

PLANNING COMMISSION

AGENDA REQUEST

TO: HONORABLE CHAIRMAN & MEMBERS OF THE PLANNING COMMISSION

THROUGH: Elliot Kampert, Director

FROM: Planning & Development Review Staff

SUBJECT: Changes to Land Development Code, Landscaping Requirements, Department of Growth Management

DATE: October 13, 2016

BCC DISTRICT: All

PLANNING COMMISSION DISTRICT: All

PUBLIC HEARING: Consideration of changes to the Land Development Code (LDC) as submitted by the Department of Growth Management amending Chapter 2 “Zoning Regulations”; Section 2.01.00 “Agriculture (AA) District; and, Section 2.07.00 “Mixed Use District” to clarify the arterial and collector roadways where general commercial may be permitted.

STAFF FINDINGS:

- Subsection 2.01.04, 7 of the Agriculture zoning regulation states *General commercial uses that support agricultural uses/activities may be permitted when located on a state or county-maintained roadway outside residential subdivisions. Other general commercial uses may be permitted when located on a state or county arterial or collector roadway provided, however, the depth of the commercial use shall generally be no more than 1,000 feet.*
- Subsection 2.07.04, 2 of the Mixed Use zoning regulation states *All C-2 permitted uses. All C-3 uses may be allowed when the property involved fronts upon an arterial or collector roadway and there is no access to the commercial part of the property through a residential area or residential-zoned area (all C-2 and C-3 bulk regulations shall apply). Institutional (all INST bulk regulations shall apply). Recreation (all REC bulk regulations shall apply).*
- There has been some confusion with the application of these regulations regarding identification of arterial and collector roadways where general commercial would be allowed, and where C-2 uses should be allowed.
- The Agriculture Future Land Use Map category specifies that general commercial is only allowed on “arterial or county-numbered roadways.”
- Arterial and Collector roadways are listed in the Comprehensive Plan, Transportation Element, Tables 2.2.1 and 2.2.2 respectively. This list has been adopted by ordinance as part of the Comprehensive Plan.
- An expressed purpose of the LDC is to implement the Comprehensive Plan.

- It is staff opinion that the proposed changes would promote consistency with the Comprehensive Plan as well as add certainty and simplicity to administration of the zoning regulations.

STAFF POSITION: Staff strongly supports the proposed LDC change.

RECOMMENDATION: It is recommended that the Board consider the facts presented herein, as well as any facts that may be presented at the public hearing, and then make a recommendation to the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS: Scheduled for November 1, 2016 at 6:30 PM in Crestview City Hall.

ATTACHMENTS:

- A – Proposed LDC text change
- B – Tables 2.2.1 and 2.2.2

TJ/tj

2.01.00 AGRICULTURE (AA) DISTRICT

2.01.01 Purpose: The purpose of the Agriculture (AA) district is to provide areas for production of plants and animals useful to humans, including to a variable extent the preparation of plant and animal products for human use by sale or otherwise and includes aquaculture, horticulture, floriculture, viticulture, silviculture, dairy, livestock, poultry, bees, and any and all forms of farm products and farm production. This district is also suitable for preservation of green spaces, conservation uses, outdoor recreation uses, very low-density residential uses, and public/institutional uses.

2.01.02 Intent: The intent of the AA district is to implement and otherwise put into regulatory effect the provisions of the "Agricultural" future land use category established in the Comprehensive Plan.

2.01.03 Location/Designation Guidelines: Land to be designated as, or re-zoned to, an AA district may be located inside or outside the urban development area boundary. Agriculture districts may be located in the Agriculture future land use category.

2.01.04 Permitted Uses: The following uses are permitted as of right in an AA district. All other uses are permitted by special exception, or prohibited.

