

**CITY OF PANAMA CITY BEACH
PLANNING BOARD**

MEETING DATE: November 14, 2018
MEETING TIME: 1:00 P. M.
PLACE: City of Panama City Beach City Hall Annex

AGENDA

- ITEM NO. 1** **Call to Order and Roll Call**
- ITEM NO. 2** **Invocation – Pastor Jason Williams – Woodstock Church**
- ITEM NO. 3** **Pledge of Allegiance – Chairman Sheldon**

- ITEM NO. 4** **Approval of October 8, 2018 Planning Board Meeting Minutes**

- ITEM NO. 5** **Planning Board Orientation**

- ITEM NO. 6** **Amending the Coastal Management Element of the Comprehensive Plan to Address Sea Level Rise**

- ITEM NO. 7** **Approval of Capital Improvement Schedule**

- ITEM NO. 8** **Ordinance 1476 - Changing Variance Process**

- ITEM NO. 9** **Ordinance 1477 – Amending LDC Related to Underground Utilities in Scenic Corridors**

- ITEM NO. 10** **Ordinance 1478 – Amending Code of Ordinances Chapter 19 Related to Prohibiting Utilities on South Side of Scenic Corridors**

- ITEM NO. 11** **Ordinance 1479 – Amending LDC for the Requirements for Traditional Neighborhood Overlay Districts**

- ITEM NO. 12** **Code Enforcement Update**

All interested persons are invited to attend and to present information for the Board's consideration. Further information may be obtained from the Building & Planning Department at 233-5054, extension 2313. Anyone not appearing in person may submit written comments to the Building & Planning Department at 116 S. Arnold Road, Panama City Beach, Florida 32413, any time prior to the stated meeting time. All comments received will be considered before final

action is taken. If a person decides to appeal a decision of the Planning Board, a record of the proceedings will be needed. Such person will need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Jo Smith, City Clerk at City Hall, 110 S. Arnold Road, Panama City Beach, Florida 32413 or by phone at (850) 233-5100. If you are hearing impaired and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8771 (TDD).

Notice is hereby provided that one or more members of the City Council or other City boards may attend and speak at the meeting.

AGENDA ITEM 5

Chapter 8. Decision-Making and Administrative Bodies

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8.01.00 GENERALLY

The City Council has established the decision-making and administrative bodies identified in this chapter for the purpose of implementing the provisions of the *LDC*.

8.02.00 ALL BOARDS

8.02.01 Attendance

Each Board member shall attend all meetings. The Board shall consider asking for the resignation of any member who has been absent for three (3) regular meetings during the period of twelve (12) consecutive months.

8.02.02 By-laws

- A. Each Board may enact by-laws not inconsistent with this *LDC* to govern its operation and procedure, including, but not limited to:
1. The designation of officers other than the chairman. Each board shall elect a vice chairman for a term corresponding with the chairman's term, who shall serve in the absence of the chairman as the chairman;
 2. The duties of officers;
 3. Voting procedures;
 4. Scheduling or calling and notice of regular and special meetings;
 5. Order of business; and
 6. Preparation of minutes.
(Ord. #1254, 11/14/13)
- B. In the event of any conflict between the provisions of the *LDC* and the by-laws, the provisions of the *LDC* shall control.

8.02.03 Parliamentary Authority

All meetings may, but shall not be required to be conducted in accordance with parliamentary procedure as set forth and explained in the latest revised edition of Robert's Rules of Order which shall serve as the guidelines for fair and efficient procedure. The secretary of each board shall be a full time employee of the City designated by the *City Manager* and who shall keep minutes, notices, correspondence and records of the board.

8.02.04 Qualifications, Removal and Vacancy

- A. Each Board member shall be a resident and a qualified elector of the City. Current members who reside outside the City limits may remain on the Board until they resign or are replaced.
- B. Each Board member, except Planning Board members, serves at the pleasure of the City Council and may be removed at any time without cause.
- C. Cause: Any one or more of the following shall constitute sufficient cause for dismissal of any member of the Planning Board and shall be determined by majority vote of the City Council, after notice and opportunity for hearing given to that member:
 - 1. Violation of state or federal law, excluding civil infractions;
 - 2. Willful failure to perform the member's duties or responsibilities;
 - 3. Failure to attend three Planning Board meetings per calendar year which are not excused by the Planning Board. The Chairman of the Planning Board shall report to the City Council the third unexcused absence in any calendar year and the Chairman's recommendation either that the member be removed for cause or that the Chairman makes no recommendation;
 - 4. Violation of the Florida Code of Ethics for Public Officers (FS Chapter 112) applicable to a Planning Board member, which Code is incorporated herein by reference;
 - 5. Giving any private party any unwarranted benefit, advantage or preference in the discharge of the member's official duties through partiality, evident bad faith or gross negligence;
 - 6. Publicly misrepresenting the position of the Planning Board or the City or representing personal positions as positions of the Planning Board or the City;
or
 - 7. Engaging in conduct unbecoming a public official that damages the reputation or credibility of the Planning Board or the City, or failure to conduct himself or herself in a civil manner with respect to any matter within the purview of the Planning Board.

{Ord. # 1249, 12-13-12}

B. Decision-Making and Administrative Bodies

- D. When any vacancy occurs, the City Council shall appoint a new member to serve the unexpired term of the member whose death, resignation, incapacity or removal creates the vacancy.

8.02.05 Quorum

For the purpose of transacting business at any meeting, a majority of the Board members shall constitute a quorum. Any action of the Board shall require the majority of the quorum.

8.03.00 PLANNING BOARD

8.03.01 Authority

The Planning Board, which was originally established pursuant to Ordinance No. 200A, adopted on July 28, 1977, as amended, is hereby confirmed and continued.

8.03.02 Membership and Terms

- A. The Planning Board shall consist of seven (7) members who shall be appointed by the City Council and who shall be entitled to receive such compensation as the City Council may determine.
- B. The members shall serve staggered terms of four (4) years each, with three (3) or four (4) new members appointed every two (2) years, alternatively.
- C. The chairman of the Planning Board shall be appointed by the City Council annually.
- D. When any vacancy occurs on the planning board, the City Council shall appoint a new member to serve the unexpired term of the member whose death, resignation or incapacity creates the vacancy.
- E. Any member of the Planning Board may be removed by the City Council for good cause shown, but only upon request to the council of a majority of the members of the board. Any such request shall be made by an official letter from the planning board to the City Council, stating the facts of the case and requesting removal of the member for cause. Removal shall create a vacancy which shall be filled as provided in subsection D.
- F. In addition to the foregoing members, the *City Manager* shall serve as an ex officio member of the Planning Board. He shall not be entitled to vote and shall not be included in the determination of a quorum.
- G. In addition to the foregoing members, a representative of the Bay County School Board, a representative of Naval Support Activity Panama City and a representative of the Airport Authority for the Northwest Florida Beaches International Airport shall serve as an ex officio member of the Planning Board. He/she shall not be entitled to vote and shall not be included in the determination of a quorum.

H. All members of the Planning Board shall be residents and qualified electors of the *City*.

(Code 17-19) (Ord. #1254, 11/14/13)

8.03.03 Roles and Responsibilities

The Planning Board shall have the following roles and responsibilities:

- A. To hear, consider and make recommendations to the City Council regarding proposals for amendments to the Comprehensive Plan.
- B. To hear, consider and make recommendations to the City Council regarding proposals for amendments to the *LDC*.
- C. To hear, consider and make recommendations to the City Council regarding proposals for amendments to the *Official Zoning Map*.
- D. To hear, consider and approve or deny applications for conditional *Uses*.
- E. To conduct public hearings and render decisions in compliance with the requirements of the *LDC*.
- F. To hear, consider and approve or deny applications for Master Plans of Planned Unit *Developments* and Traditional Neighborhood *Developments* or modifications thereof.
- G. To hear, consider and recommend action on applications for annexation (or de-annexation) into (or out of) the City of Panama City Beach.
- H. To review Large-Site Developments and certain variances from the FBO regulations as specified in Chapter 7.
- I. To sit as the Tree Board for the City of Panama City Beach. The Tree Board shall have the following responsibilities:
 1. To study, investigate, counsel and develop and update annually and administer a plan for the care, preservation, pruning, planting, re-planting, removal or disposition of trees and *Shrubs* in parks, *City* right-of-ways and in all other public areas. Such plan will be presented annually to the City Council and, upon approval and funding, shall constitute the official Comprehensive Tree Plan for the City of Panama City Beach, Florida.
 2. To review the *City's* ordinances related to landscaping and tree protection and recommend to the City Council all necessary amendments. Such review shall occur by December of Each year.
- J. To procure and suggest plans for the arrangement of the *City* with a view to its general improvements and probable future growth and demands. These plans are to take into consideration:
 1. The extension of the *City* works into adjacent territory;
 2. The improvements and changes in public utilities and lines of transportation by surface and water;

