attention as a major contributor to pedestrian activity. Trees and other native plants placed in drainage right-of-ways and parking islands contribute to the control of stormwater quantity and quality.

6.1. LANDSCAPE ON PRIVATE PROPERTY

6.1.1. Landscaping in frontage yards are subject to the requirements of [Table 5.4.1 Frontage Yard Types](#) and the following:

- a. For single-family and duplex lots, one tree for every lot or for every 50 feet of linear frontage along the right-of-way shall be preserved or planted. Trees planted to meet this requirement shall measure a minimum of three (3) inches DBH. If planted, the tree shall be a minimum of three (3) feet from the right-of-way.
- b. Ground vegetation or shrub plantings with spines, thorns, or needles that may present hazards to pedestrians, bicyclists, or vehicles must be maintained a minimum distance of two (2) feet from the edge of walkways.
- c. In single-family and duplex lots, trees shall be protected in accordance with [Section 12-2-10\(A\)\(5\)\(b\)](#).
- d. When off-street parking is located in front or side setbacks, a year-round landscaped hedge or wall along the street edge(s) of the parking lot shall be installed as a means of buffering, according to [Section 12-6-3\(B\)](#).
- e. Hedges planted along street right-of-ways shall be between three (3) and five (5) feet in height at maturity.

6.2. BUFFER YARDS

6.2.1. In addition to the buffer yard requirements of [Section 12-2-32](#) the following shall apply:

- a. Berms shall not be installed as part of a required buffer without review and approval by the City Engineering Department to ensure a proposed berm will not have a detrimental effect on adjacent properties by impeding or diverting stormwater flow.
- b. Berms shall be planted and stabilized to prevent erosion.
- c. Buffer yards may be used to create rain gardens or other stormwater facilities with the selection of appropriate plant material and approval of the City Engineering Department.

- d. Plants in these stormwater facilities shall be selected to meet any applicable buffer yard screening requirements, and they should be tolerant of periodic inundation and drought. It is recommended that native plants be selected from the *Florida Friendly Landscaping Guide to Plant Selection & Landscape Design*, Northern Region, and *Waterwise Landscapes* by the South Florida Water Management District, according to [Table 6.2.1 Bioretention & Rain Garden Plant List](#).

Table 6.2.1: Bioretention & Rain Garden Plant List	
Flowers	
Common Name	Scientific Name
Blue Flag Iris	Iris Hexagona
Cardinal Flower	Lobelia Cardinalis
Chipola Coreopsis	Coreopsis Integrifolia
Goldenrod	Solidago spp.
Swamp Sunflower	Helianthus Angustifolius
Spider Lily	Hymenocallis Latifolia
Swamp Lily	Crinum Americanum
Swamp Milkweed	Asclepias Perennis
Grasses	
Common Name	Scientific Name
Blue-Eyed Grass	Sisyrinchium Atlanticum Bicknell
Florida Gamma Grass	Tripsacum Floridanum
Muhly Grass	Muhlenbergia Capillaris
Path or Soft Rush	Juncus spp.
Rainlily	Zephyranthes spp.
River Oats	Chasmanthium Latifolium
Wiregrass	Aristida Stricta
Shrubs	
Common Name	Scientific Name
Beautyberry	Callicarpa Americana
Buttonbush	Cephalanthus Occidentalis
Virginia Willow	Itea Virginica
Wax Myrtle	Myrica Cerifera

Note: New suggested table to be inserted as Appendix C in Chapter 12-6

6.3. STREET TREES IN THE PUBLIC RIGHT-OF-WAY

[to be administered by Public Works]

- 6.3.1. Street trees shall be provided as specified in [Section 12-6-3](#) except for single-family and duplex, and [Section 6.3.5](#) for all buildings.
- 6.3.2. ROW tree selections and placements shall be reviewed and approved by the city engineer prior to planting.
- 6.3.3. Greenway street tree plantings are required. When planted, they shall be in accordance with [Section 11-4-88](#) and [Section 12-6-3](#) except for single-family and duplex, and [Section 6.3.5](#) for all buildings.
- 6.3.4. Where required trees cannot be reasonably planted, payment in lieu of planting shall be made to a new and dedicated CRA tree planting fund, at the value established in [Section 12-6-6\(B\)\(5\)](#).
- 6.3.5. Street trees shall be planted as follows:
 - a. Trees planted three (3) feet or less from a public sidewalk shall have a minimum clearance of six feet and six inches (6'-6") between the public walking surface and the lowest branches at planting.
 - b. Mature trees shall be maintained at a minimum clearance of eight (8) feet above the public walking surface.
 - c. In greenways six (6) feet or more in width, trees shall be planted three (3) feet from the sidewalk, in those less than six (6) feet, trees shall be planted in the center.
 - d. One (1) tree shall be provided per 35 linear feet of public right-of-way frontage, where no underground utility conflicts exist.
 - e. Where overhead utilities occur, a tree with smaller size at maturity shall be selected.
 - f. Tree selections shall be from [Section 12-6 Appendix B](#). Palm trees are not acceptable for use as street trees.
 - g. Where the greenway is less than three (3) feet wide, between sidewalk and curb, street trees should be planted on the lot, where practical.

- 6.3.6. Commercial and mixed-use buildings shall comply with the following:
- a. Where galleries, arcades or colonnades are not provided, street trees shall be planted, unless in conflict with underground utilities. Where there are overhead utilities, appropriate species from [Section 12-6, Appendix B, Tree Replant List](#) shall be selected.
 - b. Where a gallery, arcade or colonnade is provided, and the greenway that occurs between the sidewalk and the back of curb is less than three (3) feet wide, no street trees are required.
 - c. Where a greenway at least three (3) feet wide occurs between the arcaded sidewalk and the back of curb, and no overhead or underground utilities prevent street tree installation, planting of a columnar variety street tree is required.
 - d. Where paved surface occurs between the arcade and curb, installation of street trees in individual tree pits with tree grates, or linear planters with pervious pavers between several trees, is required.
 - e. Where trees are planted in sidewalk planters, the minimum sidewalk planting pit dimensions shall be four feet by four feet (4' x 4').

7. ADDITIONAL THOROUGHFARE STANDARDS

7.1. LOCAL STREET DESIGN

- 7.1.1. Design of local streets should be guided by the Florida Greenbook, Chapter 19 Traditional Neighborhood Design.
- 7.1.2. Driveway aprons should not be permitted to interrupt sidewalks.

7.2. STATE STREET DESIGN

- 7.2.1. The Context Classification system, as developed by FDOT, should be adopted to identify place and guide streets and other transportation features, to allow transportation to support adjacent land uses.
- 7.2.2. Streets should be classified as one of the following:
 - a. Classification C4-Urban General
 - b. Classification C5-Urban Center
 - c. Classification C3C Suburban Commercial:
 - i. Should be limited to locations adjacent to Industrial areas and commercial areas that are not envisioned to be walkable.
- 7.2.3. The following table equates the Context Classifications with applicable zoning districts.

Table 7.2.1: Zoning to Context Classification Translation	
Context Classification (FDOT)	Zoning Districts
C4 - Urban General	R-1AA
	R-1A
	R-1B
C5 - Urban Center	R-NC
	R-NCB
	C-1
	C-2
	C-3
C3C - Suburban Commercial	C-3
	M-1
	M-2

8. ADDITIONAL DEFINITIONS

Arcade means a series of arches, supported by columns, or piers. Arcades may cover sidewalks and may front retail storefronts.

Building height, *single-family residential*, means the vertical distance of a building measured from the average elevation of the finished grade to the bottom of the eave.

Building height, *multi-family and non-residential*, means the vertical distance of a building measured by stories. The restrictions to story height are according to [Section 5.1](#).

Cluster Court means a collection of buildings on a semi-public, privately owned open space.

Colonnade means a row of columns joined by an entablature. Colonnades may cover sidewalks and may front retail storefronts.

[FDOT] Distinct Context Classifications Zone means classifications, along with functional classification and design speed, determine the corresponding thoroughfare design standards within the Florida Design Manual. (<http://www.fdot.gov/roadway/CSI/files/FDOT-context-classification.pdf>)

Entablature means a horizontal, continuous building element supported by columns or a wall.

Facade, building, means the exterior wall of a building that is set along a frontage line.

Facade Type means the different configurations of building elements that make up a building facade, such as a storefront, porch, etc. [See Table 5.5.1](#)

Frontage line means a property line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other property lines.

Frontage Occupation means the length of the frontage that is occupied by a building.

Frontage Yard Type means the configuration of the area between the facade of the building and the frontage line such as a standard, shallow, cluster court, etc. [See Table 5.4.1](#)

Gallery means a covered sidewalk in front of a retail storefront that supports either a roof or outdoor balcony above.

Habitable Space means building space which use involves human presence with direct view of the enfronting streets or public or private open space, excluding parking garages, self-service storage facilities, warehouses, and display windows separated from retail activity.

Parkway, Greenway, Verge means the planting strip between the edge of the road and sidewalk or right-of-way, which may be used for tree planting. [See Section 11-4-86 through 11-4-88.](#)

Streetscreen means a freestanding wall built along the frontage line, or aligned with the facade. It may mask a parking lot from the thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

Chapter 12-2. Zoning District

Article VIII: CRA Overlay District

Appendix A: Code Revisions

We are recommending the following edits to your zoning code, for the CRA areas only, separate to the proposed Urban Design Standards and Guidelines.

Sec. 12-2-81. - Development plan requirements.

(B) *General conditions, procedures and standards.*

- (1) *Preapplication conference.* Prior to submitting a formal application for approval of a proposed new development plan or plan for an addition to an existing development, the owners(s) shall request a preapplication conference with the staff of the Department of Planning and Neighborhood Development, engineering department, the Inspection Services Department, the department of leisure services, the traffic engineer, the fire department, the architectural review board, the Escambia County Utilities Authority, and/or other appropriate staff to review:
 - (a) The relationship between the proposed development plan and the surrounding Context Classifications, land usage and the Comprehensive Plan of the city.
 - (b) The adequacy of the existing and proposed vehicular and pedestrian context, character and right-of-way, utilities and other public facilities and services, which will serve the proposed development.
 - (c) The character, design and applicability of the following factors:
 1. Traffic control;
 2. Walkability and Complete Street character;
 3. Noise reduction;
 4. Sign and light control;
 5. Preservation of open space and visual corridors;
 6. Police and fire protection;
 7. Storm drainage;
 8. Landscaping;
 9. Fencing and screening; and
 10. Other matters specifically relevant to the proposed development site necessary to foster desirable living and working conditions and compatibility with the existing environment;

At the time of the preapplication conference, the developer shall provide a sketch plan indicating the location of the proposed development and its contextual relationship to surrounding properties. The advisory meeting should provide insight to both the developer

and the city staff regarding potential development problems which might otherwise result in costly plan revisions or unnecessary delay in development. At this time a decision will be made as to whether the review process will require a separate preliminary and final plan or if they can be combined.

(C) *Contents of the preliminary development plan.*

(2) *Existing conditions, including:*

- (b) Zoning districts, Context Classifications, major shopping areas, residential areas, public buildings, rights-of-way, public utilities and other major facilities surrounding the proposed development for a radius of three hundred (300) feet;

(3) *Proposed development.* Preliminary layout showing as applicable:

- (b) General location of all existing and proposed off-street parking and loading areas and roadways, by type and complete street design, including expected travel modes and width of right-of-way and paved streets;

(D) *Contents of final development plan.* The final development plan may be on several sheets. However, in that event, an index shall be provided. For a large project, the final development plan may be submitted for approval progressively in contiguous sections satisfactory to the planning board.

(2) *Existing conditions.* The same information as required in paragraph (B)(2) shall be provided with the addition of the following detailed information:

- (a) Existing streets, both on and within three hundred (300) feet of the proposed development, shall be described including:

1. Street names;
2. Right-of-way width of each street;
3. Parking design, on-street and off-street;
4. Medians and median cuts locations.

(3) *Proposed development.* The same information as required in paragraph (B)(3) shall be provided with the addition of the following detailed information:

- (b) Location of existing and proposed land uses and exact locations of all existing and proposed improvements including:

1. Buildings and structures;
2. Curb cuts;
3. Driveways and interior drives;
4. On-street and ~~Off~~-street parking and loading;
5. Storage facilities;
6. Proposed roadways, by type and by Context Classification, including width of right-of-way and paved streets; and
7. Traffic control features and signage.

(g) Design for Walkability based on area's Context Classification;

Sec. 12-2-82. - Design standards and guidelines (for the CRA areas).

(A) *Purpose.* The requirements set forth in this subsection are intended to coordinate land development in accordance with orderly physical patterns; to implement goals, objectives and policies of the Comprehensive Plan; to provide for adequate access to building sites for ingress and egress; to achieve context based Complete Streets; to improve the physical appearance of the city, and; to preserve the environmental character of the city.

(C) *Design standards.* Except where specific approval is granted by the city engineer and city planner due to unique and peculiar circumstances or needs resulting from the size, configuration or location of a site requiring a modification of the standards as set forth below, the minimum standards shall be as follows:

(1) *Streets and rights-of-way.* Whenever public or private streets, rights-of-way, pedestrian ways, bikeways or driveway approaches are to be constructed as part of any development after the effective date of this chapter, they shall be designed in accordance with the requirements of this paragraph. Whenever existing public or private streets, rights-of-way, pedestrian ways, bikeways or driveway approaches abutting a development do not meet the requirements of this paragraph, the city engineer may require that they be improved to conform to these requirements.

(a) Driveway approaches and curb cuts.

1. Width (residential except multifamily). In properties developed for residential use (except multifamily), curbcuts and driveway approach shall conform to the following requirements:

	Minimum Driveway	Maximum Driveway
Driveway	12 <u>10</u> feet	24 <u>20</u> feet
Joint-use driveway	20 <u>10</u> feet	24 <u>22</u> feet

2. Width (residential multifamily). Properties developed for residential multifamily use shall have curbcuts for driveways not ~~less~~ more than twenty-four (24) feet wide ~~and not more than forty (40) feet wide.~~
3. Width (nonresidential). Properties developed for commercial use shall have curbcuts for driveways not less than twelve (12) feet nor more than ~~forty~~ twenty-four (~~40~~24) feet wide.
5. Spacing. Where more than one (1) curbcut is to be located on any single property, the minimum distance between such curbcuts on local streets shall be forty-two (42) feet, and on all arterial and collector streets shall be in accordance with the requirements set forth in subsection (2) below. Exceptions shall be permitted for individual lots, less than forty-two (42) feet wide.

- (d) Street improvements. All streets and public ways shall be paved and curbed in accordance with standards established by the city engineer, including context based Complete Streets and the following requirements:
1. Additional improvements for existing thoroughfares. Where any existing arterial or collector lying within or abutting a proposed development requires construction of ~~additional~~ a different number of lanes or other improvements to meet the standards of the city engineer, the amount of construction required (or money escrowed) for such improvements shall be commensurate with the impact of the proposed development.
 2. Missing arterial or collector links. Where there are missing segments in the arterial or collector system or new arterials or collectors are to be constructed which are context based and designated in the Comprehensive Plan, such segments lying within or abutting the proposed development shall be improved (or money escrowed in an appropriate manner) by the developer along with other required improvements. Where such construction creates an undue hardship in a particular case, appeals are available in accordance with chapter 12-13.
 3. Traffic control devices. context based Intersection improvements and traffic control devices such as acceleration, deceleration, and turning lanes, signalization devices, and other traffic control devices required by the development shall be installed at the developer's expense in accordance with the State of Florida Manual for Uniform Traffic Control Devices, and the latest adopted Florida Greenbook.
 4. Improvements required to nearest acceptable paved public street. Each development shall abut, or have as its primary access, a street improved to the minimum context based requirements of the city engineer. Wherever the abutting street does not meet these requirements, the developer shall construct the street where it abuts the development and to the nearest structurally acceptable paved public street as determined by the city engineer.
- (e) Sidewalks. Sidewalks shall be required on all street frontages in residential, nonresidential, commercial and industrial developments in accordance with context based standards established by the city engineer.
- (2) *Driveway and curbcut design along arterial and collector streets.* Recognizing that the traffic movement function of arterial and collector streets can be compromised by the provision of unlimited access to individual properties. Whenever any building site will require vehicular access from an arterial or collector street as designated on the city's adopted Future Traffic Circulation Map, the development shall be designed in accordance with the Context classification and the requirements of this paragraph.
- (a) Driveways and curbcuts. In addition to any applicable driveway approach and curbcut requirements of subsection (1) above, the following standards shall apply:

1. Curbcut spacing. The minimum distance between curbcuts on any one block face, shall be context based and whether or not such curbcuts are located on the same property, shall be based upon the posted speed of the thoroughfare, in accordance with the following schedule:

Posted Speed	Minimum Spacing
30 Mph	125 ft.
35 Mph	150 ft.
40 Mph	175 ft.
45 Mph	200 ft.
50+ Mph	250 ft.

Curbcuts in areas with Context Classifications C-4 or greater shall be designed for greatest walkability with posted speeds that may be 15, 20 or 25 mph.

2. Spacing reductions and joint-use driveways. Where the existing configuration of properties and curbcuts in the vicinity of the building site precludes spacing of a curbcut access in accordance with the schedule above, the city engineer shall be authorized to reduce the spacing requirement if he finds that all of the following conditions have been met: wherever feasible, the city engineer shall require the establishment of a joint-use driveway serving two (2) abutting building sites, with cross-access easements provided; the property owner shall agree to close and eliminate any pre-existing curbcuts on the building site after the construction of both sides of the joint-use driveway; and where feasible, the building site shall incorporate unified access and circulation in accordance with the requirements of subsection (2)(a)3. below.
 3. Unified access and circulation. The planning director, in coordination with the city engineer, shall be authorized to designate context based cross-access corridors on properties adjacent to arterial or collector streets. Such designation may be made in connection with the approval of any site plan within the affected area, or as part of an overall planning program. The planning director, in coordination with the city engineer, shall be authorized to modify the requirements of this subparagraph where he finds that abutting properties have been so developed that it is clearly impractical to create a unified access and circulation system within part or all of the affected area.
- (3) *Public facilities.* All developments shall be provided with sufficient, context based utility easements including potable water, sanitary sewer, electric power and light, telephone, natural gas, cable television, and any other franchised utilities, including access for maintenance. Sufficient easements shall be provided for stormwater management facilities, including access for maintenance. Based on the unique character of each Context Classification, Aall public and private street networks and parking lots shall be designed to allow easy access for solid waste disposal and emergency service vehicles. In addition to new development, any remodeling, enlargement, reconstruction or redesign of any existing building site for specific uses and within the Gateway Redevelopment District and the resource

protection overlay districts shall require submittal of a drainage plan to ensure that stormwater management requirements are met pursuant to chapter 12-9 of this title.

(7) *Parking.*

- (a) The city discourages construction of more than the minimum number of parking spaces required by this title, ~~in order so~~ that more natural vegetation may be preserved, greater walkability design might be achieved and ~~in order~~ to control stormwater runoff in a more natural manner. Parking in excess of more than ten (10) spaces or ten (10) percent (whichever is greater) above the parking total dictated by chapter 12-3 will require an administrative waiver as described in subsection 12-2-82(C) of this section.

Site design should minimize the impact of automobile parking and driveways on the pedestrian, complete street environment, adjacent properties and pedestrian safety.

- (c) The following are some examples of techniques used to minimize the impacts of driveways and parking lots.

1. Locate surface parking at the rear or side of the zoning lot.
2. Break large parking lots into multiple smaller ones.
3. Minimize the number and width of driveways and curb cuts.
4. Share driveways with abutting zoning lots.
5. Locate parking in less visible areas of the site.
6. Locate driveways so they are visually less dominant.
7. Provide special pavers or other surface treatments to enhance and separate pedestrian areas from vehicle maneuvering and parking areas.
8. Off-street ~~P~~parking located along a commercial street front where pedestrian traffic is desirable lessens the attractiveness of the area to pedestrians and compromises the safety of pedestrians along the street. On-street parking enhances walkability for urban Context Classification areas (C4 to C6) and is strongly encouraged. On-site (off-street) surface parking on a commercial street front should be minimized and where possible should be located behind a building.

- (9) *Non-residential site lighting.* Non-residential and multiple-family developments, shall be designed to provide safe and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the entire site (including outparcels). Lighting shall be designed so as to enhance the visual impact of the project and/or should be designed to blend into the surrounding landscape. Lighting design and installation shall ensure that lighting accomplishes on-site lighting needs without intrusion on adjacent properties and shall meet the following design requirements:

- (a) Fixture (luminaire). When feasible, the light source shall be completely concealed within an opaque housing and shall not be visible from any street right-of-way or adjacent properties.
- (b) Light source (lamp). Only florescent, LED, metal halide, or color corrected high-pressure sodium may be used. The same light source type must be used for the same or similar types of lighting on any one site throughout any development.

- (c) Mounting. Fixtures shall be mounted in such a manner that the maximum candela from each fixture is contained on-site and does not cross any property line of the site.

(d) Height. Pole mounted street lighting shall be pedestrian scale with a maximum of 16 feet within Context Classification areas C4, C5 and C6.

- (d) Limit lighting to periods of activity. The use of controls such as, but not limited to, photocells, occupancy sensors or timers to activate lighting during times when it will be needed may be required by the director of community development, or their designee, to conserve energy, provide safety, and promote compatibility between different land uses.

(D) *Design guidelines.* Most development in the city is located on infill or redevelopment sites; therefore, projects should take their surroundings and context into account. These recommended design guidelines are intended as suggested methods to improve the character and fit of new development and to encourage respect for how architecture, landscape features, and public improvements help establish context, and steadily improve the quality of the city's residential and commercial neighborhoods. These guidelines are intended for designers and developers to look closely at the context and area surrounding their specific project and create developments that enhance and complement the built and natural environment. The design guidelines are flexible in their application and maybe applied to specific projects during review by city staff and any applicable review board(s). The intent is to create the highest level of design quality while providing the needed flexibility for creative site design. Use of the following design guidelines is a means for addressing urban design, aesthetic and environmental concerns in the development process.

- (2) Building design and architectural elements. The placement of buildings should respond to specific site conditions and opportunities such as irregular-shaped lots, location on prominent intersections, views, or other natural features. On-site surface parking should be visually minimized and where possible should be located behind a building. Site characteristics to consider in building design include, but are not limited to, the following:

- (f) The placement and orientation of buildings ~~should~~ shall be context based, according to the adopted Context Classification areas and also acknowledge and reinforce the existing desirable spatial characteristics of the public right-of-way. For example, a multi-story mixed use building proposed for a C5 and C6 Classification, downtown corner zoning lot ~~shall~~ should reinforce the existing streetscape by utilizing the ground level for pedestrian oriented retail and restaurants and maintaining a consistent building edge abutting the sidewalk.

- (g) Building entrances should be clearly visible from the street. Using entries that are visible from the street makes a project more approachable and creates a sense of association with neighboring structures.

- (h) New development and redevelopment in Context Classifications C4, C5 and C6 ~~shall~~ should be sited and designed to encourage human activity on the street. To accomplish this end, entrances, porches, balconies, decks, seating and other elements can be designed to promote use of the street front and provide places for human interaction. For example, for commercial developments such elements can include shop front windows, outdoor seating/dining, rooftop decks, balconies, and canopies that protect pedestrians from the elements.

- (i) Development projects in that area adjacent to a less-intensive zoning district with differing development standards, may create substantial adverse impacts that result from inappropriate height, bulk and scale relative to their neighbors. Careful siting and design

treatments can help mitigate some height, bulk and scale impacts; in other cases, actual reduction in the height, bulk and scale of a project ~~are advisable to adequately can~~ mitigate adverse effects. In some instances, careful, context based siting and design treatment may be sufficient to achieve reasonable transition and mitigation of height, bulk and scale differences. Some techniques for achieving compatibility are:

3. Location of features in Context Classification C3, on-site to facilitate transition, such as locating required open space on the zone district edge so the building is located farther from the lesser intensity zone district. In Classifications C4 and higher, walkability between varying land uses should guide site design.
 4. In a mixed-use project, siting the more compatible use(s) near the zone district edge, while designing for high degrees of walkability.
- (k) Architectural context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.
2. In cases where an existing architectural context is either not well defined, or may be undesirable, a well-designed new project has the opportunity to establish a pattern or identity that future redevelopment can build on.
- (3) Human scale. The design of new buildings should incorporate architectural features, elements and details that achieve a desirable human scale through the use of human-proportioned architectural features and site design elements clearly oriented to higher walkability and other human activity. Building elements that may be used to achieve human scale are as follows:
- a. In Context Classifications C4 and greater, pPedestrian-oriented storefront windows and doors shall directly ~~face~~ing the street or publicly accessible open space such as courtyards, gardens, patios, or other unified landscaped areas.

Sec. 12-2-4. - Medium density residential land use district regulations.

Table 12-2.2

Standards	R-1AAA	CRA R-1AA		
		SF	SFA Duplex	SFA TH
Maximum Residential Gross Density	4.8	8.7	11.6 14	11.6 18
Minimum Lot Area	9000-sf	5000-sf	7500-sf	3750-sf
Lot Width at Minimum Building Setback Line	75 ft	40 ft	60 ft	30 ft
Minimum Lot Width at Street ROW Line	50 ft	40 30 ft	50 30 ft	25 16 ft
Front Setback <u>(max.)</u>	30 ft	30 20 ft		30 8 ft
Side Setback <u>(min.)</u>	7.5 ft	5 6 ft		0 or 5 6 ft
Rear Setback <u>(min.)</u>	30 ft	5 30 ft		
Off-Street Parking (Space / unit) <u>(min.)</u>		1		1 2
Maximum Building Height	35 ft	45 35 ft		

Table 12-2.2

Standards	CRA R-1A		
	SF	SFA Duplex	SFA TH
Maximum Residential Gross Density	12.4	17.4	17.4 2418
Minimum Lot Area	3500-sf	5000-sf	2500-sf
Lot Width at Minimum Building Setback Line	30 ft	50 ft	25 ft
Minimum Lot Width at Street ROW Line	30 ft	50 30 ft	25 16 ft
Front Setback <u>(max.)</u>	20 ft		20 8 ft
Side Setback <u>(min.)</u>	5 ft		0 or 5 5 ft
Rear Setback <u>(min.)</u>	25 5 ft		
Off-Street Parking (Space / unit) <u>(min.)</u>	1		2 1
Max. Building Height	35 ft	35 45 ft	

Table 12-2.3

Standards	<u>CRA</u> R-1B		
	SF	SFA Duplex	SFA TH
Maximum Residential Gross Density	8.7	11.6 <u>17.4</u>	17.4 <u>24</u>
Front Setback (<u>max.</u>)	10 ft	10 <u>8</u> ft	
Side Setback (<u>min.</u>)	5 ft	5 <u>0 or 5</u> ft	
Rear Setback (<u>min.</u>)	10 ft	10 ft (<u>5</u>)	
Off-Street Parking (Space / unit) (<u>min.</u>)	1		1 <u>2</u>
Max. Building Height (<u>max.</u>)	45 ft.		
Lot Coverage Requirements (Res. SF, Duplex, TH)	50% max.	50 <u>75</u> % max.	
Lot Coverage Requirements (Other)	1-4 Stories 5-7 Stories 8-9 Stories	30% 25% 20%	

Sec. 12-2-7. - Residential/neighborhood commercial land use district.

Table 12-2.6

Standards	<u>CRA</u> R-NC	
	Within 100 ft of SF District	Over 100 ft of SF District
Max. Building Height	35 <u>ft 4</u> Stories	45 ft
Front Setback (<u>max.</u>)	<u>5</u> 15 ft	<u>15</u> 10 ft
Side Setback (<u>min.</u>)	<u>0 – 5</u> 5 ft	5 ft
Rear Setback (<u>min.</u>)	15 <u>ft None</u>	10 ft
Lot Coverage Requirements (Res. SF, Duplex, TH) (<u>max.</u>)	<u>75</u> 50 %	
Lot Coverage Requirements (Other)	1-4 Stories 5-7 Stories 8-9 Stories	30% 25% 20%
Max. Floor Area for Uses Under 12-2-7	4000 sf	

Sec. 12-2-8. - Commercial land use district.

Table 12-2.7

Standards	C-1	C-2A	<u>CRA</u> R-C, C-2, C-3
Setbacks	N/A / 20 ft near res	Max. 10 ft	N/A / 20 ft near res (15 max.)
<u>Lot Width (min.)</u>		<u>16 ft.</u>	
<u>Front Setback (max.)</u>		<u>5 / 15 ft.</u>	
<u>Side Setback (min.)</u>		<u>0 / 5 ft.</u>	
<u>Rear Setback</u>		<u>None</u>	
Max. Building Height	45 ft	100 ft <u>10 stories</u>	
Lot Coverage	70% up to 100 ft bldg height 65% over 100 ft bldg height	100% up to 100 ft bldg height 90% over 100 ft bldg height <u>100% max.</u>	100% up to 100 ft bldg height 90% over 100 ft bldg height Outside of dense business area: 75% put to 100 ft bldg height 65% over 100 ft bldg height
Max. MF Density	135 du/ac	135 du/ac	135 du/ac Outside dense business area: 35 du/ac

CHAPTER 12-6. TREE/LANDSCAPE REGULATIONS^[4]

Sec. 12-6-1. - Purpose.

The purpose of this chapter is to establish protective regulations for trees and landscaped areas within the city, and to provide for the planting of Street Trees and Lot/Shade Trees for new residential or non-residential development. Such areas preserve the ecological balance of the environment, control erosion, sedimentation and stormwater runoff, provide shade and reduce heat and glare, abate noise pollution, and buffer incompatible land uses. The intent of this chapter is to encourage the preservation of existing trees, and to increase the tree canopy to develop a more walkable community. It is critical that a balance be maintained between developed areas and natural/landscaped areas with appropriate existing and/or newly planted trees and other vegetation. The intent is also to provide for the future of our citizens through maintaining vital vegetative species that will reproduce for future generations.

Sec. 12-6-2. - Applicability.

- (C) *Exemptions.* All single-family and duplex uses are exempt from the provisions of this chapter, except as provided for in sections 11-4-86 through 11-4-88 (parkways), section XX (frontage yards), section 12-2-35 (visibility triangle), section 12-2-32 (buffer yards), subsection 12-6-2(D) (heritage trees) and subsection 12-6-6(D) (new subdivisions). The C-2A downtown retail commercial district is exempt from the provisions of this chapter, except as provided for in subsections 12-6-6(A), (E), (F), and (G). All healthcare related uses of property owned or controlled by an entity which is licensed as an acute care hospital under F.S. Ch. 395, owned or controlled by a parent company of an entity which is licensed as an acute care hospital under F.S. Ch. 395 are exempt from the provisions of this chapter, except as provided for in section 12-6-3 and subsections 12-6-6(A), (C), (E), (F), and (G). In conjunction with the development of any such healthcare related use, a payment of five thousand dollars (\$5,000.00) per acre of new developed impervious surface area shall be made to the tree planting trust fund. The designated clear zone areas around the Pensacola Regional Airport and any other area identified by the airport manager and approved by the city council as critical to aircraft operations shall be exempt from this chapter.
- (E) *DBH.* All tree measurements for existing trees shall be taken at Diameter Breast Height (DBH), which is the diameter of the tree at four and one-half (4½) feet (54 inches) above ground. If the tree has a bump or branch at four and one-half (4½) feet above ground then DBH shall be measured immediately below the bump or branch. If the tree is growing vertically on a slope, DBH shall be measured from the midpoint of the trunk along the slope. If the tree is leaning, DBH shall be measured from the midpoint of the lean. If the tree forks below or near DBH the tree shall be measured at the narrowest part of the main stem below the fork. If the tree splits into more than one (1) trunk close to ground level, DBH shall be determined by measuring each of the trunks separately

Sec. 12-6-3. - Landscaping requirements.

The following landscaping requirements apply to all types of land uses and zoning districts listed in section 12-6-2 of this chapter:

- (A) *Landscape area requirements.* The minimum percentage of the total developable site, which shall be devoted to landscaping, unless otherwise specified in this chapter, shall be as follows:

ZONING DISTRICT		PERCENT
R-ZL, R-2A, R-2B, R-2		25
R-NC, C-1, C-2 , R-C		25
C-1, C-2 , C-3, M-1, M-2		20-15
SSD, ATZ-1, ATZ-2		25

- (B) *Off-street parking and vehicle use areas.* Off-street parking regulations apply to all parking facilities of twenty (20) spaces or more. Off-street parking facilities and other vehicular use areas shall meet the following requirements:

- (1) *Perimeter requirements.* A ten-foot wide strip of privately owned land, located along the front and/or side property line(s) adjacent to a street right-of-way shall be landscaped. In no case shall this strip be less than ten (10) feet wide. Width of sidewalks shall not be included within the ten-foot wide perimeter landscape area. This perimeter landscape requirement shall be credited toward the percentage required for the total developable site in subsection 12-6-3(A), above. Exemptions from the ten-foot wide strip only shall be permitted for R-NC, R-NCB, C-1 and C-2 zones.

APPENDIX B TREE REPLANT LIST

<i>A. Small Trees:</i>	
7.	Glossy Privet (<i>Ligustrum lucidum</i>) CAT 1 INVASIVE – REMOVE -www.fleppc.org

Sec. 12-2-32. - Buffer yards.

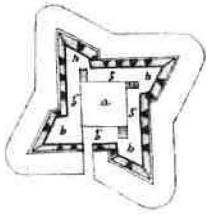
TABLE 12-2.11 RECOMMENDED VEGETATION LIST FOR BUFFER YARD VISUAL SCREEN

Thorny elaeagnus (<i>Elaeagnus pungens</i>) CAT II INVASIVE – REMOVE -www.fleppc.org
--

Sec. 11-4-88. - Placement of trees and poles.

In greenways of a width of six (6) feet or more, poles and trees shall be planted three (3) feet from the sidewalk, in those less than six (6) feet, trees must be planted in the center. [See section 12-6 \(D\) Greenway / Street tree planting requirements. \(6.4 Street trees in the public right-of-way\)](#)

DRAFT



June 12, 2018

Ms. Helen Gibson
CRA Administrator

The Community Redevelopment Agency (CRA) of City of Pensacola
222 W. Main St., Third Floor
Pensacola, Florida 32502

RE: Proposed CRA Urban Design Overlay

Ms. Gibson,

I appreciate you meeting with me on May 21st to discuss the proposed CRA overlay, as well as notifying me of the posting of the revised draft overlay on May 31st. As you know, my brother and I have partnered to create the Galveztown development on the former YMCA site at the NE corner of Palafox Street and Belmont Street. We are excited about bringing a mix of commercial and residential uses to this site.

As discussed with you previously, I had pre-development meetings with Brandi Deese and other city staff on August 3, 2016 and again, along with my civil engineer, on October 26, 2016 to confirm our plans for the parcel were allowed under the City of Pensacola's land development code. Once confirmed, we moved forward and closed on the property on January 4, 2017. Since then, an asbestos remediation was performed on the building, followed by its demolition. Subsequently, most of the site was capped with two feet of clean fill, as required by the state of Florida. The completed work was formally approved last month and the driveways and parking area are being completed this week. The new residential lots have been surveyed and underground utilities have been placed, at our expense, to accommodate the new single family homes on these lots. Design is almost complete for the total renovation and adaptive reuse of an existing commercial building on the site, as well as the design of a single family home we intend to build. We have several buyers for the lots who have been working on home designs and should be ready to close within the next 60 days. With the assistance of Dalrymple Sallis Architecture, we have created a set of design guidelines and planned a new development which will be a great addition to our downtown. As you know, the addition of residential units, and getting "eyes on the street" is critical to creating a more walkable environment. To my knowledge, our nine single family homes are the only residential units downtown which will be located on Palafox until you travel South of Garden Street.

In addition, we have incorporated the following into our design:

- 1.) Rear entry garages
- 2.) Conversion of the site to underground utilities at our expense
- 3.) Collaboration with the Downtown Improvement Board to help implement a road diet on Palafox and other recommendations from their parking study

The design of our development has been publicly praised by the North Hill Neighborhood Association and Mr. Christian Wagley, who is part of the DPZ team. Unfortunately, the proposed overlay regulations on window proportions and size, and requirements for tree placement could force us and our lot buyers to redesign these homes. According to DPZ, anyone who has been issued a development order or a building permit is exempt from these overlay requirements, however those of us who are developing in accordance with the existing subdivision plat have been completely overlooked. As described earlier, we met with the City in advance of purchasing the YMCA property to determine the proposed use was acceptable, have made very significant expenditures towards improvements and design since then, and are now suddenly being told all of the requirements will change within a few months. These sudden changes are a hardship.

As you know, I have requested that property owners who have already attended pre-development meetings with the City and have developments in process be exempted from the new requirements of the overlay. I have also offered solutions as to how the City's planning department could accomplish this, such as writing a letter explaining that development of a particular property was underway at the time the overlay was passed and as a result, it is exempt from the new overlay requirements. The latest draft of the overlay does not address this problem. As a result, I am writing you to formally request the inclusion of this provision in the overlay once again.

The resolutions which formed our CRA, continually refer to the CRA's purpose as "fostering the development and redevelopment" of the CRA area. The CRA's 2010 Urban Core Plan specifically mentions the need to "support private investment in new real estate development". It goes on to state "The CRA may assist private property owners and developers in redeveloping properties in a number of ways including recruiting businesses and/or developers to do business within the CRA urban core and connecting would-be developers with potential property owners to facilitate redevelopment."

DPZ, the CRA's consultant, has stated, "Research proves that communities which adopt urban design standards outperform those who do not" and "Research shows that design standards do not curtail development." I found no research offered by DPZ to support these claims. If you compare the City of Pensacola's CRA areas to planned communities such as Seaside and Alys Beach, I have no doubt these communities do outperform us, however this cannot be held up as proof that imposing strict design standards increases property values and does not discourage new development. Regardless of the methodology, no study has been done on the effects of implementing the particular set of draft design requirements being considered, so to generally say "design standards do not curtail development" is misleading at best.

The reality is, if an individual wants to design and build a modern home in Pensacola and the CRA prohibits modern design elements, that individual will simply build elsewhere. If builders and developers cannot depend on City staff to tell them what can be built on a property without the rules suddenly changing, they will either pay less for properties within the CRA in order to offset the risk involved or build elsewhere in a place where they are confident they will be treated with some basic level of decency. These scenarios clearly do not help foster development or redevelopment within the CRA. In fact, they do exactly the opposite.

I appreciate your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Gunther", written in a cursive style.

Fred Gunther
Galveztown, LLC

cc: Brandi Deese, Assistant Planning Services Administrator
City of Pensacola Planning Board



COMMUNITY REDEVELOPMENT AGENCY

July 18, 2018

Gunther Properties, LLC.
Galveztown, LLC.
Attn: Fred Gunther
503 East Government Street
Pensacola, FL 32502

Re: PROPOSED CRA URBAN DESIGN OVERLAY DISTRICT

Dear Mr. Gunther:

Thank you for providing comments in reference to the proposed CRA Urban Design Overlay District. You have submitted meaningful feedback to us throughout the course of the proposed overlay district's development, which been addressed and incorporated into the final recommended document to the extent practicable. Please find below a summary of the items of concern presented to us and their corresponding response(s):

1) Setbacks and lot occupation within the Dense Business Area.

Property located within the Dense Business Area will adhere to the existing front setback and lot coverage requirements, as defined in the Land Development Code (LDC) for the Dense Business Area.

2) Front yard tree planting requirements.

The provision contained within the draft overlay which required that trees planted on private property be setback at least three (3) feet from the right-of-way has been removed. The language has been modified to allow required trees to be planted elsewhere on the block (including within rear, and/or side yards, the right-of-way or clustered on adjoining lots) for lots with a front setback of less than eight (8) feet, where planting in the front yard is not possible.

3) Maximum entry grade – 48”.

Maximum entry grade heights have been removed for all façade types except common entry.

4) Request that pre-development meetings be considered for grandfathering.

Grandfathering must be limited to circumstances where a formal approval related to site development has been granted. The authorization must establish a set time period for development, and be based on a final set of plans. Since a final set of plans are typically unavailable, and therefore not considered during a pre-development or development review meeting, and no

approval is granted or set time period established, these meetings cannot be considered for grandfathering.

5) Permissibility of flat roofs.

Flat roofs are permitted for all building types.

6) Minimum height standards for substantial modifications to existing buildings.

A provision has been added to the overlay exempting the adaptive re-use of buildings from compliance with minimum height standards.

7) Standard yard type within the C-2A zoning district.

The form standards tables have been clarified to permit a standard yard type for single family detached and two-family (duplex) units within the C-2A zoning district. In the Dense Business Area, front setbacks are limited to a maximum of 10 feet under the existing regulations. The Galveztown development would adhere to this rule as it is located within the Dense Business Area.

8) Muntin requirements for windows.

The muntin requirement for windows has been changed from a “shall” to a “should” statement.

9) Building width limitations for 30’ lot due to 20’ parking setback requirement.

Parking requirements have been modified to allow driveways within a maximum of two feet from the property line to allow for wider homes on 30’ lots. Options for wider homes on 30’ lots also include on-street parking, where permitted, and rear access, where feasible.