1. General Agriculture. Land, buildings, support machinery, and other appurtenances typically found in the production of agricultural products and activities including cropland, pastureland, orchards, vineyards, nurseries, ornamental horticulture, groves, tree farms, timberland feedlots, farmhouses, barns, stables, silos, farm accessory buildings and sheds, seasonal roadside produce stands, and the like. Specific, permitted agriculture uses are listed and described in Chapter 11, North American Industry Classification System, U.S. Census Bureau, 2012.
2. Conservation. Conservation uses including large land holdings, areas of green space, wildlife management areas, state and federal forests, bird or wildlife sanctuaries, nature parks and preserves, natural area interpretation areas, natural wonder tourist attractions, forestry-related facilities such as fire towers and maintenance yards, agriculture or fisheries-related experimental stations or facilities, environmental education facilities, and other similar conservation-related uses.
3. Outdoor Recreation. Outdoor recreation uses including public or private parks, recreation areas, campgrounds, preserves, nature walks/trails, hunting or gun clubs/lodges, shooting ranges/sporting clays, canoe/kayak/boat rentals, horseback riding stables and trails, summer camps/youth camps/day camps, motor vehicle/motorcycle/ATV tracks and trails, and other similar outdoor recreation uses where large areas of land are necessary and/or desirable to accommodate the use.
4. Public/Institutional. Public/institutional uses including college and university training and/or research facilities, public or private schools, correctional institution, telecommunications towers, cemeteries, houses of worship, private clubs/lodges, utilities necessary for the collection, transmission, generation, or distribution of utility service (i.e. electricity towers/lines, gas lines, water and sewer lines, telecommunications lines, lift station, water storage tanks/treatment plants, community or public water supply wells, wastewater treatment facilities, solid waste transfer/recycling stations, etc.), military bases and camps, government storage and maintenance yards, and similar public/institutional uses. Uses permitted by this paragraph are not subject to the 10-acre minimum lot size must comply with all other applicable bulk regulations.
5. Residential. Residential uses including single-family detached homes, category A and B manufactured/mobile homes, customary accessory uses and structures (shed, garages, pools, decks, out-buildings, etc.), residential subdivisions, home occupations, and family day care homes. More than one dwelling may be permitted when the additional dwellings will be occupied by members of the same immediate family, farm workers, or caretakers employed by the owner and the additional dwellings are not offered out for rent or sale.

6. Smaller tracts of land may exist in this district that have certain vested rights provided the owner can show proof that the lot or parcel was subdivided prior to July 10, 1990 and conformed to the zoning district at that time. One single-family detached residence and customary accessory uses may be allowed on these tracts. In these situations bulk regulations for the R-1 zoning district may be used.

7. General Commercial. General commercial uses that support agricultural uses/activities may be permitted when located on a state or county-maintained roadway outside residential subdivisions. Other general commercial uses may be permitted when located on a state or county arterial or collector roadway [as identified in the Comprehensive Plan, Transportation Element Tables 2.2.1 and 2.2.2](#) provided, however, the depth of the commercial use shall generally be no more than 1,000 feet.

8. One-Acre Lots. The minimum lot size in the AA district may be one (1) acre when the following conditional requirements are met:

- a. Access to each lot must be from an existing state or county-maintained roadway.
- b. Each lot created shall have a minimum of 50 feet frontage on such state or county-maintained road.
- c. Where two or less lots are created access may be provided from a recorded easement.
- d. Development shall not be permitted in floodways.

9. Oil and gas exploration and production activities when consistent with Comprehensive Plan Conservation Policy 3.8.

10. Customary accessory structures incidental to agriculture or residential uses (see 2.21.00).

2.01.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment (BOA).

1. Borrow pit operations when located more than one (1) mile from any residential future land use/zoning district or existing residential area, when access is from a collector or arterial roadway which does not create increased truck traffic on any residential street or through any residential area or subdivision, and when it is determined by the County or FDOT, as appropriate, that no traffic hazard will be created.

2. Private airports, residential airparks (see 2.20.06). Prior to being placed on the BOA agenda for consideration, any request for a new private airport or residential airpark received by the County subsequent to the effective date of this provision must first be reviewed by the Aviation Advisory Committee whose recommendations shall be included with the other information sent to the BOA as part of the request.

3. Electric power substations which can demonstrate compatibility with the surrounding area through site-specific setbacks, buffering, and other conditions appropriate to the area within which the substation is proposed.