8. Decision-Making and Administrative Bodies

3. The location, widths and grades of *Streets* necessary for the best treatment of the *City*;
 4. The *Development* and improvement of waterfronts with seawalls and wharves;
 5. The location and design of public *Buildings*; municipal decoration and ornamentation;
 6. *Residential*, commercial and industrial *Land Use* and extensions thereof; and
 7. The existing park, *Recreation* and boulevard systems and any such extensions thereof as may be deemed advisable.
- K. (Code 17-18)To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination or interpretation made by the *City Manager*, or his designee or the City Engineer, which is related to the *LDC*, excepting building codes and other matters within the jurisdiction of the Examining Board; and
(Ord No1241 9-13-12)
- L. To authorize a *Variance* from a provision of the *LDC*.
(Ord No1241 9-13-12)

SUNSHINE LAW PRIMER

The public's right of access to information about its government is a fundamental constitutional right in Florida. Florida is one of only a handful of states to provide a constitutional right of access to governmental meetings and records. In addition, Florida's open government laws are some of the strongest in the nation, and aside from specific and narrow exceptions, governmental bodies must keep their affairs open to the public.

Florida began its tradition of openness in 1909 when the Legislature passed the first Public Records Law, Chapter 119 of the Florida Statutes. The Public Records Law provides that citizens shall have virtually unlimited access to records made or received by any public agency in the course of its official business, unless specifically exempted by the Legislature. Chapter 119 mandates that custodians of these records shall permit them to be inspected and examined by any person desiring to do so, at any reasonable time. Over the years, the definition of a public record has expanded, so that not just traditional written documents are covered, but also included are tapes, photographs, film, sound recordings and computer records.

Florida enacted the Sunshine Law, Chapter 286 of the Florida Statutes, over forty years ago. It established a basic right of access to most meetings of boards, commissions and other governing bodies of state and local governmental agencies.

What is the Sunshine Law?

The Sunshine Law, Chapter 286 of the Florida Statutes, requires that government decision-making take place in public. The Sunshine Law prohibits elected officials from meeting behind closed doors, or "in the dark" or "in the shade" to decide matters that affect the citizens they represent in the absence of a specific exemption approved by the Legislature. The basic requirements of the law are that meetings of any public decision-making body must be open to the public, reasonable notice of such meetings must be given and minutes of the meeting must be taken.

PART ONE—OPEN MEETINGS

Who does the Sunshine Law apply to?

The Sunshine Law applies not only to the obvious meetings of elected bodies, but also to appointed and advisory boards. Florida courts have stated that the entire decision-making process is subject to the Sunshine Law, and not just at official meetings to vote on final decisions or actions. The statute extends to discussions and deliberations as well as to formal action taken by a public body. The Sunshine Law does not ordinarily apply to administrative proceedings or meetings of government staff when the function of staff members is to inform and advise the decision-making body.

Does the Sunshine Law apply to me all the time?

Sortof. The law applies to any gathering where two or more members of a public board or commission discuss some matter on which foreseeable action will be taken by the board or commission. Public agencies may not circumvent the Sunshine Law by using an alter ego to conduct public business in secret. Anyone who carries messages about public business from one public official to another in an attempt to resolve an issue outside of the Sunshine violates the law. In addition, boards subject to the Sunshine Law must provide reasonable notice of all meetings.

What is an open meeting?

The Sunshine Law requires that government boards and commissions meet in public when discussing public business. The law permits citizens to observe the decision-making process from initial deliberations to the final vote. The law also requires governmental bodies to provide reasonable prior notice of their meetings and to keep minutes of the proceedings.

Are closed meetings allowed?

Under certain limited circumstances. The law allows public bodies to meet with their attorneys to discuss pending litigation. The law provided specific conditions for these meetings. For example, the discussion must be confined to settlement negotiations or strategy sessions related to litigation expenditures, the session must be recorded by a certified court reporter and the transcript must be part of the public records when the litigation is concluded.

What activities are covered by the Sunshine Law?

The Sunshine Law covers “meetings” of public boards and commissions. That includes deliberations, discussions and workshops, as well as formal actions. Florida courts have rules that whenever two or more members of a governmental body discuss matters on which foreseeable action could be taken

by the body, that “meeting” is subject to the Sunshine Law. This would apply even if two members of a commission were having a casual dinner, and public business came up in the course of conversation. There is no requirement that a quorum or majority be present for a discussion to be subject to the Sunshine Law.

What are some examples of activities covered by the Sunshine Law?

- telephone conference calls
- deliberations of a the City planning board
- public board or commission meetings discussing personnel matters
- meetings to discuss confidential material
- workshops or conferences
- lunch meetings prior to formal meetings
- meetings at which personnel matters are discussed
- purchasing or bid evaluation committees
- negotiations by a public board or commission for the sale or purchase of property.

Are there any exemptions?

Yes—over 200 of them, and more are enacted every year. However, they are often very narrowly defined, and will not apply to much of the business you conduct. The most commonly used example includes meetings between a board and its attorney when discussing pending litigation involving the Board.

How does the City provide access to meetings?

The public must be notified about public meetings. Notice should include the meeting’s time, place and the agenda, if available. The notice should be prominently displayed in the agency’s offices or meeting area. The type of notice depends upon the facts of the situation and the board involved. The goal of the public official should always be to provide adequate notice to enable any interested citizen to find out about the meeting. In some instances, posting of the notice in a public area may suffice. In others, publication in a local newspaper may be necessary.

What about emergency meetings?

Emergency meetings should be announced through the most appropriate and effective channels available under the circumstances. The public should have at least 24 hours notice of emergency meetings. The Sunshine Law does not specify where a public meeting may be held, but it does prohibit facilities that discriminate on the basis of sex, age, race, creed, color, origin or economic status, or which unreasonably restrict public access. Private buildings, even if

open to the public, should be used only as a last resort. The goal, as always, should be to allow maximum public attendance at the meeting.

Can the Commission establish rules to control big crowds?

While bodies may institute reasonable rules to ensure orderly conduct at meetings, they should take reasonable steps to ensure that the facility will accommodate the anticipated turnout. Attendance at a meeting cannot be restricted, and the public body cannot prohibit tape recorders or cameras unless they are disruptive.

Are my votes “open” too?

Yes. Voting must be in the open and all members are required to cast votes unless they abstain because of a stated conflict of interest. The Sunshine Law does not allow the use of “secret ballots.”

PART TWO—OPEN RECORDS

What is a public record?

The Florida Public Records Law, Chapter 119, Florida Statutes, gives the public access to public records, defined as “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics, or means of transmission,” made or received in connection with government agency business. The Florida Supreme Court has interpreted this definition to encompass all material prepared to “perpetuate, communicate or formalize knowledge.”

So what?

All records, regardless of whether they are in draft or final form, for review or comment or action, are open for public inspection unless the Legislature has exempted them from disclosure.

What about e-mail and text messages?

That too. In 1995, Florida amended its definition of a public record to specifically include computer records. As such, electronic or digital documents are governed by the same rules as paper documents.

All of my e-mails and texts?

No. Your personal correspondence remains private, but must not be used to evade the public records law. E-mail or text messages made or received in connection with official business are public records.

What are some other examples of records subject to the Public Records law?

- most portions of arrest and crime reports
- email messages made or received by agency employees in connection with official business
- most personnel records of governmental employees, including applications for state or local employment
- agency documents circulated for review, comment or information
- private company records connected with governmental services where private business acts on behalf of government
- salaries and expense reports of most government employees
- written communications between a government agency and its attorney, except information prepared for a pending suit
- court orders or judgments dealing with public hazard
- tape recordings of incoming calls to a public agency
- budgets
- Facebook, LinkedIn, Twitter posts

What is exempt from the Public Records Law?

