

LEASE AGREEMENT

WHEREAS, Integrity Realty Holding, LLC, a Florida limited liability company (hereafter referred to as the "Landlord"), is the owner of the property located at 6115 Village Oaks Drive, Pensacola, Florida 32504 (hereafter referred to as the "Property"), AND

WHEREAS, Integrity Medical Care, LLC, a Florida limited liability company (hereafter referred to as the "Tenant") is a limited liability possessing a license to operate an abortion clinic at the Property, AND

WHEREAS, Tenant is interested in leasing the Property from Landlord under the terms and conditions herein, AND

WHEREAS, Landlord is willing to lease the Property to Tenant under the terms and conditions contained herein,

NOW, THEREFORE, this the Second (2nd) Day of January, 2018, it is hereby AGREED AS FOLLOWS:

1. Lease. Tenant hereby leases the Property from Landlord, and Landlord hereby leases to Tenant the Property under the terms and conditions outlined herein.
2. Rent. Tenant shall pay to Landlord, and Landlord shall accept from Tenant, rent in the amount of \$8,000.00 per month.
3. Commencement Date. This Lease Agreement shall commence on January 1, 2018.
4. Term. The term of the lease shall be for ten (10) years, and shall expire on December 31, 2027.
5. As-Is. Tenant has inspected the Property and agrees to accept the Property in "As-Is" condition.
6. Use: Tenant shall be permitted to use the property for any lawful purpose, including but not limited to, as an Abortion Clinic or medical practice which performs abortions.
7. Compliance with Law. Tenant hereby agrees to comply with all Florida statutes, regulations, ordinances, administrative orders and other legal requirements under Florida law. Any determination that Tenant has intentionally or willfully violated Florida law shall constitute grounds for termination of this Lease Agreement.

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8. Quiet Enjoyment. Provided that Tenant pays the rent and otherwise complies with the terms of this Lease, Landlord agrees that Tenant shall be entitled to peacefully and quietly enjoy and hold the Property, without disturbance from Landlord. Landlord makes no representation or promise to Tenant, however, as to whether or not other parties (unrelated to Landlord), such as anti-abortion protestors or demonstrators, might disturb or disrupt Tenant's peaceful enjoyment of the Property.
9. Repairs. Tenant agrees to accept the property in as-is condition and to make all necessary repairs, upkeep, and maintenance to the property to keep the property clean, neat, and in good working condition. Tenant agrees, at Tenant's sole expense, to keep the outside of the property and landscaping in good condition, and to make all necessary repairs to the heat, air conditioning, electrical system, plumbing, and all other systems of the property, as well as to repair all leaks and other problems with the roof. Tenant shall likewise be responsible for painting, decorating, and upkeep of the floors, walls, ceilings and other parts of the property. Tenant shall also be responsible for the proper removal and disposal of all regulated medical waste from within the facility, in accordance with all Florida statutes and regulations.
10. Insurance: Landlord agrees to keep in force and effect a general liability business insurance policy at Landlord's sole expense. ("Landlord's Insurance"). Landlord's Insurance will cover general business liability for accidents occurring on the property. Landlord's Insurance, however, will not cover Tenant's personal property.
11. Default. In the event that Tenant fails to timely pay the rent or otherwise comply with this Lease, then in that event, Landlord agrees to give to Tenant written Notice of Default to Tenant at the address of the Premises. Such Notice shall specify the amount of monies owed by Tenant and/or what actions Tenant needs to take to correct the Default.
12. Opportunity to Cure. Landlord agrees to give Tenant an Opportunity to Cure the Default consisting of: ten (10) business days to pay all rent and other monies due to Landlord, and thirty (30) days to cure non-financial defaults. If Tenant cures the Default within the time-frame of the Opportunity to Cure, then the Default will be considered Cured and Tenant will no longer be in Default.
13. Termination. In the event that Tenant fails to Cure the Default within the timeframe of the Opportunity to Cure, and if Tenant remains in Default passed the deadline to cure provided in the Notice of Default, then, in that event, Landlord may Terminate this Lease Agreement forthwith by giving to Tenant written Notice of Termination. In the event that this Lease is terminated by Landlord, then Tenant shall have no right to occupy or possess the property.
14. Eviction. In the event that Tenant is in Default and fails to cure the Default within the time-frame of the Opportunity to Cure, whether or not Landlord Terminates this Lease,

Tenant hereby agrees, that in that event, Landlord may bring an action of eviction against Tenant.

15. Entire Agreement. Both parties agree that this Lease Agreement constitutes the entire agreement between the parties.

The Foregoing constituting the terms and conditions of this Lease Agreement, and both parties understanding and accepting these terms and conditions contained herein, both parties, Landlord and Tenant, NOW BOTH CONSENT to these TERMS, and AGREE and EXECUTE this LEASE AGREEMENT.