4. Temporary industrial uses such as pipe storage, portable asphalt plants, equipment/materials storage yard, and similar uses may be permitted provided that, in addition to any other conditions imposed, the use is for one (1) year or less.

5. Other uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed either as permitted uses or special exceptions.

2.01.06 Bulk Regulations: Bulk regulations for AA districts are prescribed in Table 2.1.

**TABLE 2.1
AGRICULTURE (AA) BULK REGULATIONS**

MINIMUM LOT/PARCEL SIZE 10 acres/1 acre conditional

MAXIMUM DENSITY No more than 1 dwelling/10 acres or
No more than 1 dwelling/1 acre conditional ¹

MINIMUM BUILDING SETBACKS ²

Front 40 feet/25 feet conditional

Sides 25 feet/10 feet conditional

Rear 25 feet/10 feet conditional

MINIMUM LOT FRONTAGE 20 feet (fronting upon a road)

50 feet conditional

MAXIMUM BUILDING HEIGHT 75 feet

MAXIMUM FLOOR AREA RATIO (Non-residential) 0.10

MAXIMUM IMPERVIOUS COVERAGE (Non-residential) 55%

NOTE: See Section 2.19.00 for possible additional requirements.

1 - See 2.01.04, 8, (1) – (4)

2 - If the property abuts multiple roads, the front setback shall be from the road from which the subject property's address is derived, with the rear being the side opposite the front provided, however, that in no case shall a building intrude

2.07.00 MIXED USE DISTRICT (MU)

2.07.01 Purpose: The purpose of the Mixed Use (MU) district is to provide areas for a variety of housing types as well as a functional mix of residential and non-residential land uses.

2.07.02 Intent: The MU district is intended to implement and put into regulatory effect the provisions of the "Mixed Use" future land use categories established in the Comprehensive Plan.

2.07.03 Location/Designation Criteria: Lands to be designated as, or rezoned to, an MU district may be located inside or outside the urban development area boundary. Mixed Use districts must be located within a Mixed Use future land use category. This district may also include existing mixed use areas and Developments of Regional Impact (DRI).

2.07.04 Permitted Uses: The following uses are permitted as of right in the MU district. All other uses are permitted by special exception or prohibited.

1. Residential Uses. All R-1, R-2, and R-3 permitted uses.

2. Non-Residential. All C-2 permitted uses [when located outside recorded residential subdivisions unless included as part of the master plan for the subdivision](#). All C-3 uses may be allowed when the property involved fronts upon an arterial or collector roadway [as identified in the Comprehensive Plan, Transportation Element Tables 2.2.1 and 2.2.2](#), and there is no access to the commercial part of the property through a residential area or residential-zoned area (all C-2 and C-3 bulk regulations shall apply). Institutional (all INST bulk regulations shall apply). Recreation (all REC bulk regulations shall apply).

3. Public transit stops and shelters.

4. Customary accessory uses and structures (see 2.21.00).

5. Utilities such as power lines, water mains, sewer mains, lift stations, water supply wells, and other similar facilities necessary for the collection, transmission, or distribution of utility service.

6. The percentage distribution among the mix of uses shall be no less than 50% any type of a predominate allowable use as specified herein in combination with one or more allowable uses which may be applied on a parcel-specific or area-wide basis, or the percentage distribution of uses may be applied based upon the following objective measurements: size of the property involved; use and character of the surrounding area; the extent of changed conditions and circumstances in the area; availability of utilities and services to support the uses allowed, and; the extent to which the mixed use designation would encourage a compact, sustainable pattern of development.

2.07.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment.

1. Uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed as permitted uses.

2.07.06 Bulk Regulations: Bulk regulations for the MU district shall be as shown on Table 2.6.

**TABLE 2.6
BULK REGULATIONS FOR MU DISTRICTS**

MAXIMUM DENSITY

Inside Urban Development Area Boundary (UDAB) No more than 25 dwellings/acre

No more than 10 dwellings/acre¹

Outside UDAB or Rural Community No more than 4 dwellings/acre

MAXIMUM INTENSITY

0.75 FAR 75% ISC

MINIMUM BUILDING SETBACKS

Inside UDAB Outside UDAB

Front² 20 feet 20 feet

Sides 5 feet 10 feet

Rear 10 feet 10 feet

MINIMUM LOT FRONTAGE 20 feet

MAXIMUM BUILDING HEIGHT

Inside UDAB 200 feet*

Outside UDAB 45 feet

See Section 3.09.00 for possible additional restrictions

* Subject to approval by the Aviation Advisory Committee

1 – No more than 10 dwelling units per acre for parcels 2 acres or less.