The Florida Supreme Court has rules that government agencies must provide access to public records unless the Legislature has specifically exempted them from disclosure. And agency claiming an exemption from disclosure bears the burden of proving a record is exempt by law. Before denying access, a public records custodian must specifically state—in writing if requested—which part of the law exempts a record. There are more than 850 separate records exempted from the Public Records Law.

- social security numbers contained in official public records
- investigative and criminal intelligence records of law enforcement agencies that are related to active investigations
- home addresses and phone numbers of law enforcement officers, firefighters, code enforcement officers, human resource officers
- negotiation records of purchases of real property by state and local agencies such as appraisals, offers and counteroffers, until a deal is final or will be considered within 30 days
- most tax information filed with the Department of Revenue

MORE QUESTIONS?

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FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY _____ COUNTY _____	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED	NAME OF POLITICAL SUBDIVISION:
	MY POSITION IS <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, _____, hereby disclose that on _____, 20 ____ :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

RESOLUTION 17-99

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA; ESTABLISHING RULES OF PROCEDURE TO PROVIDE FOR THE ORDERLY CONDUCT OF CITY MEETINGS; REPEALING ALL POLICIES OR RESOLUTIONS IN CONFLICT HERewith, AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the City Council of the City of Panama City Beach, from and after the effective date of this Resolution, that the Rules of Procedure attached and incorporated herein as Exhibit A to this Resolution, is hereby adopted.

AND BE IT FURTHER RESOLVED that all policies or resolutions or parts of policies or resolutions in conflict herewith are repealed to the extent of such conflict.

THIS RESOLUTION shall take effect on 6-8-17

PASSED, APPROVED, AND ADOPTED in regular session this 8th day of June, 2017.

CITY OF PANAMA CITY BEACH


MIKE THOMAS MAYOR

ATTEST:


DIANE FLOYD, CITY CLERK

RULES OF PROCEDURE

It is the intent of the Panama City Beach City Council to provide for the smooth and orderly functioning of the business of the Council, boards and committees. As the City's procedure calls for the Chairperson to set the Rules of Procedure, the following procedures are established for all Regular, Special, Emergency and Workshop Meetings of the City Council and for all public meetings of all boards and committees established or appointed by the Council. These rules may be modified as circumstances dictate.

Workshop Meetings

The purpose of a workshop meeting is to allow staff to make presentations and to allow questions by the Council, board, or committee members. Workshop meetings are noticed as Special Meetings and official action may be taken upon any of the items discussed at the workshop meeting and any of the items of official business that require immediate consideration and decision.

Chairperson Presiding Officer, Duties

The Chairperson of the Council, board or committee shall preside at all meetings at which the Chairperson is present. In the absence of the Chairperson, the Vice Chairperson shall preside. The presiding officer shall preserve strict order and decorum at all meetings. Any member with the floor may make a motion, which shall be restated by the Chairperson prior to the vote. Following debate and vote, the Chairperson will announce the decision. A majority vote of the members present shall govern and conclusively determine all questions of order not otherwise covered. The Chairperson may vote on all questions, the Chairperson's name being called last when the roll is called. In the absence of the Chairperson or in the event of the Chairperson's inability to serve, the Vice Chairperson shall perform the duties and functions of the Chairperson until the Chairperson's resumption of duty.

Issues of law or matters of procedure.

The City Attorney shall advise and assist the Chairperson on issues of law and matters of procedure.

Agenda

There shall be an official agenda for every public meeting, which shall determine the order of business conducted at the meeting.

A portion of the agenda may be designated as a consent agenda, and all items contained therein may be voted on with one motion; except that any member may remove an item from the consent agenda to the regular agenda where it shall be voted on independently.

Any departure from the order of business set forth in the official agenda shall be made only upon majority vote of the members of the Council, board or committee present at the meeting.

The agenda shall be prepared by the City Manager, or his designee.

There shall be provided on the agenda an opportunity for the public to address the Council, board or committee on any item on the agenda in addition to public hearings.

Public Input: Addressing Council, Board, or Committee, Manner, Time

Members of the public shall be given a reasonable opportunity to be heard on a proposition that is on the agenda before the Council, board or committee. The opportunity to be heard need not occur at the same meeting at which official action is taken on the proposition if the opportunity occurs at a meeting that is during the decision making process and is within reasonable proximity in time before the meeting at which the official action is taken.

A person wishing to speak shall approach the podium when the Chairperson calls for public comment.

The person speaking shall first state their name and address.

All remarks shall be limited to no more than three minutes, unless the Chairperson extends the time.

Remarks shall be addressed to the Council, board or committee, as a body and not to any specific member.

Representatives of groups or factions on a proposition being considered are encouraged to address the Council, board or committee, on behalf of such groups or factions, at meetings in which a large number of individuals wish to be heard.

Any person shall be entitled to submit written comments for consideration by the Council, board or committee on any item on the agenda and may indicate his or her support, opposition, or neutrality on a proposition, and may indicate his or her designation of a representative to speak for him or her or his or her group on a proposition. Written comments submitted shall be considered and entered into the record of the meeting.

The above requirements governing public input are not required for the following actions:

(a) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or Council to act;

(b) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;

(c) A meeting that is exempt from s. 286.011, Florida Statutes;

(d) A meeting during which the board or Council is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

No person, other than members of the Council, board or committee and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, board or committee, without the permission of the presiding officer. No question shall be asked a member of the Council, board or committee except through the presiding officer.

No person who has made remarks shall be allowed to make additional comments except with the permission of the presiding officer. The Chairperson shall close the public's input portion of the meeting upon the conclusion of the last speaker's comments. No additional public's input shall be allowed, except in specific response to questions by members of the Council, board or committee, or if an extension of time for public comment is approved.

Any person who after warning disrupts or interrupts a public meeting by the use of profane language, threat of physical violence or intimidation, or makes ~~slandering, personal, or~~ impertinent remarks, or exhibits loud, boisterous, hostile, or threatening behavior, may be removed from the meeting room by a City police officer at the direction of the Chairperson.

Any person who disrupts or interrupts a public meeting on more than one occasion may be required by majority vote of the members present to thereafter submit their input, remarks, or comments in writing.

Cell Phones, Cameras, Video, Recording Devices.

Cell phones shall be in silent mode in the chambers of any public meeting. The use of cameras, video equipment, digital recording equipment, including television and motion-picture cameras, electronic sound-recording devices, and any other mechanical or electrical recording device, shall only be used in such a manner as will cause a minimum of interference with or disturbance of the proceedings as determined by the presiding

officer. The City Manager may restrict the location of the use of such devices to a particular area in the chambers of any public meeting room.

Voting

Voting. Unless otherwise provided by law, ordinance or statute, when the Council, board or committee has finished discussion and is ready to vote, the Chairperson shall call for the vote, and there shall be no further discussion by any member voting. Each member shall vote yes or no, and silence shall be considered a "yes" vote. When a matter is brought up for a vote on a motion to approve it and the motion fails, the status quo ante shall be maintained, and the matter shall be considered denied. Such a vote shall not preclude a subsequent motion at the same meeting to approve the motion with modifications.

Roll call. Upon any roll call, there shall be no discussion by any member prior to voting, and each member shall vote yes or no.

Rules of Debate

As to the Chairperson. The Chairperson may make or second any motion after relinquishing the Chair. The Chairperson shall not resume the Chair until after the Council has acted upon the matter under consideration.

Getting the floor, improper references to be avoided. Every member desiring to speak for any purpose shall address the Chairperson and, upon recognition, shall confine discussion to the question under debate.

Interruption. A member once recognized shall not be interrupted when speaking unless it is to call that member to order. If a member while speaking is called to order, the member shall cease speaking until the question of order is determined by the Chairperson; and, if in order, the member shall be permitted to proceed. Any member may appeal to the full Council, board or committee from the decision of the Chairperson upon a question of order, whereupon without debate the Chairperson shall submit to the Council the question, "Shall the decision of the Chairperson be sustained?" And the matter shall be resolved by a majority vote of those present at the meeting.

Privilege of closing debate. Any member may move to close debate and call the question on the motion being considered which shall be non-debatable. By request of a member, the members shall be polled to decide whether debate may be reopened.

Committees

Whenever the Chairperson deems it necessary or desirable that the Council board or committee, shall be represented at meetings, conferences or other occasions involving other governmental entities, agencies, officials or groups, or non-governmental

organizations, or departments, agencies or officials of the City government, the Chairperson may nominate a member to represent the Council, board or committee at the meeting, conference or other occasion, with the consent of the nominated member. Such representative shall have no power to act for or on behalf of the Council, board or committee or to make any commitment or binding obligation on behalf of the Council or the City. Such representatives may report to the Council board or committee with regard to such meeting, conference or other occasion.