THEREFORE, on this 2nd Day of January, 2018, this LEASE AGREEMENT is NOW HEREBY RATIFIED:

Integrity Realty Holding, LLC

By: TaCh

Integrity Medical Care, LLC

By: Nay Lubyan

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Documentation From Appropriate Local Government Office Showing
That Applicant Has Met Local Zoning Requirements

The attached documentation shows that Zoning District of the applicant's office, located at 6115 Village Oaks Drive, Pensacola, Florida, permits applicant's use as a health care facility. Attached are the following documents:

1. A Map of the Property showing that it is located in Zoning District designated as "HC/LI" which stands for "Heavy Commercial/Light Industrial" district. This map was pulled from the "Planning and Zoning" portion of "My Escambia – the Official Web Site of Escambia County, Florida". The web site can be found at: <https://myescambia.com/our-services/development-services/planning-zoning> We went onto the "official web site" of the county and searched under our property address to obtain the enclosed map showing our zoning district to be "Heavy Commercial and Light Industrial".

2. A copy of the relevant sections of the Escambia County Land Development Code. The entire code can be found online at the following web address: <https://myescambia.com/docs/default-source/sharepoint-developmental-services/land-development-code.pdf>

Enclosed with this Application we have included copies of Section 3-2.11 "**Heavy Commercial and Light Industrial District (HC/LI)**" and Section 3-2.10 "**Commercial District**". The subject property for this location is located within the "Heavy Commercial and Light Industrial District" of Escambia County. Section 3-2.11 of the code states, under subsection (b) "*Permitted Uses*" that for properties of greater than one acre (which this is) and which were zoned "*C-2, GBD, GID, ID-1, or ID-CP as of April 15, 2015*" (which this property was), the following are permitted uses (they are also permitted under the "Commercial District" zoning district which is also enclosed): ...

Under Section (3) "*Retail services*" subsection "e." that the following are permitted uses: "*Professional services, including those of ... physicians...*". Also, under Section (4), subsection "h." the following are permitted uses "**Hospitals**".

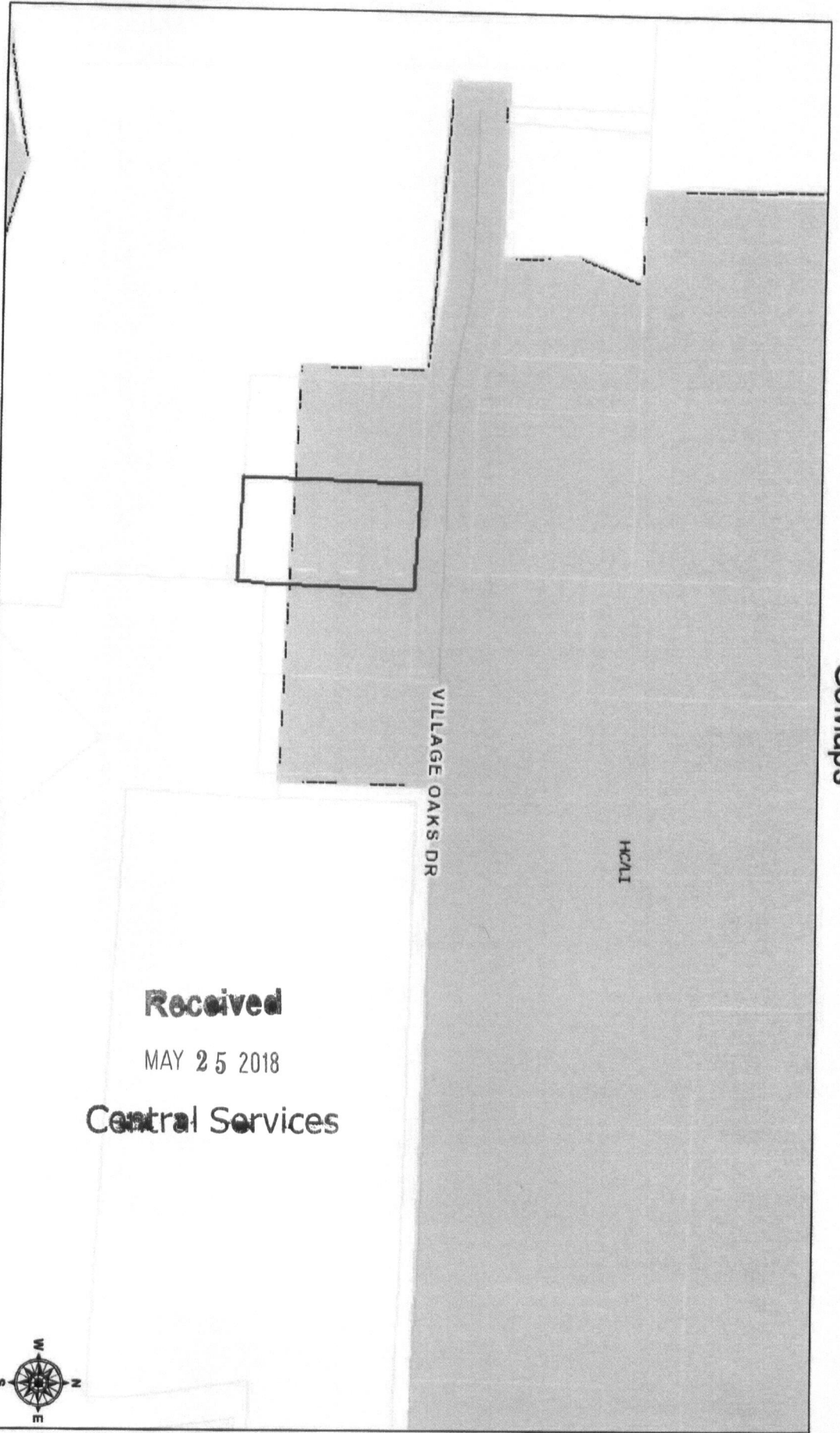
The attached documentation shows that not only the professional services of physicians are permitted in applicant's zoning district, but so are full-fledged hospitals.

