

ORDINANCE NUMBER 2025-\_\_\_\_\_

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED, AMENDING THE DESIGN STANDARDS MANUAL CHAPTER 1, ENGINEERING, ARTICLE 1, SECTION 1-1.2 STORMWATER QUANTITY; AMENDING CHAPTER 1, ENGINEERING, ARTICLE 1, SECTION 1-1.4(a), POND, SLOPES, FENCING AND MAINTENANCE ACCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:**

**Section 1.** Part III of the Escambia County code of Ordinances, the Land Development Code of Escambia County, Design Standards Manual, Chapter 1, Engineering, 1-1.2, "Stormwater quantity," is hereby amended as follows (words underlined are additions and words stricken are deletions), which is incorporated herein by reference.

*Sec. 1-1.2 Stormwater quantity (attenuation).*

Projects that require a Stormwater Management System (SMS) shall at a minimum be designed to provide for the following for the total contributing runoff area:

Provide attenuation of the runoff from a 100-year critical duration event up to and including 24-hour duration, using the adopted FDOT rainfall data so that the post-development runoff rate does not exceed the pre-development runoff rate, when a positive discharge route is present.

or

Drainage systems in areas with no positive drainage outfall shall be designed to more stringent criteria to include retention up to and including 24-hour, 100-year frequency storm using the adopted FDOT rainfall data with no offsite discharge and a minimum freeboard of 0.5 feet. ~~These systems shall remain private and will not be accepted by the county for ownership and maintenance.~~

or

For projects that abut the Gulf of Mexico, Escambia Bay, Pensacola Bay, Perdido Bay or their connected, tidally influenced bodies of water (i.e. Tarkiln Bayou, Chico Bayou, Bayou Texar, etc.) the County Engineer may reduce or waive the SMS from stormwater quantity requirements.

**Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Design Standards Manual, Chapter 1, Engineering, 1-1.4(a), "Pond slopes, fencing, and maintenance access," is hereby amended as follows (words

underlined are additions and words stricken are deletions), which is incorporated herein by reference.

Sec 1-1.4 *Pond slopes, fencing, and maintenance access.*

(a) Residential Subdivisions (private and public)

(1) Side slopes

- a. Wet ponds - When unfenced, side slopes shall not be steeper than 4:1 (horizontal to vertical) out to a depth of two feet below the control elevation. When fenced, side slopes shall not be steeper than 3:1 out to a depth of two feet below the control elevation.
- b. Dry ponds - Side slopes may not be steeper than 3:1, and must be fenced when steeper than 4:1 (horizontal to vertical).

(2) Fencing - The required fence shall be six feet high chain link meeting County technical specifications<sup>1</sup> and be installed along the perimeter of the pond parcel and extending to the right-of-way. Privacy fencing, or other fencing, may be used to supplement screening to the chain link fence provided it is located within a private fence easement and offset by a minimum of five feet from the chain link fence for maintenance.

(3) Stabilization

- a. Wet ponds - Wet ponds shall be stabilized in solid sod above the permanent pool elevation, unless stabilization is obtained through incorporation of a littoral plantings.
- b. Dry Ponds - Side slopes shall be solid sod from the bottom to three feet beyond the top of bank.

(4) Maintenance access shall meet the following criteria:

- a. Unobstructed access with a minimum width of 15 feet to the wet/dry pond area constructed of graded aggregate a minimum 12 feet wide, no steeper than 6:1 (horizontal to vertical) at least five inches thick, and underlain with pervious geotextile fabric.
- b. ~~A concrete driveway from the roadway meeting County standards.~~ A stabilized driveway with curb cut as approved by the County Engineer.
- c. Minimum 14 feet wide, six feet tall double access gate at the pond parcel boundary line.
- d. Dry ponds shall include a minimum 12 feet wide access road into the bottom of the retention/detention basin no steeper than 6:1. The access shall be unobstructed and constructed of graded aggregate a minimum of five inches thick, and underlain with pervious geotextile fabric.
- e. ~~Access width around the dry pond perimeter shall be a minimum of 5 feet wide with a cross slope no steeper than 6:1.~~ Dry pond access shall be provided six feet on either side of access gate, no steeper than 6:1.
- f. Wet ponds shall have a minimum ~~45-foot~~ 10 feet wide access route around the top bank perimeter on at least one side of the retention area with a cross

1 slope no steeper than 6:1. Access onto the perimeter route shall have a  
2 slope no steeper than 6:1.

3 g. Maintenance access to all outfall or inflow pipes, overflow berms, and control  
4 structures shall be required.  
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6 **Section 3. Severability.**

7 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
8 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way  
9 affect the validity of the remaining portions of this Ordinance.  
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11 **Section 4. Inclusion in the Code.** It is the intention of the Board of County  
12 Commissioners that the provisions of this Ordinance shall become and be made a part of  
13 the Escambia County Code of Ordinances; and that the sections of this Ordinance may  
14 be renumbered or re-lettered and the word "ordinance" may be changed to "section",  
15 "article", or such other appropriate word or phrase in order to accomplish such intentions.  
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26 **REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;**  
27 **SIGNATURE PAGE TO FOLLOW**  
28

1 **Section 5. Effective Date.**

2 This Ordinance shall become effective upon filing with the Department of State.  
3

4 **DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.  
5

6 **BOARD OF COUNTY COMMISSIONERS**  
7 **ESCAMBIA COUNTY, FLORIDA**  
8

9 **By:** \_\_\_\_\_  
10 **Michael S. Kohler, Chairman**  
11

12 **ATTEST: PAM CHILDERS**  
13 **Clerk of the Circuit Court**  
14

15 **By:** \_\_\_\_\_  
16 **Deputy Clerk**

17 **(SEAL)**  
18

19  
20 **ENACTED:**

21  
22 **FILED WITH THE DEPARTMENT OF STATE:**  
23

24 **EFFECTIVE DATE:**

Approved as to form and legal sufficiency.

By/Title: Christopher R. Shaffer, ACA

Date: 01-15-2025