

Revised LDC Structure and Content

The structure and content of the revised Land Development Code (LDC) is anticipated to closely follow the outline below. As already supported by the Planning Board and BCC, the new structure represents both a reorganization and consolidation of provisions currently distributed among thirteen LDC articles. The outline identifies replacement LDC chapters and their likely principal divisions to better accommodate code content.

References to corresponding Comprehensive Plan (CP) requirements and/or existing LDC regulations are bracketed within the outline as aids in determining appropriate content for the revised LDC. Some of the references are to large portions of general text and some are to a specific policy or regulation. The effect of all references should be considered in their context. Further evaluation to supplement these references is suggested and available through an index search and/or Municipal Code Corporation's on-line code search capabilities (municode.com).

The process of assessing the existing and potential LDC content will follow the revised LDC structure. The Comprehensive Plan, model development codes, modern development codes of other jurisdictions, experience in Escambia or similar counties, and on-line searches of professional planning resources should be among the sources used to support improvements to our current LDC provisions.

Chapter 1. General Provisions. This chapter will establish the legal and other general provisions applicable to the LDC as a whole.

- A. Title [LDC 1.02.00]
- B. Authority [LDC 1.01.00]
- C. Purpose [CP: FLU 1.1.1, 1.1.2, 1.1.3] [LDC 1.01.00, 1.04.00]
- D. Applicability [LDC 1.03.00, 7.00.01, 13.00.03]
 - 1. Generally [CP: Sec. 1.02] [LDC: 1.09.00]
 - 2. Nonconformity exception [LDC: 9.00.00, 9.01.00, 9.05.00]
 - 3. Prior approval exception [LDC: 1.09.00, 9.01.00]
- E. Effective date [LDC: 1.07.00]
- F. Referenced regulations [LDC: 2.02.03]
- G. Conflicting provisions [LDC: 2.07.00]
 - 1. State or federal regulations [LDC: 7.15.16]
 - 2. County regulations [LDC: 13.00.03]
 - 3. Private agreements [LDC: 1.05.00, 2.07.00, 13.00.03]
- H. Severability [LDC: 1.06.00]
- I. Presumption of validity

Chapter 2. Administration. This chapter will establish the specific administrative responsibilities of the various officials, boards, committees, and agencies involved in confirming compliance of land uses and development activities with LDC regulations. This chapter also contains basic provisions for enforcing land use regulations and abatement of violations. The land use regulations of Chapter 4 and development standards of Chapter 5 are evaluated through the review and approval processes of Chapter 3 by the approving authorities described here.

A. General provisions

1. Purpose
2. Enforcement [LDC: 2.06.00, 7.15.14]
3. Non-county entities [CP: MOB 4.2.5, ICE 1.1.4, 1.3.1, 1.4.1, 1.5.1] [LDC: 2.02.02, 2.02.03, 12.12.00, 12.13.00, 12.15.00, 12.17.00]

B. County officials

1. County Administrator [CP: CMS 1.1.2] [LDC: 2.01.01, 2.06.00, 7.01.09, 7.15.14]
2. Planning Official [LDC: 2.02.02, 2.07.02, 2.11.02, 2.13.01.B]
3. Building Official

C. County boards and committees

1. Board of County Commissioners. [LDC: 2.08.02.E, 2.09.00, 2.11.04, 2.11.05]
2. Planning Board [CP: Sec. 2.01, FLU 4.1.7, MOB 4.2.3, ICE 1.3.7] [LDC: 2.07.01, 2.08.00, 2.12.00]
3. Santa Rosa Island Authority [LDC: 2.02.00.C, 13.00.00, 13.00.05, 13.01.00, 13.20.06.C]
4. Development Review Committee [CP: MOB 4.2.2] [LDC: 2.13.01]
5. Board of Adjustment [LDC: 2.03.00]
6. Vested Rights Committee [LDC: 2.11.00]

Chapter 3. Land Use Review and Approval Processes. This chapter will establish the various land use review and approval processes required to confirm compliance with LDC regulations. Chapter provisions are generally arranged by reviewing authority to group reviews that share the same or similar processes. The development standards of Chapter 5 and land use regulations of Chapter 4 are evaluated by the approving authorities described in Chapter 2 through the review and approval processes prescribed here.