Further evidence that this is a permitted use under the current zoning laws is the fact that we have been operating a licensed abortion clinic there for many years, and our use has been permitted by the local zoning board.

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- polygonLayer**
- PRINCIPAL ARTERIAL
 - MINOR ARTERIAL
 - COLLECTOR
 - LOCAL ROAD
 - Parcels
- Streets**
- RIVERS, CREEKS, AND STREAMS

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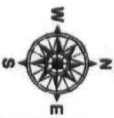
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0 0.0175 0.035 0.055 0.07 mi

0 0.0275 0.055 0.11 km

1:2,065

Sources: Esri, HERE, Garmin, USGS, Inpharm, INCREMENT P, NRCA, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community



commercial or industrial. Rezoning to Commercial is subject to the same location criteria as any new non-residential use proposed within the Commercial district.

(Ord. No. 2015-56, § 4, 12-10-2015; Ord. No. 2016-02, § 2, 1-7-2016; 2016-31 § 1, 8-4-2016; Ord. No. 2017-5, §2, 1-5-2017; Ord. No. 2018-16, §, 1, 4-5-2018)

Sec. 3-2.11 Heavy Commercial and Light Industrial district (HC/LI).

- (a) **Purpose.** The Heavy Commercial and Light Industrial (HC/LI) district establishes appropriate areas and land use regulations for a complementary mix of industrial uses with a broad range of commercial activities. The primary intent of the district is to allow light manufacturing, large-scale wholesale and retail uses, major services, and other more intense uses than allowed in the Commercial district. The variety and intensity of non-residential uses within the HC/LI district is limited by their compatibility with surrounding uses. All commercial and industrial operations are limited to the confines of buildings and not allowed to produce undesirable effects on other property. To retain adequate area for commercial and industrial activities, other uses within the district are limited.
- (b) **Permitted uses.** If a parcel is one acre or greater and is zoned HC/LI within the MU-S FLU category and was not previously zoned General Commerce District (C-2), Gateway Business District (GBD), Gateway Industrial District (GID), Industrial District (ID-1), or Industrial District Commerce Park (ID-CP) as of April 15, 2015, its permitted uses are limited to the permitted uses of the Commercial (COM) zoning district as prescribed in the preceding section of this article. Therefore, for any parcel zoned HC/LI which is greater than one acre and was zoned C-2, GBD, GID, ID-1, or ID-CP as of April 15, 2015 and for any parcel otherwise zoned HC/LI, the permitted uses are limited to the following:
- (1) **Residential.** Any residential uses if outside of the Industrial (I) future land use category and part of a predominantly commercial development, excluding new or expanded manufactured (mobile) home parks and subdivisions. See also conditional uses in this district.
 - (2) **Retail sales.** Retail sales, including Low-THC marijuana dispensing facilities, sales of alcoholic beverages, sales of automotive fuels, and sales of new and used automobiles, motorcycles, boats, and manufactured (mobile) homes.
 - (3) **Retail services.**
 - a. Car washes, automatic or manual, full service or self-serve.
 - b. Child care facilities.
 - c. Hotels, motels and all other public lodging, including boarding and rooming houses.
 - d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.
 - e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
 - f. Rental of automobiles, trucks, utility trailers and recreational vehicles.
 - g. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, and major motor vehicle and boat service and repair, but excluding outdoor work or storage.

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- h. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through service, and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales. The parcel boundary of any restaurant or brewpub with drive-in or drive-through service shall be at least 200 feet from any LDR or MDR zoning district unless separated by a 50-foot or wider street right-of-way.
- i. Taxi and limousine services.

See also conditional uses in this district.

(4) Public and civic.

- a. Broadcast stations with satellite dishes and antennas, including towers.
- b. Cemeteries, including family cemeteries.
- c. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- d. Educational facilities, including preschools, K-12, colleges, and vocational schools.
- e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- f. Funeral establishments.
- g. Homeless shelters.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Places of worship.
- k. Public utility structures, including telecommunications towers, but excluding industrial uses not otherwise permitted.