2 - If the property abuts multiple roads, the front setback shall be from the road from which the subject property's address is derived, with the rear being the side opposite the front provided, however, that in no case shall a building intrude into a visibility triangle of an adjacent property or road intersection, nor shall any building intrude into a roadway right-of-way area.

**TABLE 2.2.1
STATE ROADWAY LEVEL OF SERVICE STANDARDS**

Roadway	Segment	Functional Class.	Type	Area	Lanes	Adopted LOS
SR 4	Santa Rosa County line to US 90	Minor Arterial	Undivided	Rural Undev.	2	D
I-10	Santa Rosa County line to SR 85	Principal Arterial	Divided	Rural Undev.	4	B
I-10	SR 85 to Walton Co. line	Principal Arterial	Divided	Transitioning	4	B
US 90	Santa Rosa Co. line to SR 4	Minor Arterial	Undivided	Rural Undev.	2	C
US 90	SR 4 to MPA boundary	Minor Arterial	Undivided	Rural Dev.	2	C
US 90	MPA boundary to Antioch Rd.	Minor Arterial	Undivided	Transitioning	2	C
US 90	Antioch Rd. to Fairchild Rd.	Minor Arterial	Divided	Transitioning	4	D
US 90	Fairchild Rd. to Walton Co. line	Minor Arterial	Undivided	Rural Dev.	2	C
SR 20	Rocky Bayou Br. to White Point Rd.	Principal Arterial	Divided	Urbanized	4	E
SR 20	White Point Rd. to Walton Co. line	Principal Arterial	Undivided	Urbanized	2	D
US 98	Santa Rosa Co. line to Hurlburt Field	Principal Arterial	Divided	Urbanized	4	E
US 98	Eastern leg SR 85 to Eglin boundary	Principal Arterial	Divided	Urbanized	4	D
US 98	Brooks Bridge to Marler Bridge	Principal Arterial	Divided	Urbanized	4	D
US 98	CR 2378 to Walton Co. line	Principal Arterial	Divided	Urbanized	4	D
SR 85	Racetrack Rd. to 12 th Ave.	Principal Arterial	Divided	Urbanized	6	D
SR 85	12 th Ave. to SR 189	Principal Arterial	Divided	Urbanized	4	D
SR 85	SR 123 to SR 190	Principal Arterial	Divided	Urbanized	4	D
SR 85	College Blvd. to Antioch Rd.	Principal Arterial	Divided	Transitioning	4	C
SR 85	Antioch Rd. to I-10	Principal Arterial	Divided	Transitioning	4	C
SR 85	Old Bethel/Airport Rd. to 2-lane	Principal Arterial	Divided	Transitioning	4	C
SR 85	Begin 2-lane to Senterfitt Rd.	Principal Arterial	Undivided	Transitioning	2	C
SR 85	Senterfitt Rd. to Walton Co. line	Principal Arterial	Undivided	Rural Undev.	2	C
SR 189	Mooney Rd. to SR 85	Minor Arterial	Divided	Urbanized	4	D
SR 189	SR 4 to Alabama State line	Minor Arterial	Undivided	Rural Undev.	2	C

**TABLE 2.2.1 (Cont.)
STATE ROADWAY LEVEL OF SERVICE STANDARDS**

Roadway	Segment	Functional Class.	Type	Area	Lanes	Adopted LOS
SR 189	SR 4 to Alabama state line	Minor Arterial	Undivided	Rural Undev.	2	C
SR 285	College Blvd. to Walton Co. line	Minor Arterial	Undivided	Transitioning	2	D
SR 293	US 98 to Mid-Bay Bridge S. approach	Minor Arterial	Divided	Urbanized	4	E
SR 293	Mid-Bay Bridge S. approach to SR 20	Minor Arterial	Undivided	Urbanized	2	E
SR 123	SR 85 to SR 85	Principal Arterial	Undivided	Transitioning	2	D

Policy 1.2.2 Level of Service Standards for county roadways are hereby established as shown on Table 2.2.2.