10) Horizontal windows and restriction of modern building types.

The overlay seeks to retain key characteristics which exist within the CRA neighborhoods to ensure that new development and redevelopment blends into the authenticity of the surrounding community and is conducive to a walkable, urban environment. The proposed overlay does not prohibit modern design, however, it does require that modern designs respect the context of the surrounding neighborhoods. Our consultant, DPZ, has recommended, however, that the original language be modified to allow square windows, transoms and special windows. Vertical windows placed side by side would also be permissible. These requirements would be limited to frontages only. Interior, non-street fronting sides would not be required to adhere to window proportionality requirements.

11) Consideration of existing subdivision plats for grandfathering.

Plat approvals authorize the subdivision of land and supporting infrastructure, they do not constitute a design approval for site development or an authorization to build.

Grandfathering must be limited to circumstances where a formal approval related to site development has been granted. Authorization must be limited to a set period of time, and based on

a final set of plans. Therefore, grandfathering is limited to the issuance of a building permit or development order.

12) DPZ assertions that “research proves that communities which adopt urban design standards outperform those who do not” and “research shows that design standards do not curtail development.”

DPZ is a nationally acclaimed urban planning and design firm who has developed successful form-based codes and design standards for municipalities all over the world. The firm was selected based on their credentials and qualifications in the field of urban and architectural planning and design. Although providing research citations was not a component of their scope of work, a recent local presentation provided by Ed McMahon with the Urban Land Institute cited a variety of sources which define the value in adopting form-based urban design standards. Some of these sources include:

- *A study conducted in 2016 by the George Washington University School of Business titled, Foot Traffic Ahead; Ranking Walkable Urbanism in America’s Largest Metros which established that “a majority of new real estate development is occurring in walkable urban neighborhoods.” ;*
- *A study by the Urban Land Institute titled, Value by Design which indicated that landscaping “increases financial return from 5 to 15 percent, increases the rate of project absorption, increases employee productivity, moral and job satisfaction and helps developers win support for proposals.”; and*
- *The book, Building Greener Neighborhoods: Trees as Part of the Plan by the National Association of Home Builders (NAHB) which indicated that: “Studies show that developed lots with trees sell for an average of 20-30 percent more than similarly sized lots without trees.”*

Additionally, the City’s special review districts have been in effect for many years and have proven to yield positive results without curtailing development. In fact, many of these districts are far more prescriptive than the proposed overlay and all are subject to a review board. The proposed overlay is less prescriptive than the special review districts and will be administratively reviewed, lending itself to greater predictability.

13) “If builders and developers cannot depend on City staff to tell them what can be built on a property without the rules suddenly changing, they will either pay less for properties within the CRA in order to offset the risk involved or build elsewhere in a place where they are confident they will be treated with some basic level of decency. These scenarios clearly do not help foster development or redevelopment within the CRA. In fact, they do exactly the opposite.”

Public outreach has extended over a period of more than six (6) months, and included an extensive amount of public engagement, including more than sixteen (16) public input sessions, workshops, meetings and/or presentations. Developers/builders with current projects underway may either track the progression of the overlay and design to its specifications or submit their projects for permitting prior to the anticipated effective date. Based on the Planning Board’s recommendation and the current review schedule, the overlay is anticipated to take effect on the fifth business day after adoption or September 20, 2018, pending adoption.

The success of Pensacola's special review districts, and new codes and design standards adopted all over the world demonstrate that development is not curtailed by the implementation of these planning methods. Instead, communities are enhanced by the protection and predictability they provide, and their contributions to quality of place.

We look forward to continued coordination as the overlay progresses. Should you require any further information, please do not hesitate to contact me at (850) 436-5650 or hgibson@cityofpensaocla.com.

Sincerely,

A handwritten signature in black ink, appearing to read "mhgibson", written in a cursive style.

M. Helen Gibson
CRA Administrator

Cc: file
Victoria D'Angelo, Asst. CRA Administrator

Enclosures: None.



Home Builders Association of West Florida

4400 Bayou Boulevard, Suite 45 • Pensacola, FL 32503-2692 • (850) 476-0318 • Fax (850) 494-9764

June 7, 2018

Ms. Helen Gibson

CRA Administrator

The Community Redevelopment Agency (CRA) of City of Pensacola

222 W. Main St., Third Floor

Pensacola, Florida 32502

RE: Proposed CRA Urban Design Overlay

Dear Ms. Gibson:

I appreciate your efforts to revitalize the City of Pensacola's CRA areas. While there are truly positive changes in the proposal, there are some areas of concern that the Home Builders Association's Governmental Affairs Committee would like to address. Please pardon the lateness of this letter but it could not be avoided with the various changes to the document over the past few weeks. We want to make sure that the proposed CRA Urban Design Overlay is not a compilation of unnecessary, costly regulations of home and building design than it is a benefit.

A few examples:

1. Page 28, Illustration 12-2-25.9 demonstrates that parking on one's lot will not be allowed unless it is at least 20' behind the principal building façade. For a 30' wide lot, this means the width of the home would need to be reduced from 20' to 15' to have any parking on site. The overlay proposes alleviating this problem by encouraging shared driveways. A driveway crossing a property line is considered an encroachment, which can prevent a lender from financing the purchase of a property.
2. Section 12-2-25(G)(j) requires:
 - a.) Windows shall be vertical in proportion.
 - b.) Single panes of glass shall not exceed 20 square feet for residential building types.
3. It has been stated in previous meetings that anyone who has been issued a development order or a building permit is exempt from these requirements, however this intentionally ignores properties which are being developed in accordance with their existing plat. Several of our members met with the City in advance of purchasing their properties to determine their proposed use is acceptable. Developers/builders have made very significant expenditures towards improvements and design since then and are now suddenly being told the requirements will change within a few months. The HBA request that the developers/builders who have been through the process be grandfathered in to avoid additional time and expense.

Resolution 54-80, which formed the City's CRA, states the purpose of the CRA is the elimination of blight and "rehabilitation, conservation and redevelopment" of the CRA area. Subsequent resolution 55-80 directs the CRA to "Work with private investors, other government agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment" of the CRA area. The HBA encourages the CRA to address these issues and work to make meaningful changes to the proposed CRA document. This will be helpful in fostering development or redevelopment.

I appreciate your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "David Peaden". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

David Peaden
Executive Director



COMMUNITY REDEVELOPMENT AGENCY

July 18, 2018

Home Builders Association
of West Florida
Attn: David Peaden
4400 Bayou Blvd., Suite 45
Pensacola, FL 32503

Re: PROPOSED CRA URBAN DESIGN OVERLAY DISTRICT

Dear Mr. Peaden:

Thank you for providing comments in reference to the proposed CRA Urban Design Overlay District. You have submitted meaningful feedback to us which has been addressed and incorporated into the final recommended document to the extent practicable. Please find below a summary of the items of concern presented to us and their corresponding response(s):

- 1) **Page 28, Illustration 12-2-25.9 demonstrates that parking on one's lot will not be allowed unless it is at least 20' behind the principal building façade. For a 30' wide lot, this means the width of the home would need to be reduced from 20' to 15' to have any parking on site. The overlay proposes alleviating this problem by encouraging shared driveways. A driveway crossing a property line is considered an encroachment, which can prevent a lender from financing the purchase of a property.**

Uncovered driveway parking is permitted in front of the building façade. To allow for wider homes on 30' lots, parking requirements have been modified to allow driveways within a maximum of two feet from the property line. Options for wider homes on 30' lots also include on-street parking, where permitted, and rear access, where feasible.

- 2) **Section 12-2-25(G)(j) requires: a.) Windows shall be vertical in proportion. b.) Single panes of glass shall not exceed 20 square feet for residential building types.**

Window requirements were established to preserve the unique character of the CRA neighborhoods, and to encourage contextual development which is conducive to a walkable, urban environment. Our consultant, DPZ, has recommended, however, that the original window verticality language be modified to allow square windows, transoms and special windows. Vertical windows placed side by side would also be permissible. This provision would be limited to frontages only.

- 3) **It has been stated in previous meetings that anyone who has been issued a development order or a building permit is exempt from these requirements, however this intentionally ignores properties which are being developed in accordance with their existing plat.**

Several of our members met with the City in advance of purchasing their properties to determine their proposed use is acceptable. Developers/builders have made very significant expenditures towards improvements and design since then and are now suddenly being told the requirements will change within a few months. The HBA request that the developers/builders who have been through the process be grandfathered in to avoid additional time and expense.

Plat approvals authorize the subdivision of land and supporting infrastructure, they do not constitute a design approval for site development or an authorization to build.

Grandfathering must be limited to circumstances where a formal approval related to site development has been granted. Authorization must be limited to a set period of time, and based on a final set of plans. Since a final set of plans are typically unavailable, and therefore not considered during a pre-development or development review meeting, and no approval is granted or set time period established, these meetings cannot be considered for grandfathering.

Public outreach has extended over a period of more than six (6) months and included an extensive amount of public engagement, including more than sixteen (16) public input sessions, workshops, meetings and/or presentations. Developers/builders with current projects underway may either track the progression of the overlay and design its specifications or submit their projects for permitting prior to the anticipated effective date. Based on the Planning Board's recommendation and the current review schedule, the overlay is anticipated to take effect on the fifth business day after adoption or September 20, 2018, pending adoption.

- 4) **Resolution 54-80, which formed the City's CRA, states the purpose of the CRA is the elimination of blight and "rehabilitation, conservation and redevelopment" of the CRA area. Subsequent resolution 55-80 directs the CRA to "Work with private investors, other government agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment" of the CRA area. The HBA encourages the CRA to address these issues and work to make meaningful changes to the proposed CRA document. This will be helpful in fostering development or redevelopment.**

The proposed CRA Urban Design Overlay District is intended to ensure that rehabilitated and redeveloped properties blend into the traditional character of the existing CRA neighborhoods, therefore, conserving the authenticity of these areas. The extensive public engagement process undertaken as a component of this project has proven to ensure that many, meaningful comments provided by private investors, outside government agencies, their agents and consultants, City staff, community groups and neighborhood associations, and the general public were incorporated into the final recommended overlay district. All comments provided have been addressed to the extent practicable.

We look forward to continued coordination as the overlay progresses. Should you require any further information, please do not hesitate to contact me at (850) 436-5650 or hgibson@cityofpensaocla.com.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Helen Gibson".

M. Helen Gibson
CRA Administrator

Cc: file
Victoria D'Angelo, Asst. CRA Administrator

Enclosures: None.



Charles S. Liberis

Real Estate Closing Department
Kaylan Walden- Licensed Closing Agent

June 11, 2018

Ms. Helen Gibson
CRA Administrator
The Community Redevelopment Agency (CRA) of City of Pensacola
222 W. Main St., Third Floor
Pensacola, FL 32502

RE: Proposed CRA Urban Design Overlay

Dear Ms. Gibson:

I write this letter on behalf of Olde City Developers, LLC. In the past 24 months, Olde City has constructed (and sold) 22 houses in the Government and Intendencia core area. Those houses were affordable and proved to be very popular. All 22 houses were sold before completion and are now on the tax rolls replacing vacant lots or abandoned buildings. The proposed regulation would have prevented this vital revitalization.

A few examples:

1. Page 28, Illustration 12-2-25.9 demonstrates that parking on one's lot will not be allowed unless it is at least 20' behind the principal building façade. For a 30' wide lot, this means the width of the home would need to be reduced from 20' to 15' to have any parking on site. This would have prevented development of all 22 houses completed by Olde City Developers, LLC.
2. It has been previously stated that anyone who has obtained a development order or building permit is exempt from these requirements. This ignores properties which are being developed in accordance with their existing plat. Olde City has purchased 16 lots for future development in the Government and Intendencia core area. Olde City has made significant expenditure on engineering and design. These changes will impose a financial hardship and greatly increase the cost of infill housing. We wish to build similar houses and do not want to reinvent what has worked and been well received by all.

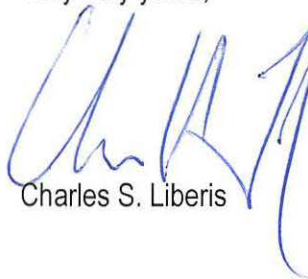
PENSACOLA (reply here)
212 West Intendencia Street
Pensacola, FL 32502
(850) 438-9647 Fax (850) 433-5409

www.liberislaw.com

PERDIDO KEY
13700 Perdido Key Dr., Suite 223
Pensacola, FL 32507
(850) 492-2109

Resolution 55-80 directs the CRA to "Work with private investors, other government agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment" of the CRA area. Notwithstanding, numerous meeting and workshops, the CRA has failed to address the issues facing developers and builders nor to address needed changes to the proposed CRA document. Adoption of the proposed CRA Urban Development Design Overlay will discourage future development of the CRA area.

Very truly yours,



Charles S. Liberis

CSL/kw

cc: Mayor Ashton Hayward

City Council

PNJ



COMMUNITY REDEVELOPMENT AGENCY

July 18, 2018

Liberis Law Firm
Attn: Charles S. Liberis
212 West Intendencia Street
Pensacola, FL 32502

Re: PROPOSED CRA URBAN DESIGN OVERLAY DISTRICT

Dear Mr. Liberis:

Thank you for providing comments in reference to the proposed CRA Urban Design Overlay District. You have submitted meaningful feedback to us which has been addressed and incorporated into the final recommended document to the extent practicable. Please find below a summary of the items of concern presented to us and their corresponding response(s):

- 1) **I write this letter on behalf of Olde City Developers, LLC. In the past 24 months, Olde City has constructed (and sold) 22 houses in the Government and Intendencia core area. Those houses were affordable and proved to be very popular. All 22 houses were sold before completion and are now on the tax rolls replacing vacant lots or abandoned buildings. The proposed regulation would have prevented this vital revitalization.**

Thank you for your investment in the CRA area. Models of special review districts, new codes and design standards in many cities prove that while Land Development Code (LDC) changes may require adaptation, they do not prevent revitalization. In fact, urban planning efforts such as the proposed overlay district, protect real estate and development investments by providing predictable outcomes which enhance market strength and stability.

- 2) **Page 28, Illustration 12-2-25.9 demonstrates that parking on one's lot will not be allowed unless it is at least 20' behind the principal building facade. For a 30' wide lot, this means the width of the home would need to be reduced from 20' to 15' to have any parking on site. This would have prevented development of all 22 houses completed by Olde City Developers, LLC.**

To allow for wider homes on 30-foot lots, parking requirements have been modified to allow driveways within a maximum of two feet from the property line. Options for wider homes on 30-foot lots also include on-street parking, where permitted, and rear access, where feasible.

- 3) **It has been previously stated that anyone who has obtained a development order or building permit is exempt from these requirements. This ignores properties which are being developed in accordance with their existing plat. Olde City has purchased 16 lots for future development in the Government and Intendencia core area. Olde City has made significant expenditure on engineering and design. These changes will impose a financial hardship and greatly increase**

EVERYTHING THAT'S GREAT ABOUT FLORIDA IS BETTER IN PENSACOLA.

222 West Main Street Pensacola, FL 32502/T: 850.436.5650/www.cityofpensacola.com

the cost of infill housing. We wish to build similar houses and do not want to reinvent what has worked and been well received by all.

Any development which has obtained a development or building permit by the effective date would be exempt from the overlay district requirements.

Plat approvals authorize the subdivision of land and supporting infrastructure, they do not constitute a design approval for site development or an authorization to build.

Grandfathering must be limited to circumstances where a formal approval related to site development has been granted. Authorization must be limited to a set period of time, and based on a final set of plans. Therefore, grandfathering is limited to the issuance of a building permit or development order.

Public outreach has extended over a period of more than six (6) months and included an extensive amount of public engagement, including more than sixteen (16) public input sessions, workshops, meetings and/or presentations. Developers/builders with current projects underway may either track the progression of the overlay and design to its specifications or submit their projects for permitting prior to the anticipated effective date. Based on the Planning Board's recommendation and the current review schedule, the overlay is anticipated to take effect on the fifth business day after adoption or September 20, 2018, pending adoption.

Additionally, CRA staff has surveyed local builders and architectural firms to determine the estimated costs associated with the proposed standards. Associated costs were determined to be nominal, especially when factoring potential cost reductions related to parking exemptions.

- 4) Resolution 54-80, which formed the City's CRA, states the purpose of the CRA is the elimination of blight and "rehabilitation, conservation and redevelopment" of the CRA area. Subsequent resolution 55-80 directs the CRA to "Work with private investors, other government agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment" of the CRA area. The HBA encourages the CRA to address these issues and work to make meaningful changes to the proposed CRA document. This will be helpful in fostering development or redevelopment.**

The proposed CRA Urban Design Overlay District is intended to ensure that rehabilitated and redeveloped properties blend into the traditional character of the existing CRA neighborhoods, therefore, conserving the authenticity of these areas. The extensive public engagement process undertaken as a component of this project has proven to ensure that many, meaningful comments provided by private investors, outside government agencies, their agents and consultants, City staff, community groups and neighborhood associations, and the general public were incorporated into the final recommended overlay district. All comments provided have been addressed to the extent practicable.

We look forward to continued coordination as the overlay progresses. Should you require any further information, please do not hesitate to contact me at (850) 436-5650 or hgibson@cityofpensaocla.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Helen Gibson'.

M. Helen Gibson
CRA Administrator

Cc: file
Victoria D'Angelo, Asst. CRA Administrator

Enclosures: None.

1. LONG TERM STRATEGIES

1.1. COMPREHENSIVE PLAN

- 1.1.1. Adjust FLUM density for townhouses in R districts as follows:
 - a. 18 du/acre for R-1A and R-1B (permitting 24-foot wide townhouses)
 - b. 24 du/acre in R-NC and R-NCB (permitting 18-foot wide townhouses)

1.2. ZONING CODE

- 1.2.1. Make edits to Zoning Code as provided in Appendix A.

1.3. LANDSCAPE, OPEN SPACE & STORMWATER MANAGEMENT STRATEGIES

- 1.3.1. A CRA tree fund should be established, with assistance available to homeowners to plant trees in their R.O.W. or front yards where none currently exist, per Sec. 12-6-3 (D).
- 1.3.2. The City should acquire additional park/open space properties within the ¼ mile, 5-minute walk radius to serve those neighborhoods identified as underserved by parks.
- 1.3.3. Required open space should be designed as a central square, plaza or green to provide a community focal point and gathering space for residents. Leftover strips at edges should be avoided except where trail connections are made, or buffers are required. Trees, seating and pervious paving should be included, at a minimum.
- 1.3.4. Streets and parking lots shall be designed to temporarily detain stormwater with aesthetically-planted, curb-less drainage swales within parking lots and buffer areas.
- 1.3.5. The City should acquire additional stormwater management sites to manage runoff from small parcels where on-site storage is impractical. Provide incentives to developers for reduction of pervious surfaces and installation of stormwater detention facilities.
- 1.3.6. The City should implement and maintain aesthetically-planted low-impact stormwater mitigation test sites, such as rain gardens, at existing and proposed *drainage rights-of-way* with a minimum width of 15 feet, on residential and commercial properties.

1.4. ENFORCEMENT

- 1.4.1. Enforcement the current regulation prohibiting parking on greenways along local streets

1.5. SMALL SCALE SUBDIVISIONS

- 1.5.1. Consider revising small scale subdivision requirements from 3 lots or more to 4 or 5 lots or more.
- 1.5.2. Discuss equity factor, benefits and disadvantages of lot history on subdivision requirements.

Transportation Design & Code Amendment Support Document

By Richard A. Hall, P.E.

DRAFT

Prepared For:
Pensacola's CRA
&
DPZ CoDESIGN



Hall Planning & Engineering, Inc.
March 8, 2018

Introduction: Transportation Design Guidance

Review of current CRA documents revealed a need for Transportation Procedures tied to a variety of context types that naturally occur across cities and their suburban and rural areas. Currently, the CRA areas have a variety of street conditions, some are highly walkable and compact, some are not. The primary benefit for walkability within the CRA areas is block sizes less than 500 feet per side. This occurs in almost all context areas. One negative however, is the general prohibition of on-street parking in some of the CRA areas. Where possible, it should be permitted and encouraged. Moreover, the city should enforce parking regulations that prohibit parking on greenways which create blight on the street, prevent the possible planting of trees and discourage walking. Most local streets reflect a pedestrian scale, with parallel on-street parking and paved street width of 25 to 30 feet; good, general urban street dimensions/conditions. Many Collectors and Arterials, however, have been built to suburban standards with 70-foot ROW and 54 feet of paved area between curb faces and no parallel, on-street parking allowed. For example, the current street dimensions on Cervantes, Garden and Main, west of A Street have these suburban scale dimensions. This occurs on both state owned and city owned streets. Wider and faster streets should only occur in the suburban and rural areas of the city and county. Guidance for many transportation related elements must be sensitive to a wider set of context types than the oversimplified rural or urban types used in the past. Two major documents support broader context application:

1. The Florida Greenbook
2. The Florida Complete Streets Initiative (CSI) and Companion Florida Design Manual

These documents are described below and their applicability for Pensacola's Community Redevelopment Authority are encouraged and discussed below.

Florida Greenbook - Design of Local Streets in Florida

The ***Manual of Uniform Minimum Standards for Design, Construction and Maintenance (Florida Greenbook)*** provides criteria for public streets, roads, highways, bridges, sidewalks, curbs and curb ramps, crosswalks, bicycle facilities, underpasses, and overpasses used by the public for vehicular and pedestrian travel.

Authority for the **Florida Greenbook** is established by [Chapters 20.23\(3\)\(a\), 334.044\(10\)\(a\), and 336.045, Florida Statutes](#), and [Rule 14-15.002, Florida Administrative Code](#). The manual is intended for all projects off the state and national highway systems. Thus, the Greenbook provides transportation design guidance for City of Pensacola streets.

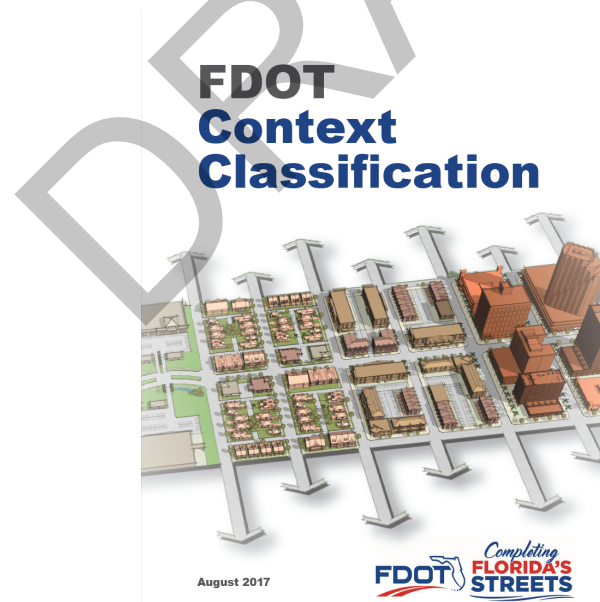
Within the **Greenbook, Chapter 19 Traditional Neighborhood Design (TND)** provides guidance on transportation design within urban sections of Florida's cities and counties.

TND Communities rely on strong integration of land use and transportation. A TND has compact, human scaled development patterns and a variety of land uses within a small block structure. All these characteristics combine to yield many more pedestrian, bicycle and transit trips than found in low density suburban patterns of development. The chapter specifies criteria and design standards that help achieve this “walkability” and Complete Street character.

HPE recommends adoption of the Florida Greenbook as design guidance for transportation facilities under jurisdiction of the City of Pensacola. This would allow the application of TND design guidance for all non-state facilities. While the local neighborhood streets are generally in compliance with TND principals, the Arterials and Collectors are not, and would benefit from this context based guidance for re-construction or new construction. All streets would benefit from the encouragement of on-street parking found in the TND Chapter.

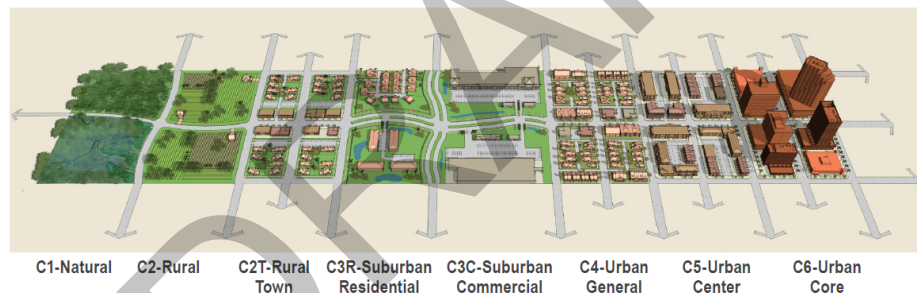
FDOT Complete Streets Initiative [CSI] & Florida Design Manual for design of State facilities

Streets under State of Florida jurisdiction are guided by similar context based design guidance. ***FDOT Complete Streets Initiative [CSI]*** document provides a land area framework consisting of Context Classifications from rural to most urban character.



The Context Classifications are described as follows.

C1-Natural	Lands preserved in a natural or wilderness condition, including lands unsuitable for settlement due to natural conditions.
C2-Rural	Sparsely settled lands; may include agricultural land, grassland, woodland, and wetlands.
C2T-Rural Town	Small concentrations of developed areas immediately surrounded by rural and natural areas; includes many historic towns.
C3R-Suburban Residential	Mostly residential uses within large blocks and a disconnected/ sparse roadway network.
C3C-Suburban Commercial	Mostly non-residential uses with large building footprints and large parking lots. Buildings are within large blocks and a disconnected/ sparse roadway network.
C4-Urban General	Mix of uses set within small blocks with a well-connected roadway network. May extend long distances. The roadway network usually connects to residential neighborhoods immediately along the corridor and/or behind the uses fronting the roadway.
C5-Urban Center	Mix of uses set within small blocks with a well-connected roadway network. Typically concentrated around a few blocks and identified as part of the civic or economic center of a community, town, or city.
C6-Urban Core	Areas with the highest densities and building heights and within FDOT classified Large Urbanized Areas (population > 1,000,000). Many are regional centers and destinations. Buildings have mixed uses, are built up to the roadways, and are within a well-connected roadway network.



Context Classifications for suburban areas, C3R Suburban Residential and C3C Suburban Commercial occur outside the CRA boundary. Within the CRA, the finer street grid, smaller lot sizes and compactness of buildings generally qualify for Classifications C4-Urban General and C5-Urban Center. The following table equates the CRA Context Classifications with Zoning classifications:

Context Classification to Zoning Translation	
Context Classification	Zoning Code
C4 - Urban General	R-1AA
	R-1A
	R-1B
C5 - Urban Center	R-NC
	R-NCB
	C-1
	C-2
	C-3

Transportation facilities constructed under C4 and C5 have more Walkable design elements scaled to be more pedestrian friendly. Arterial and Collector streets have 10 foot lanes allowed, 8 foot parallel, on-street parking is strongly encouraged, lower range speeds of 20 and 25 miles per hour are specified, and maximum block length of 600 feet are required. These criteria and others yield lower motor vehicle speed, multiple travel modes active and generally greater economic value and sustainability. They encourage more Complete Streets. Federal research has yielded *An Expanded Functional Classification System for Highways & Streets* that also defines more context areas to diversify design solutions in urban settings.

The DPZ and HPE team members recommend adoption of the Context Classification system developed by FDOT as definitions to identify place and to subsequently guide streets and other transportation features within the CRA. The City should encourage FDOT to classify the streets in Pensacola's CRA as C4 and C5 and limit the C3S so that transportation can become more walkable and support the adjacent land uses.

Field Reviews

Field observations within the CRA confirmed that the small block size nature of the overall street grid is one of the strongest assets of the CRA toward increasing Walkability and Complete Streets. Traffic Counts show that most arterial and collector streets have more capacity than needed and in some cases can design lane reductions to further manage motor vehicle speeds and increase pedestrian comfort.

Past Studies were reviewed and the following results were determined:

- Cervantes Corridor study, by Atkins, has two recommendations, for 4L and 2L sections
 - Nodes and Place Types are identified along the Cervantes corridor as potential focus areas of greater compactness. C5 Town Center classifications creating more diverse travel notes and greater walkability.

- i. There is great potential for combining information and setting the stage for Transforming the Cervantes corridor into a Complete Street.
- o CRA Participation in Future Street Design Corridors should also be Context sensitive, complete streets.
 - i. Cervantes
 - ii. Main Street [West]
 - iii. Dr. MLK Jr. Dr./N. Davis Hwy. Pair

Other general recommendations include:

- Continuous sidewalks should take precedence over driveway aprons so the sidewalk maintains a constant elevation.
- Coordinate tree placement with utility location in all cases. Meetings to workshop this important relationship are essential.
- Importance of yield street design for local streets and need to design for, and encourage, on-street parking.
- Remove parking from green swales/parkways/planting strips.

In summary, the following recommendations are primary:

1. Adopt the Florida Greenbook with emphasis on the TND Chapter 19, for application within the entire CRA District.
2. Adopt the Florida CSI reports and policies for design guidance on state owned streets within the CRA.
3. Future conversations on design of all CRA Arterials and Collectors shall be Context Sensitive and CRA staff should be at the table.

Rider Height Chart - 56 cm Classic Road Bike

This is a general guide to help you determine if a bike will fit or not. Use our [road bike size calculator](#) for a better frame size recommendation. There are NO GUARANTEES with the information provided here.

Bike Measurement

Information on this page is for a **road bike** measuring:

56 cm

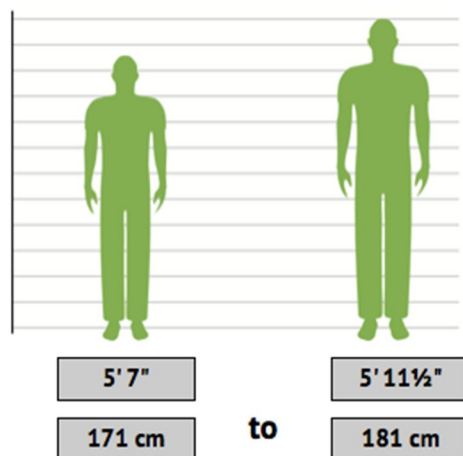
22"



Classic Road Bike

Height Range

You can probably use this bike if your height is in the range below. Check your leg length to be sure.



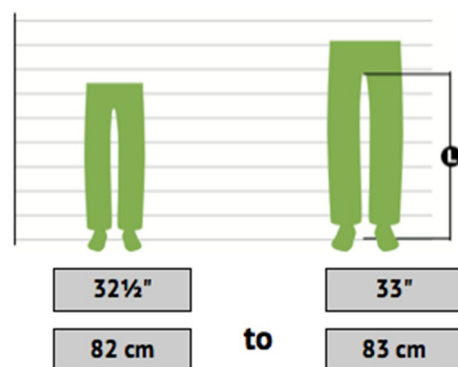
What's Your Bike Size?

Getting the right size bike is important. Find out your specific bike size using our [road bike size calculator](#).



Leg Length Range

This bike fits riders with the following leg lengths:



What is Leg Length?

The distance between the floor and your crotch. Also known as your bicycling inseam. This is more accurate than height when determining if the bike will fit you.

Measuring Your Leg Length



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-00287

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

PUBLIC HEARING FOR THE ANNUAL ASSESSMENT RESOLUTION IMPOSING STORMWATER SERVICE ASSESSMENTS AND APPROVAL OF 2018 STORMWATER ASSESSMENT ROLL

RECOMMENDATION:

That City Council conduct a public hearing on August 9, 2018 to adopt the final assessment resolution imposing stormwater service assessments and approving the 2018 Stormwater Assessment Roll.

HEARING REQUIRED: Public

SUMMARY:

The City of Pensacola created a stormwater utility fee in 2001 to provide a dedicated funding source for stormwater management costs. To continue to receive stormwater assessment revenue, it is necessary that the City Council conduct an annual public hearing on August 9, 2018 to adopt the annual assessment resolution imposing stormwater service assessments and to approve the 2018 Stormwater Assessment Roll.

Since its inception, the stormwater utility fee has generated over \$34 million in revenue designated exclusively for stormwater management. A billing rate of \$72.24 per equivalent stormwater unit (ESU) billing unit is proposed for 2018, the same rate as 2017.

A summary of the residential and commercial charges is provided below:

2018 Rate Structure:

Residential:

<u>Structure Sq. Ft.</u>	<u>2018 Rate</u>
Small 100-1,100	\$31.79
Small-Med 1,100-1,600	\$49.12
Medium 1,601-2,500	\$72.24
Large 2,501-5,600	\$110.53
Very Large 5,601+	Treated as a Commercial Property

Commercial:

A rate of \$72.24 per 2,998 square feet of impervious area (building footprint, paved parking, etc.) minus appropriate mitigation credit, typically 32%, provided for on-site stormwater retention.

PRIOR ACTION:

None

FUNDING:

Budget: \$2,775,000

Actual: \$2,775,000

FINANCIAL IMPACT:

The 2018 stormwater assessment program will generate an estimated \$2.8 million in revenue for FY 2019 stormwater management and improvement projects.

CITY ATTORNEY REVIEW: Yes

7/18/2018

STAFF CONTACT:

Keith Wilkins, City Administrator
Richard Barker, Jr., Chief Financial Officer
George J. Maiberger, Purchasing Manager

ATTACHMENTS:

- 1) Assessment Resolution

RESOLUTION NO. ____-18

A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA, RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES PROVIDED BY THE CITY'S STORMWATER UTILITY; REIMPOSING STORMWATER SERVICE ASSESSMENTS AGAINST DEVELOPED PROPERTY LOCATED WITHIN THE STORMWATER SERVICE AREA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Pensacola, Florida, has enacted Ordinance No. 52-00 (the "Ordinance"), which authorizes the imposition of Stormwater Service Assessments against real property specially benefited by the City's Stormwater Management Services;

WHEREAS, the reimposition of a Stormwater Service Assessment is an equitable and efficient method of allocating and apportioning the cost of the City's Stormwater Management Service among parcels of property that are specially benefited thereby;

WHEREAS, the City Council desires to reimpose a stormwater service assessment program using the tax bill collection method for the Fiscal Year beginning on October 1, 2018;

WHEREAS, in order to reimpose Stormwater Service Assessments for the Fiscal Year beginning October 1, 2018, the Ordinance requires the City Council to adopt an Annual Stormwater Service Assessment Resolution during its budget adoption process for each Fiscal Year, which establishes the rate of assessment and approves the updated Stormwater

Assessment Roll for the upcoming Fiscal Year, with such amendments as the City Council deems appropriate, after hearing comments and objections of all interested parties;

WHEREAS, the updated Stormwater Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance;

WHEREAS, notice of a public hearing has been published and mailed as required by the terms of the Ordinance, which provides notice to all interested persons of an opportunity to be heard; an affidavit regarding the form of notice mailed being attached hereto as Appendix B and the proof of publication being attached hereto as Appendix A; and

WHEREAS, a public hearing has been duly held on August 9, 2018 and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF PENSACOLA, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the Ordinance, the Amended and Restated Initial Assessment Resolution (Resolution No. 18-10), the Amended and Restated Final Assessment Resolution (Resolution No. 36-10), sections 166.021 and 166.041, Florida Statutes, the Charter of the City of Pensacola, Florida, and other applicable provisions of law.

SECTION 2. DEFINITIONS.

(A) This resolution is the Annual Stormwater Assessment Resolution for the imposition of Stormwater Service Assessments.

(B) All capitalized terms in this resolution shall have the meanings defined in the Ordinance, the Amended and Restated Initial Stormwater Service Assessment Resolution, and the Amended and Restated Final Stormwater Service Assessment Resolution.

SECTION 3. APPROVAL OF STORMWATER ASSESSMENT ROLL. The updated Stormwater Assessment Roll, which is currently on file in the office of the City Clerk and incorporated herein by reference, is hereby approved.

SECTION 4. REIMPOSITION OF STORMWATER SERVICE ASSESSMENTS.

(A) It is hereby ascertained, determined, and declared that each parcel of Assessed Property within the Stormwater Service Area will be specially benefited by the City's Stormwater Management Services in an amount not less than the Stormwater Service Assessment for such Tax Parcel, computed in the manner set forth in the Amended and Restated Initial Assessment Resolution, and set forth in the updated Stormwater Assessment Roll. Adoption of this Annual Stormwater Service Assessment Resolution constitutes a legislative determination that all parcels assessed derive a special benefit in a manner consistent with the legislative declarations, determinations and findings as set forth in the Ordinance and the Amended and Restated Initial Assessment Resolution from the

Stormwater Management Services to be provided and a legislative determination that the Stormwater Service Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Amended and Restated Initial Assessment Resolution.

(B) The method for computing and apportioning the Stormwater Service Assessments described in the Amended and Restated Initial Assessment Resolution is hereby approved.

(C) For the Fiscal Year beginning October 1, 2018, the estimated Stormwater Service Cost of \$2,838,800.00 shall be allocated among all parcels of Assessed Property, based upon each parcel's number of Net ESUs. An annual rate of assessment equal to \$72.24 per Net ESU is hereby imposed for each Tax Parcel of Developed Property. Stormwater Service Assessments for Stormwater Management Services in the amounts set forth in the updated Stormwater Assessment Roll, as herein approved, are hereby levied and imposed on all Tax Parcels of Assessed Property described in the Stormwater Assessment Roll for the Fiscal Year beginning October 1, 2018.

(D) The Stormwater Service Assessments shall constitute a lien upon the Tax Parcels so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien for the Stormwater Service Assessments shall be deemed perfected upon adoption by the City

Council of this Annual Rate Resolution and shall attach to the property included on the Stormwater Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

(E) As authorized in the Ordinance, interim Stormwater Service Assessments are also levied and imposed against all property for which a Certificate of Occupancy is issued after adoption of this Annual Stormwater Service Assessment Resolution based upon the rates of assessment approved herein.

SECTION 5. COLLECTION OF STORMWATER SERVICE ASSESSMENTS.

(A) The Stormwater Service Assessments shall be collected from all Assessed Property, except Government Property, pursuant to the Uniform Assessment Collection Act. The Stormwater Utility Director is hereby authorized and directed to certify and deliver or cause the certification and delivery of the Stormwater Service Assessment Roll to the Tax Collector by September 15, in the manner prescribed by section 197.3632, Florida Statutes. The Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix C.

(B) The Stormwater Service Assessments shall be collected from all Government Property in accordance with Section 4.04 of the Ordinance. The Council hereby directs the Stormwater Utility Director to mail said bills no later than November 1, 2018.

SECTION 6. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this Annual Stormwater Assessment Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the apportionment methodology, the rate of assessment, the adoption of the Stormwater Assessment Roll and the levy and lien of the Stormwater Service Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Annual Stormwater Assessment Resolution.

SECTION 7. EFFECTIVE DATE. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

DULY ADOPTED this 9th day of August, 2018.

CITY OF PENSACOLA, FLORIDA

President of the City Council

ATTEST:

City Clerk

APPENDIX A

PROOF OF PUBLICATION

APPENDIX B

AFFIDAVIT OF MAILING

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Ashton J. Hayward, III, and Tammy Peters, who, after being duly sworn, depose and say:

1. Ashton J. Hayward, III, as Mayor of the City of Pensacola, Florida ("City"), pursuant to the authority and direction received from the City Council, timely directed the preparation of the Assessment Roll and the preparation, mailing, and publication of notices in accordance with the Stormwater Utility Ordinance adopted by the City Council on November 16, 2000 (the "Ordinance").

2. Tammy Peters, is Office Manager for Government Services Group, Inc. ("GSG"). GSG has caused the notices required by the Ordinance to be prepared in conformance with the Initial Assessment Resolution. An exemplary form of such notice is attached hereto. GSG has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the

local governing board within 20 days of the notice; and the date, time, and place of the hearing.

3. On or before July 19, 2018, GSG caused the mailing of the above-referenced notices in accordance with the Ordinance and the Initial Assessment Resolution by First Class Mail to each affected owner, at the addresses then shown on the real property assessment tax roll database maintained by the Escambia County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

FURTHER AFFIANTS SAYETH NOT.

Ashton J. Hayward, III, affiant

Tammy Peters, affiant

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing Affidavit of Mailing was sworn to and subscribed before me this _____ day of _____, 2018 by Ashton J. Hayward, III, Mayor, City of Pensacola, Florida. He is personally known to me or has produced _____ as identification and did take an oath.

Printed Name: _____
Notary Public, State of Florida
At Large
My Commission Expires: _____
Commission No.: _____

STATE OF FLORIDA
COUNTY OF LEON

The foregoing Affidavit of Mailing was sworn to and subscribed before me this _____ day of _____, 2018 by Tammy Peters, Office Manager, Government Services Group, Inc., a Florida corporation. She is personally known to me or has produced _____ as identification and did take an oath.

Printed Name: _____
Notary Public, State of Florida
At Large
My Commission Expires: _____
Commission No. _____

APPENDIX C

**FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Mayor of the City of Pensacola, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for stormwater management services (the "Non-Ad Valorem Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Escambia County Tax Collector by September 15, 2018.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Escambia County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this _____ day of _____, 2018.