See also conditional uses in this district.

(Ord. No. 2015-24, § 1, 7-7-15)

(5) Recreation and entertainment.

- a. Commercial entertainment facilities, indoor or outdoor, including movie theatres, amusement parks, and stadiums, but excluding motorsports facilities. Carnival-type amusements shall be at least 500 feet from any residential district. Bars, nightclubs, and adult entertainment are prohibited in areas with the zoning designation HC/LI-NA or areas zoned ID-CP or ID-1 prior to adoption of HC/LI zoning.
- b. Commercial recreation facilities, passive or active, including those for walking, hiking, bicycling, camping, recreational vehicles, swimming, skateboarding, bowling, court games, field sports, and golf, but excluding off-highway vehicle uses and outdoor shooting ranges. Campgrounds and recreational vehicle parks require a minimum lot area of five acres.
- c. Marinas, private and commercial.
- d. Parks, with or without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

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(6) Industrial and related. Within MU-S, outside storage is permitted only when adequately screened per LDC regulations.

- a. Light industrial uses, including research and development, printing and binding, distribution and wholesale warehousing, and manufacturing, all completely within the confines of buildings and without adverse off-site impacts.
- b. Marinas, industrial, not allowed within MU-S.
- c. Microbreweries, microdistilleries, and microwineries, except in areas with the zoning designation HC/LI-NA or areas zoned ID-CP or ID-1 prior to adoption of HC/LI zoning, not allowed within MU-S.

See also conditional uses in this district.

(7) Agricultural and related.

- a. Food produced primarily for personal consumption by the producer, but no farm animals.
- b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.
- c. Veterinary clinics, excluding outside kennels.

See also conditional uses in this district.

(8) Other uses. Within MU-S, outside storage is permitted only when adequately screened per LDC regulations.

- a. Billboards structures, excluding areas zoned ID-CP, GBD, or GID prior to adoption of HC/LI zoning.
- b. Building or construction trades shops and warehouses, including on-site outside storage.
- c. Bus leasing and rental facilities, not allowed within MU-S.
- d. Deposit boxes for donation of used items when placed as an accessory structure on the site of a charitable organization.
- e. Outdoor adjacent display of plants by garden shops and nurseries.
- f. Outdoor sales.
- g. Outdoor storage of trailered boats and operable recreational vehicles, excluding repair, overhaul or salvage activities.
- h. Parking garages and lots, commercial, not allowed within MU-S.
- i. Sales and outdoor display of prefabricated storage sheds.
- j. Self-storage facilities, including vehicle rental as an accessory use.

(c) Conditional uses. Through the conditional use process prescribed in Chapter 2, the BOA, or the BCC as noted, may conditionally allow the following uses within the HC/LI district. However, if within the Mixed-Use Suburban (MU-S) future land use category and previously zoned Gateway Business District (GBD), then no conditional uses are available. If within the MU-S future land use category and not previously zoned GBD, the conditional uses are limited to those of the Commercial (Com) district as prescribed in the preceding section of this article:

- (1) **Residential.** Caretaker residences not among the permitted uses of the district and for permitted non-residential uses.
- (2) **Retail services.** Restaurants not among the permitted uses of the district.
- (3) **Public and civic.** Cinerators.
- (4) **Recreation and entertainment.**
 - a. Motorsports facilities on lots 20 acres or larger.
 - b. Off-highway vehicle commercial recreation facilities on lots 20 acres or larger.
 - c. Shooting ranges, outdoor.
- (5) **Industrial and related, not allowed within MU-S.**
 - a. Asphalt and concrete batch plants if within the Industrial (I) future land use category and within areas zoned GID prior to adoption of HC/LI zoning.
 - b. Borrow pits and reclamation activities 20 acres minimum and (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and land use regulations in Part III, the Land Development Code, chapter 4.) *Borrow pits are prohibited on land zoned GBD, GID, and WMU prior to the adoption of the HC/LI zoning.
 - c. Salvage yards not otherwise requiring approval as solid waste processing facilities.
 - d. Solid waste processing facilities, including solid waste collection points, solid waste transfer facilities, materials recovery facilities, recovered materials processing facilities, recycling facilities and operations, resource recovery facilities and operations, and volume reduction plants.

The conditional use determination for any of these solid waste facilities shall be made by the BCC in lieu of any hearing before the BOA. The applicant shall submit a site boundary survey, development plan, description of anticipated operations, and evidence that establishes each of the following conditions in addition to those prescribed in Chapter 2:

1. Trucks have access to and from the site from adequately wide collector or arterial streets and do not use local residential streets.
2. The scale, intensity, and operation of the use will not generate unreasonable noise, traffic, objectionable odors, dust, or other potential nuisances or hazards to contiguous properties.
3. The processing of materials will be completely within enclosed buildings unless otherwise approved by the BCC.
4. The plan includes appropriate practices to protect adjacent land and resources, minimize erosion, and treat stormwater; landscaping and buffering for adjacent uses; hours of operation; methods to comply with maximum permissible noise levels; means of access control to prevent illegal dumping; and plans for materials storage.