10. Application, Review and Decision-Making Procedures

- D. Failure by the *City* to disclose to the applicant more than ten (10) days before the hearing any data or analysis which is materially adverse to the application and previously unknown to the applicant, shall be rebuttably presumed to be good cause for a continuance.
- E. If an applicant receives a continuance, other than a continuance due to tardy initial disclosure of adverse data or analysis by the *City*, the applicant shall reimburse the *City* for all advertising costs associated with rescheduling the public hearing for the application. If the applicant does not reimburse the *City* for such costs by ten (10) days prior to the rescheduled hearing, the hearing will be cancelled and the application will be deemed withdrawn.

10.12.03 Withdrawal of Pending Applications

- A. An applicant may withdraw an application at any time prior to issuance of a *Local Development Order*. The applicant shall provide written notice of the withdrawal to the *Building* and Planning Department.
- B. If the *Building* and Planning Department receives an applicant's written notice of withdrawal less than seven (7) days prior to the public hearing at which the application is scheduled to be heard, the applicant shall be precluded from re-filing the same or substantially same application for the subject property for a period of three (3) months.
- C. If the *Building* and Planning Department receives an applicant's written notice of withdrawal at least seven (7) days prior to the public hearing at which the application is scheduled to be heard, the three (3) month preclusion contained in section 10.12.03B is inapplicable.
- D. If an application is withdrawn, fees and costs will neither be refunded nor credited to any subsequent application.



10.13.00 QUASI-JUDICIAL HEARINGS

10.13.01 Generally

- A. A quasi-judicial hearing shall be scheduled when all required reports and procedures have been completed. A quasi-judicial hearing shall not be scheduled until an applicant has paid all outstanding amounts.
- B. A quorum of the decision-making entity shall be present.
- C. The hearing shall be conducted in a manner to protect the due process rights of the applicant and affected parties.
- D. All testimony presented by the applicant, an *Adversely Affected Person*, any witness for a party or the staff (other than legal advice given by the *City* Attorney) shall be given under oath.
- E. The applicant, an *Adversely Affected Person* and the staff may cross-examine any person presenting information at the hearing.

10. Application, Review and Decision-Making Procedures

- F. An electronic record shall be made of the hearing.
- G. A member of a decision-making entity shall not willfully participate in an ex parte communication regarding a pending application. All ex parte communications are presumed prejudicial, unless the approximate date and general substance of the ex parte communication is disclosed at the beginning of the quasi-judicial hearing at which the decision-making entity considers the pending application. The City may rebut the presumption of prejudice by demonstrating the absence of any actual prejudice to any party challenging the validity of a decision-making entity's decision on the basis of ex parte communications.
- H. Members of the general public may provide comment during the hearing. If a member of the general public desires his or her testimony to be considered as potential competent substantial evidence, such person shall be placed under oath and subject to cross-examination. For final *Subdivision Plat* approval testimony and action on the application shall be limited to issues of compliance with chapter 177 FS and this LDC.
- I. The deliberations of the decision-making entity shall be guided by Robert's Rules of Order and such other rules and procedures as may be adopted by the decision-making entity. The decision-making entity may question the applicant, other parties, witnesses and the City staff at any time during the hearing.
- J. The decision-making entity may approve, approve with conditions, deny, or where required, make its recommendation upon the matters under consideration. The decision shall be based upon competent substantial evidence presented during the hearing.
(Ord. #1254, 11/14/13)
- K. The decision-making entity shall enter a written order which contains findings of fact and conclusions of law in support of its decision.
- L. The decision-making entity's written order shall be filed with the Clerk of that entity.

10.13.02 Procedures

A quasi-judicial hearing shall be conducted generally in the following order:

- A. The chairman of the decision-making entity shall call the hearing to order at the time specified on the public notice.
- B. Staff shall confirm that the notice requirements were met.
- C. Each member of the decision-making entity shall disclose the existence and general substance of any conflicts and ex parte contacts.
- D. A staff member shall present staff's analysis of the pending application.
- E. The applicant shall present evidence supporting the application and shall bear the burden of demonstrating that the application should be granted.
- F. An affected party is entitled to present evidence opposing the application.

10. Application, Review and Decision-Making Procedures

- G. Public comment.
- H. Rebuttal by staff, any affected party and the applicant.
- I. Conclusion of the evidentiary portion of the hearing.
- J. Closing arguments by staff, any affected party and the applicant.
- K. Deliberation by the decision-making entity.

10.13.03 Denial of Application

If the decision-making entity denies an application, the applicant cannot refile the same or substantially same application for the subject property for a period of one (1) year.

10.14.00 PROCEDURES AND REQUIREMENTS FOR BUILDING PERMITS AND TEMPORARY USE PERMITS

10.14.01 Generally

- A. *Building Permits* are required for new construction of *Buildings* and structures, signs, fences, walls, *Accessory Buildings*, temporary *Buildings* and modifications to Existing Structures, subject to the administrative procedures set forth in the *FBC*.
- B. *Building Permits* are required for electrical, plumbing, heating and air conditioning, gas or swimming pool installation, subject to the administrative procedures set forth in the *FBC*.
- C. The *City Manager* is authorized and directed to establish and submit to the City Council for approval by resolution, from time to time, an Engineering Technical Manual to specify technical standards for stormwater improvements, sanitary sewer connections, potable water connections, reuse water connections, *Street* and other public works construction, sidewalk construction, paving, land clearing and such other similar matters as may be addressed in such a resolution. No *Building Permit* shall be issued for *Development* not in compliance with those technical standards.
- D. Applications shall be submitted to the Building and Planning Department and shall comply with the submittal requirements of section 10.02.00 et seq.
- E. Applications shall be reviewed by the *City Manager* for compliance with the requirements of this *LDC*, including the Engineering Technical Manual.
- F. The *City Manager* shall render his written decision, within thirty (30) days of the submittal of a complete application, to approve, approve with conditions or deny the application.
- G. *Mailed Notice* of the *City Manager's* decision to approve, approve with conditions or deny the application shall be given to the applicant. *Posted Notice* of the *City Manager's* decision to approve or approve with conditions shall be provided and may be removed ten (10) days after first posting.

AGENDA ITEM 6



SECTION 9

COASTAL MANAGEMENT ELEMENT

1. INTRODUCTION

COASTAL AREA BOUNDARY

The upland or inland boundary of the coastal area for Panama City Beach is that portion of the City limits lying southwesterly of the centerline of Front Beach Road or Thomas Drive.

2. EXISTING LAND USES IN THE COASTAL AREA

Existing land use patterns in Panama City Beach in 2008 18 are shown in a generalized fashion in the Existing Land Use Map. Table 1 identifies the generalized existing coastal area land uses as reflected by number of acres.

TABLE 1
GENERALIZED EXISTING COASTAL AREA LAND USE-2008 18

<u>Land Use</u>	<u>Acres</u>
Agriculture	0.0
Conservation	0.0
Educational	0.0
Historical Resources	0.0
Industrial	0.0
Public Buildings and Grounds	11.95 <u>77</u>
Recreation	35.75
Single Family Residential	27.45 <u>26.27</u>
Multi-Family Residential	187.52 <u>202.18</u>
Tourist	179.18 <u>142.44</u>
<u>Vacant</u>	16.23 <u>22.56</u>
TOTAL ACRES	458.08 <u>440.97</u>

Panama City Beach coastal area: ~~458.08~~ 440.97 acres

Source: Panama City Beach Building & Planning Department and the Bay County GIS Division.

A. Agricultural

There are no agricultural uses in the coastal area.

B. Conservation

The coastal zone does not include any conservation land areas.

C. Educational

There are no educational uses in the coastal area.

D. Historic Resources

There are no historical uses in the coastal area.

E. Industrial

There are no industrial uses in the coastal area.

F. Public Buildings and Grounds

The public buildings and grounds category covers approximately ~~11.95~~ 77 acres in the coastal area. The City and County piers are depicted on the Existing Land Use Map.