CITY OF PENSACOLA, FLORIDA

By: _____
Ashton J. Hayward, III
Mayor

[to be delivered to Tax Collector prior to September 15]



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-32

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

RESOLUTION NO. 18-32- IMPOSING STORMWATER SERVICE ASSESSMENTS AND APPROVAL OF 2018 STORMWATER ASSESSMENT ROLL

RECOMMENDATION:

That City Council adopt Resolution No. 18-32:

A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA, RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES PROVIDED BY THE CITY'S STORMWATER UTILITY; REIMPOSING STORMWATER SERVICE ASSESSMENTS AGAINST DEVELOPED PROPERTY LOCATED WITHIN THE STORMWATER SERVICE AREA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: Public

SUMMARY:

The City of Pensacola created a stormwater utility fee in 2001 to provide a dedicated funding source for stormwater management costs. To continue to receive stormwater assessment revenue, it is necessary that the City Council conduct an annual public hearing on August 9, 2018 to adopt the annual assessment resolution imposing stormwater service assessments and to approve the 2018 Stormwater Assessment Roll.

Since its inception, the stormwater utility fee has generated over \$34 million in revenue designated exclusively for stormwater management. A billing rate of \$72.24 per equivalent stormwater unit (ESU) billing unit is proposed for 2018, the same rate as 2017.

A summary of the residential and commercial charges is provided below:

2018 Rate Structure:

Residential:

<u>Building Sq. Ft.</u>	<u>2018 Rate</u>
Small 100-1,100	\$31.79
Small-Med 1,100-1,600	\$49.12
Medium 1,601-2,500	\$72.24
Large 2,501-5,600	\$110.53
Very Large 5,601+	Treated as a Commercial Property

Commercial:

A rate of \$72.24 per 2,998 square feet of impervious area (building footprint, paved parking, etc.) minus appropriate mitigation credit, typically 32%, provided for on-site stormwater retention.

PRIOR ACTION:

None

FUNDING:

Budget: \$2,775,000

Actual: \$2,775,000

FINANCIAL IMPACT:

The 2018 stormwater assessment program will generate an estimated \$2.8 million in revenue for FY2019 stormwater management and improvement projects.

CITY ATTORNEY REVIEW: Yes

7/31/2018

STAFF CONTACT:

Keith Wilkins, City Administrator
Richard Barker, Jr., Chief Financial Officer
George J. Maiberger, Purchasing Manager

ATTACHMENTS:

- 1) Resolution No. 18-32

RESOLUTION NO. 18-32

A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA, RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES PROVIDED BY THE CITY'S STORMWATER UTILITY; REIMPOSING STORMWATER SERVICE ASSESSMENTS AGAINST DEVELOPED PROPERTY LOCATED WITHIN THE STORMWATER SERVICE AREA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Pensacola, Florida, has enacted Ordinance No. 52-00 (the "Ordinance"), which authorizes the imposition of Stormwater Service Assessments against real property specially benefited by the City's Stormwater Management Services;

WHEREAS, the reimposition of a Stormwater Service Assessment is an equitable and efficient method of allocating and apportioning the cost of the City's Stormwater Management Service among parcels of property that are specially benefited thereby;

WHEREAS, the City Council desires to reimpose a stormwater service assessment program using the tax bill collection method for the Fiscal Year beginning on October 1, 2018;

WHEREAS, in order to reimpose Stormwater Service Assessments for the Fiscal Year beginning October 1, 2018, the Ordinance requires the City Council to adopt an Annual Stormwater Service Assessment Resolution during its budget adoption process for each Fiscal Year, which establishes the rate of assessment and approves the updated Stormwater

Assessment Roll for the upcoming Fiscal Year, with such amendments as the City Council deems appropriate, after hearing comments and objections of all interested parties;

WHEREAS, the updated Stormwater Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance;

WHEREAS, notice of a public hearing has been published and mailed as required by the terms of the Ordinance, which provides notice to all interested persons of an opportunity to be heard; an affidavit regarding the form of notice mailed being attached hereto as Appendix B and the proof of publication being attached hereto as Appendix A; and

WHEREAS, a public hearing has been duly held on August 9, 2018 and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF PENSACOLA, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the Ordinance, the Amended and Restated Initial Assessment Resolution (Resolution No. 18-10), the Amended and Restated Final Assessment Resolution (Resolution No. 36-10), sections 166.021 and 166.041, Florida Statutes, the Charter of the City of Pensacola, Florida, and other applicable provisions of law.

SECTION 2. DEFINITIONS.

(A) This resolution is the Annual Stormwater Assessment Resolution for the imposition of Stormwater Service Assessments.

(B) All capitalized terms in this resolution shall have the meanings defined in the Ordinance, the Amended and Restated Initial Stormwater Service Assessment Resolution, and the Amended and Restated Final Stormwater Service Assessment Resolution.

SECTION 3. APPROVAL OF STORMWATER ASSESSMENT ROLL. The updated Stormwater Assessment Roll, which is currently on file in the office of the City Clerk and incorporated herein by reference, is hereby approved.

SECTION 4. REIMPOSITION OF STORMWATER SERVICE ASSESSMENTS.

(A) It is hereby ascertained, determined, and declared that each parcel of Assessed Property within the Stormwater Service Area will be specially benefited by the City's Stormwater Management Services in an amount not less than the Stormwater Service Assessment for such Tax Parcel, computed in the manner set forth in the Amended and Restated Initial Assessment Resolution, and set forth in the updated Stormwater Assessment Roll. Adoption of this Annual Stormwater Service Assessment Resolution constitutes a legislative determination that all parcels assessed derive a special benefit in a manner consistent with the legislative declarations, determinations and findings as set forth in the Ordinance and the Amended and Restated Initial Assessment Resolution from the

Stormwater Management Services to be provided and a legislative determination that the Stormwater Service Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Amended and Restated Initial Assessment Resolution.

(B) The method for computing and apportioning the Stormwater Service Assessments described in the Amended and Restated Initial Assessment Resolution is hereby approved.

(C) For the Fiscal Year beginning October 1, 2018, the estimated Stormwater Service Cost of \$2,838,800.00 shall be allocated among all parcels of Assessed Property, based upon each parcel's number of Net ESUs. An annual rate of assessment equal to \$72.24 per Net ESU is hereby imposed for each Tax Parcel of Developed Property. Stormwater Service Assessments for Stormwater Management Services in the amounts set forth in the updated Stormwater Assessment Roll, as herein approved, are hereby levied and imposed on all Tax Parcels of Assessed Property described in the Stormwater Assessment Roll for the Fiscal Year beginning October 1, 2018.

(D) The Stormwater Service Assessments shall constitute a lien upon the Tax Parcels so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien for the Stormwater Service Assessments shall be deemed perfected upon adoption by the City

Council of this Annual Rate Resolution and shall attach to the property included on the Stormwater Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

(E) As authorized in the Ordinance, interim Stormwater Service Assessments are also levied and imposed against all property for which a Certificate of Occupancy is issued after adoption of this Annual Stormwater Service Assessment Resolution based upon the rates of assessment approved herein.

SECTION 5. COLLECTION OF STORMWATER SERVICE ASSESSMENTS.

(A) The Stormwater Service Assessments shall be collected from all Assessed Property, except Government Property, pursuant to the Uniform Assessment Collection Act. The Stormwater Utility Director is hereby authorized and directed to certify and deliver or cause the certification and delivery of the Stormwater Service Assessment Roll to the Tax Collector by September 15, in the manner prescribed by section 197.3632, Florida Statutes. The Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix C.

(B) The Stormwater Service Assessments shall be collected from all Government Property in accordance with Section 4.04 of the Ordinance. The Council hereby directs the Stormwater Utility Director to mail said bills no later than November 1, 2018.

SECTION 6. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this Annual Stormwater Assessment Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the apportionment methodology, the rate of assessment, the adoption of the Stormwater Assessment Roll and the levy and lien of the Stormwater Service Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Annual Stormwater Assessment Resolution.

SECTION 7. EFFECTIVE DATE. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

DULY ADOPTED this 9th day of August, 2018.

CITY OF PENSACOLA, FLORIDA

President of the City Council

ATTEST:

City Clerk

APPENDIX A

PROOF OF PUBLICATION

APPENDIX B

AFFIDAVIT OF MAILING

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Ashton J. Hayward, III, and Tammy Peters, who, after being duly sworn, depose and say:

1. Ashton J. Hayward, III, as Mayor of the City of Pensacola, Florida ("City"), pursuant to the authority and direction received from the City Council, timely directed the preparation of the Assessment Roll and the preparation, mailing, and publication of notices in accordance with the Stormwater Utility Ordinance adopted by the City Council on November 16, 2000 (the "Ordinance").

2. Tammy Peters, is Office Manager for Government Services Group, Inc. ("GSG"). GSG has caused the notices required by the Ordinance to be prepared in conformance with the Initial Assessment Resolution. An exemplary form of such notice is attached hereto. GSG has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the

local governing board within 20 days of the notice; and the date, time, and place of the hearing.

3. On or before July 19, 2018, GSG caused the mailing of the above-referenced notices in accordance with the Ordinance and the Initial Assessment Resolution by First Class Mail to each affected owner, at the addresses then shown on the real property assessment tax roll database maintained by the Escambia County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

FURTHER AFFIANTS SAYETH NOT.

Ashton J. Hayward, III, affiant

Tammy Peters, affiant

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing Affidavit of Mailing was sworn to and subscribed before me this _____ day of _____, 2018 by Ashton J. Hayward, III, Mayor, City of Pensacola, Florida. He is personally known to me or has produced _____ as identification and did take an oath.

Printed Name: _____
Notary Public, State of Florida
At Large
My Commission Expires: _____
Commission No.: _____

STATE OF FLORIDA
COUNTY OF LEON

The foregoing Affidavit of Mailing was sworn to and subscribed before me this _____ day of _____, 2018 by Tammy Peters, Office Manager, Government Services Group, Inc., a Florida corporation. She is personally known to me or has produced _____ as identification and did take an oath.

Printed Name: _____
Notary Public, State of Florida
At Large
My Commission Expires: _____
Commission No. _____

APPENDIX C

**FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Mayor of the City of Pensacola, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for stormwater management services (the "Non-Ad Valorem Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Escambia County Tax Collector by September 15, 2018.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Escambia County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this _____ day of _____, 2018.

CITY OF PENSACOLA, FLORIDA

By: _____
Ashton J. Hayward, III
Mayor

[to be delivered to Tax Collector prior to September 15]



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 11-18

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 11-18 - AMENDING LAND DEVELOPMENT CODE SECTION 12-2-10 (C)(4)(b) HISTORIC AND PRESERVATION LAND USE DISTRICT; OLD EAST HILL PRESERVATION ZONING DISTRICT; CONDITIONAL USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT

RECOMMENDATION:

That City Council approve Proposed Ordinance No. 11-18 on first reading.

AN ORDINANCE AMENDING SECTION 12-2-10 (C)(4)(b) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE HISTORIC AND PRESERVATION LAND USE DISTRICT; OLD EAST HILL PRESERVATION ZONING DISTRICT; CONDITIONAL USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

The City has received a request from Dr. Laura Hall of East Hill Animal Hospital for an amendment to the Land Development Code Section 12-2-10 (C)(4)(b) Historic and Preservation Land Use District; Old East Hill Preservation Zoning District; Uses Permitted; OEHC-1 Neighborhood Commercial District. More specifically, Dr. Hall is requesting that the use of animal hospitals, veterinary clinics and pet resorts no longer require Conditional Use Permit approved and instead become a permitted use by right. In addition, Dr. Hall is requesting that this use be permitted with the stipulation that kennels must be fully enclosed, outside runs are not permitted but exercise areas are permitted. Dr. Hall recently appeared before the Special Magistrate for a code violation of having exercise areas in the OEHC-1 zoning district. The Special Magistrate gave Dr. Hall one year to resolve the issue. Dr. Hall is requesting this amendment in order to bring her property at 805 E. Gadsden Street into compliance.

On April 10, 2018, the Planning Board recommended approval of this amendment by a 4-1 vote with the stipulation that outside exercise areas must be supervised and limited to five (5) or fewer animals at one time.

PRIOR ACTION:

Public Hearings were held on June 14, 2018 and July 19, 2018. During the July 19, 2018 Public Hearing City Council requested staff modify this amendment to accept Planning Board's recommendation with the requirement that this land use be permitted by Conditional Use Permit only.

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

4/25/2018

STAFF CONTACT:

Keith Wilkins, City Administrator
Sherry H. Morris, Planning Services Administrator

ATTACHMENTS:

- 1) Proposed Ordinance No. 11-18
- 2) Applicant's Request, LDC Amendment 12-2-10, Dr. Laura Hall
- 3) Map of Impacted Commercial Districts in Old East Hill
- 4) Correspondence from Citizens, LDC Amendment 12-2-10, Dr. Laura Hall
- 5) Ruling from Code Enforcement Authority, 805 E. Gadsden Street, Dr. Laura Hall
- 6) April 10, 2018 Planning Board Minutes

PRESENTATION: No

PROPOSED
ORDINANCE NO. 11-18

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 12-2-10(C)(4)(b) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE HISTORIC AND PRESERVATION LAND USE DISTRICT; OLD EAST HILL PRESERVATION ZONING DISTRICT; CONDITIONAL USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, two public hearings were held on June 14, 2018 and July 19, 2018 concerning the following proposed amendment to the Land Development Code; NOW

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Chapter 12-2-10 of the Code of the City of Pensacola, Florida, is hereby amended as follows:

(C) Old East Hill preservation zoning districts. OEHR-2, OEHC-1, OEHC-2 and OEHC-3.

(1) Purpose. The Old East Hill preservation zoning districts are established to preserve the existing residential and commercial development pattern and distinctive architectural character of the structures within the district. The regulations are intended to preserve, through the restoration of existing buildings and construction of compatible new buildings, the scale of the existing structures and the diversity of original architectural styles.

(2) Character of the district. The Old East Hill neighborhood was developed over a fifty-year period, from 1870 to the 1920's. The architecture of the district is primarily vernacular, but there are also a few properties which display influences of the major architectural styles of the time, such as Craftsman, Mission and Queen Anne styles.

(3) Boundaries and zoning classifications. The boundaries of the Old East Hill preservation district shall be identified as per a map and legal description, and the zoning classifications of properties within the district shall be identified as per a map, filed in the office of the city clerk.

(4) Uses permitted.

- (a) OEHR-2, residential/office district.
1. Single-family detached dwellings.
 2. Single-family attached (townhouse or quadraplex type construction) and detached zero-lot-line dwellings. Development must comply with the minimum standards established for the R-ZL zoning district in section 12-2-5(A) (5).
 3. Two-family attached dwellings (duplex).
 4. Multiple-family attached dwellings (three or more dwelling units).
 5. Community residential homes licensed by the Florida Department of Health and Rehabilitative Services with seven (7) to fourteen (14) residents providing that it is not to be located within one thousand two hundred (1,200) feet of another such home in a multi-family district, and that the home is not within five hundred (500) feet of a single-family zoning district. If it is proposed to be within one thousand two hundred (1,200) feet of another such home in a multi-family district and/or within five hundred (500) feet of a single family zoning district it shall be permitted with city council approval after public notification of property owners in a five hundred-foot radius
 6. Home occupations subject to regulations in section 12-2-10(A) (3) (a) 4.
 7. Bed and breakfast subject to regulations in section 12-2-55.
 8. Boarding and lodging houses.
 9. Office buildings.
 10. Studios.
 11. Municipally owned or operated parks or playgrounds.
 12. Public schools and educational institutions having a curriculum the same as ordinarily given in public schools and colleges subject to regulations in section 12-2-65.
 13. Libraries, community centers and buildings used exclusively by the federal, state, regional, county and

city government for public purposes subject to regulations in section 12-2-61.

14. Churches, Sunday school buildings and parish houses subject to regulations in section 12-2-57.
15. Minor structures for the following utilities: unoccupied gas, water and sewer substations or pumpstations, electrical substations and telephone substations subject to regulations in section 12-2-59.
16. Accessory structures, buildings and uses customarily incidental to the above uses subject to regulations in section 12-2-31, except that the following shall apply:
 - a. Accessory structures shall not exceed one-story in height for a maximum height of twenty-five (25) feet in order for the accessory structure to match the style, roof pitch, or other design features of the main residential structure.
 - b. The wall of an accessory structure shall not be located any closer than six (6) feet to the wall of the main residential structure.
17. Family day care homes licensed by the Florida Department of Children and Family Services as defined in the Florida Statutes.

(b) OEHC-1, neighborhood commercial district.

1. Any use permitted in the OEHR-2 district.
2. Child care facilities subject to regulations in section 12-2-58.
3. Nursing homes, rest homes, convalescent homes.
4. Parking lots.
5. The following uses, retail only, with no outside storage or work permitted, except as provided herein:
 - a. Food and drugstore.
 - b. Personal service shops.
 - c. Clothing and fabric stores.

- d. Home furnishing, hardware and appliance stores.
- e. Craft and specialty shops.
- f. Banks.
- g. Bakeries.
- h. Secondhand stores.
- i. Floral shops.
- j. Martial arts studios.
- k. Outdoor sales of trees, shrubs, plants and related landscaping materials as an accessory to indoor retail sales uses permitted by this paragraph, provided that the area is enclosed within a fence attached to the rear or side of the main building, and provided that the outdoor area does not exceed twenty (20) percent of the total area of the main building.
- l. Restaurants.
- m. Mortuary and funeral parlors.
- n. Pet shops with all uses inside the principal building.
- o. Printing firms.
- p. Business schools.
- q. Upholstery shops.
- 6. Conditional uses permitted. Animal hospitals ~~and,~~ veterinary clinics and pet resorts with fully enclosed kennels and no outside runs ~~or exercise areas.~~ Outside exercise areas permitted only if supervised and limited to five (5) or fewer animals.

(c) OEHC-2, retail commercial district.

- 1. Any use permitted in the OEHC-1 district.
- 2. Open air sales of trees, plants and shrubs. The business shall include a permanent sales or office building (including restrooms) on the site.
- 3. Hospitals, clinics.
- 4. Private clubs and lodges, except those operated as commercial enterprises.
- 5. Electric motor repair and rebuilding.
- 6. Appliance repair shop.

7. Garages for the repair and overhauling of automobiles.
 8. Sign shop.
 9. Photo shop.
 10. Plumbing and electrical shop.
 11. Pest extermination services.
- (d) OEHC-3, commercial district.
1. Any use permitted in the OEHC-2 district.
 2. Dive shop.
 3. Fitness center.
 4. Theater, except for drive-in.
 5. Taverns, lounges, nightclubs, cocktail bars.
- (5) Procedure for review of plans.
- (a) Plan submission. Every application for a building permit to erect, construct, demolish, renovate or alter an exterior of a building or sign, located or to be located in the Old East Hill Preservation District, shall be accompanied with plans as necessary to describe the scope of the proposed work pursuant to paragraph 12-2-10(A)(4)(c) to (e).
- (b) Review and approval. All such plans shall be subject to review and approval by the architectural review board established in section 12-13-3. The board shall adopt written rules and procedures for abbreviated review for minor repairs and minor deviations in projects already approved by the board. This process may authorize the board to designate one of its members to undertake such abbreviated review by the entire board, provided, however, such abbreviated review process shall require review by the staff of West Florida Historic Preservation, Inc. If agreement cannot be reached as it pertains to such request for abbreviated review by the board designee and West Florida Historic Preservation, Inc. staff, then the matter will be referred to the entire board for a decision.
- (c) Decisions.
1. General consideration. The board shall consider plans for existing buildings based on their classification as contributing, non-contributing or modern infill as depicted on the map entitled "Old East Hill Preservation District" adopted herein, and shall review these plans based on regulations described herein for each of

these building classifications. In their review of plans for both existing buildings and new construction, the board shall consider exterior design and appearance of the building, including the front, sides, rear and roof; materials and textures; plot plans or site layout, including features such as walls, walks, terraces, off-street paved areas, plantings, accessory buildings, signs and other appurtenances; and relation of the building to immediate surroundings and to the district in which it is located or to be located. The term "exterior" shall be deemed to include all of the outer surfaces of the building and exterior site work, and is not restricted to those exteriors visible from a public street or place. The board shall consider requests for design materials, alterations or additions, construction methods or any other elements regulated herein, which do not meet the regulations as established in this subsection, when documentary proof in the form of photographs, property surveys, indication of structural foundations, drawings, descriptive essays and similar evidence can be provided. The board shall not consider interior design or plan. The board shall not exercise any control over land use or construction standards such as are controlled by this chapter and chapter 7-13.

2. Rules governing decisions. Before approving the plans for any proposed building located or to be located in a district, the board shall find:
 - a. In the case of a proposed alteration or addition to an existing building, that such alteration or addition will not impair the architectural or historic value of the building.
 - b. In the case of a proposed new building, that such building will not, in itself or by reason of its location on the site, impair the architectural or historic value of buildings on adjacent sites or in the immediate vicinity. No

plans for new building will be approved if that building will be injurious to the general visual character of the district in which it is to be located considering visual compatibility standards such as height, proportion, shape, scale, style and materials.

3. No provision of this section shall be interpreted to prevent the restoration or reconstruction of any historic building or feature (as listed by West Florida Historic Preservation, Inc.) in its original style, dimensions or position on its original structural foundation.
4. No provision of this section shall be interpreted to require a property owner to make modifications, repairs or improvements to property when the owner does not otherwise intend to make any modifications, repairs or improvements to the property, unless required by chapter 7-13.

- (6) Regulations and guidelines for any development within the Old East Hill preservation district. These regulations and guidelines are intended to address the design and construction of elements common to any development within the Old East Hill preservation district which requires review and approval by the architectural review board. Regulations and guidelines which relate specifically to new construction and/or structural rehabilitation and repair to existing buildings, applicable to building heights, setbacks, architectural elements and construction types, are established in paragraphs (6) through (8) below.

(a) Off-street parking. Design of, and paving materials for, parking lots, spaces and driveways shall be subject to approval of the architectural review board. For all parking lots, a solid wall, fence or compact hedge not less than three (3) feet high shall be erected along the lot line(s) when automobiles or parking lots are visible from the street or from an adjacent residential lot.

1. OEHR-2 district. All non-residential development shall comply with off-street parking requirements established in chapter 12-3.
2. OEHC-1, OEHC-2 and OEHC-3 districts. All non-residential development shall comply with off-street parking requirements established in

chapter 12-3. The required parking may be provided off-site by the owner/developer as specified in section 12-3-1(D).

- (b) Landscaping. Landscape area requirements and landscape requirements for parking lots within the OEHR-2, OEHC-1 and OEHC-2 districts shall comply with regulations established in section 12-6-3 for the R-2, C-1 and C-2 zoning districts.
- (c) Signs. Refer to sections 12-4-2 and 12-4-3 for general sign standards and criteria and for a description of sign area calculations. The location, design and materials of all accessory signs, historical markers and other signs of general public interest shall be subject to the review and approval of the architectural review board. Only the following signs shall be permitted in the Old East Hill preservation district:
 - 1. Temporary accessory signs.
 - a. One non-illuminated sign advertising the sale, lease or rental of the lot or building, said sign not exceeding six (6) square feet of area.
 - b. One non-illuminated sign not more than fifty (50) square feet in area in connection with new construction work, and displayed only during such time as the actual construction work is in progress.
 - 2. Permanent accessory signs.
 - a. North 9th Avenue, Wright Street, Alcaniz Street and Davis Street. For churches, schools, apartment buildings, boarding or lodging houses, libraries, community centers, commercial buildings (including office and retail buildings) or historic sites serving as identification and/or bulletin boards, one freestanding or projecting sign and one attached wall sign or combination of wall signs placed on the front or one side of the building not to exceed fifty (50) square feet in area. The signs may be painted on the building, mounted to the face of the wall of the building, hung from a bracket that is mounted to a wall of a building, hung from other ornamental elements on the building, or may be freestanding. Signs projecting from a building or extending over public

property shall maintain a clear height of nine (9) feet, six (6) inches above the public property and shall not exceed a height of twelve (12) feet. Freestanding signs shall not exceed a height of twelve (12) feet.

- b. All other streets in the district. One sign per lot per street frontage for churches, schools, apartment buildings, boarding or lodging houses, libraries, community centers, commercial buildings (including office and retail buildings) or historic sites serving as identification and/or bulletin boards not to exceed twelve (12) square feet in area and eight (8) feet in height, provided, however that signs projecting from a building or extending over public property shall maintain a clear height of nine (9) feet six (6) inches above the public property and shall not exceed a height of twelve (12) feet six (6) inches. The sign may be mounted to the face of the wall of the building, hung from a bracket that is mounted to a wall of a building, hung from other ornamental elements on the building, or may be freestanding. The sign may be illuminated provided that the source of light is not visible beyond the property line of the lot on which the sign is located.
 - c. One non-illuminated nameplate designating the name of the occupant of the property; the nameplate shall not be larger than three (3) square feet and shall be attached to the dwelling. This section shall be applicable to occupants and home occupations.
 - d. Municipal or state installed directional signs, historical markers and other signs of a general public interest when approved by the board.
- (d) Fences. All developments in the Old East Hill preservation zoning districts shall comply with fence regulations as established in section 12-2-40. Fences are subject to approval by the architectural review board. Approved materials will include but not necessarily be limited to wood, brick, stone or wrought iron. No concrete block or barbed-wire fences

will be permitted. Chain-link fences shall be permitted in side and rear yard only.

- (e) Additional regulations. In addition to the regulations established above in subsections 12-2-10(C)(6)(a) through (d), any permitted use within the Old East Hill preservation district where alcoholic beverages are ordinarily sold is subject to the requirements of Chapter 7-4 of this Code.
- (7) Restoration, rehabilitation, alterations or additions to existing contributing structures in the Old East Hill preservation district. The document entitled "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings," published by the United States Department of Interior in 1983, shall form the basis for rehabilitation of existing contributing buildings. The proper building elements should be used in combinations which are appropriate for use together on the same building. Documented building materials, types, styles and construction methods shall be duplicated when making repairs, alterations and/or additions to contributing structures. Any variance from the original materials, styles, etc. shall be approved only if circumstances unique to each project are found to warrant such variances. The regulations established in paragraph (6), relating to streetscape elements, shall apply to contributing structures. Regulations established in Table 12-2.10 shall apply to alterations and additions to contributing structures.
- (8) Renovation, alterations and additions to non-contributing and modern infill structures within the Old East Hill preservation district. Many of the existing structures within the district do not meet the criteria established for contributing structures, even though they may be similar in style to the historic structures, and some structures are modern in style with no relation to the historic structures. All of these buildings shall be recognized as products of their own time. The regulations established in paragraph (6), relating to streetscape elements, shall apply to non-contributing and modern infill structures. Regulations established in Table 12-2.10 shall apply to alterations and additions to existing non-contributing structures. In review of these structures the board may make recommendations as to the use of particular building elements which will improve both the appearance of the

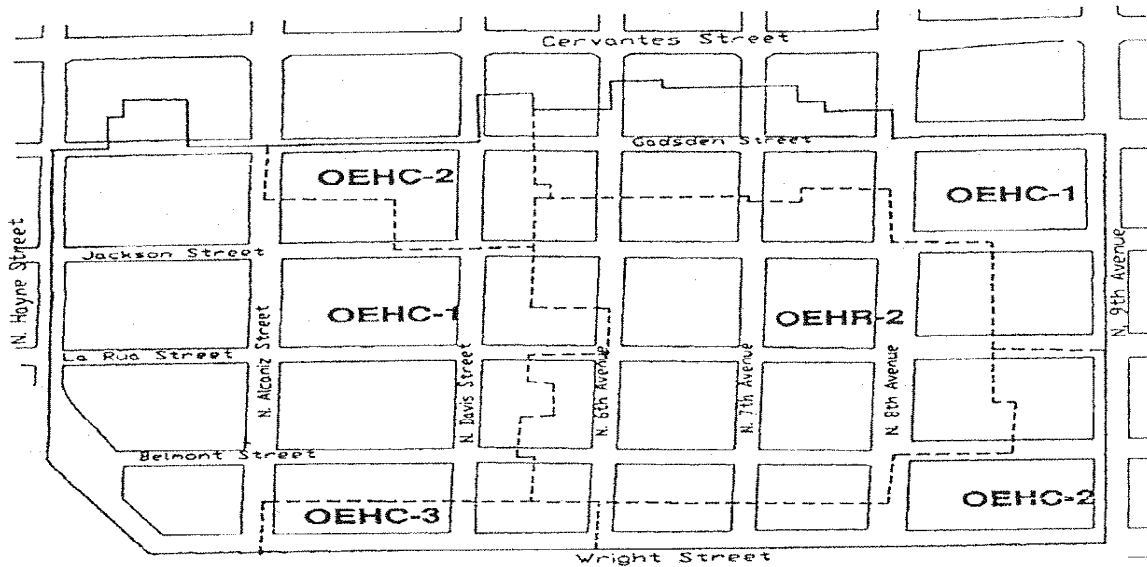
individual structure, its relationship with surrounding structures and the overall district character.

- (9) Regulations for new construction in the Old East Hill preservation district. New construction shall be built in a manner which is complementary to the overall character of the district in height, proportion, shape, scale, style and building materials. The regulations established in paragraph (6), relating to streetscape elements, shall apply to new construction. Table 12-2.10 describes height, area and yard requirements for new construction in the Old East Hill preservation district.
- (10) Demolition of structures within the Old East Hill preservation district. The demolition provisions established in section 12-2-10(A)(9) to (11), applicable to contributing and non-contributing structures within the Historic District, shall apply in the preservation district.

TABLE 12-2.10

REGULATIONS FOR OLD EAST HILL PRESERVATION ZONING DISTRICTS

Standards	OEHR-2	OEHC-1	OEHC-2	OEHC-3
Minimum Yard Requirement (Minimum Building Setbacks)				
Front Yard Side Yard Rear Yard	*15 feet 5 feet 15 feet	There shall be a 5' side yard setback, but no front or rear yard setbacks, unless this chapter requires a larger yard or buffer yard.		None
Minimum Lot Area For Residential Uses				
Single-family Detached Residential Duplex Residential Multi-family Residential	3,500 s.f. 5,000 s.f. 9,000 s.f.	None		
Minimum Lot Width at Street Row Line	30 feet	None		
Minimum Lot Width at Building Setback Line	30 feet	None		
Maximum Lot Coverage	N/A	The maximum combined area of all principal and accessory buildings shall not exceed 50% of the square footage of the lot.		None
Maximum Building Height (except as provided in section 12-2-39)	Residential buildings shall not exceed two (2) stories in height, with a usable attic. No building shall exceed thirty-five (35) feet in height, except that three (3) feet may be added to the height of the building for each foot the building is set back from the building setback or property lines to a maximum height of 45' with approval of the architectural review board.			
Minimum Floor Area For Multi-Family Developments	600 square feet per dwelling unit			
* Front yard depths in the Old East Hill preservation zoning district shall not be less than the average depths of all of the front yards facing the street on the block, up to the minimum yard requirement; in case there are no other dwellings, the front yard depth shall be no less than the footage noted.				



Old East Hill Preservation District

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: _____

Approved: _____
President of City Council

Attest:

City Clerk

Brandi Deese

From: Laura Hall <laura@drhall.us>
Sent: Friday, March 09, 2018 3:02 PM
To: Brandi Deese; Sherry Morris
Subject: OEHC1 Language change

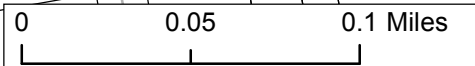
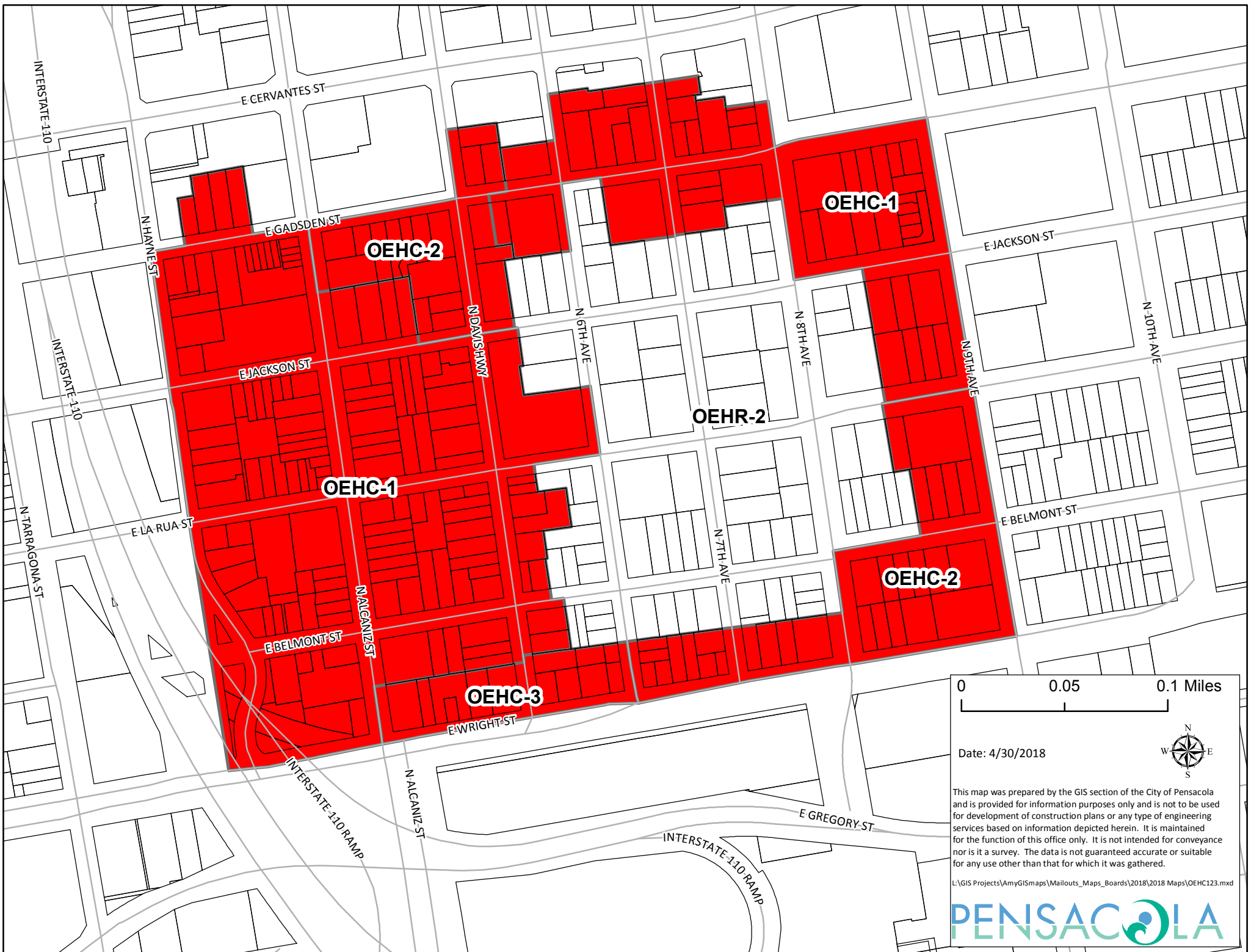
Afternoon,

I am requesting an amendment to land development code section 12-2-10 historic and preservation land use district. More specifically, section C, Old East Hill Preservation Zoning District, #4 Uses Permitted OEHC-1 section b: change permitted uses to: animal hospitals, veterinary clinics, pet resorts and with fully enclosed kennels, with no outside runs, exercise areas are permitted.

#6 Conditional uses permitted animal hospitals and veterinary clinics with fully enclosed kennels and no outside runs or exercise areas be removed from the code.

Thanks for your time in advance,

Dr. Laura Hall
East Hill Animal Hospital
805 E Gadsden St. 32501
850-437-9932



Date: 4/30/2018



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

L:\GIS Projects\AmyGISmaps\Mailouts_Maps_Boards\2018\2018 Maps\OEHC123.mxd



Brandi Deese

From: president@historicnorthhill.com
Sent: Friday, March 30, 2018 10:24 PM
To: Brandi Deese
Cc: christianwagley@gmail.com; nicholsmelanie2@gmail.com
Subject: Planning Board Item - Request to consider Amendment to LDC Section 12-2-10 Historic and Preservation Land Use District
Attachments: City_Council_Minutes_November_20_2008.pdf; Section_12_2_54_Animal_Hospitals_businesses_that_board_animals.docx; Section_12_2_32_Buffer_Yards.docx; Section_12_2_8_Commercial_Land_Use_District.docx

Brandi,

I hope this finds you doing well.

Our Board saw on the agenda that an amendment to the Historic & Preservation Land Use District, Section 12-2-10 was being proposed and reviewed the application and past history on the change in great detail.

It appears that the applicant has changed the wording of what is currently in Section 12-2-10 in their request, (added two words for a new land use not previously approved, or defined in the Land Development Code, "Pet Resort", and deleted the word "or". That one word "or" changes it from the current reading of "Animal Hospitals and Veterinary Clinics with fully enclosed kennels and no outside runs OR exercise areas" to now adding Pet Resorts AND exercise areas as an allowed Conditional Use..

I think that it would be very helpful if the Public and the Board:
have a copy of what the existing Section 12-2-10 says on the subject, the background for the change in 2008, and where such a use that is being requested is currently allowed in the rest of the City (C-3 Zoning District) and that perhaps more clarification could be added to the Staff Memorandum. As it is now, the Board and Public don't know that the applicant is trying to put a C-3 type use in a C-1 Zoning District. This is a MAJOR change in the 12-2-10.

Here is the section of OEHC-1 from Section 12-2-10

(b) OEHC-1, neighborhood commercial district.

1. Any use permitted in the OEHR-2 district.
2. Child care facilities subject to regulations in section 12-2-58.
3. Nursing homes, rest homes, convalescent homes.
4. Parking lots.
5. The following uses, retail only, with no outside storage or work permitted, except as provided herein:
 - a. Food and drugstore.
 - b. Personal service shops.
 - c. Clothing and fabric stores.
 - d. Home furnishing, hardware and appliance stores.
 - e. Craft and specialty shops.
 - f. Banks.
 - g. Bakeries.
 - h. Secondhand stores.
 - i. Floral shops.

j. Martial arts studios.

k. Outdoor sales of trees, shrubs, plants and related landscaping materials as an accessory to indoor retail sales uses permitted by this paragraph, provided that the area is enclosed within a fence attached to the rear or side of the main building, and provided that the outdoor area does not exceed twenty (20) percent of the total area of the main building.

l. Restaurants.

m. Mortuary and funeral parlors.

n. Pet shops with all uses inside the principal building.

o. Printing firms.

p. Business schools.

q. Upholstery shops.

{6. Conditional uses permitted. Animal hospitals and veterinary clinics with fully enclosed kennels and no outside runs or exercise areas.}

This is the exact same language that is in the Municipal Code for the same use in C-1 districts throughout the City. Our Board does not have an issue if the applicant makes this a permitted versus conditional use, however, we take issue to the addition of "Pet Resort" (not in the LDC and the removal of the word or which would allow outside exercise areas.

Previous to November 2008, Animal hospitals and veterinary clinics were NOT allowed in the OEH Zoning Districts. This same applicant, Dr.

Hall, petitioned to have them added in 2008 and was approved on the condition that there would be no outside runs or exercise areas.

It was very controversial and there was much concern about noise to adjacent residential property owners and Dr. Hall is on record saying that there would be no outside exercise areas. Sherry Morris is on record throughout the Council Hearing insisting that there would not be any outside runs or exercise areas. I have attached the minutes from the City Council meeting from November 17, 2008 which voted to approve the conditional use of animal hospitals and veterinary clinics with no outside runs or exercise areas. The minutes also contain numerous concerns by adjacent property owners.

Many of the residents concerns have materialized according to the Code Enforcement Complaint and Violation. I think that the Board and the Public should have a copy of the minutes from that CEB Meeting since it's referenced in your memorandum.

Has notice been mailed to the adjacent property owners about this new proposal before the Planning Board?

I would recommend that the Planning Board look in the Municipal Code to see where the facility the applicant would like to run would be allowed to occur. It is only allowed to occur in the C-3 Zoning District which is by no means comparable to the OEHC-1 District where this change would be made.

Dr. Hall is currently operating a Pet Resort with outside exercise areas that meets with the City's Municipal Code in the C-3 Zoning District near Hayne Street. (Not within the boundaries of Old East Hill governed by the ARB). The applicant's request to bring C-3 uses within the Preservation District is not compatible.

C-3, commercial zoning district (wholesale and limited industry)

(a) Any use permitted in the C-2 district. (Animal Hospitals and Vet Clinics with NO outside kennels, runs, or exercise allowed in C-2) but you can't have outside exercise areas until section (b) below in C-3

Outside storage and work shall be permitted for those uses and the following uses, but shall be screened by an opaque fence or wall at least eight (8) feet high at installation. Vegetation shall also be used as a screen and shall provide seventy-five (75) percent opacity.
The vegetative screen shall be located on the exterior of the required fence.