- (6) **Agricultural and related.** Kennels or animal shelters not interior to veterinary clinics.
- (7) **Other uses.**
- a. Structures of permitted uses exceeding the district structure height limit.
 - b. Heliports.
- (d) **Site and building requirements.** The following site and building requirements apply to uses within the HC/LI district:
- (1) **Density.** A maximum density of 25 dwelling units per acre. Lodging unit density is not limited by zoning.
 - (2) **Floor area ratio.** A maximum floor area ratio of 1.0 within the Mixed-Use Suburban (MU-S), Commercial (C) and Industrial (I) future land use categories, and 2.0 within Mixed-Use Urban (MU-U).
 - (3) **Structure height.** A maximum structure height of 150 feet above highest adjacent grade, except that for any parcel previously zoned GBD and within the MU-S future land use category the mean roof height (average of roof eave and peak heights) of a building shall not exceed 45 feet above average finished grade.
 - (4) **Lot area.** No minimum lot area unless prescribed by use.
 - (5) **Lot width.** No minimum lot width required by zoning.
 - (6) **Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent maximum semi-impervious and impervious cover) for all uses. A maximum 75 percent of lot area occupied by principal and accessory buildings on lots of non-residential uses.
 - (7) **Structure setbacks.** For all principal structures, minimum setbacks are:
 - a. **Front and rear.** Fifteen feet in both front and rear.
 - b. **Sides.** Ten feet on each side, including any group of attached townhouses. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional 10 feet in height.
 - c. **Corner lots.** Will have one front setback and one side setback.
 - (8) **Other requirements.**
 - a. **Access.** For any industrial use south of Well Line Road, site access shall be provided by curb cuts on an arterial or collector street. Alternatively, a private or public street may link the site to an arterial or collector, provided that the private or public street does not traverse a residential subdivision or predominantly residential neighborhood between the site and the arterial or collector street.
 - b. **Parcels within MU-S previously zoned GBD.** For any parcel previously zoned GBD and within the MU-S future land use category, additional requirements apply as mandated by the GBD performance standards and the site and building requirements in effect as of April 15, 2015, prior to the adoption of the current Land Development Code to ensure compatibility.

- c. **Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development regulations and standards.
- (e) **Location criteria.** All new non-residential uses proposed within the HC/LI district that are not part of a planned unit development or not identified as exempt by district regulations shall be on parcels that satisfy at least one of the following location criteria; except properties that were previously zoned GBD and were exempt from locational criteria:
- (1) **Proximity to intersection.** Along an arterial street and within one-quarter mile of its intersection with an arterial street.
 - (2) **Site design.** Along an arterial street, no more than one-half mile from its intersection with an arterial street, and all of the following site design conditions:
 - a. Not abutting a RR, LDR or MDR zoning district
 - b. Any intrusion into a recorded residential subdivision is limited to a corner lot
 - c. A system of service roads or shared access is provided to the maximum extent feasible given the lot area, lot shape, ownership patterns, and site and street characteristics.
 - d. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.
 - e. Location in an area where already established non-residential uses are otherwise consistent with the HC/LI, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.
 - (3) **Documented compatibility.** A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria, and the proposed use will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:
 - a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.
 - b. If the parcel is within a county redevelopment district, the use will be consistent with the district's adopted redevelopment plan, as reviewed and recommended by the Community Redevelopment Agency (CRA).
- (f) **Rezoning to HC/LI.**
- (1) **Generally.** Heavy Commercial and Light Industrial zoning may be established by rezoning only within the Mixed-Use Urban (MU-U), Commercial (C), or Industrial (I) future land use categories. The district is appropriate to provide transitions between areas zoned or used for commercial and areas zoned or used for industrial. The district is suitable for areas able to receive bulk deliveries by truck in locations served by major transportation networks and able to avoid undesirable effects on nearby property and residential uses. Rezoning to HC/LI

is subject to the same location criteria as any non-residential use proposed within the HC/LI district.

- (2) **HC/LI-NA designation.** Any applicant for rezoning to the HC/LI zoning district may request a HC/LI-NA designation prohibiting the subsequent establishment of any microbreweries, microdistilleries, microwineries, bars, nightclubs, or adult entertainment uses on the rezoned property. The request shall be in the form of a notarized affidavit that acknowledges this use restriction and affirms that it is a voluntary request. Once approved according to the rezoning process of Chapter 2, the HC/LI-NA zoning designation and its prohibitions shall apply to the property, regardless of ownership, unless the parcel is rezoned.

(Ord. No. 2015-56, § 5, 12-10-2015; Ord. No. 2016-2, § 3, 1-7-2016; Ord. No. 2017-5, § 2, 1-5-2017)

Sec. 3-2.12 Industrial district (Ind).