1. For general planning purposes roadway LOS may be evaluated using average annual daily traffic (AADT) counts.
2. For concurrency determinations and issuing development orders the LOS shall be determined using P.M. peak hour traffic counts.

**TABLE 2.2.2
COUNTY ROADWAY LEVEL OF SERVICE STANDARDS**

Roadway	Segment	Functional Class.	Type	Area	Lanes	Adopted LOS
CR 189/Log Lake Rd.	US 90 to I-10	Collector	Undivided	Rural	2	D
CR 189/Galliver Cut-Off	US 90 to SR 4	Collector	Undivided	Rural	2	D
CR 2	SR 189 to SR 4	Collector	Undivided	Rural	2	D
CR 188 (Old Bethel Rd.)	US 90 to SR 85	Collector	Undivided	Urban	2	D
CR 188 (Airport Rd./ Garden City Rd.)	SR 85 to SR 85	Collector	Undivided	Rural Dev.	2	D
CR 393	US 90 to SR 85	Collector	Undivided	Rural	2	D
John King Road	SR 85 to end	Collector	Undivided	Urban	2	E
CR 4 (Antioch Rd.)	PJ Adams Pkwy to US 90	Collector	Undivided	Urban	2	D
PJ Adams Parkway	SR 85 to Antioch Rd.	Collector	Undivided	Urban	2	D

**TABLE 2.2.2 (Cont.)
COUNTY ROADWAY LEVEL OF SERVICE STANDARDS**

Roadway	Segment	Functional Class.	Type	Area	Lanes	Adopted LOS
Hollywood Boulevard	Mary Esther Cut-Off to Eglin Pkwy	Collector	Undivided	Urban	2	E
Martin Luther King Jr. Blvd.	Hill St. to Green Acres Rd.	Collector	Divided	Urban	4	E
Hurlburt Road	MLK Jr. Blvd. to Beal Pkwy	Collector	Divided/ Undivided	Urban	5/4	E
North Beal Extension	Beal Pkwy to Wright Landfill\	Collector	Undivided	Urban	2	E
Carmel Drive	MLK Jr. Blvd. to Beal Pkwy	Collector	Undivided	Urban	2	E
Lewis St./Mayflower Av/ South Av	Beal Pkwy to Eglin Pkwy	Collector	Undivided	Urban	2	E
CR 190 (College Blvd E)	SR 85 to Forest Rd	Collector	Undivided	Urban	2	E
CR 190 (College Blvd W)	SR 85 to SR 85	Collector	Undivided	Urban	2	E
Rocky Bayou Drive	SR 20 to Forest Rd.	Collector	Undivided	Urban	2	E
Forest Road	Rocky Bayou Dr to SR 285	Collector	Undivided	Urban	2	E
Commons Drive	Two Trees Rd to Kelly Plantation Dr	Collector	Undivided/ Divided	Urban	2	D
Commons Drive	Kelly Plantation Dr to Matthew Blvd	Collector	Undivided	Urban	2	D
Santa Rosa Boulevard	Eglin boundary to Marler Park	Collector	Divided	Urban	4	E

Policy 1.2.3 Constrained and Backlogged Roadways: Constrained Roadways are defined as "roads on the State Highway System which FDOT has determined will not be expanded by the addition of two or more through lanes because of physical, environmental or policy constraints. Physical constraints primarily occur when intensive land use development is immediately adjacent to roads, thus making expansion costs prohibitive. Environmental and policy constraints primarily occur when decisions are made not to expand a road based on environmental, historical, archaeological, aesthetic or social impact considerations." (1998 FDOT LOS Handbook). Backlogged Roadways are defined as "roads on the State Highway System operating at a level of service below the minimum level of service standards, not programmed for construction