(b) Outside kennels, runs or exercise areas for animals subject to regulations in section 12-2-54

Section 12-2-54 is titled, Animal Hospitals, veterinary clinics, commercial kennels and businesses that board animals and contains minimum setbacks of 100 feet to a residence and must contain a buffer yard as described in Section 12-2-32 Buffer Yard.

There is no survey or diagram of the site in the application to see how close the clinic and outside exercise area would be to adjacent properties.

As you will see from the attached minutes and Memorandum from Thaddeus Cohen, Community Development Director and also signed by Sherry Morris, Planning Services Administrator, "The majority of those who responded were opposed to the proposed request" in 2008.

Now, additional changes are being proposed which will intensify the use on this property and the noise which could impair the quiet enjoyment of adjacent properties.

The North Hill Preservation Association Inc. does NOT support this change to the Historic and Preservation Land Use District. We strongly feel that such a change would negatively impact the families who make Old East Hill their home and who like us, have very small lots which are close together. Furthermore, such a change establishes a legal precedent which could be used to add this use to all the other Districts governed by Section 12-2-10.

In closing, the words of Robyn Tice to the City Council in November 2008 say it best, "Codes aren't written for one individual's benefit, they are to be to the benefit of the citizens/neighborhood as a whole".

Thank you for your consideration,

Melanie Nichols, President
North Hill Preservation Association, Inc.

Brandi Deese

From: Christian Wagley <christianwagley@gmail.com>
Sent: Tuesday, April 10, 2018 11:42 AM
To: Brandi Deese
Subject: Old East Hill

Hello Brandi:

In response to my email to our Old East Hill Property Owner's Association email list regarding the proposed change to the LDC regarding outdoor exercise areas at pet resorts and vet clinics in Old East Hill, I received the following:

Lou Courtney

to me

Christian, can you please forward this letter to our Old East Hill mailing list? I think it would be good to get it out sooner rather than later. Also I would like Melanie Nichols contact information if you have it. Thanks

I am a resident of Old East Hill and am concerned about the issue described below. Our next neighborhood meeting is **this coming Monday, April 9th**, at Mount Lily Church a few blocks away at 619 East Gadsden in the community center next to the church. Meeting begins at **6:30pm**. We will be holding board member elections that night also, so if you are property owner, please come vote! (you do not need to be an owner to attend meetings and voice concerns)

The East Hill Veterinary Clinic and Pet Resort Too on the corner of Gadsden and 8th Avenue is applying to CHANGE our neighborhood CODE. This is a dramatic change that will affect our entire district. **This vet clinic has been in violation since adding their outdoor run and exercise areas**, which they have been advertising on their website www.Pensacolapetresorttoo.com ('they go outside 5 times a day'). When this vet came into our area they were granted a Conditional Use permit. This type of permit is granted because the city thinks there may be unforeseen problems that arise and that might not be compatible. On their original permit application they clearly state there would be **'NO outdoor runs or exercise areas'**. At the time, it was explained that the boarding of pets was already established several blocks away at Pensacola Pet Resort on Hayne street and they would not board animals at the Gadsden location. This vet understood yet completely disregarded code restrictions. I anticipate they intend to expand their business in our area. Although we are a mixed use neighborhood, meaning that we allow for businesses with different restrictions in different areas, allowing this code change will impact us all negatively, both now and in the future. Speaking with several people who have been in planning and code enforcement for many years, they said that there are always unintended, negative, consequences after a code change even 8, 9, 10 years later. As a neighborhood, we should have voiced concerns when the vet went to the magistrate a month or 2 ago to address their code violation. Unfortunately, it was not publicized and no-one showed up to speak against it.

WE STILL HAVE A CHANCE TO PREVENT THIS CODE CHANGE: We can attend the **Tuesday, April 10th CITY PLANNING BOARD MEETING** at 2:00 pm at City Hall in the Mason Conference room, 222 West Main Street. **SHOWING UP IN PERSON MAKES A DIFFERENCE. You can also write in ahead of time to Brandi Deese at Bdeese@cityofpensacola.com BOTH before April 10th and before May 10th**

*****IT IS ALSO IMPORTANT to SHOW UP** for the Thursday, **May 10th CITY COUNCIL MEETING** at 5:30pm at City Hall, where a decision will be made after hearing comments from the audience.

copyeditor@michaelkenneydesign.com

to me

Hello Christian,

Takes some study to understand this. (For example, on the map of Old East Hill, there's OEHC and OEHR and I'm not sure of the meaning of C and R.) I doubt any ruling would affect us; it's those folks who live close to the clinic who ought to have a sayso. But one more thing: What are the ramifications for the whole neighborhood in the future? When Dr. Hall petitioned to get a zoning change so she could open the clinic, I saw it as continued encroachment by businesses such that in the future they could be right next door. That might be far away, but the encroachment process itself might cause grief, little by little.

Or course, most of what I just said is my imagination.

By the by, do you happen to know what's going to be done with that empty lot across the street from Bill and Nanette's?

Hope to see you Monday,

Jerry

Christian,

Thank you for this information.

I may not be at the meeting so here is my position.

I am strongly against changing OEHC-1, which equates to about half the neighborhood, to allow **animal hospitals, veterinary clinics, and pet resorts with fully enclosed kennels and no outside runs; outdoor exercise areas are permitted** by right. *The placement of a new Animal Facility with an outside exercise area in a primarily residential area should not be allowable by right. This should be a conditional use and the neighbors should have say as it could affect their enjoyment of their own home.*

I personally have no issue with Dr Halls current facility but I also don't live close to it.

It seems her specific issue is what should be addressed, not code for an entire area (OEHC-1). And her issue should be addressed with input from her neighbors near by who are potentially affected by this. (Maybe they have no issue with the facility as it is and could work with her and the city to come up with a variance. I don't know)

Sincerely,

Mark Casson

Brandi Deese

From: Amber Hoverson <amberlynnie1@gmail.com>
Sent: Tuesday, April 10, 2018 11:39 AM
To: Brandi Deese
Subject: Section 12-2-10

Brandi,

My name is Amber Hoverson and I live at 706 E Jackson Street in Old East Hill preservation district. I am writing in regards to the amendment to the Historic and Preservation Land Use District, Section 12-2-10 that is being proposed

My husband and I moved to our home in Old East Hill in 2010 so we were not here when the original code was changed in 2008 to allow for veterinary clinics. My understanding is that many of the homeowners were not in favor of the code changing because they were concerned about noise, overcrowding, parking, the structure's design complementing the neighborhood's integrity, and lastly changing the precedence in which our neighborhood's codes were originally designed and created for.

Here are my observations of East Hill Veterinary Clinic and Pet Resort Too for the past few years: I live a block away from the clinic.

1. The structure is very much in keeping with the integrity of our neighborhood. I think the owner/designers did an excellent job adhering to, even elevating the way remodels and new construction should be treated in our historic preservation district.
2. Having a vet and groomer in the neighborhood is convenient. I've been able to walk my pet to get groomed instead of stressing it out by driving. My In-Laws have also taken advantage of boarding their dog at the Pet Resort when visiting from out of town.
3. Parking can be a problem. The street gets congested and there have been several instances where I've had to stop driving on 8th avenue for someone pulling out of the parking lot that either couldn't see me or wasn't paying attention.
4. Noise from the barking dogs is a problem. Both my husband and I are home all day and the noise can be distracting and annoying. It seems that the barking noise has become more bothersome within the last 6 months.

Here are my concerns about the current proposal to amend section 12-2-10 further:

1. I don't think that any codes should be changed for an individual business. Codes are written for a reason and changing them should benefit the entire neighborhood, not just an individual/business. Also, if changing a code is easy to do current codes lose their authority and people are less likely to comply with them to begin with. This equates to more code violations in general and people doing what they want because they can.

2. We are a mixed use neighborhood so there is commercial zoning throughout the area. The proposed change could hypothetically allow for a veterinary clinic or animal hospital with dogs barking throughout the day to open anywhere within the neighborhood with commercial zoning. Which means hypothetically we could have barking dogs scattered around our entire neighborhood instead of concentrated in one area. Noise pollution lowers home values and quality of life.
3. As someone who has had to go to the ARB several times to get approval for our own home's renovations I can speak to strict guidelines that are in place. The majority of structures in our neighborhood are people's homes. It seems grossly unfair to me that homeowners are held to such strict standards for the exterior renovation of our homes but a business (someone who makes money here) can violate a code (which is a law and not merely a guideline as in the case of the ARB), have a year to come into compliance with the code, and has the option of changing the code so that the business can continue to do what it has always done. Also consider that homeowner's guidelines set in place by the ARB only influence what we see. The proposed code change affects what we hear. A person can make a choice to ignore something they find ugly in the neighborhood, but noise pollution cannot simply be ignored, even from the interior of a home.

I congratulate East Hill Veterinary Clinic and Pet Resort Too on its business success, however as the saying goes, there is a time and place for everything. The place for the part of her business that includes outdoor runs or exercise areas is not Old East Hill. This is a place that is primarily made up of charming old houses and a scattering of small businesses that are either unobtrusive or adding to the charm. We live in a very special place and it is exciting to see the growth that our community has experienced. Allowing a business to change the code to suit its needs does not set us up for success. The needs of the community need to be put before anything. We will survive without a pet resort in the neighborhood but we will not survive if we are known as the noisy neighborhood with the barking dogs because we are the only C1 zoning area that allows for C3 noise.

Sincerely,

Amber Hoverson

Brandi Deese

From: Charles Voltz <voltzpj@yahoo.com>
Sent: Thursday, April 05, 2018 8:06 PM
To: Brandi Deese
Subject: Proposed LDC Amendment for Old East Hill Preservation District

My address is 603 N. 8th Avenue. This puts me across from East Hill Animal Hospital on the same block. I am writing to voice my strenuous objections to Ms. Hall's proposed changes to the land development code for a neighborhood in which she chose to place a business, with full knowledge of what the limitations to that business would be.

Ms. Hall has been in violation of the code for quite some time now. Her casual disregard for the people who have property, children, investments, and long-term regard for the neighborhood is obscene. I have been subjected to hour after hour of 8-10 dogs barking in an enclosure behind her business, IN VIOLATION OF THE CODE. Countless times, I have witnessed her clientele using our neighborhood as a repository for their dogs' feces, IN VIOLATION OF THE LAW. Nearly every day of the week, she and her employees use the City's grass easement (between the sidewalk and 8th Avenue) as a parking lot, IN VIOLATION OF THE LAW.

I remember distinctly when Ms. Hall showed up years ago with a lot of promises and assurances. In truth, she has been a very poor neighbor, and this beautiful piece of historic Pensacola is dirtier, louder, trashier, and more congested for Ms. Hall having been here. We take care of this place because it is our home. Clearly she does not feel the same responsibility.

The Code was not written for or against Ms. Hall, so there is no compelling reason to amend it for Ms. Hall. She knew what the Code said when she located here, and she chose to violate it over and over and over. Now she wants the Planning Board, whom she has pointedly ignored, to change the Code solely for her benefit? For her to even make this request, after what she has done to our street, is outrageous.

I would prefer Ms. Hall pack up her business and move it to a location in which the Land Development Code suits her goals. Otherwise, I fully expect the City of Pensacola to reject this ridiculous request, and then get serious about enforcing the existing regulations to bring this business into compliance. Thank you.

Sincerely, Charles Voltz and Dr. Stacey Rimmerman

Brandi Deese

From: Lou Courtney <loumitchell@loumitchell.com>
Sent: Monday, April 09, 2018 8:12 AM
To: Brandi Deese
Subject: East Hill Vet Clinic

Having been a resident of Old East Hill for over 20 years, I am adamantly opposed to the request for code change by the East Hill Veterinary Clinic and Pet Resort Too. This vet clinic has been in violation since adding their outdoor run and exercise areas. When this vet came into our area they were granted a Conditional Use permit. This type of permit is granted because the city thinks there may be unforeseen problems that arise and that might not be compatible. On their original permit application they clearly state there would be '**NO outdoor runs or exercise areas**'. At the time, it was explained that the boarding of pets was already established several blocks away at Pensacola Pet Resort on Hayne street and they would not board animals at the Gadsden location. **This vet understood yet completely disregarded code restrictions.** As their business has grown, the number of barking dogs has increased and gotten louder. I work at home and am often outside. Even though I am a block away, the noise is very loud and obnoxious and, as their website advertises, it occurs when **they take the dogs out '5 TIMES A DAY'**. I am asking the planning board to SAY NO to this request and to enforce the existing code. I am disappointed they have been given a YEAR to come into compliance.

City Code was created to protect the majority of the citizens, not for special interest groups. We are a small, HISTORIC PRESERVATION neighborhood. Our quality of life is diminished by this NOISE POLLUTION.

I anticipate they are attempting to change this code because they intend to expand this business in our district. If they need to expand their business they should find an area more compatible with their needs. Although we are a mixed use neighborhood, meaning that we allow for businesses with different restrictions in different areas, allowing this code change will impact our ENTIRE DISTRICT negatively, both now and in the future. Speaking with several people who have been in planning and code enforcement for many years, they said that there are always **unintended, negative, consequences after a code change even 8, 9, 10 years later.**
Lou Mitchell Courtney
523 N 8th avenue

Brandi Deese

From: theresa finkbeiner <coyotemoonherbcompany@cox.net>
Sent: Sunday, April 08, 2018 7:19 PM
To: Brandi Deese
Subject: 805 E. Gadsden St code ordinance

Dear Ms. Deese,

i became aware of an ordinance that Laura Hall wants to remove from the Code at 805 East Gadsden St.

This is not a good move. As a Licensed Massage Therapist and renter at Innerpeace 815 E. Gadsden, the dog barking noise will be unavoidable. I give massage throughout the day along with 3 other therapists and we are not happy to hear of a dog run and kennels outside. This is a residential area too and the noise can be unnerving.

I hope you will consider the people on the whole block on Gadsden St and around the corner.

No one wants to listen to dogs barking all day and night. Please do not remove the code ordinance for this area.

When she bought here, she knew the deal and has broken the code already. Can you please put an end to it right now!!

Thank you for your consideration, I am not able to attend the meeting on this topic .

Theresa Finkbeiner 437 9192

Brandi Deese

From: Lou Courtney <loumitchell@loumitchell.com>
Sent: Tuesday, April 10, 2018 10:53 AM
To: Brandi Deese
Subject: Vet code change letter vote

I have been a home owner in Old East Hill for over 20 years. I am opposed to the code changes proposed by Dr. Laura Hall regarding East Hill Veterinary Hospital/ Pet Resort. I already hear loud nuisance barking off and on throughout each day. She was granted **conditional use** and has not abided by the original code which was written as a condition for allowing her business into the neighborhood. Why is the city even considering changing a land use code for one business when it will affect all residents negatively and open up unforeseen complications years down the road? I am OPPOSED to these changes.

Michael Courtney
523 N 8th avenue

Brandi Deese

From: Laura Dean <laurad@portofinoisland.com>
Sent: Friday, April 06, 2018 3:01 PM
To: Brandi Deese
Subject: East Hill Vet

Planning and Zoning board:
Attention Brandi Deese

This letter is to serve as a statement that my home is directly behind Dr. Laura Hall's businesses. My back yard shares a fence with the pet resort yard. I have never had any issue with her business, employees, customers or clients. I have had no noise, odor or parking concerns. Nor have any of the residents living in my home.

I am in favor of any code change that will allow her to continue to conduct her business with the intended use that the city allowed in 2008. She has conducted herself in a professional manner and has been a pleasant addition to the neighborhood.

Sincerely,

Ken Norris 804 East Jackson

Show quoted text

Brandi Deese

From: Laura Hall <laura@drhall.us>
Sent: Monday, April 09, 2018 10:53 AM
To: D. Brandon Cobb; Brandi Deese
Subject: Re: neighbor favor!

thanks!

On Mon, Apr 9, 2018 at 10:51 AM, D. Brandon Cobb <dbrandoncobb@gmail.com> wrote:

Laura Hall, DVM
East Hill Animal Hospital
805 East Gadsden Street
Pensacola, Florida 32501

Good morning, Laura. Please forward the following letter to whomever you deem necessary.

April 9, 2018

RE: East Hill Animal Hospital

To whom it may concern:

I, D. Brandon Cobb, am the property owner at 811 East Gadsden Street, the property directly next to East Hill Animal Hospital. This property has been mine or in my family since before East Hill Animal Hospital came to be our neighbors. It is my understanding that there have been some complaints about the clinic and the animals there.

While I do not currently reside full time in the building (as I am staying with my great aunt who has had a stroke and help manage her care), I am there periodically and have a working knowledge of the neighborhood. In addition, we had a tenant in the property for over twelve years. I am listing these facts so that you will have an idea of our involvement with our neighbors.

East Hill Animal Hospital has never given me or my tenant any reason to raise a complaint. They have been good and considerate neighbors even taking the extra effort and asking if I minded them using the parking in front of my home rather than just telling their employees or customers to park there. As I am not there, I have had no issue with them using the property which is, after all, part of the public right of way along Gadsden street.

East Hill Animal Hospital has added to our diverse neighborhood and done so while keeping the charming look of Old East Hill in mind. I count them as an asset to our community.

On a personal note, it is extremely convenient to walk next door when I have any veterinary need.

If you have any further questions, I can be reached by phone at 850.748.2200, by email at dbrandoncobb@gmail.com, or by U.S. Mail at 811 East Gadsden Street, Pensacola, Florida 32501.

Cordially,
D. Brandon Cobb

On Fri, Apr 6, 2018 at 1:45 PM, Laura Hall <laura@drhall.us> wrote:

----- Forwarded message -----
From: **Laura Hall** <laura@drhall.us>
Date: Fri, Apr 6, 2018 at 1:44 PM
Subject: neighbor favor!
To: cobb@gmail.com

I have an annoying, waste of time, situation I was hoping you could help me with. :)

I have never had any sort of complaint or issue with the city with any of my 3 businesses but in the recent months my staff has been legally "on street" parking so an anonymous neighbor made a complaint and became frustrated when she was told the parking was legal so she started snooping around for something else to complain about. So, she told the code enforcement officer that she heard dogs barking and followed the barking onto my property and saw 14 dogs in the yard. Not true, not ever!! She then took the time to watch my video on my website "Pensacola Pet Resort, too" and it does say that we allow the "play time is offered next" and "afternoon playtime before dinner" and "offered 5 leash free outings a day 365 days a year". "In 1 of 3 clean shaded and spacious exercise yards" .. all true. **Never unattended always in the fence, always under direct control.**

She then looked up the code and saw my conditional use in OEHC-1 that said " animal hospitals or Veterinary Clinics with fully enclosed kennels and no outside runs or exercise areas." The distinction was a distinction with C3 in which outdoor runs are allowed- see pics attached below. Very sadly, after a lengthy explanation, (see letter also attached) Code Enforcement turfed the issue saying that they could not make that distinction or interpretation and that I had to go before a magistrate which is next Tuesday. (Needless to say once I found out the parking was a concern of a neighbor I asked my staff to stop doing it that problem is solved.) I asked code enforcement to have the lady come talk to me and she refused and wanted to remain anonymous- probably because she lied and trespassed!

I went to the magistrate for a proposed code violation and he could not rule on the interpretation so gave me a year to get the wording changed so there is no concern in the future, he was very nice. The city is behind the change as I have always complied with the intended use, but as always there are some crazy neighbors opposing any change even though it is no change from my original use, just a clarification about the language.

I would love it if as a direct neighbor to my business you would write a letter saying something like you have never had noise or odor complaints or congestion or any issues at all that this business has in fact improved the lot etc etc.

I can write something for you to copy and paste into your email?
Thanks, the meeting is Tuesday with planning and zoning!

Have a good day! Bet it is beautiful in NC- you in the mountains?

Dr. Laura

I sent this to president of local association:

"1) pet resorts were already allowed-- I did not have any changes with the code for that, all uses were to be indoors such as boarding, grooming, exchange of pets and products etc. and they are, the dogs go out to potty and play shortly less than 5-10 mins at a time and always attended. I have no formal or informal complaint of noise at all since 2010 when I opened my doors or of dog droppings, odors, traffic or anything. It's just the recent on street parking that lead to all of this.

2) the term 'outdoor exercise areas' in the conditional use is what all the fuss is about--- how is that interpreted? It was interpreted in 2008 by planning and zoning and city council to mean no outdoor runs or exercise areas in which the dogs are housed outside overnight and where the dogs have access via a dog door to go in and out at free will. Never are my patients left unattended. Never, it is always like you saw it 1 or 2 staff members 1 or 2 dogs, at times like on my video at PensacolaPetResort, too you will see we do have groups that go out together: we have old dog play, young dog play, rowdy dog play etc and all of these dogs are under 40#-- never unattended never barking always playing or pottying! they are done playing in 5- 10 mins and we let them back inside, in the summer heat it is even less and we have indoor playtime. (so let's call it a potty yard and a play yard not an exercise yard)

I realize that it was our mistake in 2008 for not giving more detail in the code, that is why we are correcting it now. All it takes is 1 person to challenge the black and white of the law. Even though her claims were false and in my opinion she not only lied but she trespassed. I am a rule follower and have improved the area and I am passionate about my career, my family and my employees and the East Hill Neighborhood which I have been a part of since 2002!! I would be happy to give anyone a tour as I did you."

BEFORE THE CODE ENFORCEMENT AUTHORITY
OF THE CITY OF PENSACOLA, FLORIDA

THE CITY OF PENSACOLA,
a Florida municipal corporation,
by its Code Enforcement Office (436-5500)
Petitioner,

vs.

LAURA TONETTI HALL, DVM, PA,
Respondent(s).

Case # 18-129

CODE VIOLATION ORDER AND SUBSEQUENT AMENDMENTS

The Special Magistrate Judge having heard and considered sworn testimony and other evidence presented in this matter on February 6, 2018, after due notice to the respondent(s), makes the following findings of fact and conclusions of law:

A. FINDINGS OF FACT:

1. The respondent(s) own(s) and/or is (are) in possession of the real property located at 805 East Gadsden Street, Pensacola, Escambia County, Florida, legally described as:

LTS 1 2 3 BLK 84 NEW CITY TRACT OR 6228 P 236 CA 67 TAX ACCT. #140569000.

2. The following described condition exists on the property: there are dogs running and exercising outside this facility which has a conditional use permit which prohibits same and the condition constitutes an apparent violation of the conditional use permit.

3. The date this condition was first observed was December 5, 2017; re-inspection made on February 6, 2018, confirmed the condition still existed on that date.

4. The respondent(s) received notice by:
X the posting of a notice on the property and at City Hall for ten (10) days beginning
_ certified mail, return receipt requested,

on January 19, 2018, that the condition constitutes a violation of the Code of the City of Pensacola, Florida, and that a public quasi-judicial hearing thereon would be held before the Special Magistrate Judge beginning at 3:00 p.m. on February 6, 2018, at which hearing the respondent(s) did appear and testify at length.

B. CONCLUSIONS OF LAW:

1. The respondent(s) and the property are in violation of Section(s):

12-2-10 (C)(4)(b)6 & 5(n) of the Code of the City of Pensacola, Florida.
of the Florida Building Code.
of the Standard Housing Code.
of the International Property Maintenance Code.

2. The City prevailed in prosecuting this case before the Special Magistrate Judge. If the City has already incurred costs to date in attempting to abate this violation and has requested that they be determined at this time, the Special Magistrate Judge finds the City's costs to be \$ _____. [If the City has not as yet requested that its costs to date, if any, be determined at this time and/or if it later incurs costs to abate this violation, those total costs shall be administratively entered in this blank: \$ _____.]

3. The aforesaid violation(s) or the condition causing the violation(s) does (do) not present a serious threat to the public health, safety, or welfare and/but the violation(s) or the condition causing the violation(s) is (are) not irreparable or irreversible in nature.

C. ORDER:

Based on the above and foregoing findings and conclusions, it is hereby

ORDERED that:

1. The respondent(s) must correct the apparent violation(s) before February 5, 2019, by discontinuing allowing animals to run and exercise outside the pet shop/vet clinic. Immediately after this work has been completed, the respondent(s) must call the City Code Enforcement Office at (850) 436-5500 to schedule a re-inspection of the property to confirm that it has been done to code and/or completed.

2. In the event this order is not complied with before the above compliance date, as early as at the **City Code Enforcement Authority Meeting and Hearings scheduled to take place beginning at 3:00 P.M. (Central Time) on Tuesday, February 5, 2019, or at any such meeting and hearings thereafter**, without further hearing or notice to the respondent(s), : A FINE MAY BE ASSESSED AGAINST EACH RESPONDENT AND THE ABOVE-DESCRIBED PROPERTY IN AN AMOUNT UP TO AND INCLUDING TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250.00) PER DAY for that day and each and every day thereafter any violation continues to exist; and, without further hearing or notice to the respondent(s), A LIEN MAY BE IMPOSED AGAINST ANY AND ALL REAL AND PERSONAL PROPERTY OWNED BY THE RESPONDENT(S) WHICH IS NOT LEGALLY PROTECTED FROM ENCUMBERANCE AND LEVY; AND THE COSTS INCURRED BY THE CITY IN SUCCESSFULLY PROSECUTING THIS CASE MAY BE ASSESSED AGAINST THE RESPONDENT(S).

3. It is the responsibility of the respondent(s) to contact the above-named City Office prosecuting this case to arrange for re-inspection of the property to verify compliance AS SOON AS IT IS ACHIEVED.

4. If the violation(s) is (are) corrected and, thereafter, a City Code Enforcement Officer finds that a repeat violation has occurred, a fine in the amount of up to and including Five Hundred and no/100 Dollars (\$500.00) per day may be assessed against the respondent(s) for each day the repeat violation is found to have occurred by the City Code Enforcement Officer and for each and every day thereafter the repeat violation continues to exist.

5. Pursuant to Sections 162.07 and 162.09, Florida Statutes, without further hearing or notice to the respondent(s), the original or a certified copy of this and/or any subsequent Special Magistrate Judge's order may be recorded in the public records of Escambia County, Florida, and, once recorded, CONSTITUTES NOTICE TO AND MAKES THE FINDINGS OF THIS ORDER BINDING on the respondent(s) and any subsequent purchasers of the property, and any successors in interest or assigns of the respondent(s).

6. Jurisdiction of this matter and the parties is retained to enter such further orders as may be appropriate and necessary.

7. Any aggrieved party hereto, including the City, may appeal this order to the Circuit Court of Escambia County, Florida, within thirty (30) days of the entry of this order.

ENTERED on February 8, 2018, at Pensacola, Florida.

PENSACOLA CODE ENFORCEMENT AUTHORITY

Louis F. Ray, Jr.
(Signature of Special Magistrate Judge)

Louis F. Ray, Jr.
(Printed Name of Special Magistrate Judge)

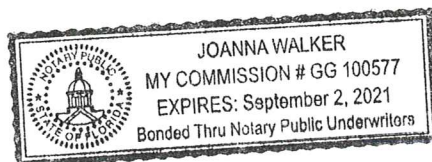
STATE OF FLORIDA
COUNTY OF ESCAMBIA

The execution of the foregoing order was acknowledged before me on February 8, 2018, by Louis F. Ray, Jr., as Special Magistrate Judge for the City of Pensacola, Florida, who is personally known to me and who did take an oath.

This original order was prepared by
and ATTESTED to by:
Joanna Walker
Florida Notary Public &
Administrative Officer of the
Code Enforcement Authority of the
City of Pensacola, Florida
Post Office Box 12910
Pensacola, FL 32521-0001
(850) 436-5500

Joanna Walker
(Signature of Notary and Administrative Officer)

Joanna Walker
(Printed Name of Notary & Admin. Officer)





PLANNING SERVICES

THE UPSIDE of FLORIDA

MINUTES OF THE PLANNING BOARD

April 10, 2018

MEMBERS PRESENT: Chairman Paul Ritz, Nathan Monk, Nina Campbell, Kurt Larson, Jared Moore

MEMBERS ABSENT: Danny Grundhoefer

STAFF PRESENT: Brandi Deese, Assistant Planning Services Administrator, Leslie Statler, Planner, Steve Richards, Code Enforcement Officer, Rusty Wells, Assistant City Attorney, Lysia Bowling, City Attorney

OTHERS PRESENT: Barbara Chapman, Laura T. Hall, Amber Hoverson, Lou Courtney, Steven Shelley, Damian Zimmerman, Bruce Partington, John Myslak, Betty Bowlin Hinote, Don Kraher, Council Executive,

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 13, 2018
- New Business:
 1. Request for License to Use Right-of-Way – Intendencia Street - Southtowne
 2. Consider Amendment to LDC Section 12-2-10 Historic and Preservation Land Use District
- Open Forum
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:00 pm with a quorum present.

Approval of Meeting Minutes

Mr. Larson made a motion to approve the March 13, 2018 minutes, seconded by Mr. Monk, and it carried unanimously.

New Business

Request for License to Use Right-of-Way – Intendencia Street - Southtowne

Daily Convo is requesting approval for a License to Use for improvements within the Intendencia Street right-of-way in connection with the Southtowne Development. This request is unique in that the project will provide a large amount of improvements within the right-of-way of Intendencia and the perimeter of the development, however, the property owner will assume maintenance for these improvements. This will be agreed upon in the form of a modified License to Use agreement between Daily Convo and the City. This request has been routed through the various City departments and utility providers with those comments provided.

Bruce Partington presented to the Board and stated the project presented today was the final piece of the development.

EVERYTHING THAT'S GREAT ABOUT FLORIDA IS BETTER IN PENSACOLA.

222 West Main Street Pensacola, FL 32502 / T: 850.435.1670 / F: 850.595.1143/www.cityofpensacola.com

He explained he had negotiated at length with the City Attorney for the License to Use (LTU) which will comply with all city requirements. Daily Convo would bear 100 percent of the construction and ongoing maintenance. He indicated the project would be aesthetically consistent with the existing structures.

Chairman Ritz appreciated the work placed into the overall project with the level of quality, concern for citizens, and addressing the environment. He also appreciated the use of the right-of-way for bettering the entire development and believed this would be a better treatment of the roadway than the city could execute without private dollars. The size of the development showed the level of commitment over the span of time. **Mr. Larson made a motion to approve, seconded by Ms. Campbell.** Mr. Larson pointed out he liked the public-private partnership and wanted to take the opportunity to try this LTU in a different manner. Ms. Campbell noted the utility comments, and Ms. Deese advised the project had oversight through the Engineering Department. Mr. Monk wanted to state a no conflict of interest since at the inception of Southtowne, he was an employee of Studer Properties, however, none of this discussion was going on at that time. Chairman Ritz advised since Mr. Monk was not in play for any financial gain, no conflict of interest would exist. **The motion then carried unanimously.**

Consider Amendment to LDC Section 12-2-10 Historic and Preservation Land Use District

The City has received a request from Dr. Laura Hall of East Hill Animal Hospital for an amendment to Land Development Code Section 12-2-10 Historic & Preservation Land Use District. More specifically, Dr. Hall is requesting that the use of animal hospitals, veterinary clinics and pet resorts (with fully enclosed kennels, with no outside runs, exercise areas are permitted) no longer require Conditional Use Permit approval and instead become a permitted use by right. Dr. Hall recently appeared before the Special Magistrate for a code violation of having exercise areas in the OEHC-1 zoning district. The Special Magistrate gave Dr. Hall one year to resolve the issue. Dr. Hall is requesting this amendment in order to bring her property into compliance.

In reviewing the Code Violation form, Chairman Ritz note the violation involved dogs running outside of the building which was not allowed. Ms. Deese advised a Conditional Use Permit would no longer be necessary, and it would become a permitted use by right. Chairman Ritz pointed out even though it was for one piece of property, if we keep changing the Code, the neighborhood could lose some of its character. One of the issues was encroachment and movement of commercial businesses within the residential neighborhood. But on the positive side, customers appreciated Dr. Hall's services and the convenience of having her clinic at this location. The change to the Code would become area-wide and not just for one property. Mr. Monk wanted to clarify that this change would allow for exterior exercise areas for pets in the clinic or the resort during business hours. Chairman Ritz advised there were no time limitations. Ms. Deese confirmed that since the ordinance does not define that, another use could come in by right without a Conditional Use Permit, and there would not be any ability to add those stipulations; they could operate at any hour, however, they would still operate under the noise ordinance.

Dr. Hall stated she had been in the OEHPD since 2007. She explained she put the outdoor exercise area provision in herself and had operated since 2007 with no formal complaints. Her pet resort was given the same rights as pet shops. She explained she attended the neighborhood association meeting and understood their concerns with businesses, future expansions, and parking. She explained all noise ordinances would still be intact, and this change in the Code would simply allow her to continue the business the City had allowed. She indicated the Magistrate from the Code Enforcement hearing advised her to change the Code so a violation would not happen again.

Ms. Campbell confirmed that the business had improved the neighborhood while maintaining the architectural integrity and spirit of that area. Chairman Ritz had not noticed a parking issue. In full disclosure, Ms. Campbell explained that Dr. Hall was her veterinarian, and her pets had stayed at the pet resort; she had not been overwhelmed with noise on the inside or outside. She stated when addressing these issues, certain areas of the community want to be self-sufficient as a sub community, and if that was the case, it might be appropriate for a pet resort to go in; Dr. Hall did bring a lot of business into the area.

Lou Courtney agreed Dr. Hall had a great reputation and was a great businesswoman. She explained a lot of the neighbors were opposed to the business when it was originally permitted because of the barking. Ms. Courtney lives one block away and observed the animals go outside five times a day, and the noise gets loud during the summer and during holidays. She indicated she worked from home in a studio and had followed the noise to observe 20 dogs within the exercise area with an attendant present. However, she was unable to address the attendant because of the noise. She applauded the doctor for the integrity of the architecture, but noise pollution was a serious issue. She also pointed out the doctor could sell the clinic, and the next owner might not be as conscientious. She also explained they do not like changes that hurt property values, aesthetic values, or quality of life. She explained there were no neighbors immediately adjacent to the doctor; one was being used for storage and the two behind were vacant. Joshua Gleaton appeared before the Board and stated he works from home does hear the dogs barking and it is a noticeable background noise. He did appreciate what the doctor's business had brought to the neighborhood but was concerned the Code change would allow for the continuation and the addition to what he sees as an existing problem. He felt changes to the Code should benefit the community and not just a few people. He stated Dr. Hall had indicated she was involved with the original language, and he was concerned with the result of changing the Code when someone is found in violation, and he did not see the benefit being for the neighborhood but for only one business.

Steven Shelley advised he had been an East Hill resident for 50 years, and even though the business was not in East Hill, he wanted to comment that when she was with Sacred Heart, she was well respected and loved. He was amazed in driving up to the facility how little noise was heard. He stated her business is exactly what the community was looking for.

Amber Hoverson, President of the OEHPA, was at the meeting and as a neighborhood, they were opposed to the Code change. She explained they were not opposed to change but were concerned with the noise and that some other business could come in and not be as mindful of the neighborhood. Also, as a homeowner of a contributing structure, she felt it was not fair when a homeowner in this district is required to go before the ARB and comply with their guidelines. However, this is a law that is being considered; she expressed you can avoid ugly but you cannot avoid noise, and many of the older homes are not insulated.

Betty Bowlin Hinote with Innerpeace Massage Therapies behind the McDonald's stated she had heard barking during therapy sessions, and they would lose business if the noise continued during treatments. She explained patients do sleep during therapy sessions, and the business maintains a quite atmosphere. She further stated the Code was set up to protect the interest of owners, their property values, and safety. She stated she had been at this location for 17 years and felt her property might lose value if the Code is changed. She had visited the pet resort on Hayne Street, and it was absolutely too loud, and if the Code is changed to include any hour, this noise would also be outside. One of her therapists left a note to her to make sure this does not happen since there will be barking dogs while the therapies are in session. Mr. Monk asked how long she had been in business, and she stated they had been operating there 17 years. She was not sure how much business she had already lost. With the Code change and having the dogs outside along with the possibility of a growing business, the problem might get worse. Mr. Monk asked if any customer left an appointment because of the barking dogs. Ms. Hinote explained they could not know if a person did not return because their session was disturbed. She further explained the Code protects against many issues, but she could not provide any solid facts supporting loss of income since this would be speculative. She did emphasize with a change in the Code, the situation would likely get worse.

Chairman Ritz stated as he reflected back from 2008, the noise issue was of concern. At that time, many Old East Hill residents were concerned with the noise; there were no outside exercise runs at that time. As of today, some of those members still do not embrace the idea of outdoor exercise runs, which have been consistent from then to now. He explained the idea of a Conditional Use allows for

checks and balances to occur should situations change. Changing the Code affects the entire area, and if another veterinarian should choose to come in, they could put in an outside run a block away. He advised one of the reasons for the Conditional Use being granted at that time was that a lack of outside runs would prevent a noise issue. He said he tended to think on the side of the neighborhood who opposed it in light of the way it came before the Board the first time. Mr. Monk emphasized the historic nature of East Hill and the Van Gogh Coffee Shop where the youth populated; the 309 house was a safe place for train hoppers and both were a part of the history of this community. It was constantly shut down because of noise complaints. His opinion was if you want quiet, don't live in the city which includes traffic, movement, and noise.

Ms. Campbell questioned how long this area had been business and residential, and Ms. Deese advised since its inception in the late 90s. Dr. Hall pointed out nothing would change since the dogs had already been entering an exercise yard. The exercise yard simply means they go out and exercise and come back in. Ms. Campbell indicated aside from the most recent complaint, the doctor had no other complaints and thought that was an interesting observation; it seemed the problem was not with the dog resort or the veterinarian but the noise level. She questioned if anyone had come up with a build-out for sounds. Dr. Hall stated she had investigated other resorts in the city which are all C-1, but they were not in a historic neighborhood, and when she went to change the Code in 2008, they placed the language in there. She advised at that time, parking was the main concern. She also explained as a property owner, she would be using outside cameras to protect her interests and confirm activity documenting the number of dogs.

Chairman Ritz clarified a Code violation was issued which stated "There are dogs running and exercising outside this facility which has a Conditional Use Permit which prohibits same and the condition constitutes an apparent violation of the Conditional Use Permit." Ms. Deese verified the Code violation was because there were dogs outside. She explained there was a video on the website showing how many times animals go outside into the exercise areas which was the specific Code violation. Dr. Hall explained exercise areas were where dogs were left unattended, which was not the case in her exercise areas. Mr. Moore asked if the change was approved, would it allow dogs to be left unattended. Ms. Deese referred to Dr. Hall's request for fully enclosed kennels with no outside runs and exercise areas are permitted. She explained there are scenarios where there are no outside runs, but the animals could go outside unsupervised, which was not Dr. Hall's intent. Mr. Monk asked if the Board had the authority to limit the number of animals allowed within a square footage. Ms. Deese advised the Board could include in the recommendation to City Council added conditions amending Dr. Hall's request. She clarified that the amendment takes it out of a Conditional Use Permit and makes it a standalone by right use. Chairman Ritz emphasized Conditional Use historically was used as a check and balance. Ms. Deese pointed out limiting the number of animals would be a challenge to enforce. Dr. Hall emphasized she wanted to operate her business as the City gave her permission to ten years ago.

Ms. Campbell asked if the amendment did not go forward and the doctor had one year to satisfy this issue, how would that impact her business. Dr. Hall advised she would not operate a boarding facility where the animals could not go outside. For clarification, Ms. Deese stated during the discussions with Code Enforcement, they felt it would be unreasonable to think that a medical facility for animals could not allow the dogs to go out and relieve themselves, but when the evidence was compiled along with the website video with the five times a day, it clearly was more than relieving themselves. Dr. Hall advised she wished she had clarified "no exercise yards where animals are left unattended" on her original plans. Ms. Campbell advised it would be a terrible loss for this portion of Pensacola to lose Dr. Hall, and asked could there be some sort of buildout for the exercise pad. Dr. Hall explained they incorporated vegetation and astro turf as well as 9' fencing.

Mr. Monk pointed out with the evolution of cities and small towns, we were going to see more small

businesses in isolated parts of the community so people do not have to drive great distances for these services. He personally did not want to live in a community where his children were playing the backyard and someone would call in a complaint on them or his dogs. More small business were going to creep into historic neighborhoods, and this natural evolution is where we're going as a community; There will be some discomfort, but that is the reality of living in a city.

Mr. Larson asked Dr. Hall if she was going to solve the problem before the Board involving multiple dogs, supervised or unsupervised, because he was not comfortable with just saying "exercise areas." Dr. Hall advised she liked the term "no exercise areas where dogs are left unattended." She explained they had play groups with 6 to 8 dogs maximum, and if they were loud, they returned to the inside. However, she was fine with whatever the Board approved. **Mr. Monk made a motion to support with an edit that it read "allows animal hospitals, veterinary clinics and pet resorts within the district by right with fully enclosed kennels, no unsupervised outside runs or exercise areas permitted with a limitation of 5 animals in the area."** The motion was seconded by Mr. Larson. For clarification, Mr. Larson stated with this change, a Conditional Use Permit would no longer be required in C-1. Ms. Deese explained this amendment was specifically for 12-2-10 Old East Hill Preservation District; C-1 still has the language which does not permit exercise areas, and you would be opening up to the entire city if you modified C-1. This is specific to Old East Hill, taking out the Conditional Use Permit requirement. **Ms. Deese clarified Dr. Hall's proposal stated "with no outside runs." Was the Board meaning "no unsupervised outside runs" and thus allow "outside runs" or add "unsupervised" to the exercise areas, and Mr. Monk verified adding "unsupervised" to the exercise areas only. The amendment was accepted by Mr. Larson. For further clarification Mr. Moore stated in OEHPD exercise areas would be allowed, but the language would state they would go out in groups of 5 or fewer supervised. There were no outside runs and the amendment was by right with no Conditional Use. The motion then carried 4 to 1 with Mr. Moore dissenting.** Ms. Deese reminded the audience that this amendment was a recommendation which would proceed to the City Council on May 10, 2018 at 5:30 pm.