- (a) **Purpose.** The Industrial (Ind) district establishes appropriate areas and land use regulations for a broad range of industrial uses. The primary intent of the district is to accommodate general assembly, outdoor storage, warehousing and distribution, major repair and services, manufacturing, salvage and other such uses and activities that contribute to a diverse economic base but cannot satisfy the compatibility requirements and higher performance standards of other districts. The Industrial district is also intended to provide appropriate locations and standards that minimize dangers to populations and the environment from heavy industrial activities, and to preserve industrial lands for the continuation and expansion of industrial production. Non-industrial uses within the district are limited to ensure the preservation of adequate areas for industrial activities. New or expanded residential development is generally prohibited.

- (b) **Permitted uses.** Permitted uses within the Industrial district are limited to the following:

(1) **Residential.** No new residential uses, including accessory dwelling units, except caretaker residences for permitted non-residential uses. Caretaker and vested single-family dwellings include manufactured (mobile) homes.

(2) **Retail sales.** No retail sales except as permitted industrial and related uses.

(3) **Retail services.** No retail services except as permitted industrial and related uses.

(4) **Public and civic.**

a. Cinerators, including direct disposition.

b. Emergency service facilities, including law enforcement, firefighting, and medical assistance.

c. Public utility structures, including telecommunications towers.

(5) **Recreation and entertainment.** No recreation or entertainment uses.

(6) **Industrial and related.**

a. Bulk storage.

b. Industrial uses, light and heavy, including research and development, printing and binding, distribution and wholesale warehousing, processing of raw

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c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.

(5) Documented compatibility. A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria, and the proposed use will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:

- a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.
- b. If the parcel is within a county redevelopment district, the use will be consistent with the district's adopted redevelopment plan, as reviewed and recommended by the Community Redevelopment Agency (CRA).

(f) Rezoning to HDMU. High Density Mixed-use zoning may be established only within the Mixed-Use Suburban (MU-S), Mixed-Use Urban (MU-U), or Commercial (C) future land use categories. The district is suitable for areas where the intermixing of uses has been the custom, where future uses are uncertain, and some redevelopment is probable. The district is appropriate to provide transitions between areas zoned or used for medium or high density residential and areas zoned or used for commercial. Rezoning to HDMU is subject to the same location criteria as any new non-residential use proposed within the HDMU district.

(Ord. No. 2015-56, § 3, 12-10-2015; Ord. No. 2016-2 § 1, 1-7-2016; 2016-31 § 1, 8-4-2016; Ord. No. 2017-5, § 2, 1-5-2017)

Sec. 3-2.10 Commercial district (Com).

(a) Purpose. The Commercial (Com) district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations within the Commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. To retain adequate area for commercial activities, new and expanded residential development within the district is limited, consistent with the Commercial (C) future land use category.

(b) Permitted uses. Permitted uses within the Commercial district are limited to the following:

(1) Residential. The following residential uses are allowed throughout the district, but if within the Commercial (C) future land use category they are permitted only if part of a predominantly commercial development:

- a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.
- b. Manufactured (mobile) homes, including new or expanded manufactured home parks or subdivisions.

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c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.

d. Two-family and multi-family dwellings.

See also conditional uses in this district.

(2) **Retail sales.** Retail sales, including Low-THC marijuana dispensing facilities, sales of alcoholic beverages and automotive fuels, but excluding motor vehicle sales and permanent outdoor storage. See also conditional uses in this district.

(3) **Retail services.** The following retail services, excluding permanent outdoor storage:

a. Car washes, automatic or manual, full service or self-serve.

b. Child care facilities.

c. Hotels, motels and all other public lodging, including boarding and rooming houses.

d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.

e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.

f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair, and outdoor work.

g. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through service, and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales. The parcel boundary of any restaurant or brewpub with drive-in or drive-through service shall be at least 200 feet from any LDR or MDR zoning district unless separated by a 50-foot or wider street right-of-way.

See also conditional uses in this district.

(4) **Public and civic.**

a. Broadcast stations with satellite dishes and antennas, including towers.

b. Cemeteries, including family cemeteries.

c. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.

d. Educational facilities, including preschools, K-12, colleges, and vocational schools.

e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.

f. Foster care facilities.

g. Funeral establishments.

h. Hospitals.

i. Offices for government agencies or public utilities.

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- j. Places of worship.
- k. Public utility structures, including telecommunications towers, but excluding any industrial uses.
- l. Warehousing or maintenance facilities for government agencies or for public utilities.

See also conditional uses in this district.

(5) Recreation and entertainment.

- a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- b. Indoor recreation or entertainment facilities, including movie theaters, bowling alleys, skating rinks, arcade amusement centers, bingo facilities and shooting ranges, but excluding bars, nightclubs or adult entertainment facilities.
- c. Marinas, private and commercial.
- d. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) Industrial and related.

- a. Printing, binding, lithography and publishing.
- b. Wholesale warehousing with gross floor area 10,000 sq.ft. or less per lot.

See also conditional uses in this district.

(7) Agricultural and related.