A. General provisions

- A. Purpose [CP: Sec. 5.11, FLU 1.1.2] [LDC: 2.01.00]
- B. Use and activity approvals required [CP: HOU 1.1.3] [LDC: 2.02.00, 4.01.00, 4.03.05, 4.03.06, 12.13.00, 12.15.00]
- C. Applicable regulations [LDC: 1.09.00, 7.00.01.C]
- D. Authority to submit application [LDC: 2.13.02.A.2]
- E. Plan design and certification [LDC: 2.13.02.A.1]
- F. Nonconformity [CP: 1.4.1] [LDC: 8.09.00, Article 9]
- G. Concurrency [CP: CMS 1.2.1, FLU 1.1.11] [LDC: 5.07.00]
- H. Exceptions and variances (as related to other reviews) [LDC: 2.04.02]
- I. Building code [CP: COA 1.1.1]
- J. Inspections [CP: HOU 1.4.3]

- B. General review requirements (requirements common to all review of proposed land uses and development activities - coordinated through the specific requirements applicable to the particular use or activity)
 - A. Pre-application [LDC: 4.02.02]
 - B. Application [LDC: 2.05.01, 2.08.02.C, 2.13.02.A, 4.02.04.B, 4.02.05.A, 7.15.09]
 - C. Fees [LDC: 2.13.02.A.3, 2.09.05, 4.02.09, 6.04.15, 7.15.10]
 - D. Compliance review [CP: MOB 1.3.1, 1.6.2, 2.4.1, PSF 1.5.1] [LDC: 2.13.02.C & D]
 - E. Public notice and participation [CP: Ch. 4] [LDC: 2.05.01, 2.08.02.D, 2.13.02.B]
 - F. Final determination [LDC: 2.13.02.F]
 - G. Additional authorizations [LDC: 2.02.03]
 - H. Modification of approvals [LDC: 2.13.02.F]
 - I. Appeal of final determination [LDC: 2.13.02.F, 13.18.00]
- C. Santa Rosa Island Authority (SRIA) reviews (requirements of the SRIA particular to land uses and development activities on Pensacola Beach) [LDC: 2.02.00.C, 2.02.03.A, 13.01.02, 13.05.00, 13.09.00]
 - A. One- and two-family residential [LDC: 13.05.00]
 - B. Multi-family residential and commercial [LDC: 13.06.00]
 - C. Signs, fences, other accessory structures [LDC: 13.07.00, 13.10.00, 13.11.00, 13.22.00]
 - D. Marinas, docks, piers, boat basins, seawalls [LDC: 7.05.00, 13.12.00, 13.13.00]
 - E. Rezoning and variances [LDC: 13.16.00, 13.17.00, 13.20.09]
- D. Single-subject reviews (requirements for certain single-subject land uses or development activities – where “single-subject” is generally descriptive)
 1. Land use verification
 2. Nonconformance certification
 3. One and two-family residential
 4. Family conveyance [CP: FLU 1.1.12] [LDC: 4.01.04.D]
 5. Commercial and multi-family residential (those not requiring DRC)
 6. Signs [LDC: 8.03.00]
 7. Fences and other accessory structures [LDC: 2.02.00.A & B]
 8. Lot division (Not subdivision)
 9. Change of use
 10. Temporary uses
 11. Pre-construction site work
 12. Parking lots
 13. Alcohol sales zoning compliance [LDC: 7.14.00]
 14. Environmentally sensitive lands [LDC: 10.02.02, 12.16.00, 13.20.07.A]
 15. Demolition
 16. Land disturbance [LDC: 4.01.04]
 17. Dune restoration [LDC: 12.05.06]
 18. Tree removal [LDC: 7.01.03]
 19. Beach sand and aggregate [LDC: 12.05.06]
 20. Stormwater management [LDC: 7.15.03]
 21. Construction in county right-of-way
 22. Resource extraction [LDC: 12.09.00]
 23. Street opening or extension
 24. Administrative variance [LDC: 2.05.02, 2.11.06.C, 7.13.03.N.6, 9.07.00.D]