Open Forum – None

Adjournment – With no further business, Chairman Ritz adjourned the meeting at 3:34 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Brandi C. Deese', with a long horizontal flourish extending to the right.

Brandi C. Deese
Secretary to the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 12-18

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 12-18 - VACATION OF RIGHT-OF-WAY 1600 BLOCK OF NORTH 18TH AVENUE

RECOMMENDATION:

That City Council adopt Proposed Ordinance No. 12-18 on second reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE 1600 BLOCK OF NORTH 18TH AVENUE RIGHT OF WAY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

The City has received a request from Jonathon and Ryan Wiggins, in conjunction with Michael Callaghan and Galen Nase, to vacate a 34.8 foot portion of the 1600 Block of North 18th Avenue adjacent to the properties located at 1771 E. Mallory and 1774 E. Moreno Streets. Mr. and Mrs. Wiggins have indicated that the purpose for their request is to be able to construct a garage and small attached guest house. Mr. Callaghan and Mr. Nase have indicated the purpose for their request is to acquire the land where their semi-circular driveway is located.

On June 12, 2018, the City's Planning Board unanimously recommended approval of the request with several stipulations. The Planning Board approved the right-of-way vacation request with the stipulation of a 5 foot landscape strip, 5 foot sidewalk, total right-of-way to be maintain at no less than 60 feet, sidewalk to be constructed within 90 days, sidewalk to be built to the road and to City of Pensacola and ADA standards. The June 12, 2018 Planning Board minutes are attached as well and reflect the discussion which led to the motion.

PRIOR ACTION:

Public Hearing held on July 19, 2018 with City Council approving to vacate the western 29.4 feet of the right-of-way with no requirement to rebuild the existing sidewalk.

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

7/10/2018

STAFF CONTACT:

Keith Wilkins, City Administrator

Sherry H. Morris, AICP, Planning Services Administrator

L. Derrik Owens, Director of Public Works & Facilities/City Engineer

ATTACHMENTS:

- 1) Proposed Ordinance No. 12-18, Revised
- 2) Vacation of Right-of-Way Application, 18th Avenue, dated May 11, 2018
- 3) Right-of-Way Map, 18th Avenue Right-of-Way Vacation Request
- 4) June 12, 2018 Planning Board Minutes
- 5) Technical Comments, 18th Avenue Right-of-Way Vacation Request
- 6) Citizen Comments, 18th Avenue Right-of-Way Vacation Request
- 7) Neighbor Petition, 18th Avenue Right-of-Way Vacation Request

PRESENTATION: No

REVISED

PROPOSED
ORDINANCE NO. 12-18

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE CLOSING, ABANDONING AND VACATING
A PORTION OF THE 1600 BLOCK OF NORTH 18TH
AVENUE RIGHT OF WAY; IN PENSACOLA, ESCAMBIA
COUNTY, STATE OF FLORIDA; REPEALING CLAUSE;
AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held on July 19, 2018,
as to the vacation of a portion of the 1600 Block of North 18th
Avenue right of way; Pensacola, Escambia County, Florida; and

WHEREAS, the vacation of said right-of-way,
hereinafter described, will contribute to the general welfare of
the City of Pensacola in that said right-of-way is no longer
needed as a public thoroughfare; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the following described right of way
in Pensacola, Escambia County, Florida is hereby closed,
discontinued, vacated and forever abandoned by the City of
Pensacola as a public thoroughfare:

BEGIN AT THE NORTHEAST CORNER OF BLOCK 209, NEW CITY
TRACT, AS SHOWN ON THE MAP OF PENSACOLA FLA.,
PUBLISHED BY THOS. C. WATSON & CO., COPYRIGHTED IN
1906 AS RECORDED IN DEED BOOK 126, AT PAGE 400 OF THE
PUBLIC RECORDS OF ESCAMBIA, COUNTY, FLORIDA, THENCE
PROCEED NORTH 79 DEGREES 59 MINUTES 09 SECONDS EAST
ALONG THE EXTENSION OF THE NORTHERLY BLOCK LINE OF
SAID BLOCK, SAID LINE ALSO BEING THE SOUTH RIGHT-OF-
WAY (R/W) LINE OF MALLORY STREET (80' R/W), FOR A
DISTANCE ON 29.40 FEET TO THE BACK OF A 30 INCH WIDE
CONCRETE LAYBACK CURB; THENCE DEPARTING SAID BLOCK
LINE PROCEED SOUTH 09 DEGREES 56 MINUTES 43 SECONDS
EAST ALONG SAID BACK OF CURB FOR A DISTANCE OF 275.38
FEET TO THE EXTENSION OF THE SOUTHERLY BLOCK LINE OF
SAID BLOCK, SAID LINE ALSO BEING THE NORTH RIGHT-OF-

WAY (R/W) LINE OF MORENO STREET (70' R/W); THENCE DEPARTING SAID BACK OF CURB PROCEED SOUTH 79 DEGREES 59 DEGREES 09 MINUTES WEST ALONG SAID EXTENSION LINE FOR A DISTANCE OF 34.54 FEET TO A NAIL AND DISK, NUMBERED 6993, AT THE SOUTHEAST CORNER OF SAID BLOCK; THENCE DEPARTING SAID BLOCK LINE PROCEED NORTH 10 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EASTERLY BLOCK LINE OF SAID BLOCK, ALSO BEING THE WESTERLY R/W LINE OF SAID 18TH AVENUE (100' R/W), FOR A DISTANCE OF 275.38 FEET TO THE POINT OF BEGINNING.

SECTION 2. That the owners of the abutting property be, and they are hereby authorized to acquire possession of the right-of-way more particularly described in Section 1 of this ordinance, and the City of Pensacola does hereby abandon all claim of right, if any it has, in said property, and it shall remain and be the property of the abutting property owners.

SECTION 3. That, notwithstanding the foregoing sections, the City of Pensacola reserves for itself, Gulf Power Company, Bell South, Cox Cable, and the Emerald Coast Utilities Authority, their successors and assigns, a full width easement in the entire portion the right of way vacated hereby for the purpose of locating and maintaining public utilities and improvements.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: _____

Approved: _____
President of City Council

Attest:

City Clerk

Application for Vacation of the Right of Way
North 18th Avenue
Between Moreno and Mallory Streets

Submitted by:
Jonathon Wiggins
Ryan Nobles Wiggins
Michael Callaghan
Galen Nase

May 11, 2018

Mrs. Ryan Wiggins
1771 E. Mallory Street
Pensacola, FL 32503

City of Pensacola Planning Board
222 W. Main Street
Fifth Floor
Pensacola, FL 32501

May 9, 2018

Dear Board Members,

My husband Jonathon and I bought our home on East Mallory Street in East Hill in 2002. Growing up in Pensacola, we have both always loved East Hill and the charm of the neighborhood. This was the first home we lived in as a couple. In a 1940's house, under the canopy of two enormous live oaks on this corner lot is where "we" started.

In the 16 years since we bought our home, we have moved all over the Southeast and our family has grown with the addition of two adorable, happy little boys. After years of renting out the house, we happily settled back into our home three years ago. While we are still completely in love with our home and our lot, there are now four of us living in a 1,500 square foot home and it is getting a little cramped. We are currently in the planning stages of a remodel and an addition to our home.

As I mentioned earlier, one of the features of our lot are two magnificent live oak trees in our front yard. We love these trees, but they mean that a large portion of our lot is not accessible for renovations. Because of these trees, our only option for any home expansion would have to either take place on the south portion of our lot (our backyard) or to the east (in the right of way). We plan on adding an addition to our home in the back and a swimming pool, but that would not leave us any room for the garage and small attached guest house we would like to also build so that out of town friends and family could come stay with us. We are applying for the right of way to be vacated for this purpose.

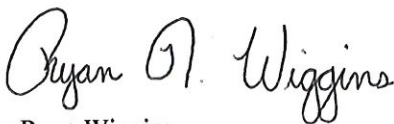
We have happily maintained the right of way for years. We have improved it by adding a neighborhood butterfly garden on that right of way that is recognized as a butterfly habitat and sanctuary by two national organizations. Neighbors are constantly stopping by to admire it. The right of way does contain a public sidewalk, but the sidewalk is not ADA compliant and does not connect to another sidewalk on the other side of the road. It doesn't lead anywhere. I have included pictures of the right of way in the appendices section of this application

We are applying for the vacation of the right of way with our backdoor neighbors, Michael Callaghan and Galen Nase, and have spoken to our other neighbors who are in full support. We have also spoken to Gulf Power, who also does not have any issue with us acquiring the right of way. I have included an email from Jim Jernigan with Gulf Power in the appendices section of our application.

We encourage any board members who wish to come by and see the property in question to stop by at any time. If I can answer any additional questions about this property ahead of the meeting, please contact me at ryan.n.wiggins@gmail.com or (850) 728-1521.

Thank you for your consideration of this matter.

With Warmest Regards,



Ryan Wiggins

Mr. Michael Callaghan
1774 E. Moreno Street
Pensacola, FL 32503

City of Pensacola Planning Board
222 W. Main Street
Fifth Floor
Pensacola, FL 32501

May 9, 2018

Dear Board Members,

My partner Galen and I moved to Pensacola following our home in New Orleans being destroyed in Hurricane Katrina. Originally, it was our intention to rent in Pensacola until we could rebuild in New Orleans, but we absolutely fell in love with the area, especially East Hill, and decided to move here permanently.

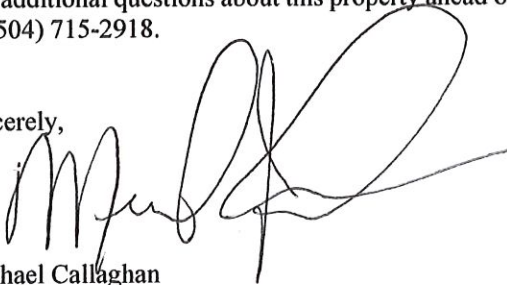
Soon after, my partner and I bought Rapunzel's Salon on 12th Avenue and also purchased our home on East Moreno Street. We love living and working in East Hill and have great neighbors. We wouldn't want to live anywhere else in Pensacola.

When we bought our house, there was a wonderful semi-circular driveway on the east side of our lot. We naturally assumed the driveway was part of the property we were purchasing. We have only recently discovered that it is not. Apparently, at some point a previous owner built the driveway without acquiring the land required to do so. We are applying for the vacation of the right of way so that we may own the driveway to our house.

We are applying for the vacation of the right of way with our backdoor neighbors, Jonathon and Ryan Wiggins, who have included photographs of our driveway and right of way to this application. There is a public sidewalk on the right of way, but as you will see from the photographs, it does not even extend all the way to the road, nor does it connect to a sidewalk on the opposite side of the street.

Any board members who wish to come by and see the property in question may stop by at any time. If I can answer any additional questions about this property ahead of the meeting, you may contact me at miccallaghan@hotmail.com or (504) 715-2918.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Callaghan', with a large, stylized loop at the end.

Michael Callaghan

VACATION OF ALLEY OR STREET RIGHT OF WAY



Fee: \$2,000.00

Rehearing/Rescheduling Planning Board: \$250.00

Rehearing/Rescheduling City Council: \$500.00

Applicant Information:

Name: Ryan Wiggins, Jonathon Wiggins, Michael Callaghan, and Galen Nase

Address: 1771 East Mallory Street, Pensacola, FL 32503

Phone: (850) 728-1521 Fax: _____ Email: ryan.n.wiggins@gmail.com

Property Information:

Owner Name: Jonathon and Ryan Wiggins

Location/Address: 1771 East Mallory Street, Pensacola, FL 32503

Legal Description: Please attach a full legal description (from deed or survey)

Purpose of vacation of city right of way/comments:

We are requesting to have the right of way vacated so that we may improve our property by adding a garage to our lot. Currently, we park on the street on East Mallory Street. We will be renovating our house and building an addition and a pool in our backyard and will be unable to build the garage without the vacation of the right of way.

I, the undersigned applicant, understand that submittal of this application does not entitle me to approval of this vacation request and that no refund of these fees will be made. I have reviewed a copy of the applicable regulations and understand that I must be present on the date of the Planning Board and City Council meeting.

Ryan N. Wiggins
Signature of Applicant

5/7/18
Date

(Owner of Property or Official Representative of Owner)

[Signature]
Signature of Applicant

5.7.18
Date

(Owner of Property or Official Representative of Owner)

[Signature]
Signature of Applicant

5 7 18
Date

(Owner of Property or Official Representative of Owner)

[Signature]
Signature of Applicant

5/7/18
Date

(Owner of Property or Official Representative of Owner)

FOR OFFICE USE ONLY

District : _____

Date Received: _____

Case Number: _____

Date Postcards mailed: _____

Planning Board Date: _____

Recommendation: _____

Council Date: _____

Council Action: _____

VACATION OF ALLEY OR STREET RIGHT OF WAY



Fee: \$2,000.00

Rehearing/Rescheduling Planning Board: \$250.00

Rehearing/Rescheduling City Council: \$500.00

Applicant Information:

Name: Michael Callaghan, Galen Nase, Ryan Wiggins, and Jonathon Wiggins

Address: 1774 East Moreno Street, Pensacola, FL 32503

Phone: (504) 715-2918 Fax: _____ Email: Miccallaghan@hotmail.com

Property Information:

Owner Name: Michael Callaghan and Galen Nase

Location/Address: 1774 East Moreno Street, Pensacola, FL 32503

Legal Description: Please attach a full legal description (from deed or survey)

Purpose of vacation of city right of way/comments:

We are requesting to have the right of way vacated so that we may own our driveway. Before we purchased our home, a previous owner built a semi-circular driveway on the right of way. We assumed when we purchased the home that the driveway was part of the property and have only recently discovered it is not. Since the structure is pre-existing, we would ask that it become legally part of our property.

I, the undersigned applicant, understand that submittal of this application does not entitle me to approval of this vacation request and that no refund of these fees will be made. I have reviewed a copy of the applicable regulations and understand that I must be present on the date of the Planning Board and City Council meeting.

Signature of Applicant

Date

Signature of Applicant

Date

Signature of Applicant

Date

Signature of Applicant

Date

FOR OFFICE USE ONLY

District : _____

Date Received: _____

Case Number: _____

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Planning Board Date: _____

Recommendation: _____

Council Date: _____

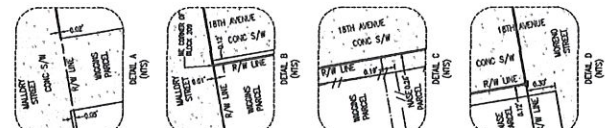
Council Action: _____

Legal description of the right of way on the west side of the street at North 18th Avenue between Moreno and Mallory Streets.

DESCRIPTION: (As prepared by Jehle-Halstead, Inc.)

BEGIN AT THE NORTHEAST CORNER OF BLOCK 209, NEW CITY TRACT, AS SHOWN ON THE MAP OF PENSACOLA, FLA., PUBLISHED BY THOS. C. WATSON & CO., COPYRIGHTED IN 1906 AS RECORDED IN DEED BOOK 126, AT PAGE 400 OF THE PUBLIC RECORDS OF ESCAMBIA, COUNTY, FLORIDA, THENCE PROCEED NORTH 79 DEGREES 59 MINUTES 09 SECONDS EAST ALONG THE EXTENSION OF THE NORTHERLY BLOCK LINE OF SAID BLOCK, SAID LINE ALSO BEING THE SOUTH RIGHT-OF-WAY (R/W) LINE OF MALLORY STREET (80' R/W), FOR A DISTANCE OF 34.80 FEET TO THE BACK OF A 30 INCH WIDE CONCRETE LAYBACK CURB; THENCE DEPARTING SAID BLOCK LINE PROCEED SOUTH 09 DEGREES 56 MINUTES 43 SECONDS EAST ALONG SAID BACK OF CURB FOR A DISTANCE OF 275.38 FEET TO THE EXTENSION OF THE SOUTHERLY BLOCK LINE OF SAID BLOCK, SAID LINE ALSO BEING THE NORTH RIGHT-OF-WAY (R/W) LINE OF MORENO STREET (70' R/W); THENCE DEPARTING SAID BACK OF CURB PROCEED SOUTH 79 DEGREES 09 MINUTES WEST ALONG SAID EXTENSION LINE FOR A DISTANCE OF 34.54 FEET TO A NAIL AND DISK, NUMBERED 6993, AT THE SOUTHEAST CORNER OF SAID BLOCK; THENCE DEPARTING SAID BLOCK LINE PROCEED NORTH 10 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EASTERLY BLOCK LINE OF SAID BLOCK, ALSO BEING THE WESTERLY R/W LINE OF SAID 18TH AVENUE (100' R/W), FOR A DISTANCE OF 275.38 FEET TO THE POINT OF THE BEGINNING.



[illegible]

Wiggins Property
1771 East Mallory Street

Recording prepared by:
JONATHON WIGGINS
1771 E. Mallory St,
Pensacola, FL 32503

When recorded return to:
JONATHON M. WIGGINS
RYAN N. WIGGINS
1771 E. Mallory St.,
Pensacola, FL 32503

Mail tax statements to:
1771 E. Mallory St.,
Pensacola, FL 32503

Tax parcel no.: 00-0S-00-9025-008-209
State of Florida

Rev. 133C709

WARRANTY DEED

This General Warranty Deed is made effective this 5/30/17 (the "Effective Date") between JOHN W. NOBLES, MOLLY S. NOBLES, RYAN S. NOBLES, (collectively, "Grantor"), multiple individuals whose mailing address is 2835 Bayou Boulevard, Pensacola, FL 32503 and JONATHON M. WIGGINS and RYAN N. WIGGINS (collectively, "Grantee"), a married couple whose mailing address is 1771 E. Mallory St., Pensacola, FL 32503.

WITNESSETH, that Grantor, for and in consideration of the sum of \$1 and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee the real property (the "Property") located at 1771 E. Mallory St, Pensacola in Escambia County, FL 32503, and more particularly described as follows: The East 1/2 of Lot 8, all of Lots 9 and 10, and the North five feet of Lots 11 and 12, Block 209, New City Tract, City of Pensacola, according to map of said City, copyrighted by Thomas C. Watson in 1906, lying and being in Escambia County, Florida.

TO HAVE AND TO HOLD unto said Grantee and its successors and assigns, forever.

Grantor hereby warrants that the Property is lawfully seized in fee simple; that Grantor has the legal right to convey the Property; and that the Property is free from all encumbrances except as otherwise stated above. Grantor and its heirs, executors, and administrators hereby warrant and bind themselves to forever defend the Property unto the said Grantee and its heirs and assigns, against all claims against title to the Property or any part thereof.

This conveyance is made expressly subject to the deeds of trust, mortgages, conditions, restrictions, rights of way, easements, and other instruments of record, insofar as they may lawfully affect the Property.

Grantor declares that the transfer is exempt from any documentary transfer taxes.

EXECUTED this 30th day of May, 2017

John W. Nobles
Grantor Signature

JOHN W. NOBLES
Grantor Name

Molly S. Nobles
Grantor Signature

MOLLY S. NOBLES
Grantor Name

Ryan S. Nobles
Grantor Signature

RYAN S. NOBLES
Grantor Name

[Signature]
Grantee Signature

JONATHON M. WIGGINS
Grantee Name

Ryan N. Wiggins
Grantee Signature

RYAN N. WIGGINS

Grantee Name

Witness #1 Krystal Heidland
4400 Bayou Blvd
Pensacola, FL 32503

Witness #2 Spaturk
4400 Bayou Blvd.
Pensacola, FL 32503

NOTARY ACKNOWLEDGMENT

State of Florida)
)
County of Escambia)

(Seal)



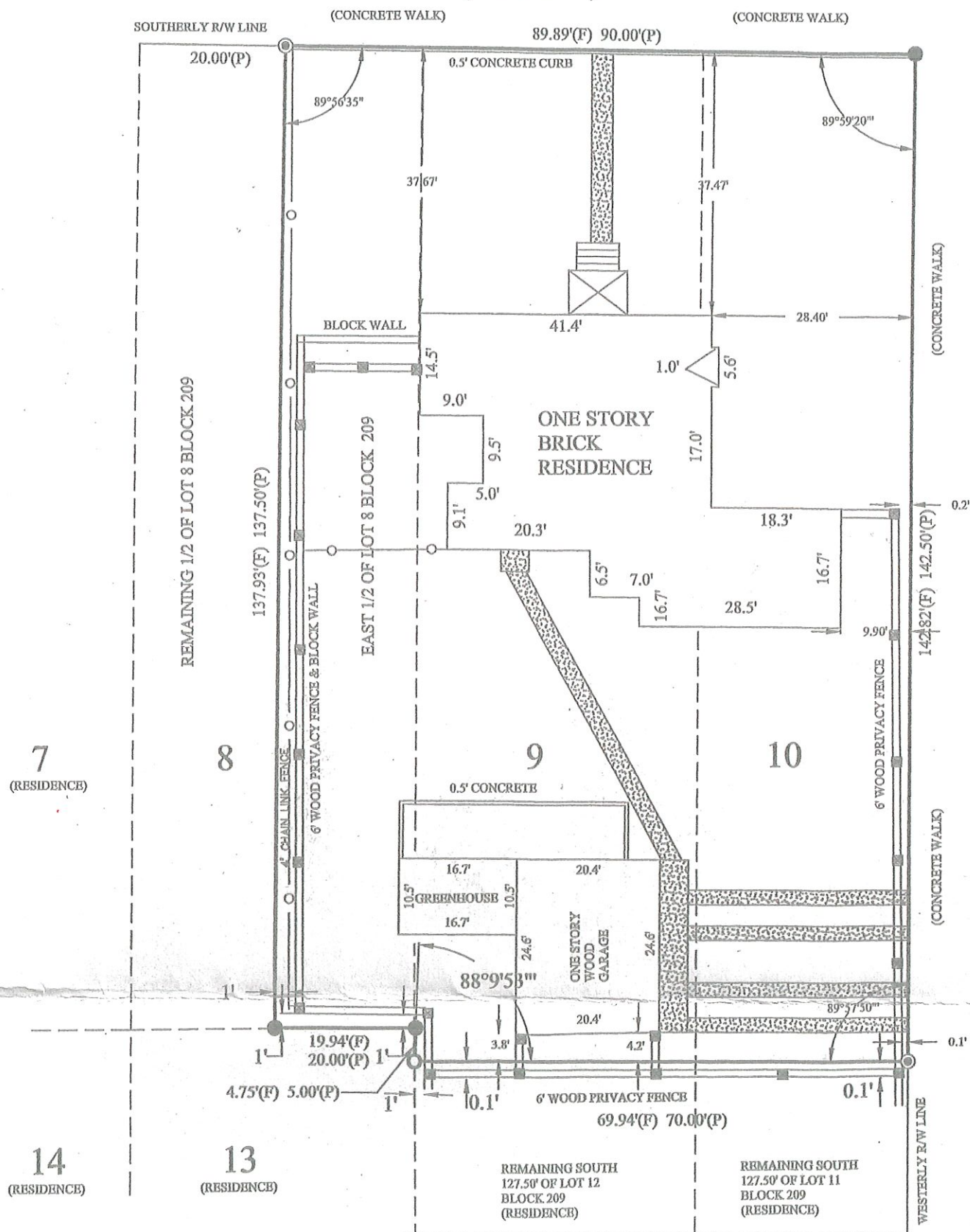
The foregoing instrument was acknowledged before me this 30th day of May, 2017, by the undersigned, JOHN W. NOBLES, who is personally known to me or satisfactorily proven to me to be the person whose name is subscribed to the within instrument.

Krystal Heitland
Signature

Krystal Heitland
Notary Public

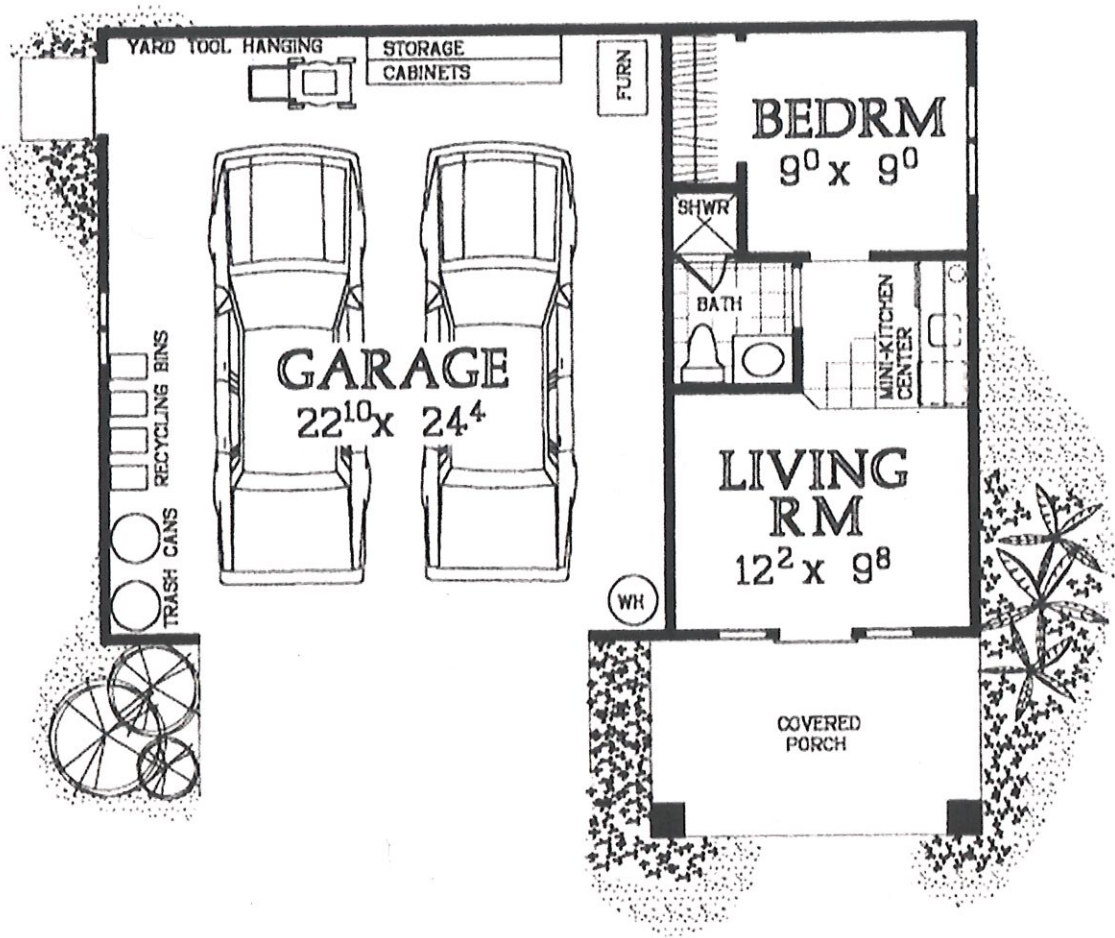
My Commission Expires: 10/25/20

1771 EAST MALLORY STREET
(80' R/W)



18TH AVENUE
(100' R/W)

This is the site plan for what we would like to build on the right of way abutting 1771 E. Mallory Street if we are granted our vacation request.



Callaghan/Nase Property
1774 East Moreno Street

This instrument prepared by:

Name: Michael J. Callaghan

Address: 1774 E Moreno Street
Pensacola, Florida 32503

Return to: Michael J. Callaghan

Address: 1774 E. Moreno Street
Pensacola, Florida 32503

Property Appraisers Parcel Identification Number(s): 00-0S-00-
9025-011-209

Grantee(s) S.S #'s:

This Quit-Claim Deed, Executed this 27th day of August, 2009, by Michael J. Callaghan, a single man, whose post office address is 1774 E. Moreno Street, Pensacola, FL 32503, first part, to Michael J. Callaghan and Galen L Nase as joint tenants with rights of survivorship, whose post office address is 1774 E. Moreno Street, Pensacola, FL 32503 second party:

(Wherever used herein the terms "first part" and "second part" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the said first part, for and in consideration of the sum \$10.00, in hand paid by the said second part, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Escambia, State of Florida, to-wit:

The South 132.5 feet of Lots 11 and 12, Block 209, New City Tract, in the City of Pensacola, Escambia County, Florida, according to the map of said City copyrighted by Thomas C. Watson in 1906: Together with all in singular the tenements, hereditaments, and appurtenances thereunto belonging or in any ways appertaining free from all exemptions and rights of homestead.

To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Marcia L. Schulte
Signature
Marcia L. Schulte
Printed Signature

Michael J. Callaghan
Signature
Michael J. Callaghan

Heather Sullivan
Signature
Heather Sullivan
Printed Signature

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 27th day of August, 2009 by Michael J. Callaghan, who is personally known to me or who produced FLDL as identification and who did not take an oath.

Ernie Lee Magaha, Clerk of the Circuit Court

Ernie Lee Magaha
Notary Public Deputy Clerk
My Commission Expires:



THE BURROUGHS OF THIS CITY

Appendices

Photographs of the Right of Way on 18th between Moreno and Mallory Streets



(Above) The northern part of the right of way is being maintained by the Wiggins family. On the right of way, the Wiggins family has planted a butterfly garden that helps a threatened species of butterfly (the Monarch) and helps protect pollinators of all kinds. The garden is recognized as an official butterfly habitat and sanctuary by two national organizations: Monarch Watch and The North American Butterfly Association.



(Above) This is a photograph of the right of way in question that abuts the Wiggins property on 18th Avenue facing north.



(Above) This is a photograph of the right of way in question that abuts the Wiggins property on 18th Avenue facing south.



(Above) This is a photograph of the right of way in question that abuts the Wiggins property on 18th Avenue facing west.

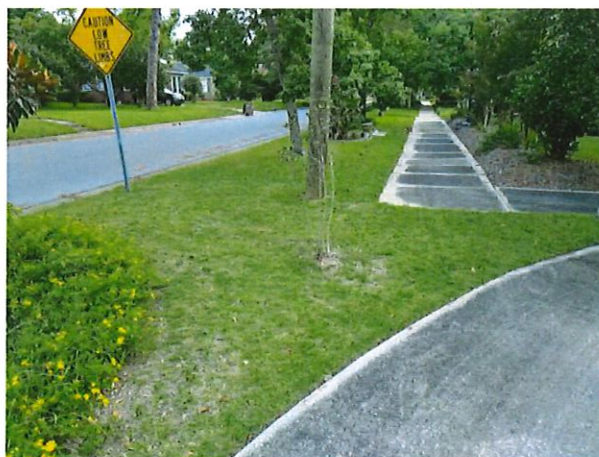


(Above) The southern part of the right of way is being maintained by Michael Callaghan and Galen Nase. The majority of this portion of the right of way is dominated by a semi-circular driveway built by a previous owner.

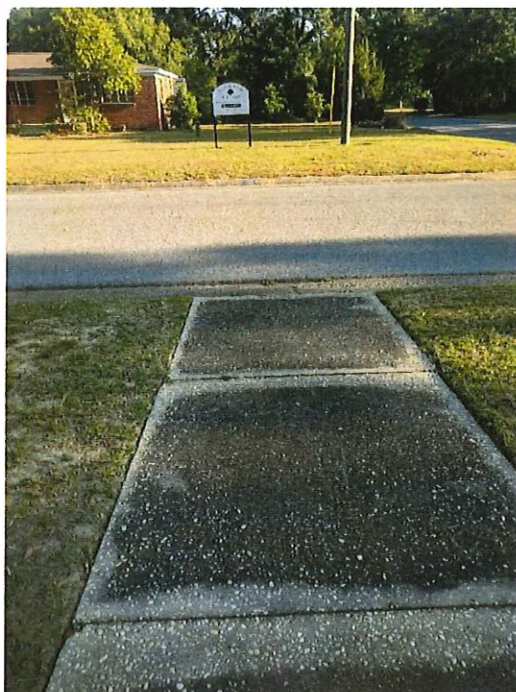


(Above) This is a photograph of the majority of the right of way in question on 18th Avenue.

While the right of way does contain a public sidewalk, this sidewalk only circles this one block and does not connect to any other sidewalks on the other sides of the street and in some cases, does not connect to the street at all.



(Above) The sidewalk on the right of way at 18th and Moreno does not connect to the street or the other side of the street.



(Above) The sidewalk on the right of way at 18th and Mallory does not lead anywhere.



Ryan Wiggins <ryan.n.wiggins@gmail.com>

Street Vacate

1 message

Jernigan, Jim Marion <X2JMJERN@southernco.com>

Thu, Aug 31, 2017 at 3:26 PM

To: "ryan.n.wiggins@gmail.com" <ryan.n.wiggins@gmail.com>

Cc: "MTillman@cityofpensacola.com" <MTillman@cityofpensacola.com>

Mrs. Wiggins,

Mark Davidson forwarded me your street vacate request.

Gulf Power has existing electric distribution line facilities within the road right of way adjoining your property. Therefore, Gulf Power would need to reserve a utility easement.

Otherwise, Gulf Power has no objections or concerns. Please let me know if I may be of further assistance.

Jim Jernigan

Gulf Power Company

Corporate Real Estate BIN 0093

One Energy Place

Pensacola, FL 32520

850-444-6321



June 2018

**Request to Vacate R.O.W.
1600 BLK North 18th Ave**



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The details are not guaranteed accurate or suitable for any use other than that for which it was gathered.



PLANNING SERVICES

THE UPSIDE *of* FLORIDA

MINUTES OF THE PLANNING BOARD

June 12, 2018

MEMBERS PRESENT: Chairman Paul Ritz, Nathan Monk, Kurt Larson, Jared Moore, Danny Grundhoefer, Victor Jordan

MEMBERS ABSENT: Nina Campbell

STAFF PRESENT: Brandi Deese, Assistant Planning Services Administrator, Leslie Statler, Planner, William Weeks, Building Official, Helen Gibson, CRA Administrator, Victoria D'Angelo, Assistant CRA Administrator, Ryan Novota, Transportation Engineer

OTHERS PRESENT: Don Kraher, Council Executive, Austin Tenpenny, Steven Shelley, Fred Gunther, Ashley Patterson, Steven Sebold, Christian Wagley, Mike Kilmer, Rivka Kilmer, Marcie Whitaker, Kevin Wade, C. Marcel Davis, Fran Jones, Diane P. Robson, Ryan Wiggins, Jonathan Wiggins, Kacee Bidnick, Glib Kazak, David Peaden, J. Scott Sallis, Beverly Perry, Troy Stepherson, Doug Baldwin, Randy Wilkerson, James L. Gulley

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from May 8, 2018
- New Business:
 1. Consider Right-of-Way Vacation Request – North 18th Avenue Between Moreno & Mallory
 2. Consider Amendment to LDC – CRA Urban Design Standard Overlay
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:01 pm with a quorum present.

Approval of Meeting Minutes

Mr. Larson made a motion to approve the May 8, 2018 minutes, seconded by Mr. Moore, and it carried unanimously.

New Business

Consider Right-of-Way Vacation Request – North 18th Avenue between Moreno & Mallory

Jonathon and Ryan Wiggins, in conjunction with Michael Callaghan and Galen Nase, are requesting approval for the vacation of approximately 34 feet of the western right-of-way of the 1600 Block of North 18th Avenue. This request would bring the property line to the back of the layback curb on the western side of 18th Avenue.

EVERYTHING THAT'S GREAT ABOUT FLORIDA IS BETTER IN PENSACOLA.

222 West Main Street Pensacola, FL 32502 / T: 850.435.1670 / F: 850.595.1143 / www.cityofpensacola.com

Mr. and Mrs. Wiggins have indicated the reason for their request is to be able to construct a garage and small attached guest house. Mr. Callaghan and Mr. Nase have indicated their reason for the request is to acquire the land where their semi-circular driveway is located. This request has been routed through the various City departments and utility providers and those comments are attached; any comments received after the packets were mailed were sent email and hard copies provided to the Board.

Chairman Ritz explained the right-of-way vacation as giving away a piece of public property over to the property owner; if approved, the City of Pensacola gives the property to the property owner with no fees involved. He then called the applicants to speak.

Ms. Wiggins thanked the Board for their consideration and was eager to answer any questions. Mr. Monk asked if the applicant had any issue with the proposal with the reduction and relocation of the sidewalk to the front. Ms. Wiggins advised they had no problem with the 24' but with that sidewalk not leading anywhere, they would pay for the replacement of the sidewalk if the City ever decided to replace it.

Mr. Wagley pointed out it was great the see neighbors improving their properties, but the public's interests should also be respected and protected. He wanted to make sure the existing sidewalk was replaced at the applicant's expense and in a manner for full public access, leaving the 5' planting strip. He pointed out this location was also one block from the city park and wanted to make sure we stay consistent with what happens on other projects with the relocation of sidewalks which is necessary to protect the interest of the public.

Mr. Wiggins advised they were agreeable to the 24' feet as opposed to the full setback. With regard to the sidewalk, if you drive the entirety of 18th Street, almost two miles, there are two blocks with houses with sidewalks which connect east and west arteries. To suggest the removal of this sidewalk at this time would make anything less accessible or less safe was not common sense to him. He pointed out 18th Street is a very safe road where they see strollers, bikers and walkers using this street. Mr. Jordan explained to the applicant that if the sidewalk was replaced, it would be fully ADA compliant and wanted that understood.

Chairman Ritz explained the vacation all the way to the back of the curb is a bit much and the Board had not granted that in the past, and where would you place the sidewalk, easements, and the City would have no place to operate for utility repairs, etc. He appreciated sidewalks and connectivity which did not force the public to walk in the street.

Mr. Larson made a motion to approve with 5' from the street for plantings, 5' sidewalk built to City of Pensacola standards as well as current ADA requirements, with the balance to be vacated to the owners, with the provision the sidewalk be put in immediately to replace the one taken out. The motion was seconded by Mr. Jordan.

Mr. Jordan was concerned the sidewalk would not be replaced in a reasonable time. Chairman Ritz explained that once the property was given to the owners, they could do as they pleased, but they were giving them 24' of property at East Hill rate. Mr. Grundhoefer was concerned with setting a precedent. He offered the Board could go 10' to that street and vacate it, and people could get more property. He felt the Board was setting a dangerous precedent. Mr. Moore agreed that it seemed the right-of-way on 18th was larger than the standard right-of-way. Mr. Monk felt the location of the sidewalk to the house was awkward. The concern from others was making sure the sidewalk stayed.

Mr. Novota stated the roadway was mostly in the center of the right-of-way, and the likelihood of the city expanding or relocating the roadway was slim. Chairman Ritz explained that should the vacation be granted, as part of the approval the sidewalk would continue all the way out to the asphalt. Ms. Wiggins explained if they build a structure and then tore up the sidewalk, they would be replacing it twice. Mr. Grundhoefer pointed out his concern was maintaining a 60' right-of-way on 18th Street; his hope was that when other residents applied, the City would also get a sidewalk, with sidewalks on both sides of 18th Street. He did not support giving 24' of the City's right-of-way to homeowners. Chairman Ritz asked if the motion were amended to include verbiage toward maintaining minimum right-of-way, would that be supported. Mr. Grundhoefer explained that would send a signal that they were trying to maintain 60' right-of-ways in East Hill, and they were not changing that character.