G. Recreation

There are approximately ~~27.45~~ 35.75 acres of recreational land uses in the coastal area. The location of specific facilities are shown on Exhibit 5. ~~The 27.45 35.75 acres do not include the beaches located on the Gulf of Mexico.~~

H. Residential and Uses (Single Family and Multi-Family)

Single Family Residential land use covers approximately ~~27.45~~ 26.27 acres of the coastal area while Multi-Family Residential land uses covers approximately ~~187.52~~ 202.15 acres. The Existing Land Use Map shows the location of these uses.

I. Tourist

Tourist use covers approximately ~~179.18~~ 142.44 acres in the coastal area. Tourist uses are varied but are comprised primarily of retail sales/services, restaurants, offices, hotels, and motels. These uses are shown on the Existing Land Use Map.

J. Vacant

There are approximately ~~46.23~~ 22.56 acres of vacant land in the coastal area. The location of specific vacant lands are shown on Exhibit 1.

3. CONFLICTS AMONG EXISTING LAND USES

In reviewing the existing land uses, several conflicts among the existing adjacent land uses can be found. Such incompatibilities are being addressed by noise ordinances and buffering requirements which help to protect the investment of individual property owners by providing needed buffers between commercial and residential uses.

4. WATER DEPENDENT AND WATER RELATED USES

Water dependent uses are considered to be land uses related to activities which can only be carried out on, in or adjacent to water areas because the use requires access to the water. Water dependent uses in the Panama City Beach area include City and County-owned fishing piers, beach access points, beach-front motels and resorts, beach houses, boat and personal watercraft rentals, and beach recreation.

Water related uses are land uses which are not directly dependent upon access to the water, but which provide goods and services that are directly associated with access to or use of the water. The Panama City Beach area has numerous beach related retail businesses, water view restaurants and drinking establishments. Amusement facilities are prohibited in the coastal area.

Panama City Beach does not foresee the future need of water dependent or water related facilities beyond those currently existing. Sufficient facilities and access exist for the planning period.

5. REDEVELOPMENT AREAS

The presence of non-conforming land uses identify the need for redevelopment within the coastal area. Panama City Beach has maintained comprehensive, detailed zoning restrictions since 1977. However, limited non-conforming land uses still exist and will be eliminated pursuant to stated policy thresholds concerning the discontinuance of non-conforming uses.

In 2001, the City Council adopted the community redevelopment plan for Pier Park which is composed of approximately 265 acres in the Dan Russell Pier area. The adoption of the plan has enabled the community redevelopment agency to use tax increment financing to redevelop and maintain the area as a 1,000,000 square foot open-air town center for shopping and dining.

In August 2001, the City adopted the Front Beach Road Community Redevelopment Area (the FBRCRA). Since this time, the FBRCRA has completed the following projects:

1. Churchwell Drive has been improved to 3 lanes with bicycle lanes, sidewalks, street lights, and landscaping;
2. A public parking lot has been purchased and constructed to accommodate

approximately 120 parking spaces;

3. A public parking multimodal center has been purchased near the intersection of N. Thomas Drive, Front Beach Road, and Hutchison Boulevard;
4. ~~Construction has commenced on the 4 laning of Beckrich Road;~~ The four-laning of Richard Jackson Boulevard has been completed and includes landscaping, bike lanes, sidewalks and streetlights.
5. Preliminary engineering and right-of-way purchases have begun on several of the major connector roads;
6. ~~Engineering and design has begun on~~ S. Thomas Drive and the first phase of Front Beach Road have been completed and includes a bicycle-trolley lane, landscaping, streetlights, streetscape and sidewalks.
7. The northern half of Powell Adams Drive has been completed and includes landscaping, bike lanes, sidewalks and streetlights.
8. Phase II of Front Beach Road is under construction and will include a bicycle-trolley lane, landscaping, streetlights, streetscape and sidewalks.

6. ECONOMIC BASE OF THE COASTAL ZONE

The economy of Panama City Beach is dominated by the attraction of tourists to the coastal area. Employers such as hotels, motels, condominium/resorts, restaurants, bars, souvenir shops, amusement parks and retail sales are heavily tied to the attraction of tourists to Panama City Beach.

The Future Land Use element and map have been developed to protect these water dependent economic contributors of Panama City Beach. The tourist industry will be protected by the conservation and recreation protections which have been made on the Future Land Use Map. Additional commercial and residential areas outside the coastal area will be needed to support visitors who will contribute to the economy in Panama City Beach through a variety of commercial avenues.

7. NATURAL RESOURCES OF THE COASTAL AREA

A. Vegetative Cover

North Florida Coastal Ecological Strand

This community is one of the most endangered communities in Florida due to the development of residential and commercial uses along shore lines. This community has an

important conservation purpose by regulating wave action on the coastline. Development in the North Florida Coastal Strand typically accelerates the erosion of established beaches and sand dunes. The natural forces of wind, salt, and blowing sand make plant establishment difficult and most plants that do establish in this strand here are species that are well-adapted to disturbance. Generally speaking, this community is very narrow and long and encompasses the area landward of the sandy beaches affected by salt spray from the Gulf. The vegetation in this community is naturally low growing grasses, vines, and herbaceous shrubs with only a few trees, most of which occur in stunt form. This vegetation includes cabbage palm (Sabal Palmetto), sand live oak (Quercus Virginiana Maritima) and live oak (Quercus Virginiana) with an understory of marshelder (Iva Imbricata), saw palmetto (Serenoa Repens), Spanish Bayonet (Yucca Aloifolia), yaupon holly (Ilex Vomitoria), and red bay (Persea Borbonia).

Various birds can typically be found in this community. It provides a good food source as well as nesting sites for the variety of birds. Other animals that utilize this community are sea turtles, shellfish, and a variety of small mammals.

This is the most stressed ecological community in Panama City Beach. Because of the increasing pressure for development along the coast, the acreage occupied by this community has steadily declined over time.

B. Water Bodies

The coastal area of Panama City Beach includes only the Gulf of Mexico. The water bodies of Panama City Beach include minor freshwater habitats and marine habitats. Coastal resources include the open waters of the Gulf of Mexico and approximately 2,600 feet of coastline on West Bay, the latter of which is considered de minimis.

8. FISHERIES AND WILDLIFE

The Gulf Coast Ecological Inventory (1982) published by the U.S. Department of the Interior, Fish and Wildlife Service, produced an inventory of the fish and wildlife habitats in the coastal area of Panama City Beach. The major fish species located here include Southern Flounder, Red Snapper, Spanish Grouper, Spanish Mackerel, King Mackerel, Cobia, Red Grouper, Atlantic Bonita, Vermilion Snapper, Dolphin, Warsaw Grouper, Gag Grouper, Greater Amberjack and Red Porgy.

Major wildlife located in this area includes Red Fox, Eastern Cottontail, armadillo, skunk, opossum, raccoon, tree squirrel, white tail deer, reptiles and amphibians.

9. AREAS SUBJECT TO COASTAL FLOODING

Portions of the coastal area which are subject to periodic inundation are indicated on Exhibit 13.

10. IMPACT OF FUTURE DEVELOPMENT ON NATURAL RESOURCES

Complete development of the coastal area has virtually been achieved during the explosive growth experienced in the area during the 1970's and 1980's. Continual growth in the coastal area is not possible since land is not available. Future development and redevelopment in the coastal area will have a de minimis impact on natural resources. Future development will be required to comply with the stormwater run-off policies adopted pursuant to this Plan which were not imposed on the existing developments.

11. IMPACT OF FUTURE DEVELOPMENT ON HISTORIC RESOURCES

Panama City Beach has not identified any historic resources in the coastal area which would be adversely affected by future development. As historic resources may be identified in the future, restriction of future development to preserve their integrity must be implemented.