- E. Develop Review Committee (DRC) reviews [CP: MOB 4.2.2, PSF 2.4.3] [LDC: 2.13.02]
 - 1. Density clustering and bonuses [CP: FLU 2.1.4] [LDC: 7.17.00]
 - 2. Transfer of development rights [LDC: 7.16.00]
 - 3. Resource extraction and reclamation [CP: CON 1.5.4] [LDC: 7.07.07, 12.09.00]
 - 4. Master Plan [LDC: 4.02.04]
 - 5. Subdivision[LDC: 4.01.00, 4.02.00, 4.05.00]
 - a. Minor [CP: FLU 1.1.12] [LDC: 4.10.05]
 - b. Major
 - (1) Preliminary plat & construction plan [LDC: 4.02.05, 4.02.06, 4.02.10]
 - (2) Final plat [LDC: 4.02.07, 4.02.08, 4.02.11, 4.03.00]
 - 6. Site Plan (no division of land) [LDC: 4.06.00]
 - a. Minor [LDC: 4.06.02, 4.06.03]
 - b. Major
- F. Board of Adjustment (BOA) reviews [LDC: 2.04.00, 2.05.00]
 - A. Appeal of administrative decision [CP: FLU 1.1.13] [LDC: 2.04.00]
 - B. Variance or exception to a standard [LDC: 2.05.02, 4.02.10, 11.01.03,13.07.00, 13.20.09]
 - 7. Conditional use (use by review) [LDC: 2.05.03, 6.08.00, 8.07.06, 11.01.03]
 - 8. Extension of approval period [LDC: 2.05.05]
 - 9. Extension of nonconformity period [LDC: 9.05.00.B]
 - 10. Mobile Home as guest residence [LDC: 2.05.06, 6.04.10]
 - 11. Change of nonconforming use [LDC: 9.03.00]
- G. Other board and committee reviews
 - 1. Vested development rights [LDC: 2.11.00]
 - 2. Planned unit development [CP: FLU 1.1.8, 1.5.2][LDC: 6.06.00, 12.07.00]
 - 3. Development agreement [LDC: 4.02.02, 5.12.04]
 - 4. Rezoning [CP: FLU 2.1.2, 2.1.3, 3.1.4, COA 1.1.7] [LDC: 2.08.00]
 - 5. LDC text [LDC: 2.08.04]
 - 6. Future Land Use change [CP: FLU 2.1.2, 2.1.3, 3.1.3, 3.1.5, COA 1.1.7, ICE 1.1.1, PSF 1.5.1] [LDC: 2.09.00]
 - 7. Comprehensive Plan text amendment [CP: ICE 1.1.2, PSF 1.5.1] [LDC: 2.09.00]

Chapter 4. Zoning and Other Land Use Regulations. This chapter will establish the various residential, mixed-use, and non-residential zoning districts that implement the future land use categories of the Comprehensive Plan. Regulations specific to each district will describe the allowable uses of land and structures, the intensity of those uses, and the dimensional standards that define what portion of any parcel a structure or use may occupy. The chapter will include other land use regulations that are independent of any zoning district, but supplement district regulations to address health, safety, environmental and other development compatibility issues specific to a location. Also included in the chapter will be minimum requirements for specific types of land use, including accessory structures, home-based business, and manufactured (mobile) homes. The land use regulations presented in this chapter and the development standards of Chapter 5, in coordination with other LDC provisions, are reviewed under the appropriate land use review and approval processes prescribed in Chapter 3.

A. General provisions

1. Purpose [CP: FLU 1.1.4, 1.1.7, COA 1.1.7] [LDC: 6.00.00]
2. Compliance [LDC: 6.04.01]
3. Future land use and zoning [CP: MOB 1.3.1,] [LDC: 6.01.02, 6.01.03, 6.02.00, 6.02.01]
4. Nonconformity [CP: HOU 1.4.2] [LDC: 6.04.08, 7.00.01, 9.00.01]
5. Determination of allowed uses [LDC: 6.04.01]
6. Un-zoned lands [LDC: 6.01.02, 6.01.03]
7. Non-county jurisdiction (Navy, UWF)
8. Split FLU and zoning [LDC: 6.02.01.D]
9. Boundaries and land area [LDC: 4.06.06.I, 6.02.01, 6.04.07]
10. Lot of record [LDC: 2.10.01.D, 6.04.08]
11. Yards, setbacks and encroachments [CP: MOB 1.5.2, COA 2.2.1] [LDC: 2.10.00, 6.02.02, 6.02.03, 6.04.02]
12. Structure heights [LDC: 2.10.00, 11.04.00, 13.15.00]
13. Lot size [LDC: 6.05.03.F & G, 6.05.05.C, 6.05.14.G, etc.]
14. Density and intensity (including bonuses) [CP: FLU 1.1.5, 1.2.3, 1.5.3, 1.5.4, MOB 1.5.3, CON 1.3.8] [LDC: 6.04.07, 7.16.02, 7.17.00, 17.19.00]
15. Buildings per lot [LDC: 6.04.03]
16. Affordable housing [CP: HOU 1.2.1, 1.2.2, 1.2.3, 1.3.3] [LDC: 7.16.00, 7.17.04]

B. Zoning district standards [CP: FLU 1.3.1, 2.1.1, HOU 1.1.1, 1.1.2, 1.1.5, 1.1.7, 1.2.4, 1.3.2, 1.8.2, INF 5.1.1] [LDC: 6.05.00]