Mr. Monk clarified that Mr. Grundhoefer wanted to make part of the requirement that with any future vacation, the property owner that received the property would pay for the sidewalk; Mr. Grundhoefer agreed he wanted to enforce this. Chairman Ritz restated the motion that the Board approved the vacation of 24.5' of the right-of-way, always maintaining a 60' right-of-way for city streets. Mr. Grundhoefer stated with a 24' street, they would be granting an additional 18' ($18+18+24=60$) from the curb to the property line. This would put the emphasis on maintaining the street right-of-way, not necessarily giving each landowner their particular request based on whatever they think their need is. **Chairman Ritz stated the motion would then be vacating the appropriate amount of property while maintaining a 60' right-of-way; the amendment was accepted by Mr. Larson. Chairman Ritz explained this would set the idea that the right-of-way is a number which is set – the vacation occurs to whatever the appropriate distance is if the road is left or right of center. The motion was accepted by Mr. Jordan with the additional information on the sidewalk.**

Mr. Monk asked if the current 18' would be enough for the applicants to accomplish their goal. Mr. Wiggins asked how the Board arrived at the 60' number. Chairman Ritz explained he had never seen a right-of-way in East Hill narrower than 60' and if we begin to get less than 60' we would not have enough room to put in the appropriate size roadway, planting space and sidewalk on each side. So the 60' becomes the "magical number" for the minimum spacing for roadways, sidewalks and plantings. Regarding enough space to accomplish their goal, Ms. Wiggins stated it would not, but they would make it work. Mr. Monk pointed out they were trying to make the neighborhoods more walkable. Chairman Ritz advised there were more requests for vacation of right-of-ways in East Hill than any other location. East Hill is a desirable neighborhood and is easily walked. Mr. Grundhoefer pointed out the Board was considering all citizens and not just the applicants. Chairman Ritz emphasized that this decision would proceed to City Council for their approval. Mr. Grundhoefer wanted the motion to state the applicants must build a sidewalk. Mr. Jordan asked Mr. Novota, Transportation Engineer, about the cost of the ramp, and Mr. Novota advised the cost would be around \$1,500.00 to \$1,800.00 plus the sidewalk itself. **Ms. Deese confirmed the original motion was for approval for 5' landscape strip, 5' sidewalk, sidewalk to be constructed immediately, sidewalk will be built to the road and to City of Pensacola and ADA standards, amended to maintain the 60' right-of-way. Chairman Ritz clarified the vacation was dependent on where the right-of-way falls. Mr. Larson changed the time for replacement to 90 days, and it was accepted, and the motion carried unanimously.**

Consider Amendment to LDC – CRA Urban Design Standard Overlay

Ms. Gibson, CRA Administrator, presented to the Board, and advised that for the past six months the CRA had been presenting a proposal for an overlay district which would be form-based standards which would apply to the neighborhoods within the CRA areas and not within any type of review district. She indicated these neighborhoods have not had any protection from incompatible uses relative to their traditional character. Because some of them have been blighted neighborhoods, there has been deterioration and demolition. What is being proposed will not restrict future demolition but will help to govern what is rebuilt. The proposal is a very light form of design review and a streamlined review which will be handled administratively by staff. Applicants interested in building can refer to a checklist to meet the requirements in this standard. She pointed out they had extensive community input with public informational sessions. Ms. Gibson then turned the presentation over to Marina Khoury of DPZ CoDesign who gave an overview of any changes to the guidelines; these were provided to the Board. Chairman Ritz then asked for audience input.

Mr. Gunther wanted to confirm that the vertically proportionate window requirement was removed, and Ms. Khoury stated that had been removed but would remain only on the frontages. Mr. Gunther informed the Board he had purchased the former YMCA property on Palafox, and they have three potential buyers and had confirmed in pre-development meetings with Brandi Deese and other departments in 2016 and 2017 that all their plans were allowed under the LDC.

They then moved forward and closed in January 2017. They have paid architects for design, laid underground utilities and essentially planned a new development. In moving forward, no exception had been granted, and he asked that those who have been working with the City should be grandfathered in and not be required to adhere to the new requirements after designing around the current codes.

Concerning trees, he further explained they had pushed their houses to the street with urban design, and properties on Palafox from their property to the bay have no trees on private property. Mr. Grundhoefer offered this document would be going to City Council and felt all those with projects might rush in before the new guidelines were approved; he did not feel this was appropriate. Mr. Monk stated this was a difficult situation to be in as we move toward the form-based code, and this is a long-term developmental plan finally proceeding to the end. Ms. Gibson advised she did distribute a list of all comments received but did not know if they addressed every single comment on every project. She advised there were seven or eight concerns addressed by Mr. Gunther, and they were able to adjust this overlay so that six or seven were addressed. A site like this one was constrained, but he could place trees within the block. Mr. Monk asked if there could be a date certain for previous applications. Chairman Ritz explained this could be discussed during deliberations. Mr. Gunther further stated that long vertical windows were unfair to be imposed over such a large portion of the city.

Mr. Kazak who develops single residence housing in downtown Pensacola stated he had plans for larger developments on Government and A Street which met the current requirements, however, the new codes might require significant changes. He wanted to make sure they were safe with their investment and possibly exempted partially from the new regulations.

Mr. Wagley was excited to see the Board working through the process. He explained the trend toward form-based standards is growing all over America, and the existing codes were never going to give people the type of community they want – one that is walkable, bikeable and reveals the character of the older neighborhoods. He stated DPZ's work in capturing the existing character was completely accurate. He explained vertical windows were actually defining character from the homes built prior to the 1940s. He referenced the Florida Greenbook, with garages preferred in the rear and side on corner lots. He wanted staff to address the grandfathering possibly and using the easy checklist that would facilitate the process. He also pointed out no specific styles were restricted and encouraged the Board to approve this change which would be a huge historic step for this community.

Mr. Kilmer thanked the CRA and the Board for considering this change and Mr. Wagley for keeping the community informed.

Mr. Sallis spoke for the local chapter of AIA. He indicated the city has needed this document for a long time. The concern was that it be modified. (1) The section of applicability should be modified to allow for a date set for when the overlay applies, and developments after that would comply. (2) With residential building entries, the cost of elevating a house really is the cost of building a good product and making a great city. (3) Roof pitch is too restrictive over such a large area and should be removed from the document. (4) Windows and glazing should be removed because it is too restrictive for such a large section of the city and does not allow for contemporary architecture. Otherwise, the AIA supported the documents with these changes.

Ms. Khoury advised regarding applicability, the majority of cities state if you have a building permit in hand, you are grandfathered in; if you do not, you must comply with the new rules. The new document has in many cases made it easier to develop, and the reason for the document was to preserve the existing character.

Mr. Peaden appreciated the process but the key thing pertained to the applicants who have already begun the process and need to be protected in terms of what they have invested. Setting a date would be one way to address this, since most of these people have been in the process for a while.

Ms. Perry explained form-based code works in her neighborhood since there is no ARB, and the form-based code is a good middle ground giving parameters for a good framework where builders can respect the existing character while maintaining creativity.

Ms. Gibson responded to Mr. Monk's assertion about the influx of outside builders/developers.

She explained she had seen over the past 20 years a loss of historic vernacular and what has replaced those structures has looked nothing like the neighbors and has not added to the value of the neighborhood – many times by local builders. Mr. Monk stated in the East Hill area there have been massive demolitions of houses he knew could have been renovated.

Mr. Jordan addressed page 31 of the presentation dealing with a bicycle locked at 56 cm and explained that would only accommodate a child size bike. Ms. Khoury stated it could be converted to 22" – 26" to be consistent.

Mr. Grundhoefer was supportive of the document and suggested the window verticality requirement needed to state "should" instead of "shall" and agreed we should not stifle design because we feel a vertical window is more appropriate for a particular design. He explained some of the structures in Aragon Court comply with the ARB standards but are very contemporary. Ms. Khoury stated they may want to put in a clause to reassess the requirements in six months to see if they are working. Chairman Ritz offered his historical house has square windows. Mr. Grundhoefer advised the roof pitch was no problem since there was a caveat to have flat or low-pitched roofs. However, columns with capitals and bases was dictating architectural styles and pushed it beyond a form-based standard to an architectural standard. On page 37 regarding planting columnar trees, Pensacola is not known for Cedar or Poplar column type trees. Ms. Khoury advised this could be removed. Mr. Grundhoefer also asked if on Page 35 the single-family and two-family buildings were exempt. Ms. Khoury indicated this red lined language should probably be stricken out.

Chairman Ritz explained that with the document being placed on the Board agenda today, it was emphasized there needs to be a particular time set which starts this process and definitive language for what defines this process which has already started by someone. The building permit in hand means that someone has submitted plans for permitting, but Mr. Gunther has been working on a particular project for some number of years, and the larger projects tend to take longer lead times. So under our applicability, we do not have that really good timeline which defines projects discussed with Planning as of July 4, 2018 will be under a certain code. From a developer's standpoint, the Board needs to pick some legitimate time so that is not so far down the road that anyone can come in and say they thought about a project in 2017 and they should come under the old Code.

Ms. Khoury asked how the Code has been amended, and Chairman Ritz indicated historically, there has never been a change this drastic and in such a short period of time. He explained the Florida Building Code and the grace period when it is amended. Mr. Grundhoefer explained a date could be set after Council adoption. Ms. Gibson stated they had responded by saying 45 days from Council approval. Mr. Grundhoefer felt the document should be enforced at the date it is adopted. Ms. Gibson explained normally an ordinance is in force 5 days from Council approval. Chairman Ritz explained the Board is an advisory board, and the Council can choose to do what they want to do after the fact.

Mr. Jordan made a motion to approve and support the CRA Guidelines with these stipulations: (1) that the language for the vertical windows and the columns be "should" instead of "shall"; (2) change the columnar tree language; (3) clarify this landscape paragraph which she said they would strike; (4) under applicability, to state it is enforced 5 days after City Council approval. The motion was seconded by Mr. Larson. Mr. Monk advised that changing "shall" to "should" meant it was not enforceable. Chairman Ritz advised if someone wanted to do something else, they would be allowed to.

Mr. Monk did not see the point of going through the process to get to "if you would please." Chairman Ritz pointed out in the case of the windows, there was evidence offered internal to the Board as well in the Contemporary House book and the public has stated that "shall" on that particular item of verticality of the windows was detrimental to design creativity. Mr. Monk offered so many people want to live downtown but cannot because of varying reasons, but this Code will encompass the whole city. Chairman Ritz offered a citizen could always request a variance.

Ms. Deese clarified that the LDC stated only a few reasons where you could qualify for a variance, and variances to these overlay guideline standards would not be permitted.

Regarding the windows, Ms. Khoury stated in the homes that did not look good, the vast majority of them are because the windows were not vertical or square, and cautioned not to look at what you were preventing, but rather look at what you were allowing. Chairman Ritz clarified a person could not request a variance if the language became "shall" and Ms. Deese agreed. Mr. Monk restated he did not want to limit creativity but wanted history preserved.

Ms. D'Angelo clarified the document text in blue was not actually in the document sent to the Board and were proposed modifications. Ms. Gibson advised the presentation showed the modifications. Chairman Ritz explained the document supplied to the Board and for public inspection was not the same one in the presentation.

Mr. Monk questioned the styles of homes to be built in the CRA neighborhoods and if we were not dictating style, he was not sure how helpful the document was if it did not dictate building in a certain number of styles. Chairman Ritz explained the form-based code was not dictating a particular building style. **Mr. Grundhoefer had perused the blue text and added to Mr. Jordan's motion the June 12th guidelines were presented to the Board. Ms. Deese read the motion to approve with stipulations (1) to remove the window language shall and amend to should, (2) revise the tree language, (3) clarify the landscape paragraph and she (4) clarified it should be 5 business days for enforcement, and (5) the addition of the bike modification from 22" to 26".**

Mr. Weeks asked the Board if an architect could get professional plans within 5 days, and Chairman Ritz explained it could not be done in 5 days. Mr. Grundhoefer pointed out the process needed to begin somewhere. Mr. Weeks suggested adopting it like the Florida Building Code and cautioned on being careful with the applicable date. Mr. Monk was concerned with applicants who had already submitted their work. Mr. Grundhoefer pointed out Ms. Gibson had notified the public, and if the applicants wanted to submit their plans, they should submit them now in advance of the Council's approval. Ms. Gibson verified the document would go through two readings at the Council meeting, and Ms. D'Angelo advised the document was currently scheduled for September 13, 2018 for the final reading.

Chairman Ritz explained if there were two readings, there would be two opportunities for citizen input to the Council who is the ultimate deciding body. **Mr. Grundhoefer amended Mr. Jordan's motion to enforce the Code when the Council approves it, but was reminded of the 5 business days and left his motion as is. The motion then carried unanimously.**

It was determined the first reading to Council would be August 9, 2018.

Open Forum – None

Adjournment – With no further business, Chairman Ritz adjourned the meeting at 4:36 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Brandi C. Deese', with a long horizontal flourish extending to the right.

Brandi C. Deese
Secretary to the Board

Brandi Deese

From: Sherry Morris
Sent: Tuesday, May 29, 2018 9:06 AM
To: Brandi Deese
Subject: FW: Right-of-Way Vacation Request

Sherry H. Morris, AICP
Planning Services Administrator
City of Pensacola
P.O. Box 12910
Pensacola, FL 32521

(850) 435-1670 phone
(850) 595-1143 fax



For Non-Emergency Citizen Requests, Dial 311 or visit Pensacola311.com

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regarding government business are public records
available to the public and media upon request.
Your email communications may be subject to public disclosure.

From: Eric Olson
Sent: Tuesday, May 29, 2018 9:06 AM
To: Sherry Morris <SMorris@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>
Cc: Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Lysia Bowling <lbowling@cityofpensacola.com>; Janet Matteson <JMatteson@cityofpensacola.com>
Subject: RE: Right-of-Way Vacation Request

Sherry/Derrik,

In the absence of a final plan for new sidewalk construction, my interpretation of the sidewalk grid in and around the property on Mallory is that the sidewalk that runs adjacent to 18th would not be a critical element in any design to improve connectivity to the parks in the surrounding area. If there is a legal instrument that can bind the owners of the property to reconstructing the sidewalk at their cost in the future, then we can consider letting them remove the existing sidewalk and restore it at a later time. At a minimum, the owners will have to leave enough right of way to

construct a sidewalk, i.e., I do not see a public interest in vacating the RoW to the curb. I will follow up with Lysia on the legal question.

r/

From: Sherry Morris
Sent: Friday, May 25, 2018 3:05 PM
To: Eric Olson <EOlson@cityofpensacola.com>
Subject: FW: Right-of-Way Vacation Request

Eric,

As discussed, please see attached PDFs that Paul was able to create showing existing sidewalks in the area of the ROW vacation request, and how they relate to Bayview and other area parks. One map has aerial imagery and the other just shows parcel and ROW lines – both have existing sidewalks shown.

From: Paul A Kelly(GIS)
Sent: Friday, May 25, 2018 10:11 AM
To: Sherry Morris <SMorris@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Leslie Statler <LStatler@cityofpensacola.com>
Subject: Re: Right-of-Way Vacation Request

Hi Sherry. I've attached 2 PDFs to address both of your questions. The first shows the location of existing sidewalks. The second PDF shows the result of the model - the higher the score the higher it was prioritized to get a sidewalk. None of the sidewalks in the immediate vicinity were characterized as having a high prioritization score.

Paul Kelly
GIS Coordinator
City of Pensacola
Phone: (850) 436-5630
Fax: (850) 595-1281

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From: Sherry Morris
Sent: Friday, May 25, 2018 9:58 AM
To: Paul A Kelly(GIS); Brad Hinote; Leslie Statler
Subject: RE: Right-of-Way Vacation Request

Thanks Paul! I think the applicant was making the case that it is a "sidewalk to nowhere" and doesn't connect to anything in the adjacent blocks. Can we tell if the immediately adjacent blocks were prioritized since this block would not have been due to an existing sidewalk being located there?

Sherry H. Morris, AICP
Planning Services Administrator
City of Pensacola
P.O. Box 12910
Pensacola, FL 32521

(850) 435-1670-phone
(850) 595-1143-fax



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From: Paul A Kelly(GIS)
Sent: Friday, May 25, 2018 9:43 AM
To: Sherry Morris <SMorris@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Leslie Statler <LStatler@cityofpensacola.com>
Subject: Re: Right-of-Way Vacation Request

There are existing sidewalks on this block and the sidewalk prioritization model only looked at locations where there were not any existing sidewalks. Regarding the sidewalk on the 18th between Mallory and Moreno I've attached the Mott MacDonald sidewalk survey - they scored it as a sidewalk in very good condition.

I'm looking for the survey PDF for Mallory between 17th and 18th. Would you want this document as well?

Let me know if there is any other information that I can provide.

Thanks,

Paul Kelly
GIS Coordinator
City of Pensacola

Phone: (850) 436-5630

Fax: (850) 595-1281

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From: Sherry Morris

Sent: Friday, May 25, 2018 9:06 AM

To: Brad Hinote; Paul A Kelly(GIS); Leslie Statler

Subject: FW: Right-of-Way Vacation Request

Can you guys look at the attached request and see where the surrounding segments/area falls on the ranked sidewalk prioritization list? We need the info ASAP for the Planning Board item. Thanks in advance....

Sherry H. Morris, AICP
Planning Services Administrator
City of Pensacola
P.O. Box 12910
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From: Brandi Deese

Sent: Friday, May 25, 2018 9:04 AM

To: Sherry Morris <SMorris@cityofpensacola.com>

Subject: FW: Right-of-Way Vacation Request

Brandi C. Deese, AICP

Planning Services Division

City of Pensacola

PO Box 12910

Pensacola, FL 32521

Office – 850.435.1697

Fax – 850.595.1143

From: Brandi Deese

Sent: Thursday, May 24, 2018 1:19 PM

To: Andre Calaminus <andre.calaminus@ecua.fl.gov>; Brad Hinote <bradhinote@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; William Weeks <WWeeks@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>

Subject: FW: Right-of-Way Vacation Request

Good Afternoon –

Just a quick reminder for those who have not submitted comments on the attached right-of-way vacation request, comments are due by next Wednesday. Thanks!

Brandi C. Deese, AICP

Planning Services Division

City of Pensacola

PO Box 12910

Pensacola, FL 32521

Office – 850.435.1697

Fax – 850.595.1143

From: Brandi Deese

Sent: Friday, May 11, 2018 11:35 AM

To: Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson (<ABloxson@cityofpensacola.com> <ABloxson@cityofpensacola.com>); Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote (<bradhinote@cityofpensacola.com> <bradhinote@cityofpensacola.com>); Brian Cooper



AT&T
605 W. Garden ST, Suite 218
Pensacola, FL 32502

T: 850-436-1495
F: 850-436-1486
www.att.com

May 15, 2018

Ryan Wiggins
1771 E. Mallory Street
Pensacola, FL 32503

Re: Petition to Vacate Right-of-Way

Mrs. Wiggins,

AT&T Florida has reviewed your request to vacate the right-of-way at 1771 E. Mallory Street as described in the documents sent from City of Pensacola by via email 5/11/2018.

AT&T Florida does not have facilities in place in the right-of-way location shown on the attached map as the west side of N 18th Avenue between E Mallory Street and E Moreno Street.

Due to this, AT&T Florida agrees to the vacation of the described right-of-way. If you have any questions or concerns regarding this matter please don't hesitate to call.

Sincerely,

Brad Sauers

Brad Sauers
AT&T Florida
Manager, OSP PLANNING AND ENGINEERING DESIGN
850-436-1495



AT&T
605 W. Garden ST, Suite 218
Pensacola, FL 32502

T: 850-436-1495
F: 850-436-1486
www.att.com

May 15, 2018

Michael Callaghan
1774 E. Moreno Street
Pensacola, FL 32503

Re: Petition to Vacate Right-of-Way

Mr. Callaghan,

AT&T Florida has reviewed your request to vacate the right-of-way at 1774 E. Moreno Street as described in the documents sent from City of Pensacola by via email 5/11/2018.

AT&T Florida does not have facilities in place in the right-of-way location shown on the attached map as the west side of N 18th Avenue between E Mallory Street and E Moreno Street.

Due to this, AT&T Florida agrees to the vacation of the described right-of-way. If you have any questions or concerns regarding this matter please don't hesitate to call.

Sincerely,

Brad Sauers

Brad Sauers
AT&T Florida
Manager, OSP PLANNING AND ENGINEERING DESIGN
850-436-1495

Brandi Deese

From: Annie Bloxson
Sent: Monday, May 14, 2018 2:05 PM
To: Brandi Deese
Subject: RE: Right-of-Way Vacation Request

Good Afternoon,

I have no issues with vacating the right-of-way for 18th Avenue.

Respectfully,

Chief Annie Bloxson

Fire Marshal
Pensacola Fire Department
475 East Strong Street
Pensacola, FL 32501
Office: 850-436-5200
Cell: 698-0091
ABloxson@cityofpensacola.com

From: Brandi Deese
Sent: Friday, May 11, 2018 11:35 AM
To: Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Derrik Owens <DOWens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jerry Moore <jamoore@cityofpensacola.com>; Jordan, Scott C. <SCJORDAN@southernco.com>; Karl Fenner (KF5345@att.com) <KF5345@att.com>; KENNINGTON, STEPHEN <sk1674@att.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; William Weeks <WWeeks@cityofpensacola.com>
Cc: Leslie Statler <LStatler@cityofpensacola.com>; Karen Lefebvre <KLefebvre@cityofpensacola.com>; Amy Hargett <ahargett@cityofpensacola.com>
Subject: Right-of-Way Vacation Request

Good Morning!

Please review and comment on the attached right-of-way vacation request for 18th Avenue. Please submit comments no later than Wednesday, May 30, 2018. Thanks so much!

Brandi C. Deese, AICP

Planning Services Division
City of Pensacola
PO Box 12910
Pensacola, FL 32521
Office – 850.435.1697
Fax – 850.595.1143

Brandi Deese

From: Jernigan, Jim Marion <X2JMJERN@southernco.com>
Sent: Monday, May 14, 2018 2:46 PM
To: Ryan Wiggins
Cc: Jordan, Scott C.; Brandi Deese
Subject: RE: Street Vacate

Ms. Wiggins,

Thank you for the email. Gulf Power does not have an issue with the road vacate. However, in order to protect our lines along the road we will need to obtain an easement from the current owner.

Jim Jernigan

Gulf Power Company
Corporate Real Estate BIN 0093
One Energy Place
Pensacola, FL 32520
850-444-6321

From: Ryan Wiggins [mailto:ryan.n.wiggins@gmail.com]
Sent: Monday, May 14, 2018 2:39 PM
To: Jernigan, Jim Marion <X2JMJERN@southernco.com>
Subject: Fwd: Street Vacate

Thanks, Jim!

----- Forwarded message -----

From: Jernigan, Jim Marion <X2JMJERN@southernco.com>
Date: Thu, Aug 31, 2017, 3:26 PM
Subject: Street Vacate
To: ryan.n.wiggins@gmail.com <ryan.n.wiggins@gmail.com>
Cc: MTillman@cityofpensacola.com <MTillman@cityofpensacola.com>

Mrs. Wiggins,

Mark Davidson forwarded me your street vacate request.

Gulf Power has existing electric distribution line facilities within the road right of way adjoining your property. Therefore, Gulf Power would need to reserve a utility easement.

Otherwise, Gulf Power has no objections or concerns. Please let me know if I may be of further assistance.

Brandi Deese

From: William Weeks
Sent: Thursday, May 24, 2018 3:50 PM
To: Brandi Deese
Subject: RE: Right-of-Way Vacation Request

No comments.

Bill

From: Brandi Deese
Sent: Thursday, May 24, 2018 1:19 PM
To: Andre Calaminus <andre.calaminus@ecua.fl.gov>; Brad Hinote <bradhinote@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Derrik Owens <DOWens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; William Weeks <WWeeks@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>
Subject: FW: Right-of-Way Vacation Request

Good Afternoon –

Just a quick reminder for those who have not submitted comments on the attached right-of-way vacation request, comments are due by next Wednesday. Thanks!

Brandi C. Deese, AICP

Planning Services Division
City of Pensacola
PO Box 12910
Pensacola, FL 32521
Office – 850.435.1697
Fax – 850.595.1143

From: Brandi Deese
Sent: Friday, May 11, 2018 11:35 AM
To: Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson (ABloxson@cityofpensacola.com) <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote (bradhinote@cityofpensacola.com) <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin (CMauldin@cityofpensacola.com) <CMauldin@cityofpensacola.com>; Derrik Owens (DOWens@cityofpensacola.com) <DOWens@cityofpensacola.com>; Diane Moore (DMoore@cityofpensacola.com) <DMoore@cityofpensacola.com>; Jerry Moore (jamoore@cityofpensacola.com) <jamoore@cityofpensacola.com>; Jordan, Scott C. <SCJORDAN@southernco.com>; Karl Fenner (KF5345@att.com) <KF5345@att.com>; KENNINGTON, STEPHEN <sk1674@att.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul Kelly (GIS) (pakelly@cityofpensacola.com) <pakelly@cityofpensacola.com>; Robbie Weekely (rweekley@cityofpensacola.com) <rweekley@cityofpensacola.com>; Ryan Novota (RNovota@cityofpensacola.com) <RNovota@cityofpensacola.com>; Sherry Morris (smorris@cityofpensacola.com) <smorris@cityofpensacola.com>; wweeks@cityofpensacola.com
Cc: Leslie Statler <LStatler@cityofpensacola.com>; Karen Lefebvre <KLefebvre@cityofpensacola.com>; Amy Hargett <ahargett@cityofpensacola.com>
Subject: Right-of-Way Vacation Request

Good Morning!

Brandi Deese

From: Brian Cooper
Sent: Friday, May 11, 2018 12:06 PM
To: Brandi Deese
Subject: Re: Right-of-Way Vacation Request

We are good

Sent from my Verizon Wireless 4G LTE DROID

Brandi Deese <bdeese@cityofpensacola.com> wrote:

Good Morning!

Please review and comment on the attached right-of-way vacation request for 18th Avenue. Please submit comments no later than Wednesday, May 30, 2018. Thanks so much!

Brandi C. Deese, AICP

Planning Services Division

City of Pensacola

PO Box 12910

Pensacola, FL 32521

Office – 850.435.1697

Fax – 850.595.1143

Brandi Deese

From: Diane Moore
Sent: Wednesday, May 30, 2018 9:13 AM
To: Brandi Deese
Cc: Don Suarez
Subject: RE: Right-of-Way Vacation Request
Attachments: 18th Ave Right of Way Vacation Application.pdf

Brandi,

Pensacola Energy has no gas facilities within the West R/W of 18th Avenue between the South R/W of Mallory and the North R/W of Moreno Street and would therefore not have any objection to the vacate request submitted.

Regards,
Diane

Diane Moore | Gas Distribution Engineer
Pensacola Energy | 1625 Atwood Drive, Pensacola, FL 32514
Desk: 850-474-5319 | Cell: 850-324-8004 | Fax: 850-474-5331
Email: dmoore@cityofpensacola.com

***Please consider the environment before printing this email.



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From: Brandi Deese
Sent: Thursday, May 24, 2018 1:19 PM
To: Andre Calaminus; Brad Hinote; Chris Mauldin; Derrik Owens; Diane Moore; Ryan J. Novota; William Weeks; Robbie Weekley
Subject: FW: Right-of-Way Vacation Request

Good Afternoon –
Just a quick reminder for those who have not submitted comments on the attached right-of-way vacation request, comments are due by next Wednesday. Thanks!

Brandi C. Deese, AICP
Planning Services Division
City of Pensacola
PO Box 12910
Pensacola, FL 32521

Brandi Deese

From: Derrik Owens
Sent: Thursday, May 24, 2018 4:11 PM
To: Sherry Morris
Cc: Brandi Deese
Subject: FW: Right-of-Way Vacation Request

Sherry,

Upon further consideration of this matter, PW&F is withdrawing our comment concerning the sidewalk replacement requirement regarding this vacation request and recommend that it be looked at as part of the programming of future sidewalks WRT connectivity. This is based upon the current consideration for the construction of new connecting sidewalks (program) throughout the City currently being addressed by Planning. As our department is not directly involved in the selection/location process for this program, we defer to Planning on the importance (or no importance) of the existing sidewalk remaining (or not remaining) for future connectivity with other potential new sidewalks in the neighborhood that may result through the ranking/selection program.

All other issues raised below will be supported by PW&F and please let me know if you have any questions or would like to discuss further.

From: Derrik Owens
Sent: Thursday, May 24, 2018 1:53 PM
To: Brandi Deese <bdeese@cityofpensacola.com>
Cc: Brad Hinote <bradhinote@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>
Subject: RE: Right-of-Way Vacation Request

It appears the applicant(s) is requesting approx. 34.5' of public r/w on the west side of 18th Ave. and the vacation will need to be limited to within 10' (minimum) of the existing back-of-curb (west side) and will result in a revised vacation request of 24.5' of public r/w. This will allow room for proper replacement/relocation of the existing 4' public sidewalk (to City standard) that will be the responsibility of the applicant(s) within 30 days of the approved vacation request. This will also ensure that driveway sections will remain in the public r/w and allow for maintenance of the relocated (new) sidewalk and required 4' grass strip between the sidewalk and back of curb. A standard perpetual public utility/access easement will also need to be recorded with the vacation, as is standard with all requests of this nature.

From: Brandi Deese
Sent: Thursday, May 24, 2018 1:19 PM
To: Andre Calaminus <andre.calaminus@ecua.fl.gov>; Brad Hinote <bradhinote@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; William Weeks <WWeeks@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>
Subject: FW: Right-of-Way Vacation Request

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Brandi C. Deese, AICP
Planning Services Division

Brandi Deese

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Cc: Brad Hinote; Ryan J. Novota
Subject: RE: Right-of-Way Vacation Request

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Sent: Thursday, May 24, 2018 1:19 PM
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Subject: FW: Right-of-Way Vacation Request

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Brandi C. Deese, AICP

Planning Services Division
City of Pensacola
PO Box 12910
Pensacola, FL 32521
Office – 850.435.1697
Fax – 850.595.1143

From: Brandi Deese
Sent: Friday, May 11, 2018 11:35 AM
To: Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson (ABloxson@cityofpensacola.com) <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote (bradhinote@cityofpensacola.com) <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin (CMauldin@cityofpensacola.com) <CMauldin@cityofpensacola.com>; Derrik Owens (DOWens@cityofpensacola.com) <DOWens@cityofpensacola.com>; Diane Moore (DMoore@cityofpensacola.com) <DMoore@cityofpensacola.com>; Jerry Moore (jamoore@cityofpensacola.com) <jamoore@cityofpensacola.com>; Jordan, Scott C. <SCJORDAN@southernco.com>; Karl Fenner (KF5345@att.com) <KF5345@att.com>; KENNINGTON, STEPHEN <sk1674@att.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul Kelly (GIS) (pakelly@cityofpensacola.com) <pakelly@cityofpensacola.com>; Robbie Weekley (rweekley@cityofpensacola.com) <rweekley@cityofpensacola.com>; Ryan Novota (RNovota@cityofpensacola.com) <RNovota@cityofpensacola.com>; Sherry Morris (smorris@cityofpensacola.com) <smorris@cityofpensacola.com>;

Brandi Deese

From: Jerry Moore
Sent: Monday, May 14, 2018 6:59 AM
To: Brandi Deese
Subject: RE: Right-of-Way Vacation Request

No objection from Sanitation.

Jerry Moore
Director, Sanitation Services & Fleet Management
City of Pensacola
850-435-1894



DIAL 311 FOR CITY SERVICES

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From: Brandi Deese
Sent: Friday, May 11, 2018 11:35 AM
To: Andre Calaminus; Annie Bloxson; Bill Kimball; Brad Hinote; Brian Cooper; Chris Mauldin; Derrik Owens; Diane Moore; Jerry Moore; Jordan, Scott C.; Karl Fenner (KF5345@att.com); KENNINGTON, STEPHEN; Miriam Woods; Paul A Kelly(GIS); Robbie Weekley; Ryan J. Novota; Sherry Morris; William Weeks
Cc: Leslie Statler; Karen Lefebvre; Amy Hargett
Subject: Right-of-Way Vacation Request

Good Morning!

Please review and comment on the attached right-of-way vacation request for 18th Avenue. Please submit comments no later than Wednesday, May 30, 2018. Thanks so much!

Brandi C. Deese, AICP

Planning Services Division
City of Pensacola
PO Box 12910
Pensacola, FL 32521
Office – 850.435.1697
Fax – 850.595.1143

From: Blanche Ferdon [<mailto:bbf1@me.com>]

Sent: Sunday, June 24, 2018 2:06 PM

To: Ashton Hayward <mayorhayward@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Ryan.N.Wiggins@gmail.com; JWiggins@gmail.com

Subject: 1771 E. Mallory Street - Sidewalks - Wiggins

Dear Mayor Hayward and City Council Members,

My name is Blanche Bell Ferdon. My father, Dr. John Bell, built the two brick homes at 1771 E. Mallory Street and 1774 E. Moreno Street, as well as the two stucco houses next door at 1758 E. Moreno Street and 1746 E. Moreno Street. I grew up in the home at 1771 E. Mallory Street, which was built in 1942.

I met the Wiggins family last year when I was visiting Pensacola for my high school reunion and they allowed me to come inside their home and walk down memory lane. They reached out to me this week to ask if I remembered who built the sidewalks surrounding the property and, as a matter of fact, I did.

As I recall, when I asked my Dad about the lack of sidewalks on the other nearby blocks, he said if a homeowner wanted sidewalks, the city would put them in, and the owner would pay for them on their monthly bill from the city, and he wanted the sidewalks. Therefore, the sidewalk that joins Moreno and Mallory Streets is not the city's investment, but my father's.

I hope this helps clear up any speculation on the matter.

Sincerely,

Blanche B. Ferdon

Mr. Butch Cook
1801 E. Mallory Street
Pensacola, FL 32503
June 26, 2018

Mayor Hayward and Pensacola City Council Members
222 West Main Street
Pensacola, FL 32502

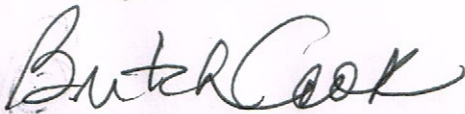
Dear Mayor Hayward and Pensacola City Council Members,

I have lived at 1801 East Mallory Street for over five years. During that time, I have never seen anyone use the sidewalk on the west side of 18th Avenue between Moreno and Mallory Streets except, perhaps, for the two owners of the two homes on that short block. What I do see are pedestrians and perambulators, cyclists and skateboarders by the score, and they all travel on the street. They cannot bike or skate on the sidewalk, and they certainly can't run on the sidewalk as they push their babies in sleek strollers designed to be used on long, flat surfaces, not on a single, inaccessible, short length of sidewalk.

As for "men who dream by day" who would have us believe that government must be legally blind in its vision of a completely accessible and connected urban environment, even when that accessibility or connection serves no purpose whatsoever, I would remind them that government should be about the people they serve, not a blind adherence to the latest socially engineered imperative.

My neighbors want to improve their properties, make a better life for themselves and stay in the home and neighborhood they love. As people served by your governance, they deserve your support and your approval of their sensible and personal request.

Sincerely,

A handwritten signature in black ink that reads "Butch Cook". The signature is written in a cursive, flowing style.

Butch Cook
1801 E. Mallory Street
(850) 281-6577

Brandi Deese

From: Christian Wagley <christianwagley@gmail.com>
Sent: Sunday, June 10, 2018 6:52 PM
To: Brandi Deese
Subject: Fwd: Planning Board this week

FYI. I emailed some board members but do not have an email address for new member Victor Jordan. Can you send to me please? Thanks!

----- Forwarded message -----

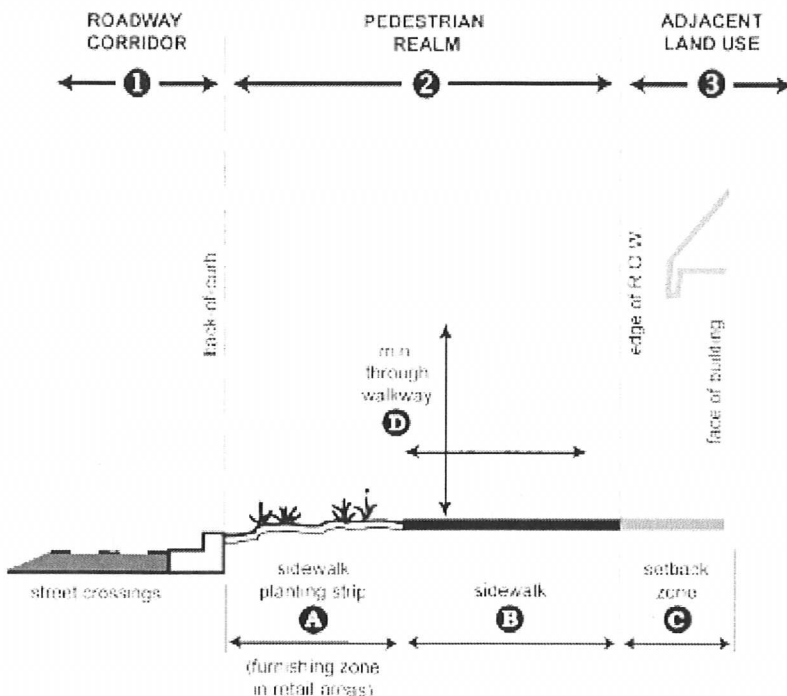
From: Christian Wagley <christianwagley@gmail.com>
Date: Sun, Jun 10, 2018 at 6:24 PM
Subject: Planning Board this week
To: pritz@bullocktice.com

Dear Paul

I hope you are well. I'm writing in regard to Item 1 on the June Planning Board agenda, which is a proposed right-of-way vacation along 18th Ave. in East Hill.

I am strongly opposed to the full proposed 34.5' vacation, as it does not allow for the safe and proper replacement of the existing sidewalk.

I agree with the staff position that a 24.5' vacation is acceptable, but only in conjunction with the replacement of the existing sidewalk at its existing width of 5'. Such vacation allows for the relocation of the sidewalk in a widely-accepted design that calls for a planting strip between the street and the sidewalk. In this case a 5' wide planting strip (which is an ideal width and should be no less than 5') is vital for sheltering the pedestrian from traffic and allows space for street trees needed for shade and traffic calming. Such an arrangement of sidewalk and planting strip is a standard best practice for community design that is utilized in cities and towns all across the country. Here is an example:



The proposed vacation site is on a city block that includes a fully intact sidewalk in excellent condition that traverses the entire perimeter of the block. It allows a resident of that block to "walk around the block" safely and pleasantly. Additionally, the sidewalk proposed for removal as part of the vacation is within one block of a city park called Operto Square, making it an important element of the city's sidewalk network in which access to city parks is prioritized.

If the applicants are not required to replace the existing sidewalk as part of any right-of-way vacation, then the thousands of taxpayer dollars used to fund the construction of that sidewalk will have ultimately been squandered. It will also lead to another loss of connectivity to the city's sidewalk network, at a time of enhanced pedestrian activity in Pensacola.

Finally, the thought of a pedestrian being forced into the much less safe condition of walking in the street because a public sidewalk is allowed to be removed to facilitate private use, is untenable. In the world of public infrastructure, sidewalks are perhaps our most democratic institution as they allow for safe and free movement by all--the youngest and oldest, the financially poor and the rich, and the able-bodied and the disabled. They must be protected and enhanced.

Thank you for your service, and for considering my comments.

Christian Wagley

801 East Larua St.

Pensacola, FL 32501

850-687-9968

Brandi Deese

From: Amy Hargett
Sent: Monday, June 11, 2018 10:54 AM
To: Brandi Deese
Subject: FW: input for public hearing

Amy D. Hargett
Planning Technician
Planning Services
City of Pensacola
(850) 435-1670



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From: thomas dannheisser [mailto:tomdannheisser@yahoo.com]
Sent: Monday, June 11, 2018 10:01 AM
To: Amy Hargett <ahargett@cityofpensacola.com>
Subject: input for public hearing

Dear Ms. Hargett

Thank you very much for sending me the information for the proposed road vacation on 18th Avenue in East Hill. As a property owner in East Hill and a past local government attorney I have great concerns regarding the proposal.

Typically, right-of-way vacations relate to unused abandoned areas such as alley ways that have no present or feasible future use. I have never heard of a request to actually vacate a major portion of a typical improved and utilized right-of-way.

I am sure that the applicants are fine people but the request should be denied for many reasons including but not limited to the following:

1) The vacation would set a catastrophic precedent. Every single property owner in the City would certainly desire to increase the size (and it appears in this case from the aerial by up to 50%) of their

property. The City would immediately be presented with hundreds if not thousands of similar petitions if this was ever granted.

2) The requested vacation appears to be **impossible** from a public works/utility management prospective. Almost all utilities, power, water, sewer, drainage, etc.. are typically located in the area between the "paved" roadway and the edge of the right-of-way. In fact, it would seem to be impossible to even replace or repair the paved portion of the right-of-way if the unpaved portion is vacated, because such activities require much physical work off of the paved portion. Just imagine 18th Avenue (and any/every other road in the City) where the City's ownership just off of the paved area was lost, and the right-of-way was reduced from the typical 60 feet to 20 feet in width.

Again, thank you for your assistance.

Sincerely

Tom Dannheisser



Brandi Deese

From: Thomas Douthat <tdouthat@gmail.com>
Sent: Thursday, June 07, 2018 10:50 AM
To: jared@jandmvalve.com; pritz@bullocktice.com; hesscampbell@aol.com; kurt@fire-help.org; fathernathan@gmail.com; kowens@amalighting.com; dgrundhoefer@qqarchitects.com; Public Works; Brandi Deese
Cc: Brian Spencer
Subject: Concern about abandonment of ROW and Sidewalks

Dear Planning Board:

I am writing to express my deep concern about the protection of public ROW and sidewalks in Pensacola.

Before the board is an application for a vacation of the ROW on North 18, and the removal of sidewalks.

This to me is contrary to the public policy stated in the City's Comprehensive Plan, to the safety and mobility of vulnerable populations (children, wheelchairs, etc.), and of a generally livable Pensacola.

I am not opposed to the city working with the homeowners, but not at the expense of good sidewalks, and planting strips. I am gobsmacked by the logic that past neglect of sidewalks justify abandoning ROW.