12. WATER POLLUTION

A. Existing Conditions

~~Surface water discharge from stormwater and point sources are located in Panama City Beach. The point source discharge is into the West Bay. The discharge is permitted by the Florida Department of Environmental Protection and the United States Environmental Protection Agency. An inventory of the discharge is shown on Table 2. As discussed in more detail in the Sanitary Sewer subelement, the City has constructed a 3,000-acre wet weather reuse water system and is in the process of permitting a 3,000-acre wet weather discharge area that will eliminate any the need for discharge into West Bay.~~

13. HURRICANE EVACUATION

The Coastal High Hazard Area (CHHA) is defined as the Category 1 Storm Surge Area. In Panama City Beach, ~~the CHHA represents a very small area of predominantly along the shores of the Gulf of Mexico (Front Beach Road, Beach Boulevard, and Thomas Drive). Other less significant areas within the CHHA are near the Turtle Cove subdivision (22 single family residential lots), the western fringes of Grand Lagoon (30 multi family dwellings), and in the Colony Club area (35 single family residential lots). The State's definition of the CHHA changing from the "evacuation" area to the "surge" area had a minimal impact on the number of lots and structures within the CHHA.~~

~~Within the CHHA, 7,657 units of new Gulf front condominiums have been constructed since 2000 taking the place of 2,044 units of older hotel/motel rooms. The increase in rooms by 5,613 units has resulted in an insignificant increase in population (permanent and tourists) of the CHHA as evidenced by the traffic volumes on Front Beach Road. All segments of Front Beach Road have current traffic volumes similar to those that occurred in the early and mid 1990's.~~

Front Beach Road Segment	2006 Vol.	1990's Vol.
US 98 SR 79	7,066	1990 7,005
SR 79 Hutch. Blvd.	14,155	1995 13,014
Hutch. Blvd Beckrich Rd.	13,500	1995 20,000
Beekrich Rd. US 98/Hutch. Blvd.	16,000	1995 14,063
US 98/Hutch. Blvd PCB Parkway	21,400	1995 23,500

Source: Historical data from the Bay County TPO Congestion Management System Plan, August 2003.

The reason for virtually no growth in the population within the CHHA over the past ten (10) years is likely because the units are almost exclusively purchased and occupied by a stable tourist population rather than a growing permanent resident population. A sampling of the newer resorts shows less than 3% of the units are homesteaded properties. Reasons for this include the high price of the new resorts vs. the median income of Bay County residents; and, permanent residents seem to prefer living in areas away from where tourists congregate (along Front Beach Road). In 2000, the City had a permanent population of 7,671 and an estimated annual tourist population of 7.5 million. The City increased its permanent population by 3,980 since 2000 to 11,651 in 2007. However, the estimated annual tourist population has decreased and now ranges between 4.6 – 6.0 million. From year to year, the annual tourist population can fluctuate based primarily on such factors as: the number of hurricanes, the economy, gas prices, and the length of school summer vacation. The reduction in “spring break” visitors has been noticeable as evident by the sizeable reduction in law enforcement personnel needed during this time.

Although the City has experienced a significant rise in gulf front resort units, the actual tourist population has remained relatively stable, or even declined, (as reflected in traffic counts) while the permanent population has had only a modest rise of approximately 389 residents per year since 2000. As such, development has had relatively little impact on hurricane evacuation routes and clearance times.

The hurricane evacuation routes for Panama City Beach are shown on Exhibit 14. It is expected that some residents on the eastern portion of the city would opt to travel east across Hathaway Bridge to State Road 77 or US 231 just as the residents on the western end may opt to travel west to State Roads 81 and 331.

The Bay County Comprehensive Plan states that the County has adopted a hurricane evacuation time of 24 hours for category 4-5 storms. Bay County and the City worked together to create the Bay County Hurricane Abbreviated Transportation Model Updated, 2004. The County and the City have continued to share information on development order approvals in order to keep the hurricane model updated. Below is the most recent tables that have been updated with additional development orders approved by the City.

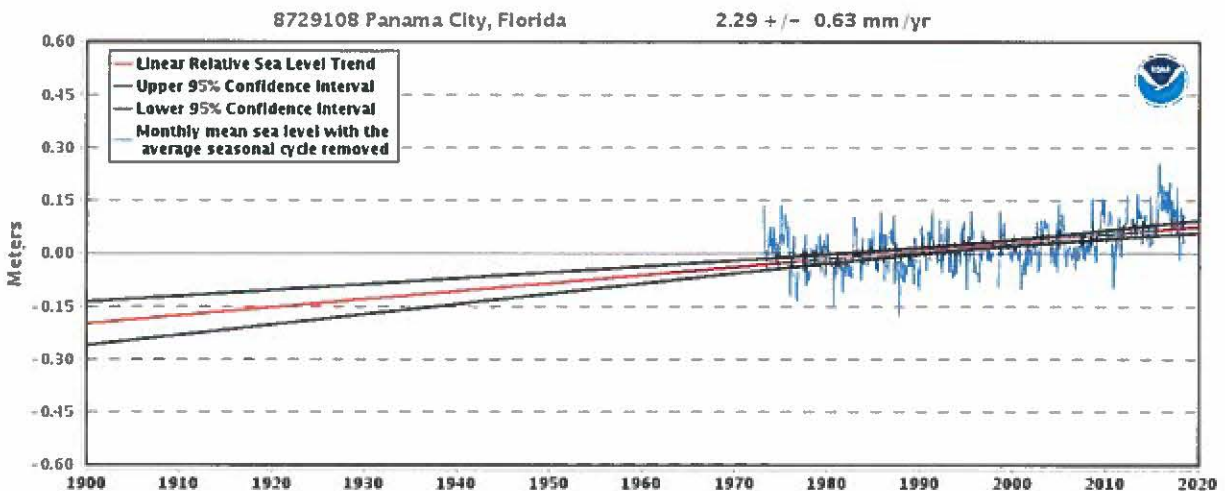
Modeled/Critical Roadway Segment	Times Cat 1-2 low occ	Times Cat 1-2 high occ	Times Cat 3 low occ	Times Cat 3 high occ	Times Cat 4-5 low occ	Times Cat 4-5 high occ
SR 79 at SR 20	3.6	5.5	5.0	6.4	7.2	9.7
SR 77 at SR 20	3.3	4.1	4.1	5.1	5.2	6.5
US 231 at SR 20	5.7	7.5	9.4	12.6	13.1	17.2
SR 20 eb out of Bay	2.7	3.4	4.1	5.4	5.6	7.2
Hathaway Bridge	6.1	7.7	7.5	10.1	8.8	12.1
US 231/SR77/US98 int	5.8	7.8	8.5	12.0	10.5	14.9
CR 386 into Gulf County	1.2	1.3	1.3	1.5	1.5	1.7

Modeled/Critical Roadway Segment	Times Cat 1-2 low occ	Times Cat 1-2 high occ	Times Cat 3 low occ	Times Cat 3 high occ	Times Cat 4-5 low occ	Times Cat 4-5 high occ
SR 79 at SR 20	3.1	4.0	4.0	4.6	5.4	6.8
SR 77 at SR 20	3.0	3.4	3.6	4.2	4.5	5.3
US 231 at SR 20	4.7	5.7	7.7	9.7	10.5	13.1
SR 20 eb out of Bay	2.3	2.8	3.5	4.4	4.7	5.8
Hathaway Bridge	5.6	6.5	6.6	8.1	7.4	9.4
US 231/SR77/US98 int	5.1	6.3	7.4	9.5	8.7	11.4
CR 386 into Gulf County	1.2	1.3	1.3	1.5	1.4	1.6

The results of the updated model show that under a high occupancy and a category 4-5 hurricane, the critical segment will be US 231 at SR 20 with an evacuation time of ~~17.2~~ **13.1** hours. This, however, is still below the adopted evacuation time of 24 hours.

14. SEA LEVEL RISE

The National Oceanic and Atmospheric Administration “NOAA” station 8729108 Panama City Florida has recorded and projected sea level trends since 1973. The chart below depicts NOAA sea level rise trends from 1973 to 2016. According to NOAA, recorded sea level rise at the Panama City station has increased by 2.29 mm per year, the equivalent of .0075 feet per year.



The mean sea level trend is 2.29 millimeters per year with a 95% confidence interval of +/- .63mm/yr. based on monthly mean sea level data from 1973-2016. The plot shows the monthly mean sea level without the regular seasonal fluctuations due to coastal ocean temperatures, salinities, winds, atmospheric pressure, and ocean currents. The long-term linear trend is also shown, including its 95% confidence interval.

As a result of this data from NOAA, it is assumed over the next 100 years sea levels will rise by .75 feet.

Exhibit 13.B (developed by Bay County GIS using NOAA data) depicts areas within the City vulnerable to sea level rise. This map reflects the effects of sea level rise in one-foot increments. The primary impacts of a one foot rise are minimal and are located in very limited areas adjacent to the northern edge of the Colony Club subdivision, Lake Powell and Grand Lagoon. There are no anticipated impacts to structures until sea levels rise three feet.

Based on NOAA data and mapping it is estimated the City of Panama City Beach will not have impacts to structures or facilities in the next 100 years as a result of sea level rise.