1. Mainland districts (includes overlays)
 - a. Residential
 - b. Mixed use
 - c. Commercial
 - d. Industrial [LDC: 7.06.00]
 - e. Agricultural
 - f. Overlay [LDC: 6.07.00]
2. Perdido Key districts [LDC: 6.05.06, 08, 10, 15-15.03]
3. Pensacola Beach districts [LDC: 13.02.00, 13.03.00]

C. Other location-specific standards (other than zoning, standards that apply based on where the use is located)

1. Airports and airfields [CP: FLU 4.1.2, MOB 4.1.2, 4.2.1, 4.2.8] [LDC: 6.05.03, 6.05.04, Article 11]
2. Transportation concurrency exception areas [CP: MOB 1.2]
3. Public school concurrency service areas [CP: PSF 2.2.1, 2.2.2]
4. Community redevelopment areas [CP: FLU 2.3.1, HOU 1.4.1]
5. Wellhead protection areas [CP: INF 5.1.1, 5.1.3, 5.1.4, 5.1.5, COA 2.1.3, CON 1.4.1, 1.5.2, 1.7.6] [LDC: 7.12.00]
6. Areas of special flood hazard [CP: COA 1.1.2, 1.1.3, 1.1.7, COA 1.4.1, 2.1.3, CON 1.7.6, PSF 1.2.2] [LDC: Article 10, 13.00.05, 13.20.00]
7. Coastal High-Hazard Area [CP: COA 1.1.7, 1.2.1, 1.2.2, 1.2.3, 1.2.5, 1.2.6, 1.3.3, 1.3.9, 1.5.1, CON 1.7.6, CIE 1.2.4, PSF 1.2.2] [LDC: 12.08.00, 12.14.00]
8. Shoreline protection zones [CP: COA 2.1.3, 2.2.2, 2.3.2] [LDC: 7.08.00, 12.01.00, 13.13.00]

9. Wetlands and other environmentally sensitive lands [CP: FLU 1.1.5, COA 2.1.3, CON 1.1.2, 1.1.4, 1.1.7, 1.1.8, 1.3.2, 1.3.3, 1.3.7, 1.3.8, 1.5.2, 1.6.2, 1.6.6,] [LDC: 7.13.00, 7.17.01, 12.16.00]
- D. Use-specific standards (standards that apply based on the use - an incomplete list)
 1. Locational criteria [CP: FLU 1.1.10, HOU 1.3.1, CON 1.7.6][LDC: 7.20.00]
 2. Planned unit development [CP: FLU 1.1.8, 1.5.2, 1.5.3, 2.1.4, 3.1.6] [LDC: 6.06.00]
 3. Temporary uses and structures [LDC: 6.04.05, 6.04.06, 6.04.10, 6.04.11, 6.04.12, 6.04.13, 6.04.14]
 4. Accessory uses and structures [LDC: 2.10.07, 6.03.00]
 5. Telecommunications [LDC: 7.18.00]
 6. Public schools [CP: PSF 1.2.1, 1.2.2, 1.3.2, 1.3.3, 1.4.1]
 7. Adult entertainment [LDC: 6.05.16.B]
 8. Bars and Liquor [LDC: 7.14.00]
 9. Vehicle sales and services [LDC: 6.05.14.C.5]
 10. Recreational vehicles and campgrounds [LDC: 6.04.04, 12.08.02]
 11. Manufactured (mobile) homes [CP: COA 1.2.6] [LDC: 7.09.00, 12.08.02]
 12. Water-dependent/water-related uses [CP: COA 2.2.3, 2.2.4] [LDC: 7.05.00]
 13. Artificial lakes and ponds [LDC: 7.21.00]
 14. Mineral extraction and reclamation [CP: CON 1.5.2, 1.5.3][LDC: 7.07.07, 12.09.00]
 15. Farm worker housing [CP: FLU 3.1.7]
 16. Hazardous materials [CP: CON 1.7.6, 1.7.7]

Chapter 5. Land Development Standards. This chapter will establish the specific development standards for the permitted uses of land and structures. The chapter will include standards for both subdivisions and individual lot development. The land development standards presented in this chapter and land use regulations of Chapter 4, in coordination with other LDC provisions, are reviewed under the appropriate land use review and approval processes prescribed in Chapter 3.