Here are examples of new construction or renovations, that has harmed, removed, or rebuilt without sidewalks:

La Rua and 12th (retaining wall), two home development on 11th and La Rua (no sidewalks on 11th), Gas Station on 12th, New duplex development on 14th and La Rua, multi-home development between Gadsden/Jackson and 12th.

All of this will be hard to dial back, but because the city has erred in past management of ROW, does not mean that it should double down. What makes Pensacola attractive is it's outdoor amenity value, and walk-able neighborhoods contribute to this.

I would be happy to have anyone of you over for coffee and take a walk with my two year old in a stroller to demonstrate the problem.

Please do your part for the future of pedestrian safety, livability, and shared spaces in Pensacola. Your decisions are about more than the needs of present owners, and will affect the city for generations to come.

Cordially,

Tom Douthat

--
Thomas Douthat
802 793 3442

Ms. Patricia Gavallas
1800 E. Moreno Street
Pensacola, FL 32503
June 26, 2018

Mayor Hayward and Pensacola City Council Members
222 West Main Street
Pensacola, FL 32502

Dear Mayor Hayward and Pensacola City Council Members,

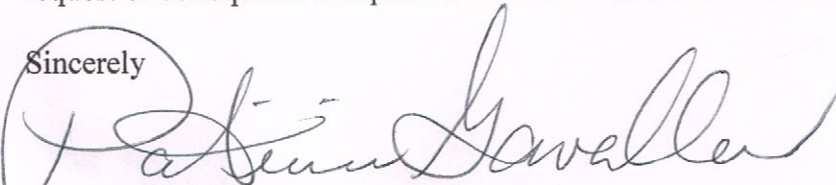
I am writing you today to ask that you consider allowing my neighbors across the street at 1771 E. Mallory Street and 1774 E. Moreno Street obtain the right of way abutting their property and thus removing the sidewalk on that block.

I was raised in my home on the corner of 18th Avenue and Moreno. I have lived here my entire life and can tell you, until Mrs. Wiggins approached me about the right of way and the sidewalk, I had forgotten there was even a sidewalk on that property. With the growing popularity of East Hill, we have had an influx of young families move into the neighborhood. While I see them walking and pushing strollers down 18th Avenue all the time, I never see anyone using the sidewalk in question. I walk on 18th Avenue almost every single day and have never considered using that sidewalk. Because it does not connect to any parks or places of interest for the public, the sidewalk is impractical and unnecessary.

Additionally, I am concerned that if my neighbors were required to replace or move the sidewalk, it would look completely out of place. Because the sidewalk does not connect to any additional sidewalks on 18th Avenue, I am concerned that a brand-new sidewalk built closer to the road would stand out in contrast to the rest of the yards on 18th Avenue. It would look as though it were a mistake or the city ran out of funds before they were able to complete the project. The aesthetics of that would be out of character and would not fit with the current appearance of 18th Avenue. I am also concerned that moving or replacing the sidewalk would force the neighbors to take down trees that provide shade and move gardens that provide beauty to the neighborhood.

I appreciate that my neighbors want to improve their property as any improvements they make will increase the property value of my own home as well. As a taxpaying citizen and thus one of the current owners of that right of way, I see no valid reason that my neighbors should be denied their request or be required to replace a sidewalk that is never used to begin with.

Sincerely

A handwritten signature in cursive script, appearing to read 'Patricia Gavallas', written in dark ink.

Patricia Gavallas
1800 E. Moreno Street

June 22, 2018

Mayor Hayward and Pensacola City Council Members
222 West Main Street
Pensacola, FL 32502

Dear Mayor Hayward and City Council Members,

As a resident of the 18th block of Mallory/Moreno streets, I support my neighbors at 1771 E. Mallory Street and 1774 E. Moreno Street in their petition to obtain the right of way abutting their properties. The removal of the sidewalk on this right of way will in no way impact my quality of life or my safety in the foreseeable future.

Lauren Patchariani Lauren K 1758 E. Moreno St.

Michael GARTMAN Michael 1717 E. Mallory St.

Katherine Gartman Katherine 1717 E. Mallory St.

LOWELL + DEBORAH BASSETT 1746 E. MORENO ST.

Linda Price 1700 E. Moreno St. LNP in

Michael Buist 1700 E. Moreno St.

From: Jody Braxton [<mailto:jbraxton@expertservices.com>]

Sent: Wednesday, July 25, 2018 10:24 AM

To: Sherri Myers <smyers@cityofpensacola.com>; Jewel Cannada-Wynn <jcannada-wynn@cityofpensacola.com>; Larry B. Johnson <ljohnson@cityofpensacola.com>; Brian Spencer <bspencer@cityofpensacola.com>; Gerald Wingate <gwingate@cityofpensacola.com>; Andy Terhaar <aterhaar@cityofpensacola.com>; P.C. Wu <pcwu@cityofpensacola.com>; Ashton Hayward <mayorhayward@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Don Kraher <DKraher@cityofpensacola.com>; Ericka Burnett <EBurnett@cityofpensacola.com>

Subject: Right of way on 18th ave

Dear Mayor Hayward and Members of the City Council,

I am writing you today because of a Bike Pensacola post I saw on Facebook regarding a vote you took at your last council meeting about the vacation of a right of way on 18th Avenue. As a homeowner in East Hill, I have very strong opinions about both the post and your decision and I feel the need to share them with you.

I feel confident I am not the only one to reach out to in response to this Facebook post as that was the intent of Bike Pensacola when they posted it. I found what was written to be misleading and inaccurate at best and a targeted attack on good neighbors at worst.

Bike Pensacola called into question your commitment to "Vision Zero" which they say is a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all. Let's talk about that for a second. How does a disconnected, non-ADA compliant sidewalk on one block of East Hill meet the mission of Vision Zero? The road this sidewalk is on, 18th Avenue, has very little traffic; so little, in fact, that pedestrians use the street as a sidewalk and can walk for blocks without even seeing a car. I don't see how this sidewalk to nowhere, that is not even used by pedestrians, is not handicap accessible, and is on a quiet street in East Hill, is helping to eliminate traffic fatalities and severe injuries or increasing safe, healthy, equitable mobility. Your vote did nothing to impact Vision Zero because it doesn't impact the mission of Vision Zero.

Bike Pensacola went on to point out that the council did not require the sidewalk to be replaced and only left enough space for a new sidewalk right next to the street. Again, this was the right call by the council. If you drive down 17th or 12th Avenues (notably busier streets than 18th Avenue) where the city has recently and rightfully installed new sidewalks just within the past year, you will see that these sidewalks are built right on the curb. If the city felt that those sidewalks were safe enough on busy streets, why would the city feel that more protection is necessary on a street with little to no traffic? Additionally, why should the homeowners be asked to replace sidewalks the city didn't install in the first place, are never used, and by my understanding, none of the surrounding neighbors want?

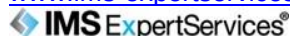
Finally, I want to say something about the applicants of this request. When Ryan and Jonathon Wiggins moved back into their home in East Hill, the neighborhood was better for it. Within a year of moving back into their home, they saw a need and started and currently maintain a neighborhood watch group to help protect their neighbors and increase safety in East Hill. They planted a butterfly garden on the right of way in question for the enjoyment and education of their neighbors. They would give you the shirts off their backs if asked. They are the types of neighbors who stand up for people and for what's right in this neighborhood, which is one reason I am standing up for them now.

You are to be commended for the vote you took on July 19th. It was the right thing to do. East Hill is the home of the disjointed sidewalk to nowhere. These sidewalks serve no purpose for public safety as they are non-continuous. I ask that you don't let the vocal minority, most of whom do not even live in East Hill, make you question your sound decision. Please give more weight to the opinions of the immediate neighbors who are really the only ones directly be impacted by your vote. I humbly request that you continue to show leadership on this issue and stand by your decision on August 9th.

Sincerely,
Jody Braxton
917 E. Bobe Street

Jody Braxton | Senior Client Manager | 850-473-2516

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City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 13-18

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Vice President Sherri F. Myers

SUBJECT:

PROPOSED ORDINANCE NO. 13-18 - AMENDING SECTION 3-3-2 - REGULATING CONTRACTING AND PURCHASE OF COMMODITIES AND SERVICES

RECOMMENDATION:

That City Council approve Proposed Ordinance No. 13-18 - Amending Section 3-3-2 of the Code - Regulating contracting and purchase of commodities and services adding language to cover purchase of legal services, on first reading.

AN ORDINANCE AMENDING SECTION 3-3-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CONTRACTS FOR PUBLIC WORK AND PURCHASES OF OTHER COMMODITIES AND SERVICES; LOWEST AND BEST RESPONSIBLE BIDDER; REJECTION OF BIDS; APPROVAL OF COUNCIL AND MAYOR; EMERGENCY PURCHASES; REGULATING CONTRACTING AND PURCHASE OF LEGAL SERVICES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

There are no specific guidelines regulating how and when departments, staff, the City Attorney or the Mayor may purchase outside legal services. The amendments to Section 3-3-2 of the Code provides that the City Attorney approve the purchasing of outside legal services and such services be evidenced by a contract or similar binding document. These amendments will assure greater transparency and accountability in expenditures of funds for professional services.

The following was spent by the City for outside legal services from FY 2014 - FY 2017:

FY 2014 \$1,451,387.84

FY 2015 \$1,185,191.71

FY 2016 \$1,428,814.40

FY 2017 \$1,500,737.56

PRIOR ACTION:

July 17, 2014 - City Council Adopted Ordinance No. 26-14
July 18, 2014 - Ordinance No. 26-14 vetoed by the Mayor Hayward
August 28, 2014 - Vote to override Mayor's veto failed

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Proposed Ordinance No. 13-18

PRESENTATION: No

PROPOSED
ORDINANCE NO. 13-18

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 3-3-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; REGULATING CONTRACTING AND PURCHASE OF LEGAL SERVICES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 3-3-2 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

(a) Definitions.

- (1) Commodity means any of the various supplies, materials, equipment, goods, merchandise and all other personal property purchased, leased or otherwise contracted for by the city.
- (2) Invitation to bid means a written solicitation for sealed competitive bids with the title, date, and hour of the public bid opening designated and specifically defining the commodity, group of commodities or services for which bids are sought. It includes instructions prescribing all conditions for bidding and shall be distributed to all prospective bidders simultaneously. The invitation to bid is normally used when the city is capable of specifically defining the scope of work for which a contractual service is required or when the city is capable of establishing precise specifications defining the actual commodity or group of commodities required.
- (3) Request for proposals means a written solicitation for sealed proposals with the title, date, and hour of the public opening designated. The request for proposals is normally used when it would be difficult for the city to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the city is requesting that a qualified vendor propose a commodity, group of commodities or contractual service to meet the needs of the city. A request for proposals should include, but is not limited to, general information, applicable laws and rules, functional or general specifications, statement of work, proposed instructions, and evaluation criteria. Requests for proposals should state the relative importance of price and any other evaluation criteria.

(4) Purchases of commodities and services. The purchase of commodities and services that have been specifically adopted in the annual budget within a program of a department, division, office or similar or appropriated by council may be contracted for or purchased by the mayor without further action of council. Subject to the authority granted in subsections (c) and (d), below, regarding tier one city certified small business enterprises, the purchase of or contracting for commodities or services in an amount exceeding twenty-five thousand dollars (\$25,000.00), that has not been specifically adopted in the annual budget or appropriated by council, must be approved by council prior to purchase or contract. All contracts for commodities or services that exceed a term of three years shall be approved by the City Council.

(5) **Services means all purchases other than commodities.**

- (b) Purchases of commodities and services. The purchase of commodities and services that have been specifically adopted in the annual budget or appropriated by council may be contracted for or purchased by the mayor without further action of council. Subject to the authority granted in subsections (c) and (d), below, regarding tier one city certified small business enterprises, **and subject to the provisions of subsections (i), (j) and (k) below, regarding legal services,** the purchase of or contracting for commodities or services in an amount exceeding twenty-five thousand dollars (\$25,000.00), that has not been specifically adopted in the annual budget or appropriated by council, must be approved by council prior to purchase or contract.
- (c) Public works and improvements. Any public work or improvement may be executed either by contract, or by direct labor, as may be determined by the council; if the cost does not exceed twenty-five thousand dollars (\$25,000.00), or does not exceed one-hundred thousand dollars (\$100,000.00) if contracting with a tier one city certified small business enterprise (SBE), the mayor may make the determination. Before authorizing the direct execution of any work or improvement costing more than twenty-five thousand dollars (\$25,000.00), or one hundred thousand dollars (\$100,000.00) if contracting with a tier one city-certified small business enterprise (SBE), detailed plans and estimates shall be submitted to the council by the mayor unless the council does not require same. Contracts for public work in excess of twenty-five thousand dollars (\$25,000.00), or one hundred thousand dollars (\$100,000.00) if contracting with a tier one city-certified small business enterprise (SBE), shall be signed by the mayor after approval thereof by the city council. When the invitation to bid procedure is utilized, contracts for all such works or improvements at an estimated cost in excess of twenty-five thousand dollars (\$25,000.00), or one-hundred thousand dollars (\$100,000.00) if contracting with a tier one city certified small business enterprise (SBE) or more shall be awarded to the lowest and best responsible bidder after such public advertisement and competition as may be prescribed by ordinance and there shall be a separate accounting for each work or improvement so executed. The mayor shall have the authority to reject all bids and advertise again. Contract advertisements shall contain a reservation of the foregoing right.
- (d) The mayor has the authority to award all contracts for the purchase of commodities and services with a value not in excess of twenty-five thousand dollars (\$25,000.00), or one-

hundred thousand dollars (\$100,000.00) if contracting with a tier one city certified small business enterprise (SBE) without competitive bids. Whenever the purchase of commodities or services with an estimated cost in excess of twenty-five thousand dollars (\$25,000.00), or one-hundred thousand dollars (\$100,000.00) if contracting with a tier one city certified small business enterprise (SBE) is contemplated by the city, the council shall reserve the option to utilize the invitation to bid procedure, request for proposals, informal quotes or to authorize the mayor to negotiate, depending upon which alternative is deemed by the council to be in the best interest of the city.

- (e) The mayor has the authority to award all contracts for the purchase of commodities and services with a value not in excess of twenty-five thousand dollars (\$25,000.00), or one-hundred thousand dollars (\$100,000.00) if contracting with a tier one city certified small business enterprise (SBE) without competitive bids. Whenever the purchase of commodities or services with an estimated cost in excess of twenty-five thousand dollars (\$25,000.00), or one-hundred thousand dollars (\$100,000.00) if contracting with a tier one city certified small business enterprise (SBE) is contemplated by the city, the council shall reserve the option to utilize the invitation to bid procedure, request for proposals, informal quotes or to authorize the mayor to negotiate, depending upon which alternative is deemed by the council to be in the best interest of the city.
- (f) Nothing contained herein shall be construed to prevent the city from purchasing commodities and/or services under the provisions of state purchasing contracts pursuant to F.S. § 287.042(2), as the same may be amended from time to time, from vendors at federal contract prices, and from any vendor so long as purchases are at or below listed state/federal contract price; from contracts of other municipal governments or other governmental agencies or political subdivisions providing the vendor extends the same terms and conditions of the contract to the city; or from purchasing specialized items from sole source vendors without competitive bids.
- (g) The mayor is hereby authorized to enter into any contract for services or make purchases of commodities that do not exceed twenty-five thousand dollars (\$25,000.00), or one-hundred thousand dollars (\$100,000.00) if contracting with a tier one city certified small business enterprise (SBE), in any twelve-month period. The twelve-month period limitation applies to the purchase of commodities or services from a single vendor for the same project.
- (h) All purchases are subject to availability of funds in the city's budget.
- (i) **All purchases of legal services through private attorneys, law firms or any other entity shall be approved by the city attorney. All employees, staff, department heads, the Mayor or his designee, shall submit a request in writing to the City Attorney on a form to be approved by the city council which shall include:**
 - 1) **The nature of the legal services to be provided and the issues involved,**
 - 2) **The reasons that private legal services are needed rather than those of the City Attorney,**
 - 3) **The estimated number of hours for the work and the estimated total contract amount for the purchase of the legal services if known.**

- (j) The City Attorney shall review all request for outside legal services and shall acknowledge receipt of the request within 5 working days. The City Attorney shall maintain records of all such request.
- (k) All contracts for purchases of outside legal services shall be in writing and shall be reviewed by the City Attorney. Such contracts shall be signed by the Mayor, and shall describe, among other things, the vendor, the type and scope of work, the fees to be charged and the department, office, division or other organizational unit of city government paying for the services.
- (l) Contracts, retainers, and any other document of engagement shall not be open ended, but shall be for specific legal services regarding a specific legal matter.
- (m) All contracts for the purchases of outside legal services from any one vendor, regarding a particular legal matter, which is estimated to exceed fifty thousand dollars in any one fiscal year shall be approved by the city council

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 14-18

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Vice President Sherri F. Myers

SUBJECT:

PROPOSED ORDINANCE NO. 14-18 - AMENDING SECTION 2-6-3 CODE OF ETHICS - PROHIBITIONS

RECOMMENDATION:

That City Council approved Proposed Ordinance No. 14-18 on first reading:

AN ORDINANCE AMENDING SECTION 2-6-3 CODE OF ETHICS; PROHIBITIONS; OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

Amending Section 2-6-3 of the City Code by adding subsection (m) to read:

(m) No city council member shall provide gifts of any kind to council staff that exceeds fifty dollars (\$50.00) in any calendar year; including cash and campaign contributions to staff members who are employed by council in any capacity, including contract employees.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Proposed Ordinance No. 14-18

PRESENTATION: No

PROPOSED
ORDINANCE NO. 14-18

ORDINANCE NO. ____

AN ORDINANCE AMENDING SECTION 2-6-3 CODE OF ETHICS;
PROHIBITIONS; OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA;
PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND
PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1.

Sec. 2-6-3. - Prohibitions.

- (a) All provisions of the State Code of Ethics are hereby adopted and incorporated by reference into the Code of the City of Pensacola, Florida, as they currently exist upon the effective date and as they may be modified or amended from time to time.
- (b) The code of ethics adopted by the city council in its rules and procedures of the city council, effective at noon, January 10, 2011, applying to the members of council and incorporating the council's regulations of council travel policies and procedures, as that code of ethics may be altered or amended by council from time to time, is hereby adopted and incorporated by reference into this chapter.
- (c) The code of ethics, adopted by the mayor and applicable to all city employees within the mayor's employment, as provided in the City of Pensacola Employment Manual, as that code of ethics may be altered or amended by the mayor from time to time, is hereby adopted and incorporated by reference into the provisions of this chapter.
- (d) All members of council shall abstain from casting their vote and shall so declare upon the record and execute the appropriate form to be filed with the city clerk, whenever they have established that they would have an appearance of a conflict of interest by casting such vote.
- (e) The mayor shall refrain from taking any action or conferring any benefit upon any person, group of persons or entity, when to do so would create a conflict of interest or circumstances establishing the appearance of a conflict of interest. In lieu of taking such action, the mayor shall designate an alternative decision-maker who shall have no interest in the transaction, no conflict of interest and no appearance of a conflict of interest, to execute the responsibility of the office of the mayor in that matter.
- (f) An official or employee must refrain from acting upon or participating in, formally or informally, a decision-making process with respect to any matter before the city, if acting on the matter, or failing to act upon the matter, may personally or financially be of personal benefit to himself, herself or a relative or business associate.
- (g) An official or employee of the City of Pensacola may not, directly or indirectly, treat anyone, including himself or herself and his or her family or business associates, preferentially or in any other manner that is not generally accorded to city residents.

- (h) An official or employee of the City of Pensacola, or a former official or employee, a contractor or a consultant, may not disclose any confidential information obtained formally or informally as part of his or her work for the city or due to his or her position with the city, or use any such confidential information to further his or her own or any other person or entity's personal or financial interests.
- (i) No official or employee may promise an appointment or use his or her influence to obtain an appointment to any position as a reward for any political activity or contribution.
- (j) No official or employee of the City of Pensacola may use, or permit others to use, any property owned by the city for profit or personal convenience or benefit, except (i) when such use is available to the public generally, or to a class of residents, on the same terms or conditions, (ii) when permitted by policies approved by the city's legislative body or executive, or (iii) when, in the conduct of official business, used in a purely incidental way for personal convenience. This applies not only to property such as vehicles, computers, office equipment, telephones and other tangible and intangible city property, but also to travel and other expense reimbursements, which may not be requested or spent on anything other than official business of the city.
- (k) No official or employee in his or her official capacity may publicly endorse products or services in any manner that associates that official or employee with the City of Pensacola. A consultant retained by the city may not represent a person or entity other than the city in any matter, transaction, action, or proceeding in which the consultant participated personally and substantially as a consultant to the city; nor may a consultant represent a person or entity in any matter, transaction, action, or proceeding against the interest of the city unless the city provides a written waiver of any such conflict.
- (l) No person seeking to become an official or employee, consultant or contractor of the City of Pensacola may make any false statement, submit any false document, or knowingly withhold information about wrongdoing in connection with employment by or rendering service to the city.
- (m) No city council member shall provide gifts of any kind to council staff that exceeds fifty dollars (\$50.00) in any calendar year; including cash and campaign contributions to staff members who are employed by council in any capacity, including contract employees.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of the City Council

Attest:

City Clerk



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-00269

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Vice President Sherri F. Myers

SUBJECT:

ANALYSIS OF GENTRIFICATION DUE TO URBAN REVITALIZATION

RECOMMENDATION:

That City Council allocate \$200,000 to hire a consultant to perform an analysis of the impact of urban revitalization in the CRA urban core on the African American population in the city limits and that the consultant provide Council with recommendations to mitigate the dislocation, displacement, economic loss of affordable housing, and community resources in historically African American and low income communities.

HEARING REQUIRED: No Hearing Required

SUMMARY:

For the past 30 years the African American population has been decreasing due to revitalization of the City's urban core CRA. Beginning with the whole sale removal and relocation of residents of Aragon Court, the African American population continues to decline. Historically African American neighborhoods are disappearing and being replaced by predominately white, wealthy populations. In the last several years there has been a dramatic increase in housing built in what has been traditionally African American communities. The building frenzy to build more and more housing that is out of reach of many low income minorities will escalate the exodus of African Americans from the CRA urban core and west side CRA districts. All over the country communities are rising up against the unbridled gentrification of minority and low income neighborhoods. Many communities are now adopting ordinances aimed at finding ways to stabilize inner city minority communities, rather than replace and dislocating communities. In our rush to "build Pensacola" many low income neighborhoods and individuals are being left in the dust.

The hiring of a consultant to study the potential impacts, both bad and good, on low income minority neighborhoods, will provide the City Council with a road map and strategic plan to engage and empower low income and minority neighborhoods and individuals to live, work, and thrive in the communities that belong to them and that they call home.

Source of funding to be determined during council budget workshops for fiscal year 2019.

PRIOR ACTION:

None

FUNDING:

Budget: \$ 0

Actual: \$ 200,000

FINANCIAL IMPACT:

\$200,000 for consultant

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Demographic for CRA urban core population from 2000

PRESENTATION: No

Demographic Detail Summary

Geography: Urban Core CRA

Population Demographics

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
Total Population	3,205		2,911		3,022		3,021		-9.1%	0.0%
Population Density (Pop/Sq Mi)	1384.500000		1,737.35		1,305.28		1,305.11		25.4%	0.0%
Total Households	1,447		1,471		1,509		1,528		1.6%	1.2%

Population by Gender:

Male	1,569	48.9%	1,451	49.8%	1,525	50.4%	1,536	50.8%	-7.5%	0.7%
Female	1,636	51.0%	1,460	50.1%	1,497	49.5%	1,485	49.1%	-10.7%	0.8%

Population by Race

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
White	1,751	54.6%	1,819	62.4%	1,914	63.3%	1,900	62.8%	3.8%	0.7%
Black	1,346	41.9%	935	32.1%	928	30.6%	924	30.5%	-30.4%	0.3%
American Indian or Alaska Native	20	0.6%	16	0.5%	15	0.5%	15	0.5%	-21.2%	0.0%
Asian/Native Hawaiian/Other Pacific Islander	13	0.4%	53	1.8%	63	2.1%	70	2.3%	290.0%	9.6%
Some Other Race	8	0.2%	21	0.7%	25	0.8%	26	0.8%	166.9%	6.1%
Two or More Races	67	2.0%	66	2.2%	76	2.5%	85	2.8%	0.4%	11.7%

Population by Ethnicity

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
Hispanic	53	1.6%	100	3.4%	119	3.9%	132	4.3%	87.1%	10.5%
Not Hispanic or Latino	3,152	98.3%	2,811	96.5%	2,903	96.0%	2,890	95.6%	-10.8%	0.4%

Population by Age

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
0 to 4	150	4.6%	128	4.3%	132	4.3%	131	4.3%	-14.7%	0.4%
5 to 14	289	9.0%	229	7.8%	228	7.5%	240	7.9%	-20.6%	5.1%
15 to 19	132	4.1%	139	4.7%	130	4.3%	113	3.7%	5.4%	-13.2%
20 to 24	252	7.8%	247	8.5%	243	8.0%	168	5.5%	-1.8%	-31.0%
25 to 34	510	15.9%	429	14.7%	548	18.1%	602	19.9%	-15.7%	9.8%
35 to 44	474	14.7%	351	12.0%	330	10.9%	350	11.6%	-25.8%	5.9%
45 to 54	479	14.9%	514	17.6%	465	15.3%	392	12.9%	7.1%	-15.7%
55 to 64	279	8.7%	424	14.5%	458	15.1%	465	15.4%	52.0%	1.6%
65 to 74	355	11.0%	216	7.4%	254	8.4%	316	10.4%	-39.0%	24.1%
75 to 84	181	5.6%	154	5.2%	143	4.7%	151	5.0%	-15.0%	5.9%
85+	100	3.1%	76	2.6%	87	2.8%	90	2.9%	-24.5%	3.8%

Median Age:

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
Total Population	40.6		43.1		42.0		42.1			

Households by Income

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
\$0 - \$15,000	455	31.4%	251	17.1%	226	15.0%	183	12.0%	-44.7%	-19.0%
\$15,000 - \$24,999	331	22.8%	259	17.6%	254	16.8%	224	14.6%	-21.5%	-11.9%
\$25,000 - \$34,999	256	17.7%	261	17.7%	245	16.2%	215	14.1%	1.9%	-11.9%
\$35,000 - \$49,999	225	15.5%	195	13.3%	195	12.9%	184	12.0%	-13.0%	-5.7%
\$50,000 - \$74,999	159	11.0%	188	12.8%	231	15.3%	251	16.4%	18.2%	8.6%
\$75,000 - \$99,999	34	2.3%	123	8.3%	128	8.5%	156	10.1%	259.7%	21.1%
\$100,000 - \$149,999	41	2.8%	136	9.2%	154	10.2%	207	13.5%	227.2%	34.4%
\$150,000 +	37	2.5%	54	3.7%	72	4.8%	105	6.9%	46.9%	45.4%
Average Hhld Income	\$37,943		\$54,183		\$58,603		\$70,074		42.7%	19.5%
Median Hhld Income	\$24,535		\$33,249		\$36,396		\$45,566		35.5%	25.1%
Per Capita Income	\$17,135		\$27,667		\$29,557		\$35,743		61.4%	20.9%

Employment

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
Total Population 16+	2,740		2,531		2,635		2,630		-7.6%	3.9%
Total Labor Force	1,512	55.1%	1,461	57.7%	1,492	56.6%	1,465	55.7%	-3.3%	-1.7%
Civilian, Employed	1,436	94.9%	1,336	91.4%	1,396	93.5%	1,370	93.4%	-6.9%	-1.9%
Civilian, Unemployed	52	3.4%	92	6.3%	63	4.1%	62	4.2%	76.9%	-1.4%
In Armed Forces	24	1.5%	33	2.2%	33	2.2%	34	2.3%	36.6%	2.3%
Not In Labor Force	1,228	44.8%	1,070	42.2%	1,143	43.3%	1,165	44.2%	-12.8%	1.9%
% Blue Collar	592	41.5%	425	31.8%	444	31.8%	435	31.1%	-28.1%	-2.0%
% White Collar	835	58.5%	910	68.1%	951	68.1%	934	66.8%	9.1%	-1.8%

Housing Units

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
Total Housing Units	1,792		1,805		1,812		1,831		0.7%	1.0%
Total Occupied Housing Units	n/a	n/a	1,471	81.5%	1,509	83.2%	1,528	83.4%	n/a	1.2%
Owner Occupied: Owned with a mortgage or loan	n/a	n/a	491	33.4%	430	28.5%	427	27.9%	n/a	0.8%
Owner Occupied: Owned free and clear	n/a	n/a	267	18.1%	297	19.6%	305	19.9%	n/a	2.7%
Renter Occupied	n/a	n/a	713	48.4%	782	51.8%	796	52.0%	n/a	1.8%
Vacant	344	19.2%	334	18.4%	304	16.7%	302	16.5%	-3.0%	0.3%

Vehicles Available

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
0 Vehicles Available	225	15.5%	156	10.6%	161	10.6%	162	10.6%	-30.5%	0.8%

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
1 Vehicle Available	762	52.6%	701	47.6%	719	47.6%	729	47.7%	-8.0%	1.3%
2+ Vehicles Available	460	31.8%	614	41.7%	628	41.6%	636	41.6%	33.3%	1.3%
Average Vehicles Per Household	1.00		1.54		1.53		1.53		53.7%	0.1%

Marital Status

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
Married, Spouse Present	687	24.8%	631	24.7%	740	27.8%	723	27.2%	-8.0%	-2.2%
Married, Spouse Absent	197	7.1%	90	3.5%	74	2.7%	76	2.8%	-54.2%	1.8%
Divorced	491	17.7%	363	14.2%	445	16.7%	446	16.8%	-25.9%	0.1%
Widowed	290	10.4%	296	11.5%	301	11.3%	306	11.5%	2.1%	1.6%
Never Married	1,102	39.8%	1,173	45.9%	1,101	41.3%	1,099	41.4%	6.3%	0.1%
Age 15+ Population	2,765		2,553		2,662		2,650		-7.6%	0.4%

Educational Attainment

	2000 Census		2010 Census		2016B Estimates		2021 Projections		Percent Change 2000 to 2010 2016 to 2021	
Grade K - 8	139	5.8%	122	5.6%	98	4.3%	97	4.1%	-11.7%	0.8%
Grade 9 - 11	448	18.8%	151	7.0%	155	6.7%	160	6.7%	-66.0%	3.2%
High School Graduate	519	21.7%	431	19.9%	469	20.5%	487	20.5%	-16.8%	3.7%
Some College, No Degree	455	19.1%	483	22.3%	464	20.3%	471	19.9%	6.1%	1.4%
Associates Degree	205	8.6%	178	8.2%	220	9.6%	232	9.8%	-13.2%	5.4%
Bachelor's Degree	356	14.9%	509	23.5%	566	24.7%	588	24.8%	43.1%	4.0%
Graduate Degree	213	8.9%	273	12.6%	298	13.0%	316	13.3%	28.4%	5.9%
No Schooling Completed	48	2.0%	16	0.7%	15	0.6%	15	0.6%	-66.2%	0.0%
Age 25+ Population	2,383		2,166		2,287		2,369		-9.0%	3.5%

Seasonal Population by Quarter

	2016 Estimates
Q2 2014	84
Q3 2014	83
Q4 2014	81
Q1 2015	96
Q2 2015	102
Q3 2015	99
Q4 2015	96
Q1 2016	107
Q2 2016	115

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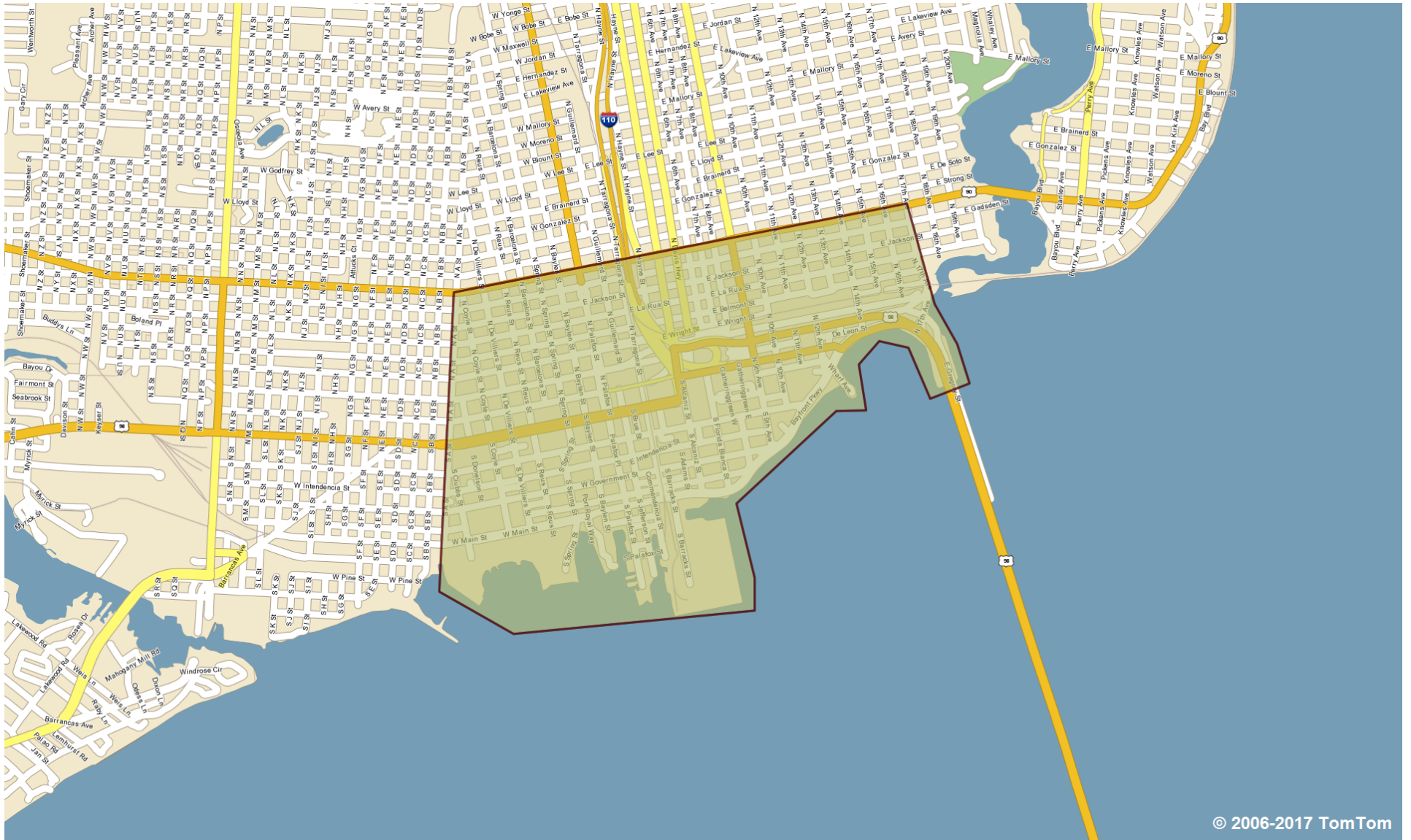
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Urban Core CRA





City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-35

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Vice President Sherri F. Myers

SUBJECT:

RESOLUTION NO. 18-35 - SUPPORT OF THE ESCAMBIA-PENSACOLA HUMAN RELATIONS COMMISSION

RECOMMENDATION:

That City Council adopt Resolution No. 18-35:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, IN SUPPORT OF THE ESCAMBIA-PENSACOLA HUMAN RELATIONS COMMISSION, URGING BOTH ESCAMBIA COUNTY AND THE CITY OF PENSACOLA CONTINUED FUNDING OF COMMISSION.

HEARING REQUIRED: No Hearing Required

SUMMARY:

The Escambia-Pensacola Human Relations Commission (EPHRC) was established in 1974 to provide the community with local assistance to review and resolve employment discrimination complaints, fair housing discrimination complaints, improve community relations and promote fair treatment and equal opportunity for all Escambia County citizens regardless of race, color, gender, religion, age, national origin or disability.

The City and County have entered into an Interlocal agreement for the governance, funding and powers of the EPHRC.

Within the Mayor's FY19 proposed budget, the EPHRC is defunded with the funds being transferred to Fair Housing. The understanding is that the County is taking a similar action thereby removing the need for the EPHRC.

This resolution expresses Council's support of the EPHRC, the desire for their continued funding and a reversal of the FY19 proposed budgetary plans.

PRIOR ACTION:

1974 - Escambia-Pensacola Human Relations Commission established
September 15, 2005 - Current Interlocal agreement signed

FUNDING:

Budget: \$79,000

Actual: \$79,000

FINANCIAL IMPACT:

The \$79,000 defunded from the EPHRC and placed into Fair Housing, be reversed.

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Resolution No. 18-35
- 2) Sec. 5.2.20 Fair Housing Director
- 3) Sec. 5.2.22 Fair Housing Board

PRESENTATION: No

RESOLUTION

NO. 18-35

A RESOLUTION
TO BE ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, IN SUPPORT OF THE ESCAMBIA-PENSACOLA HUMAN RELATIONS COMMISSION, URGING BOTH ESCAMBIA COUNTY AND THE CITY OF PENSACOLA CONTINUED FUNDING OF COMMISSION.

WHEREAS, the Escambia-Pensacola Human Relations Commission (EPHRC) was established in 1974 by the Escambia County Board of County Commissioners and the Pensacola City Council; and

WHEREAS, the EPHRC was created to provide the community with local assistance to review and resolve employment discrimination complaints, fair housing discrimination complaints, improve community relations, and promote fair treatment and equal opportunity for all Escambia County citizens regardless of race, color, gender, religion, age, national origin or disability; and

WHEREAS, the City and County have entered into an Interlocal agreement for the governance, funding, and powers of the EPHRC; and

WHEREAS, the EPHRC has served Escambia County and the City of Pensacola for forty (40) plus years; and

WHEREAS, the City has under Chapter 5, Article II of City Code, a provision for Fair Housing which creates the fair housing board and the fair housing director's position vesting the authority of both within the Escambia-Pensacola Human Relations Commission; and

WHEREAS, Community Relations is an essential service provided by EPHRC which allows for assistance to be given to local community and non-profit organizations such as the Gulf Coast Citizen Diplomacy Council, the Dr. Martin Luther King Jr. Commemorative Celebration Commission, the Pensacola Community Arts & Recreation Association, plus others; and

WHEREAS, within the FY19 budgets of both Escambia County and the City of Pensacola, the EPHRC will be defunded with the funds being placed into Fair Housing.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA:

Section 1. That the City Council of the City of Pensacola, Florida hereby is supportive of the continued existence and service provided by the EPHRC.

Section 2. That the City Council of the City of Pensacola, Florida, hereby requests that both the City and the County continue to fund the EPHRC in accordance with the mutually agreed upon interlocal agreement.

Section 3. This Resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk

Sec. 5-2-20. - Fair housing director—Position created, appointment, staff, funding.

- (a) The office and position of fair housing director is hereby created and established.
- (b) The director shall be appointed by and serve at the will of the Escambia-Pensacola Human Relations Commission. The director shall be chosen by the Escambia-Pensacola Human Relations Commission on the basis of qualifications and experience. The fair housing director shall serve under the supervision of the Escambia-Pensacola Human Relations Commission.
- (c) The Escambia-Pensacola Human Relations Commission shall appoint assistants to the director as may be necessary, subject to budget limitations, and shall provide the director required administrative support.
- (d) This office shall be funded annually with community development block grant funds as approved by the Pensacola City Council.

(Code 1968, § 80-24)

Sec. 5-2-22. - Fair housing board—Created.

The city's fair housing board is hereby created and established. The Escambia-Pensacola Human Relations Commission is hereby vested with the authority to act as the fair housing board. The qualifications of members, terms of office, organization of the board, and meetings of the board will coincide with those of the Escambia-Pensacola Human Relations Commission.

(Code 1968, § 80-26)



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-00282

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Member Jewel Cannada-Wynn

SUBJECT:

AMERICAN CREOSOTE SITE (ACW)

RECOMMENDATION:

That City Council give its authorization for City staff to proceed with the following strategies regarding the ACW:

1. Complete any remaining title searches on rights of way
2. Pursue acquisition of the parcels owned by the now dissolved American Creosote Works Florida, Inc. and the Pensacola Creosoting Co.
3. Continue discussions with BNSF Railroad regarding their portions and possible acquisition

HEARING REQUIRED: No Hearing Required

SUMMARY:

The American Creosote Site is entering the remediation process and is expected to be ready for reuse within 3 years. Reuse planning has been conducted with the neighborhood and is being finalized in order to shape the site remediation.

A UWF Environmental Planning class is working with EPA and a local architectural firm to design a park concept that was presented to City Council. The design project may be submitted as a candidate for the CivicCon Empowering Neighborhoods Grant Contest.