The City has already implemented some significant measures to mitigate flooding from all sources including sea level rise. In the Lake Powell area, increased setbacks and buffers and reduced residential densities have been implemented along the lake as part of the Lake

Powell Protection Zone and enforcement of the City's wetland setback requirements. The City dedicated an entire chapter of the Land Development Code to floodplain management and resource protection (Chapter 3). This chapter of the LDC designates the Building Official as the Floodplain Administrator as well as requires a first floor living area to be no less than 12 inches above the crown of the road at the highest point of the road or top of curb along the frontage, whichever is more restrictive, all as determined by the City Engineer.

Additionally, the City participates in FEMA's National Flood Insurance Program Community Rating System and has created an annual city-wide stormwater assessment to fund prioritized stormwater improvements.

GOALS, OBJECTIVES AND POLICIES

GOAL 1: Protect, conserve, and promote restoration of coastal area resources and plan for development activities.

OBJECTIVE 1: Prohibit nonwater-dependent land uses in the coastal area that use or store hazardous materials injurious to fish and wildlife.

POLICY 1.1: The Land Development Regulations shall prohibit nonwater-dependent land uses from using or storing hazardous materials which will be injurious to fish and wildlife.

OBJECTIVE 2: Assist in the protection of water quality.

POLICY 2.1: Prohibit the siting of septic tanks where the soils are unsuited for such use.

POLICY 2.2: When expanding sewage collection systems, consider areas with reported septic tank problems and areas with soils limitations on septic tank use in the coastal area as priority expansion areas.

OBJECTIVE 3: Coordinate with other local governments and appropriate agencies to maximize natural resource planning, conservation and protection activities so that no net losses of dune vegetation occur in the coastal area as compared to January 1993.

POLICY 3.1: Establish interlocal agreements with adjacent local governments that address the conservation, use, and protection of unique vegetative communities and water bodies which cross local government boundaries.

POLICY 3.2: Cooperate with all appropriate agencies, such as the Department of Environmental Protection and the Florida Fish & Wildlife Conservation Commission, to provide protection of natural resources from excessive public recreation.

OBJECTIVE 4: Adopt criteria for the permitting of shoreline land uses within the coastal area.

POLICY 4.1: Priority for siting of shoreline land uses shall be as follows:

- A. Water-dependent uses;
- B. Water-related uses;
- C. Residential
- D. Recreation/Conservation

POLICY 4.2: All new or redeveloped shoreline land use shall:

- A. Demonstrate that existing public utilities, infrastructure and services are in place to support the proposed use;
- B. Provide public access where traditional public access points are directly affected by the development;
- C. Landscaping, if used, will include plant species native to the north Florida coastline.
- D. Locate on existing upland areas;
- E. Not be in conflict with existing compatible adjacent land uses;
- F. Provide for the treatment of all discharge, including stormwater runoff, from land uses into bodies of water to incorporate standards for treatment adequate to meet the requirements of 17-4.240 F.A.C. and the stormwater level of service standards adopted in this Plan.

POLICY 4.3: The City shall prohibit the removal of dune vegetation seaward of the Coastal Construction Control Line.

POLICY 4.4: All construction shall comply with the Coastal Construction Control Line regulations as enforced by the Department of Environmental Protection.

POLICY 4.5: The City shall promote the construction and maintenance of elevated dune crossovers .

POLICY 4.6: The location, design, and operation of all new, expanded or redeveloped marinas shall focus on the protection/preservation of natural resources, compatibility with surrounding land uses and shall:

- A. Lie outside archaeological or historical sites and areas identified as being inappropriate for marina development in the Marina Siting Study for West Florida (West Florida Regional Planning Council; June, 1984);
- B. Not lie within Lake Powell (an Outstanding Florida Water) or within the Lake Powell Protection Zone;
- C. Comply with all requirements of Chapter 8 “Conservation” of the City’s Comprehensive Plan;
- D. Demonstrate spill cleanup capability;
- E. Designate future upland spoil site(s) for maintenance dredging activities;
- F. Have available sewage treatment facilities to serve the anticipated volume of waste at the level of service standard consistent with that described in Wastewater Sub-Element and Chapter 23 of the City’s Code of Ordinances and meets the design criteria of the City’s Code;
- G. Provide pump-out facilities at each fuel dock and follow the requirements addressed in 327.53 Florida Statutes for the handling of sewage. Marinas shall also provide upland sewage facilities;
- H. Maintain water quality standards as provided by Chapter 403, Florida Statutes;
- I. Locate in areas where there is an existing basin, access channel and adequate depths to accommodate the proposed use so that minimum or no dredging shall be required for the placement of docking facilities, to prevent prop dredging and to accommodate the proposed use without disturbance of bottom habitats. A minimum depth of four feet below mean low water shall be required;
- J. Utilize non piling construction and other non-dredge fill techniques where possible to minimize habitat destruction;

- K. Be designed to minimize or eliminate adverse impacts on fish and wildlife habitat. Special attention and consideration shall be given to endangered and threatened species habitat;
- L. Locate in areas away from seagrass beds, oyster reefs and other important fish and shellfish spawning and nursery areas;
- M. Be designed to maximize or improve water circulation Patterns.

POLICY 4.6.1 All new, expanded or redeveloped marinas shall follow any applicable State or Federal guidelines for design and shall:

- A. Demonstrate the presence of upland areas which are large enough to accommodate all required utility and support facilities as well as enough area to satisfy all applicable standards set forth in the Code;
- B. Provide public access;
- C. Provide a hurricane mitigation and evacuation plan which describes measures to be taken to minimize damage to marina sites and neighboring properties and the environment;
- D. Delineate immediate access points with channel markers that indicate speed limits and any other applicable regulations;
- E. Be sited in areas designated as Recreational on the Future Land Use Map;
- F. Demonstrate that the marina meets a public need thereby demonstrating economic viability/feasibility;
- G. Demonstrate that existing public utilities, infrastructure and services are in place to support the proposed use;
- H. Be compatible with existing, conforming, adjacent land uses;
- I. Utilize dry storage to the fullest extent possible, in addition to wet slips;
- J. Consist of 50 slips or fewer;
- K. The City shall apply preexisting applicable policies of the Vision Plan,

the DSAP or the special character district when such policies are more restrictive on development and redevelopment than the City 's Comprehensive Plan .

- L. Commercial boats, maintenance facilities, boat construction, or live-aboard are prohibited.

POLICY 4.6.2 The City shall adopt standards for marina siting or expansion as part of City's Zoning Ordinance and Land the Development Regulations (*amended January, 2006*).

OBJECTIVE 5: Ensure the availability of infrastructure consistent with the level of service standards.

POLICY 5.1: Coastal area levels of service shall be consistent with those adopted in the Utilities, Traffic Circulation, and Recreation and Open Space Elements of this Plan.

POLICY 5.2: Maintain infrastructure capacity to provide public facilities for the types and densities of development shown on the Future Land Use Map.

POLICY 5.3: Development approvals for projects for which adequate sewer capacity is not available prior to development completion shall be conditioned upon adequate soil conditions for septic tanks. Otherwise, development must be connected to the public sewer system.

POLICY 5.4: Coordinate with service providers to determine necessary system improvements and phasing of those improvements to serve the uses and densities proposed in the Future Land Use Element.

POLICY 5.5: Complete an inventory of local roadways in the coastal area that indicates current condition; proposed, prioritized improvements; and funding sources for inclusion in the Capital Improvements Element.

POLICY 5.6: Development approvals, including those in the coastal area, shall be reviewed by the Building & Planning Department and/or the Department of Transportation for their impact on the level of service of the existing roadway network. Development which does not meet the requirements of the Front Beach Road Transportation Concurrency Exception Area, FDOT, and/or other applicable local, state, and federal laws, shall be denied until improvements or proportionate fair share payment is made as required to meet such requirement.

POLICY 5.7: Panama City Beach will recognize and provide for disaster preparedness and evacuation needs in construction of roadway improvements in the coastal area.

OBJECTIVE 6: Eliminate substandard structures and incompatible uses, and redevelop following disasters.

POLICY 6.1: Utilize review criteria of existing ordinances for identifying areas in need of redevelopment which considers integrity of building construction, including unsafe conditions; presence of incompatible uses; condition of infrastructure; and economic condition of the area as evidenced by vacancies.

POLICY 6.2: Using the Existing Land Use Map, identify shoreline land uses inconsistent with adopted shoreline land use siting and field check these sites in conjunction with the coastal area survey to determine their current status.