- a. Agricultural food production primarily for personal consumption by the producer, but no farm animals.
- b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.
- c. Veterinary clinics.

See also conditional uses in this district.

(8) Other uses.

- a. Billboard structures.
- b. Outdoor storage if minor and customarily incidental to the allowed principal use, and if in the rear yard, covered, and screened from off-site view, unless otherwise noted.
- c. Parking garages and lots, commercial.
- d. Self-storage facilities, excluding vehicle rental.

(c) Conditional uses. Through the conditional use process prescribed in Chapter 2, the BOA may conditionally allow the following uses within the Commercial district:

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(1) Residential.

- a. Group living not among the permitted uses of the district.
- b. Home occupations with non-resident employees.

(2) Retail sales.

- a. Boat sales, new and used.
- b. Automobile sales, used autos only, excluding parcels fronting on any of the following streets: Sorrento Road/Gulf Beach Highway/Barrancas Avenue (SR 292); Blue Angel Parkway (SR 173); Pine Forest Road, south from Interstate 10 to State Road 173; Navy Boulevard (SR 295 and US 98); and Scenic Highway (SR 10A and US 90). Additionally, the parcel shall be no larger than one acre and provided with a permanent fence, wall, or other structural barrier of sufficient height and mass along all road frontage to prevent encroachment into the right-of way other than through approved site access.
- c. Automobile rental limited to the same restrictions as used automobile sales.
- d. Utility trailer, heavy truck (gross vehicle weight rating more than 8500 lbs), and recreational vehicle sales, rental, or service limited to the same restrictions as used automobile sales.

(3) Retail services.

- a. Restaurants not among the permitted uses of the district.
- b. Service and repair of motor vehicles, small scale (gross floor area 6000 sq. ft. or less per lot), excluding painting and body work and outdoor work and storage.

(4) Public and civic.

- a. Cemeteries, including family cemeteries.
- b. Clubs, civic and fraternal.
- c. Cinerators.
- d. Homeless shelters.

(5) Recreation and entertainment.

- a. Bars and nightclubs.
- b. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
- c. Parks with permanent restrooms or outdoor event lighting.

(6) Industrial and related.

- (a) Borrow pits and reclamation activities 20 acres minimum and (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and land use and regulations in Part III, the Land Development Code, chapter 4. *Borrow pits are prohibited on land zoned GMD prior to the adoption of the Commercial (Com) zoning.
- (b) Microbreweries, microdistilleries, microwineries.

- (7) **Agricultural and related.** Horses or other domesticated *equines* kept on site, and stables for such animals, only as a private residential accessory with a minimum lot area of two acres and a maximum of one animal per acre.
- (8) **Other uses.**
- a. Outdoor sales not among the permitted uses of the district.
 - b. Outdoor storage not among the permitted uses of the district, including outdoor storage of trailered boats and operable recreational vehicles, but no repair, overhaul, or salvage activities. All such storage shall be screened from residential uses and maintained to avoid nuisance conditions.
 - c. Self-storage facilities, including vehicle rental as an accessory use.
 - d. Structures of permitted uses exceeding the district structure height limit.
- (d) **Site and building requirements.** The following site and building requirements apply to uses within the Commercial district:
- (1) **Density.** A maximum density of 25 dwelling units per acre throughout the district. Lodging unit density not limited by zoning.
 - (2) **Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial (C) future land use category and 2.0 within Mixed-Use Urban (MU-U).
 - (3) **Structure height.** A maximum structure height of 150 feet above adjacent grade.
 - (4) **Lot area.** No minimum lot area unless prescribed by use.
 - (5) **Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of 20 feet at the street right-of-way, the following minimum lot widths are required:
 - a. **Single-family detached.** Forty feet at the street right-of-way for single-family detached dwellings.
 - b. **Two-family.** Eighty feet at the street right-of-way for two-family dwellings.
 - c. **Multi-family and other.** Eighty feet at the street right-of-way for multi-family dwellings, boarding or rooming houses, or townhouse groups. No minimum lot width required by zoning for other uses.
 - (6) **Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent maximum semi-impervious and impervious cover) for all uses.
 - (7) **Structure setback.** For all principal structures, minimum setbacks are:
 - a. **Front and rear.** Fifteen feet in both front and rear.
 - b. **Sides.** Ten feet on each side, including any group of attached townhouses. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional 10 feet in height.
 - c. **Corner lots.** Will have one front setback and one side setback.
 - (8) **Other requirements.** Refer to chapters 4 and 5 for additional development regulations and standards.