City Council has requested staff to ascertain ownership of property located on the site with the following results:

Parcel A - owned by American Creosote Works Florida, Inc.
Parcel E - owned by American Creosote Works Florida, Inc.
Parcel B - owned by Pensacola Creosoting Co.
Parcel C - owned by the Ralls Law Firm, LLC
Parcel D - owned by John Barksdale
Parcel F - owned by BNSF Railroad

The above listed strategy allows for the City to move forward with the perceived less cumbersome acquisitions first, while continuing conversations with the Railroad.

PRIOR ACTION:

June 14, 2018 - City Council requested staff to ascertain property ownership and availability after presentation by the UWF Environmental Planning class.

November 17, 2016 - City Council voted against a recommendation to authorize a bid of up to \$10,000 at the American Creosote Works Tax Sale December 5, 2016 and conduct necessary due diligence to comply with the Bona Fide Prospective Purchaser criteria under CERCLA Section 101(40) to protect from Superfund Liability.

January 12, 2017 - City Council approved Legislative Action Item 16-00330, Acquisition of the Former American Creosote Works Property (ACW) at Tax Sale Auction.

FUNDING:

Budget: \$0

Actual: \$0

FINANCIAL IMPACT:

TBD

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

1) None

PRESENTATION: No



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-31

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: City Council President Gerald Wingate

SUBJECT:

RESOLUTION NO. 18-31 - THE GLADES PROJECT

RECOMMENDATION:

That City Council adopt Resolution No. 18-31.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, CERTIFYING THAT THE NORTHWEST FLORIDA HOUSING DEVELOPMENT CORPORATION'S PROPOSED DISASTER RECOVERY HOUSING PROGRAM IS CONSISTENT WITH LOCAL PLANS AND REGULATIONS INCLUDING COMPREHENSIVE PLANS

HEARING REQUIRED: No Hearing Required

SUMMARY:

The Northwest Florida Community Housing Development Corporation submitted a request for preliminary and final plat approval for parcel located at 4020 N. 9th Ave, The Glades. The project consisted of a duplex development at the southeast corner of North 9th Avenue and Mango Street. The item was approved by the Planning Board, and was properly vetted through all City departments and utility providers.

The City Council approved the final plat on February 8, 2018.

This item is requesting the Council pass a resolution in support of The Glades, which is described as a special needs housing project. The Resolution request is made to comply with a requirement of the Department of Economic Opportunity to use Community Contribution Tax Credit Program (CCTCP) Funds. The organization requesting the Resolution is experienced in working with CCTCP funds, as they have received over \$13 million in funding through CCTCP monies since 2002.

PRIOR ACTION:

February 8, 2018 - City Council approved Final Plat for the Glades Subdivision

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Resolution No. 18-31

PRESENTATION: No

RESOLUTION
NO. 18-31

A RESOLUTION
TO BE ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, CERTIFYING THAT THE NORTHWEST FLORIDA HOUSING DEVELOPMENT CORPORATION'S PROPOSED DISASTER RECOVERY HOUSING PROGRAM IS CONSISTENT WITH LOCAL PLANS AND REGULATIONS INCLUDING COMPREHENSIVE PLANS;

WHEREAS, the Northwest Florida Community Housing Development Corporation, Inc. has proposed to provide a disaster recovery housing program in the City of Pensacola, Florida; and

WHEREAS, Northwest Florida Community Housing Development Corporation, Inc., wishes to participate in the Community Contribution Tax Credit Program, as authorized by §212.08(5)(p), §220.183, and §624.5105, Florida Statutes; and

WHEREAS, in order to comply with the application requirements of the Community Contribution Tax Credit Program, as provided in §220.183(3), Florida Statutes, Northwest Florida Community Housing Development Corporation, Inc., has requested that the City of Pensacola certify that the proposed disaster recovery housing program is consistent with local plans and regulations.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA:

Section 1. That the foregoing recitals are true and correct and incorporated herein by reference.

Section 2. That the City Council of the City of Pensacola, Florida, hereby certifies that the Northwest Florida Community Housing Development Corporation's proposed disaster recovery housing program is consistent with local plans and regulations including comprehensive plans.

Section 3. This Resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____

President of City Council

Attest:

City Clerk



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-29

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

SUPPLEMENTAL BUDGET RESOLUTION NO. 18-29 - APPROPRIATING FUNDING IN CONNECTION WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

RECOMMENDATION:

That the City Council adopt Supplemental Budget Resolution No. 18-29.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; PROVIDING FOR AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

Due to the timing of the federal grant allocation for the Community Development Block Grant program and the City's budget cycle, a best estimate is made at the time of the budget preparation of the funds that will be required to complete projects during the fiscal year. In accordance with grant requirements if the grantee does not meet spend out requirements of available funds each year, the funds are subject to recapture by the federal government. To ensure that funds were not recaptured by the federal government from the Community Development Block Grant program for fiscal year 2018, the Single Family Housing Rehabilitation Program was actively marketed in the community. This initiative has been successful and would have resulted in exceeding the current budgeted amount for this activity. The appropriation of additional funds will cover the anticipated expenses to the program this fiscal year which are available for drawdown from the federal grant.

PRIOR ACTION:

September 20, 2017 - City Council adopted the FY 2018 Budget on Resolution 17-63

FUNDING:

N/A

FINANCIAL IMPACT:

Approval of the supplemental budget resolution will allocate funding required to remain in compliance with the program.

CITY ATTORNEY REVIEW: Yes

7/25/2018

STAFF CONTACT:

Keith Wilkins, City Administrator
Richard Barker, Jr., Chief Financial Officer

ATTACHMENTS:

- 1) Supplemental Budget Resolution No. 18-29
- 2) Supplemental Budget Explanation No. 18-29

PRESENTATION: No

**RESOLUTION
NO. 18-29**

A RESOLUTION
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE
FISCAL YEAR ENDING SEPTEMBER 30, 2018; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

A. COMMUNITY DEVELOPMENT BLOCK GRANT FUND

As Reads	Federal Government	1,001,751
To:		
Reads	Federal Government	1,304,551
As Reads	Grants and Aids	690,275
To:		
Reads	Grants and Aids	993,075

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk

THE CITY OF PENSACOLA

AUGUST 2018 - SUPPLEMENTAL BUDGET RESOLUTION - HOUSING CDBG AVAILABLE FUNDS - RES NO. 18-29

FUND	AMOUNT	DESCRIPTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUND		
Estimated Revenues		
Federal Government	302,800	Increase estimated revenue from Federal Government
Total Revenues	<u>302,800</u>	
Appropriations		
Grants and Aids	302,800	Increase appropriation for Grants and Aids
Total Appropriations	<u>302,800</u>	



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 16-18

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 16-18 - AMENDMENT TO SECTION 4-3-97, SANITATION COLLECTION FEE AND EQUIPMENT SURCHARGE

RECOMMENDATION:

That City Council approve Proposed Ordinance No. 16-18 on first reading.

AN ORDINANCE AMENDING SECTION 4-3-97 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR INCREASE IN SANITATION FEES AND SANITATION EQUIPMENT SURCHARGE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

Section 4-3-97 of the City Code provides for an automatic adjustment to the monthly sanitation rate each October 1st in accordance with the Consumer Price Index (CPI) for the twelve month period ending March 31st of the current year. The CPI for that period was +2.4% which amounts to an increase of fifty-eight cents and would set the new rate at \$24.64 per month. This increase would allow for full funding of the Sanitation Services operation as budgeted in the FY 2019 Proposed Budget.

Additionally, in accordance with the rate study completed in 2016, City Council approved the implementation of a sanitation equipment surcharge to fund capital equipment replacement. The surcharge was initially set at \$1.00 effective June 1, 2017 with an increase to \$2.00 scheduled to take effect on October 1, 2018. Beginning October 1, 2019 and each October 1 thereafter, this surcharge will be adjusted based on changes in the CPI as previously described.

PRIOR ACTION:

May 11, 2017 - City Council adopted Ordinance No. 10-17 adjusting the monthly sanitation rate to \$24.06 and implementation of the sanitation equipment surcharge.

FUNDING:

N/A

FINANCIAL IMPACT:

Approval of the proposed ordinance would set the sanitation rate at \$24.64 per month, a 58¢ per month increase and would set the sanitation equipment surcharge at \$2.00 per month, a \$1.00 per month increase, effective October 1, 2018 upon adoption on second reading. The increase in the sanitation rate is projected to generate an additional \$101,400 annually in additional Residential Refuse Container Charges and the sanitation equipment surcharge is projected to generate an additional \$235,400 annually for capital equipment expenditures both of which have been incorporated in the FY 2019 Proposed Budget.

CITY ATTORNEY REVIEW: Yes

7/23/2018

STAFF CONTACT:

Keith Wilkins, City Administrator
Richard Barker, Jr., Chief Financial Officer
Doug Resmondo, Acting Sanitation Services and Fleet Management Director

ATTACHMENTS:

- 1) Proposed Ordinance No. 16-18

PRESENTATION: No

PROPOSED
ORDINANCE NO. 16-18

ORDINANCE NO. _____

AN ORDINANCE TO BE
ENTITLED:

AN ORDINANCE AMENDING SECTION 4-3-97 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR INCREASE IN SANITATION COLLECTION FEES AND THE SANITATION EQUIPMENT SURCHARGE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.:

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA

SECTION 1. Section 4-3-97 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-97. Fees and surcharges.

The following fees are hereby established for recycling, solid waste or refuse collection services by the city as may be amended from time to time by resolution of the city council:

- (1) *New accounts, transferred accounts, and resumption of terminated service:* Twenty dollars (\$20.00).
- (2) *Garbage, recycling and trash collection fee, per month:* Twenty four dollars and ~~six~~ sixty-four cents (~~\$24.06~~) (~~\$24.64~~). This fee shall be initially set on ~~June 1, 2017~~ October 1, 2018 and shall be automatically adjusted October 1, ~~2018-2019~~, and each October 1 thereafter based on the percentage difference in the cost of living as computed under the most recent Consumer Price Index for all urban consumers or similar index published by the Bureau of Labor Statistics, U.S. Department of Labor for the period beginning April 1st of the preceding year and ending March 31st of the current year.
- (3) Provided, however, the monthly fee for garbage, recycling and trash collection for the dwelling of an eligible household, occupied by a person sixty-five (65) years of age or older, under the low-income home energy assistance program pursuant to F.S. § 409.508, 1993, as administered by the Escambia County Council on Aging or for the dwelling of a family heretofore determined by the housing and community development office of the city to be eligible for assistance under the Section 8 existing housing assistance payments program pursuant to 42 U.S.C., section 1437(f), shall be reduced by one dollar (\$1.00) per month commencing October 1, 1989, and by an additional one dollar (\$1.00) per month commencing October 1, 1990, provided that sufficient monies are appropriated from the general fund to replace decreased solid waste revenues

caused by such fee reductions. If insufficient monies are appropriated from the general fund to replace all of such decreased solid waste revenues, then the mayor may change the amount of the fee reduction to an amount less than the amount set forth in the preceding.

- (4) *Sanitation equipment surcharge:* ~~One~~ Two dollars ~~(\$1.00)~~ (\$2.00) per month. A sanitation equipment surcharge shall be added as a separate line item to all city solid waste and/or refuse collection service fees. Said surcharge, shall be initially set on June 1, 2017 and shall be automatically increased to two dollars (\$2.00) per month on October 1, 2018. This surcharge shall be automatically adjusted October 1, 2019, and each October 1 thereafter based on the percentage difference in the cost of living as computed under the most recent Consumer Price Index for all urban consumers or similar index published by the Bureau of Labor Statistics, U.S. Department of Labor for the period beginning April 1st of the preceding year and ending March 31st of the current year.
- (5) *Vehicle fuel and lubricant pass-through surcharge:* One dollar and thirty cents (\$1.30) per month. A sanitation services division vehicle fuel and lubricant surcharge shall be added as a separate line item to all city solid waste and/or refuse collection service fees. Said surcharge, which shall be initially set on the fiscal year 2007 sanitation services fuel and lubricant budget, shall be revised by the director of finance no less frequently than annually based upon the budgeted fuel and lubricant costs adjusted for their actual costs for the previous or current fiscal years.
- (6) *Tire removal:* A surcharge of three dollars (\$3.00) per tire shall be added to the scheduled or nonscheduled bulk waste collection fee established herein whenever tire(s) more than twelve (12) inches in size are collected.
- (7) *Scheduled bulk waste collection:* The fee for scheduled bulk item collection shall be fifteen dollars (\$15.00) for the first three (3) minutes and five dollars (\$5.00) for each additional three (3) minutes up to twenty-one (21) minutes after which time a disposal fee will be added.
- (8) *Non-scheduled bulk waste collection:* The fee for nonscheduled bulk item collection shall be thirty-five dollars (\$35.00) for the first three (3) minutes and ten dollars (\$10.00) for each additional three (3) minutes up to twenty-one (21) minutes after which time a disposal fee will be added.
- (9) Deposits in an amount up to a total of the highest two (2) months bills for service within the previous twelve (12) months may be required of customers who, after the passage of this section, have their service cut for nonpayment or have a late payment history. The department of finance will be responsible for the judicious administration of deposits.
- (10) A late charge equal to one and one-half (1½) percent per month of the unpaid previous balance.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without

the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 4. This ordinance shall become effective at the beginning of the monthly October 2018 billing cycle.

Adopted: _____

Approved: _____

President of City Council

Attest:

City Clerk



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-18

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 20-18, AMENDMENT TO SECTION 10-4-19 - SCHEDULE OF GAS RATES AND CHARGES

RECOMMENDATION:

That City Council approve Proposed Ordinance No. 20-18 on first reading.

AN ORDINANCE AMENDING SECTION 10-4-19 OF THE CODE OF THE CITY OF PENSACOLA ENTITLED: "SCHEDULE OF RATES AND CHARGES"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

In 2007, City Council adopted a rate study that allowed for an annual inflation adjustment component to provide for funding to maintain the City's natural gas system. The fiscal year 2017 budget was prepared with no increase to the rates pending the final results of the rate study which was not implemented. The last Consumer Price Index (CPI) adjustment was in 2018 where rates were increased for CPI for both fiscal year 2017 and fiscal year 2018 of 0.90% and 2.40% respectively. The fiscal year 2019 budget has been prepared with an increase based on the CPI of 2.40%.

PRIOR ACTION:

September 14, 2017 - City Council adopted Ordinance No. 27-17 adjusting rates based upon changes in the CPI.

FUNDING:

N/A

FINANCIAL IMPACT:

The rate change has been incorporated in the Fiscal Year 2019 Budget.

CITY ATTORNEY REVIEW: Yes

7/25/2018

STAFF CONTACT:

Keith Wilkins, City Administrator
Richard Barker, Jr., Chief Financial Officer
Don J. Suarez, Pensacola Energy Director

ATTACHMENTS:

- 1) Proposed Ordinance No. 20-18

PRESENTATION: No

PROPOSED ORDINANCE
NO. 20-18

ORDINANCE NO. ____

AN ORDINANCE TO BE
ENTITLED:

AN ORDINANCE AMENDING SECTION 10-4-19 OF THE CODE OF
THE CITY OF PENSACOLA ENTITLED: "SCHEDULE OF RATES AND
CHARGES"; PROVIDING FOR SEVERABILITY; REPEALING
CLAUSE; PROVIDING AN EFFECTIVE DATE:

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA

SECTION 1. Section 10-4-19 of the Code of the City of Pensacola, Florida, is hereby amended to read:

Sec. 10-4-19. Schedule of rates and charges.

A. Subject to the provisions of subsection 1-1-1 (c), the charges and assessments set forth below shall be levied and assessed by the department of Pensacola Energy through the Mayor or the Chief Financial Officer for natural gas services provided by the city to consumers.

The charges for gas are segregated according to the following service classifications: residential gas inside and outside the city limits (GR-1, GR-2), commercial gas inside and outside the city limits (GC-1, GC-2), interruptible industrial contract (GI-1, GI-2, GI-3, GI-4), City of Pensacola, almost firm service (GAF), flexible gas transportation (GTS, GPT, GIT, GVT), compressed natural gas service (CNG), and street or outdoor lighting.

B. Purchased gas adjustment (PGA)--Service classifications having a distribution charge stated in Mcfs shall have the price per Mcf adjusted by the amount of any increase or decrease in the cost of gas purchased for resale. Changes to the PGA will be effective at the beginning of a monthly billing cycle.

C. For the purpose of calculating the municipal public service tax, the city's cost of gas prior to October 1, 1973, was forty-five cents (\$0.45) per Mcf.

D. Weather normalization adjustment (WNA)--To adjust for fluctuations in consumption due to colder or warmer than normal weather during the months of October through March of the previous or current fiscal year, a WNA will be assessed on service classifications GR-1, GR-2, GC-1, GC-2, and GIT according to the following formula:

WNA	$\frac{R \times (HSF \times (NDD - ADD))}{(BL + (HSF \times ADD))}$
Where:	
WNA	= Weather normalization adjustment factor for each rate schedule classification expressed in cents per Mcf.
R	= Weighted average base rate of temperature sensitive sales for each included rate schedule.
HSF	= Heat sensitive factor for the appropriate rate schedule.
NDD	= Normal billing cycle heating degree.
ADD	= Actual billing cycle heating degree day.
BL	= Average base load sales for each billing cycle.

Normal degree days (NDD) shall be based on the most current National Oceanic and Atmospheric Administration (NOAA) thirty-year normal data. Actual degree days (ADD) shall be based on NOAA data.

- E. The Distribution Pipeline Infrastructure Cost Adjustment (DPICA) shall be adjusted annually, effective each October 1 by a percentage equal to the amount of Eligible Distribution Pipeline Infrastructure Costs divided by the total test year margin revenues associated with the Residential Gas inside and outside City limits (GR-1 and GR-2), Commercial Gas inside and outside City limits (GC-1, GC-2, and GIT), and Municipal operated building and facilities as shown for the 2012 Test Year shown in the most recent Cost of Service and Rate Design Study. Eligible Distribution Pipeline Infrastructure Costs include costs that meet all of the following conditions:
- (i) The principal purpose of the project is not to increase revenues by directly connecting the infrastructure replacement to new customers;
 - (ii) The project, or discrete portions thereof, are in service and used and useful;
 - (iii) The costs of the project are not included in the city's existing base rates;
 - (iv) The principal purpose of the project is to replace or extend the useful life of existing infrastructure, or otherwise enhance the infrastructure of city's physical plant; and
 - (v) City undertakes the project to comply with a valid statute, rule, regulation, order or ordinance, or other lawful requirement of a federal, state, or local governing or regulatory body having jurisdiction over pipeline integrity.

The percentage shall not exceed 10 percent of the non-gas operating expenses in the current fiscal year budget and will be applied to the rates used for each bill over the following 12 months.

- F. Distribution and customer charge rates shall be adjusted annually if approved by the

city council during budget sessions, effective each October based upon the percentage difference in the cost of living as computed under the most recent Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics, U.S. Department of Labor for the period beginning April 1 of the preceding year and ending March 31 of the current year. The applicable rates are residential gas inside and outside the city limits (GR-1, GR-2), commercial gas inside and outside city limits (GC-1, GC-2), contract delivery, and municipal operated buildings and facilities.

- G. Tariff changes to pipeline transportation fees shall be assessed to each rate class upon implementation by the interstate or intrastate pipeline.
- H. Service charges shall include a customer charge and a distribution charge. The customer charge is a fixed monthly charge for having gas available and the distribution charge is a variable monthly charge based on consumption of gas.

Service charges are as follows:

(1) *Service classification: GR-1, residential gas service. (Within city limits of the City of Pensacola).*

(1a) *Availability.* Available to any consumer using the city's natural gas service for any purpose in a residence only.

(1b) *Customer charge.* Nine dollars and seventy-five ~~fifty-two~~ cents (\$9.75~~52~~) fixed monthly charge, plus

(1c) *Distribution charge.* Eight dollars and eighteen ~~Seven dollars and ninety-nine~~ cents (\$8.18~~7.99~~) per Mcf.

(2) *Service classification: GR-2, residential gas service. (Outside city limits of the City of Pensacola).*

(2a) *Availability.* Available to any consumer using the city's natural gas service for any purpose in a residence only.

(2b) *Customer charge.* Ten dollars and eighty-eight ~~sixty-three~~ cents (\$10.88~~63~~) fixed monthly charge, plus

(2c) *Distribution charge.* Ten dollars and twelve ~~Nine dollars and eighty-eight~~ cents (\$10.12~~9.88~~) per Mcf.

(3) *Service classification: GC-1, commercial service. (Within the city limits of the City of Pensacola).*

(3a) *Availability.* Available to any commercial consumer for cooking, water heating, space heating, air conditioning, and like uses.

(3b) *Customer charge.* Seventeen dollars and twenty-five ~~Sixteen dollars and eighty-five~~ cents (\$17.25~~16.85~~) fixed monthly charge, plus

(3c) *Distribution charge.* Eight dollars and eighteen ~~Seven dollars and ninety-nine~~ cents (\$8.18~~7.99~~) per Mcf.

(4) *Service classification: GC-2 commercial service. (Outside the city limits of the City of Pensacola).*

(4a) *Availability.* Available to any commercial consumer for cooking, water heating, space heating, air conditioning, and like uses.

(4b) *Customer charge.* Nineteen dollars and ~~sixty four~~ sixty four cents (\$19.~~60~~14) fixed monthly charge, plus

(4c) *Distribution charge.* ~~Ten dollars and twelve~~ Nine dollars and eighty-eight cents (\$~~10.12~~9.88) per Mcf.

(5) *Service classification: GI-1, interruptible industrial contract service, small volume.*

(5a) *Availability.* Available to any consumer using the city's natural gas service provided the consumer has adequate standby facilities approved by the city that will permit the city to curtail consumption as the city may determine necessary. Service under this rate classification shall be governed by individual contracts with consumer which includes a customer charge, a distribution charge, and a charge for fuel. Such contracts may be executed by the Mayor, based on recommendations by the Director of Pensacola Energy. Contracts for this class or rate must be for not less than one (1) year. All consumers under this rate are subject to the terms of the contract.

(5b) *Contract volume.* Not less than twenty-five (25) Mcf per day.

(5c) *Customer charge.* Two hundred dollars (\$200.00) fixed monthly charge, plus

(5d) *Distribution charge.* Two dollars and five cents (\$2.05) per Mcf.

(6) *Service classification: GI-2, interruptible industrial contract service, large volume.*

(6a) *Availability.* Available to any consumer using the city's natural gas service provided the consumer has adequate standby facilities approved by the city that will permit the city to curtail consumption as the city may determine necessary. Service under this rate classification shall be governed by individual contracts with consumer which includes a customer charge, a distribution charge, and a charge for fuel. Such contracts may be executed by the Mayor, based on recommendations by the Director of Pensacola Energy. Contracts for this class or rate must be for not less than one (1) year. All consumers under this rate are subject to the terms of the contract.

(6b) *Contract volume.* Not less than two hundred fifty (250) Mcf per day.

(6c) *Customer charge.* Two hundred dollars (\$200.00) fixed monthly charge, plus

(6d) *Distribution charge.* One dollar and five cents (\$1.05) per Mcf.

(7) *Service classification: GI-3, interruptible industrial flexible contract service, large volume.*

(7a) *Availability.* Available to any consumer using the city's natural gas service provided the consumer has adequate standby facilities approved by the city that will permit the city to curtail consumption as the city may determine necessary. Service under this rate classification shall be governed by individual contracts with consumer which includes a customer charge, a distribution charge, and a charge for fuel. Such contracts may be executed by the Mayor, based

on recommendations by the Director of Pensacola Energy. Contracts for this class or rate must be for not less than one (1) year. All consumers under this rate are subject to the terms of the contract.

(7b) *Contract volume.* Not less than five hundred (500) Mcf per day.

(7c) *Customer charge.* Two hundred dollars (\$200.00) fixed monthly charge, plus,

(7d) *Distribution charge.* Rates to be negotiated.

(8) *Service classification: GI-4, interruptible transportation flexible contract service.*

(8a) *Availability.* Available to any consumer using the city's natural gas service provided the consumer has adequate standby facilities approved by the city that will permit the city to curtail consumption as the city may determine necessary. Service under this rate classification shall be governed by individual contracts with consumer which includes a customer charge, a distribution charge, and a charge for fuel. Such contracts may be executed by the Mayor, based on recommendations by the Director of Pensacola Energy. Contracts for this class or rate must be for not less than one (1) year. All consumers under this rate are subject to the terms of the contract.

(8b) *Contract volume.* Not less than one hundred (100) Mcf nor more than five hundred (500) Mcf per day.

(8c) *Customer charge.* Two hundred dollars (\$200.00) fixed monthly charge, plus

(8d) *Distribution charge.* The GI-4 distribution charge shall consist of the following components:

1. The contracted cost of gas as it may vary from time to time, plus
2. The existing transportation rate on Pensacola Energy's distribution system as established under the annual pipeline transportation fees of One dollar and seventy-four cents ~~two dollars (\$1.742.00)~~ plus ninety-two cents (\$0.92) local transportation charge net per one (1) MMBTU/day transported for gas transportation service, plus
3. A seven cent (\$0.07) margin on the contracted cost of natural gas.

These three (3) components shall determine the monthly cost of any consumer in this class or rate times the number of MMBTUs used by the consumer.

(9) *Service classification: City of Pensacola.*

(9a) *Availability.* Available to all current municipally operated buildings and facilities, and current and former municipally operated utilities, and other uses as authorized by the Mayor. Measurement shall be by standard meter as normally used within Pensacola Energy.

(9b) *Customer charge.* Twenty-one dollars and seventy-seven ~~twenty-six~~ cents (\$21.77~~26~~) fixed monthly charge, plus

(9c) *Distribution charge.* Three dollars and eighteen ~~eleven~~ cents (\$3.18~~11~~) per Mcf.

(10) *Service classification: GTS, gas transportation service. (For large volume commercial/industrial consumers).*

(10a) *Availability.* Available to a consumer with sufficient resources for purchasing its own natural gas supplies and transporting it on the city's natural gas system to the consumer's facilities. Pensacola Energy will determine which gate station on Pensacola Energy's interstate pipeline transporter system has adequate capacity to receive the transportation request. There shall be a separate contract with each consumer for each service location which includes a customer charge, a distribution charge, and a charge for fuel. Such contracts may be executed by the Mayor, based on recommendations by the Director of Pensacola Energy. Contracts for this service must be for not less than one (1) year.

Consumers using this service must have adequate standby facilities approved by the city that will permit the city to curtail consumption as the city may determine necessary.

(10b) *Contract volume.* Transportation volumes not less than two hundred (200) MMBTU per day. Volume requirements shall be reviewed in determining if a consumer shall qualify for this rate.

(10c) *Customer charge.* Two hundred dollars (\$200.00) fixed monthly charge, plus

(10d) *Distribution charge.* Rates to be negotiated.

An additional \$0.0475/MMBTU shall be added to cover administrative, maintenance, and monitoring costs for the transportation distribution on a daily basis. The consumer must notify Pensacola Energy a minimum of five (5) working days prior to the beginning of each month and identify the volume of the third party gas to be transported on the Pensacola Energy system during that month.

(11) *Service classification: GPT, gas purchased transportation service. (For large volume commercial/industrial consumers).*

(11a) *Availability.* Available to a consumer using the city's natural gas service. There shall be a separate contract with each consumer which includes a customer charge, a distribution charge, and a charge for fuel. Such contracts may be executed by the Mayor, based on recommendations by the Director of Pensacola Energy. Contracts for this service must be for not less than one (1) year. All consumers under this rate are subject to the terms of the contract.

(11b) *Contract volume.* Transportation volumes not less than two hundred (200) MMBTU per day. Volume requirements shall be reviewed in determining if a consumer shall qualify for this rate.

(11c) *Customer charge.* Two hundred dollars (\$200.00) fixed monthly charge, plus

(11d) *Distribution charge.* Rates to be negotiated.

A seven cent (\$0.07) margin on the contracted cost of natural gas.

(12) *Service classification: GAF, almost firm service.*

(12a) *Availability.* Available to any consumer using the city's natural gas service. Service under this rate classification shall be governed by individual contracts with consumer which includes a customer charge, a distribution charge, and a charge for fuel. Such contract will be executed by the Mayor, based on recommendations by the Director of Pensacola Energy.

Contracts for this class or rate must be for not less than one (1) year. All consumers under this rate are subject to the terms of the contract.

(12b) *Contract volume.* Not less than seventy-five (75) Mcf per day.

(12c) *Customer charge.* Two hundred dollars (\$200.00) fixed monthly charge, plus

(12d) *Distribution charge.* One dollar and seventy-four cents (\$1.74) for annual pipeline transportation fees plus ninety-two cents (\$0.92) local transportation charge net per one (1) MMBTU/day transported for gas transportation service, plus

A seven cent (\$0.07) margin on the contracted cost of natural gas.

(13) *Service classification: GIT, flexible gas transportation service.*

(13a) *Availability.* Available to any consumer using the city's natural gas service provided the consumer has adequate standby facilities approved by the city that will permit the city to curtail consumption as the city may determine necessary. Service under this rate classification shall be governed by individual contracts with consumer which includes a customer charge, a distribution charge, and a charge for fuel. Such contract will be executed by the Mayor, based on recommendations by the Director of Pensacola Energy. Contracts for this service must be for not less than one (1) year. All consumers under this rate are subject to the terms of the contract.

(13b) *Customer charge.* Nineteen dollars and ~~sixty four~~ sixty four cents (\$19.~~60~~14) fixed monthly charge, plus

(13c) *Distribution charge.* Rates to be negotiated.

(14) *Service Classification: CNG, Compressed Natural Gas Service.*

(14a) *Availability.* Available to any commercial or industrial customer utilizing natural gas for compressed natural gas refueling facilities. Service under this rate classification shall be governed by individual contracts with consumer. Such contract will be executed by the Mayor, based on the recommendations of the Director of Pensacola Energy. Contracts for this service must be fore not less than one year. All consumers under this rate are subject to the terms of the contract.

(14b) *Distribution charge.* Rates to be negotiated.

(15) *Service classification: GVT, flexible governmental industrial transportation service.*

(15a) *Availability.* Available to all governmental industrial transportation customers utilizing the city's gas services. Service under this rate classification shall be governed by individual contracts with consumer which includes a customer charge, a distribution charge, and a charge for fuel. Such contract will be executed by the Mayor, based on recommendations by the Director of Pensacola Energy. Contracts for this service must be for not less than one (1) year. All consumers under this rate are subject to the terms of the contract.

(15b) *Contract volume.* Transportation volumes not less than two hundred fifty (250) MMBTU per day. Volume requirements shall be reviewed in determining if a consumer shall qualify for this rate.

- (15c) *Customer charge.* Two hundred dollars (\$200.00) fixed monthly charge, plus
- (15d) *distribution charge.* Seventy cents (\$0.70) per MMBTU.
- (16) *Service classification: Street or Outdoor Lighting.*
- (16a) *Availability.* Available to firm residential or commercial customers for continuous street, outdoor lighting, or communications power supply.
- (16b) *Monthly Rate.*
- | | |
|--|---------|
| Communications power supply flat rate | \$10.85 |
| Gas lights small, up to 2.36 cu. ft. per hour | \$10.85 |
| Gas lights medium, up to 3.48 cu. ft. per hour | \$15.95 |
| Gas lights large, up to 4.86 cu. ft. per hour | \$22.33 |

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 4. This ordinance shall become effective at the beginning of the monthly October 2018 ~~2017~~ billing cycle.

Passed: _____

Approved: _____

President of City Council

Attest:

City Clerk



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-00314

City Council

8/9/2018

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Vice President Sherri F. Myers

SUBJECT:

VOTE OF "NO CONFIDENCE" FOR THE CITY ADMINISTRATOR RELATED TO THE HANDLING OF THE RECYCLING ISSUE

RECOMMENDATION:

That City Council take a vote of "No Confidence" for the City Administrator, Eric Olson, in relation to his handling of the recycling issue.

HEARING REQUIRED: No Hearing Required

SUMMARY:

The City Council was notified in May of 2018 that Tarpon Paper had stopped taking recyclables from the City. Subsequently, the City's recyclables were taken to the landfill. It appears that the last recycling load taken to Tarpon Paper was in September of 2017.

From September of 2017 until May of 2018 the City Administrator failed to notify the governing body or the citizens that recyclables were being taken to the landfill instead of to a recycling facility.

It has been reported that Tarpon Paper charged the City \$12.50 a ton for recyclables. It was further reported that the Perdido Landfill charges \$45.06 per ton for solid waste while the Executive Director of ECUA stated that the charge would be around \$5.00 per ton for municipal recycling.

This item seeks a "No Confidence" vote for City Administrator Eric Olson for his handling of the recycling issue and lack of notification to the City Council and the citizens of Pensacola.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Olson Memorandum of May 2, 2018 Recycling Program

PRESENTATION: No



OFFICE OF THE MAYOR

MEMORANDUM

TO: City Council

FROM: Eric W. Olson, City Administrator 

DATE: May 2, 2018

SUBJ: City of Pensacola Recycling Program

In advance of your discussion about recycling that is scheduled to be held at the May 10 council meeting (Agenda File #18-00189), you may find the following information to be of use.

The traditional solid waste business is in exceptional health, and Sanitation Services continues to impress with its outstanding customer service. Nevertheless, there are significant challenges presented by external market factors in the recycling line of business. Last year, the Chinese government decided to act in order to reduce the importation of increasingly contaminated recyclables, so it changed its policy to only accept recyclables with a 0.5 percent contamination content. That contributed to a decrease of over 35 percent in average recycling commodity prices as well as an uptick in operations costs and transportation costs as recycling processors had to find new buyers and send materials to them. Those impacts were felt by recycling processors throughout the country, including by Tarpon Paper, the City's processor.

The disruptions to the recycling industry caused Tarpon Paper to stop taking recyclables from the City. While recycling is a service that the City is committed to, given the clouded outlook for Tarpon Paper, I determined it was not in the City's best interest to seek a renewal of our contract with Tarpon Paper when it expired in March. Instead I asked Jerry Moore to negotiate with ECUA to process our recyclables at its facility. These negotiations are currently being completed and the ECUA Board is expected to vote on the proposed agreement this month. If the ECUA Board approves the agreement it will be placed on the June 14 city council agenda for your action.

In the interim, please remind your constituents that the success of the recycling program is directly linked to the items that they place in their recycling carts. We need to work together so that customers remain diligent in their recycling habits during this temporary interruption in recycling service.



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-00306

City Council

8/9/2018

SUBJECT:

CITY ADMINISTRATOR COMMUNICATION

City Administrator, Keith Wilkins

Presentation: Sidewalk Prioritization System - Sherry Morris, Planning Services Administrator

Sidewalk Prioritization Model

- 2017 – ADA Sidewalk Assessment : City’s existing sidewalk inventory evaluated for ADA compliance.
- Sidewalks were sorted & prioritized for repairs/improvements based on their “Audit Score”
- Secondary list of “No Sidewalks” was also created as part of this assessment (not a project list or recommended list/no associated score or priority ranking).



Sidewalk Prioritization Model

- November 2017 – Staff Working Group consisting of Engineering, Planning, and GIS (in consultation with CRA and Parks & Rec staff) began working on a prioritization model to sort and rank the list of areas with no sidewalks.
- Using the City of Tallahassee's system as a template, the staff group divided the areas into two tiers: 1) Those with no existing sidewalks; 2) Those with sidewalks on one side of the roadway.
- 4212 total segments identified as having no sidewalks on either side of roadway.



Sidewalk Prioritization Model

Staff collected data from:

- ❖ US Census
- ❖ FDOT
- ❖ Escambia County School District
- ❖ Pensacola Police Department

Prioritization Criteria established as:

- ❖ Safety
- ❖ Proximity to Schools
- ❖ Latent Demand
- ❖ Connectivity
- ❖ Existing Demand



Sidewalk Prioritization Model

SAFETY

Point Value: 6.5

- ❖ Speed Limits
- ❖ Pavement Width
- ❖ Presence of Existing Sidewalks



Sidewalk Prioritization Model

PROXIMITY TO SCHOOLS

Point Value: 15

- ❖ Using Escambia County Bus Eligible Criteria for distances:
 - Elementary Schools (15 points)
 - Middle Schools (10 points)
 - High Schools (5 points)



Sidewalk Prioritization Model

LATENT DEMAND

Point Value: 15

- ❖ Dwelling Units within $\frac{1}{4}$ mile of Area
- ❖ Census Data for Residents Walking or Using Transit.



Sidewalk Prioritization Model

CONNECTIVITY

Point Value: 15

- ❖ Connection to Existing Sidewalks
- ❖ Roadway Classification
 - ❖ Arterial – 15
 - ❖ Collector – 10
 - ❖ Local Street – 5



Sidewalk Prioritization Model

EXISTING DEMAND

Point Value: 40

- ❖ ECAT Stops
- ❖ Direct Connection to Existing Parks
- ❖ Expansion/Direct Connection to Greenways/Trails Systems
- ❖ Within ¼ Mile of Disadvantaged/Public Housing
- ❖ Within ¼ Mile of Employment Centers (Facilities with more than 500 employees)
- ❖ Shopping Centers/Regional Attractors
- ❖ Access to Universities/Colleges (within City limits)
- ❖ Access to Placemaking Areas



Sidewalk Prioritization Model

- List was sorted & ranked by total score (101.5 points max) based on the prioritization criteria.
- Top 26 sections were field verified by Engineering staff.
- 15 viable on City streets
- 3 viable within FDOT right of way.
- 1 completed prior to field verification.
- 7 sections were not viable due to physical conditions (trees, utility poles or CSX right of way.



Sidewalk Prioritization Model

- The prioritized ADA compliance list and list of areas without sidewalks will be on the City's website.
- Stand-alone page on the City's website dedicated to "Sidewalk Prioritization" will be live by September 1st and will include this information in both list and map form.
- Website page will include a 311 link for additional sidewalk inquiries.





City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 18-00031

City Council

8/9/2018

SUBJECT:

MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.

Monthly Financial Review



July, 2018





Revenues

July, 2018

- General Fund

- Six Months Collected

- Franchise Fee & Public Service Tax + 6.07%
 - Half-Cent Sales Tax + 7.89%
 - Communication Services Tax + 4.33%

- Seven Months Collected

- Municipal Revenue Sharing + 2.02%





Other Funds

July, 2018

- **Local Option Sales Tax** **+ 7.78%**
- **Local Option Gas Tax** **- 0.02%**
- Tree Planting Trust Fund \$390,146
- Housing Initiatives Fund
 - City \$161,374
 - CRA \$440,000





Upcoming Financings

July, 2018

Est Amount

September 2018 Council Meeting

— Extension of the Airport Taxable Customer Facility

Charges Revenue Note

\$5,800,000





Airport Taxable Customer Facility Charges Revenue Note \$5,800,000

- Financed by Bank of America, N.A.
- Current loan expiration date is 12/31/18; balance is \$8.8 million
- Three year extension with pay down of \$3.0 million due at closing
- Variable interest note 30 day Libor plus 75 basis points
- Monthly interest through 12/31/21
- Lump sum principal payment due 12/31/21
- Final maturity on 12/31/21
- Pledge is Pensacola International Airport Customer Facility Charges, Service Site Area Ground Rent and Facilities Rent





Contracts/Expenditures Over \$25,000 Approved By Mayor 07/01/18 – 07/31/18

•Contract Renewals/Extensions

•**Motorola Solution, Inc.**

- Motorola Maintenance Renewal 7/1/2018-9/30/2018– Technology Resources
- SBE – No
- Purchase Method – Year 2 of 4 Year Maintenance Contract
- \$72,687
- Budgeted – Yes





Contracts/Expenditures Over \$25,000 Approved By Mayor 07/01/18 – 07/31/18

•Quotations & Direct Negotiations

•**Atkins North America, Inc.**

- Jefferson Street Streetscape Design– CRA
- SBE – No
- Purchase Method – Continuing contract services under RFQ15-038
Professional Engineering Services
- \$56,230
- Budgeted – Yes

•**Chapman Company**

- Bill Gregory Stormwater Sod Purchase – Parks and Recreations
- SBE – No
- Purchase Method – Quote
- \$34,588
- Budgeted – Yes





Contracts/Expenditures Over \$25,000 Approved By Mayor 07/01/18 – 07/31/18

•Quotations & Direct Negotiations

•**Elster American Meter**

- Natural Gas Regulators: Model 1813C– Pensacola Energy
- SBE – No
- Purchase Method – Sole Source
- \$48,600
- Budgeted – Yes

•**Reynolds Smith & Hills, Inc.**

- General Aviation CBP Facility Predesign– Airport
- SBE – No
- Purchase Method – Continuing contract services under RFQ17-022 Master Contract for Architectural and Engineering Services for Airport Improvements
- \$40,940
- Budgeted – Yes





Contracts/Expenditures Over \$25,000 Approved By Mayor 07/01/18 – 07/31/18

•State, Federal or Other Buying Contracts

•**J A Dawson & Co., Inc.**

- 36 Gallon Trash Cans– CRA
- SBE – No
- Purchase Method – U.S. Communities Cooperative Agreement
contract#:201701134
- \$57,378
- Budgeted – Yes



Monthly Financial Review



July, 2018