- A. General Provisions.
 1. Purpose [CP: HOU 1.4.1][LDC: 4.01.01, 6.00.00, 7.00.00]
 2. Nonconformity [LDC: 7.00.01]
 3. Exceptions, variances, and appeals. (relative to these standards)
- B. Adequate public facilities (concurrency) [CP: Ch. 6, FLU 1.1.11, 2.2.1, 2.2.4, MOB 1.1.1, 1.1.2, 1.2, 2.2.3, HOU 1.1.4, INF 1.1.8, 1.1.9, 2.1.4, 3.1.7, 3.1.8, 3.1.9, 4.1.4, 4.1.6, 4.1.7, COA 1.5.1, REC 1.3.6, ICE 1.2.1, CIE 1.1.2, 1.1.3, 1.1.4, 1.1.5, 1.1.6, 1.3.7, PSF 2.1.2, 2.2.1, 2.2.2, 2.3.1, 2.3.2, 2.4.1, 2.4.2, 2.4.4, 2.4.5, 2.4.6, 2.5.1, 2.5.2, 2.5.4, 2.5.5] [LDC: 4.06.06, 5.00.00]
- C. Subdivision (commercial and residential) [CP: FLU 1.1.6, 2.2.3, MOB 1.1.1] [LDC: 4.04.00, 7.09.00.D, 7.10.00]
- D. Stormwater [CP: INF 3.1.1, 3.1.5, 3.1.8, 3.1.10, 3.1.11, 5.1.1, COA 1.1.5, CON 1.3.1, 1.5.1] [LDC: 4.04.13, 7.17.13, 7.15.00]
- E. Streets and utilities [CP: MOB 1.1.1, 1.3.2, 1.5.1, 1.5.4, INF 1.1.4, 1.1.13, 4.1.3, 4.1.6, COA, 1.1.6] [LDC: 4.04.04, 4.04.05, 4.04.06, 4.04.12, 7.17.08, 7.19.00]
- F. Vehicular access, circulation, and parking [CP: MOB 1.1.3, 1.1.7, 1.1.9, 1.1.11, 1.6.2, COA 2.2.8] [LDC: 4.06.06.C, 7.01.08, 7.02.00, 7.11.00, 13.04.00]
- G. Sidewalks and pedestrian access [CP: MOB 1.1.13, 1.1.14, 1.3.2, 1.6.2, COA 2.2.8, REC 1.1.3, 1.1.9, PSF 1.4.1, 1.4.4, 1.4.5, 1.4.6] [LDC: 7.02.00, 7.11.05, 7.17.06]

- H. Screening, buffering, and adverse off-site impacts [CP: FLU 1.1.7, 1.1.9, MOB 1.1.7, CON 1.2.1, 1.2.3, 1.6.6] [LDC: 4.06.06.B, 6.04.09, 7.01.06, 7.04.00, 7.06.00, 7.07.00]
- I. Open space [CP: INF 5.1.1, CON 1.1.5, REC 1.3.2, 1.3.8][LDC: 4.06.06]
- J. Signs and lighting [CP: MOB 1.5.5] [LDC: 4.06.06.B.3, 7.03.00, Article 8, 13.22.00]
- K. Landscaping [CP: INF 4.1.11, CON 1.6.2, 1.6.4, 1.6.6, 1.6.8, 1.6.9, 1.6.10, 1.8.2] [LDC: 4.06.06.D, 6.05.06.F, 6.05.08.F, 6.05.10.F, 6.05.15.I, 6.05.15.01.G, 6.05.15.02.G, 6.05.15.03.H, 7.01.00, 13.14.00]
- K. Tree protection [CP: CON 1.6.1, 1.6.2, 1.6.3, 1.6.4, 1.6.5, 1.6.7, 1.6.10, 1.8.2] [LDC: 7.01.02, 7.01.03, 7.01.04, 7.01.05, 7.01.09, 7.17.12]
- L. Shores, beaches and dunes [CP: COA 1.1.4, 2.1.3, 2.2.1, 2.3.1, 2.3.2, 2.3.3, 2.3.4, 2.3.6, 2.3.8, CON 1.5.2] [LDC: 2.05.04, 7.08.00, 7.17.02, 12.03.00, 12.04.00, 12.05.00, 12.06.00, 13.13.00]
- M. Marinas [CP: COA 2.2.1, 2.2.2, 2.2.3, 2.2.4] [LDC: 7.05.00, 13.12.00]
- N. Cultural and historical resources [CP: FLU 1.2.2, 1.2.3] [LDC: 7.17.07, 12.10.00]

Chapter 6. Definitions and Interpretation. This chapter will establish the meaning of terms used throughout the LDC and guidance as to how code provisions should be interpreted. [CP: Ch. 3, HOU 1.2.1, CON 1.6.1, REC 1.3.1] [LDC: Article 3, 7.12.02, 8.02.00, 10.01.03, 11.00.02, 12.05.02]