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- (e) **Location criteria.** All new non-residential uses proposed within the Commercial district that are not part of a planned unit development or not identified as exempt by the district shall be on parcels that satisfy at least one of the following location criteria:
- (1) **Proximity to intersection.** Along an arterial or collector street and within one-quarter mile of its intersection with an arterial street.
 - (2) **Proximity to traffic generator.** Along an arterial or collector street and within a one-quarter mile radius of an individual traffic generator of more than 600 daily trips, such as an apartment complex, military base, college campus, hospital, shopping mall or similar generator.
 - (3) **Infill development.** Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the Commercial district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.
 - (4) **Site design.** Along an arterial or collector street, no more than one-half mile from its intersection with an arterial or collector street, not abutting a single-family residential zoning district (RR, LDR or MDR), and all of the following site design conditions:
 - a. Any intrusion into a recorded subdivision is limited to a corner lot.
 - b. A system of service roads or shared access is provided to the maximum extent made feasible by lot area, shape, ownership patterns, and site and street characteristics.
 - c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.
 - (5) **Documented compatibility.** A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the potential uses of parcel that were not anticipated by the alternative criteria, and the proposed use, or rezoning as applicable, will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:
 - a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.
 - b. If the parcel is within a county redevelopment district, the use will be consistent with the district's adopted redevelopment plan, as reviewed and recommended by the Community Redevelopment Agency (CRA).
 - (f) **Rezoning to Commercial.** Commercial zoning may be established only within the Mixed-Use Suburban (MU-S), Mixed-Use Urban (MU-U) or Commercial (C) future land use categories. The district is appropriate to provide transitions between areas zoned or used as high density mixed-use and areas zoned or used as heavy

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CENTRAL INTAKE

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L09000114444
FILED 8:00 AM
December 01, 2009
Sec. Of State
dbruce

Article I

The name of the Limited Liability Company is:
INTEGRITY MEDICAL CARE, LLC

Article II

The street address of the principal office of the Limited Liability Company is:
6770 N 9TH AVE.
PENNSACOLA, FL. 32504

The mailing address of the Limited Liability Company is:
6770 N 9TH AVE.
PENNSACOLA, FL. 32504

Article III

The purpose for which this Limited Liability Company is organized is:
ANY AND ALL LAWFUL BUSINESS. BOTH HEALTHCARE AND GENERAL
BUSINESS ACTIVITIES.

Article IV

The name and Florida street address of the registered agent is:
CORPORATION SERVICE COMPANY
1201 HAYS ST.
TALLAHASSEE, FL. 32301

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: ADAM COOPER

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MAY 25 2018

CENTRAL INTAKE

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MAY 25 2018

Central Services

Article V

The name and address of managing members/managers are:

Title: MGRM
CHESAPEAKE FREESTATE HOLDINGS, INC.
120 FAIRVIEW AVE.
VOORHEES, NJ. 08043

Title: MGRM
ALPHA REALESTATE, LLC
120 FAIRVIEW AVE.
VOORHEES, NJ. 08043

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FILED 8:00 AM
December 01, 2009
Sec. Of State
dbruce

Article VI

The effective date for this Limited Liability Company shall be:

12/01/2009

Signature of member or an authorized representative of a member

Signature: NANCY LUKE

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Central Services

Integrity Medical Care, LLC
6115 Village Oaks Drive
Pensacola, FL 32504

May 14, 2018

To Whom It May Concern
The Agency for Health Care Administration
Hospital and Outpatient Services Unit
2727 Mahan Drive, Mail Stop 31
Tallahassee, FL 32308

Re: License Application

Dear Sir/Madam:

Enclosed with this letter please find our Health Care Licensing Application, Health Care Licensing Application Addendum, along a copy of our Lease and documentation that our use is permitted in our zoning district, together with Articles of Organization and our checks for licensing fees. We hope that this is a complete application with all supporting forms.

Our facility just underwent a licensing inspection only a few weeks ago, on April 11, 2018, and my understanding is that we passed without any deficiencies. Given that our facility was just inspected a few weeks ago, and given that we passed the inspection without any problems, and given that there have been no changes, therefore, we respectfully request that the Agency for Health Care Administration please honor the inspection that you just did and please kindly apply it to this application. This would avoid the need for the Agency to perform a duplicate inspection and it would speed our approval process. Thank you very much for your kind consideration of this request.

I would also like to thank you for your time and attention to our application.

Sincerely yours,

Nancy Luke

Nancy Luke
C.F.O.
Integrity Medical Care, L.L.C.
1-856-616-2393

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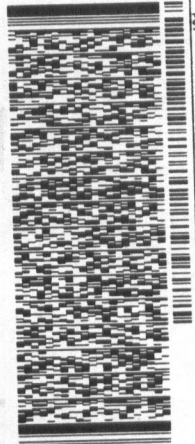
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INTEGRITY MEDICAL CARE
22 ALPHA AVE
WOODRUFF, NJ 08043
UNITED STATES US
SHIP DATE: 24MAY18
ACTIVITY: 008959173/SRFE1904
BILL CREDIT CARD

TO WHOM IT MAY CONCERN
THE AGENCY FOR HEALTH CARE ADMIN
2727 MAHAN DRIVE
MAIL STOP 31
TALLAHASSEE FL 32308
REF: (860) 412-4549



TRK# 7811 2229 0791
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FRI - 25 MAY 10:30A
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