POLICY 6.3: Conduct periodic surveys of the coastal area of Panama City Beach to identify areas in need of redevelopment or demolition based on review criteria developed.

POLICY 6.4: Adopt land use regulations that establish priorities of shoreline land uses and provide for the elimination of incompatible uses as soon as possible.

OBJECTIVE 7: Complete a comprehensive survey of the defined coastal area of Panama City Beach for the purpose of recording sites and structures of archaeological or historic significance, if any, and identifying those meriting protection and preservation.

POLICY 7.1: Continue to survey areas to identify archaeological and historic resources in the coastal area and rank them by their susceptibility to destruction from development and from the elements.

POLICY 7.2: Protect historically significant resources, if any, in the coastal area of Panama City Beach.

OBJECTIVE 8: Panama City Beach will maintain the availability of access points to the Gulf of Mexico.

POLICY 8.1: The development review process shall consider impacts of development or redevelopment on publicly established accessways. The City shall not move, swap, switch, divide, or remove any beach access easement of any kind, right-of-way, or property line without approval of the registered voters of the City of Panama City Beach, in a properly held City referendum.

POLICY 8.2: Maintain and update annually an inventory of public access facilities in the coastal area, and periodically survey the conditions at those sites. The results of the annual inventory will be incorporated into the City's annual update of the Capital Improvements Element.

POLICY 8.3: Develop and update annually a comprehensive list of conservation and recreation land acquisition programs to expand the amount of public lands available for public access.

POLICY 8.4: Coordinate the need for public access and recreation facilities with the Recreation and Open Space Element.

OBJECTIVE 9: Establish and promote an intergovernmental process between Panama City Beach and appropriate Federal and State agencies and Bay County to deal with mutual concerns and enhance planning for public recreation, access and use of the Gulf of Mexico beaches.

POLICY 9.1: Establish communications with appropriate Federal and State agencies and Bay County regarding this objective.

POLICY 9.2: Summaries of actions proposed by any of the identified agencies regarding this objective shall be forwarded to other appropriate entities.

POLICY 9.3: Promote interlocal cooperation through interlocal agreements which would enhance public access and recreation sites and facilities.

GOAL 2: Protect human life and limit public fund expenditure in areas that are subject to destruction by natural disasters.

OBJECTIVE 10: Identify the coastal high hazard area.

POLICY 10.1: The Coastal High Hazard Area shall be defined as the area below the elevation of the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model and shown on Exhibit 13. (Updated ~~10-30-07~~ 8-2018)

POLICY 10.2: Exhibit Number 13 which reflects the Coastal High Hazard Area is hereby adopted.

POLICY 10.3: Notify at the appropriate time, owners of property in the coastal high hazard area of property designation to increase public awareness of hurricane hazard.

OBJECTIVE 11: Maintain a roadway clearance time for hurricane evacuation and peacetime emergency evacuations.

POLICY 11.1: Improvements to road segments that are a part of the hurricane evacuation route shall be considered a priority in making traffic circulation improvements.

POLICY 11.2: Periodically review hurricane evacuation plans through a joint meeting of the Bay County Emergency Management Department, the municipalities and transportation planners.

POLICY 11.3: Exhibit Number 14, The Hurricane Evacuation Map is adopted as the routes to be used for evacuations in an emergency. Peacetime emergency and hurricane evacuations for Bay County should be achieved in at least 24 hours from the time the emergency management officials determine that evacuation is necessary.

POLICY 11.4: Adjust the evacuation timetable as necessary based on occupied dwelling unit information and annexations.

POLICY 11.5: Consider the impacts on the transportation system relative to hurricane evacuation in the development approval process.

POLICY 11.6: Encourage improvements to State roadways identified as critical roadway segments.

POLICY 11.7: Continue to develop evacuation procedures for citizens and other organizations concerned with the transportation disadvantaged.

POLICY 11.8: Limit the location of group homes, nursing homes, or other residential uses which have special evacuation requirements in the coastal high hazard area to be consistent with State law.

OBJECTIVE 12: Limit population concentrations in the Coastal High Hazard Area to reduce exposure of human life to natural disasters.

POLICY 12.1: The Building and Planning Department shall prepare annually an estimate of population density in the coastal high hazard area. This estimate shall include all existing development and developments which have received development approval.

POLICY 12.2: Population concentrations shall be directed away from the Coastal High Hazard Area through provisions in the Land Development Regulations, if the emergency evacuation time standard of Policy 11.3 cannot be maintained.

OBJECTIVE 13: Limit public fund expenditures for public facilities and infrastructure in the coastal high hazard area.

POLICY 13.1: Public facilities shall not be located or improved in the coastal high hazard area unless the following criteria are met:

- A. The use is necessary to protect public health, safety and welfare; or

- B. The service provided by the facility cannot be provided at another location outside the coastal high hazard area; or
- C. The use is necessary to restore and/or enhance natural resources.

OBJECTIVE 14: Adopt a post-disaster redevelopment plan for Panama City Beach that identifies short-term recovery and long-term redevelopment activities.

POLICY 14.1: The following post-disaster actions shall be considered short-term recovery measures:

- A. Damage assessment to meet post-disaster assistance requirements and to aid in post-disaster redevelopment decisions;
- B. Debris removal;
- C. Emergency protection measures including repairs to water, sewer, electric, and other public utilities to restore service;
- D. Public assistance including temporary housing and provisions of food and clothing.

POLICY 14.2: Repair or restoration of damage resulting in destruction of over fifty percent of the value of an individual structure or facility in the coastal high hazard area shall be considered to be redevelopment activities. Repair or restoration of such a structure or facility shall be subject to the following restrictions:

- A. Redevelopment of residential structures shall be in accordance with adopted redevelopment policies; and
- B. Redevelopment of commercial structures shall be consistent with the intensities established in land development regulations; and
- C. Public facilities shall be relocated to areas outside of the coastal high hazard area, unless they satisfy the criteria established in Policy 13.1.

OBJECTIVE 15: The post-disaster redevelopment plan will provide a process for consideration of relocation, removal or modification of damaged structures.

POLICY 15.1: Redevelopment of structures within the coastal high hazard area that are permitted subject to the adopted requirements shall be constructed to comply with National Flood Insurance minimum elevation and construction standards and conform to minimum coastal construction standards.

OBJECTIVE 16: Establish site design criteria for construction and reconstruction within the coastal high hazard area.

POLICY 16.1: The issuance of Development Permits in the coastal high hazard area shall be conditioned on the following criteria:

Siting

- A. Construction will be limited to adopted densities and intensities in the land development regulations;
- B. Placement of required open space, if any, shall be in the most vulnerable area of the site;
- C. Access to structures shall be provided on the landward side;

Landscaping

- A. Native plant species are maintained and protected;
- B. Provision of a landscaping plan which addresses the stabilization of soils;
- C. Shrubbery and trees are planted so as to deflect floating material from building foundation.

OBJECTIVE 17: Establish formal procedures to implement the post-disaster redevelopment plan.

POLICY 17.1: Prepare short-term recovery implementation procedures to be incorporated in the Bay County Peacetime Emergency Plan and City operating procedures.

POLICY 17.2: The following actions will be part of the procedures for implementation of the long-term redevelopment plan:

- A. Formation of an Ad Hoc Recovery Task Force to coordinate decision-making not related to short-term recovery efforts;
- B. Passage of emergency ordinances, such as moratoria on rebuilding in heavily damaged areas and amendments to zoning or building codes;
- C. Procedures for damage assessment;
- D. Decision making procedures to determine relocation, rebuilding or structural modification options.

OBJECTIVE 18: Incorporate the recommendations of a hazard mitigation plan into the Comprehensive Plan.

POLICY 18.1: The City will continue participating in the Bay County Hazard Mitigation Strategy Team to update the natural disaster hazard mitigation report. This report will continue to address general hazard mitigation including regulation of building practices, floodplains, beach and dune alteration, stormwater management, sanitary sewer and septic tanks, and land use to reduce the exposure of human life and public and private property to natural hazards. The recommendations of this report will be incorporated into the Comprehensive Plan and Land Development Regulations.

OBJECTIVE 19: The City will continue to implement stormwater and floodplain management regulations, monitor data related to sea level rise and consider possible amendments to the Comprehensive Plan, the Land Development Code and the Building Code as needed.

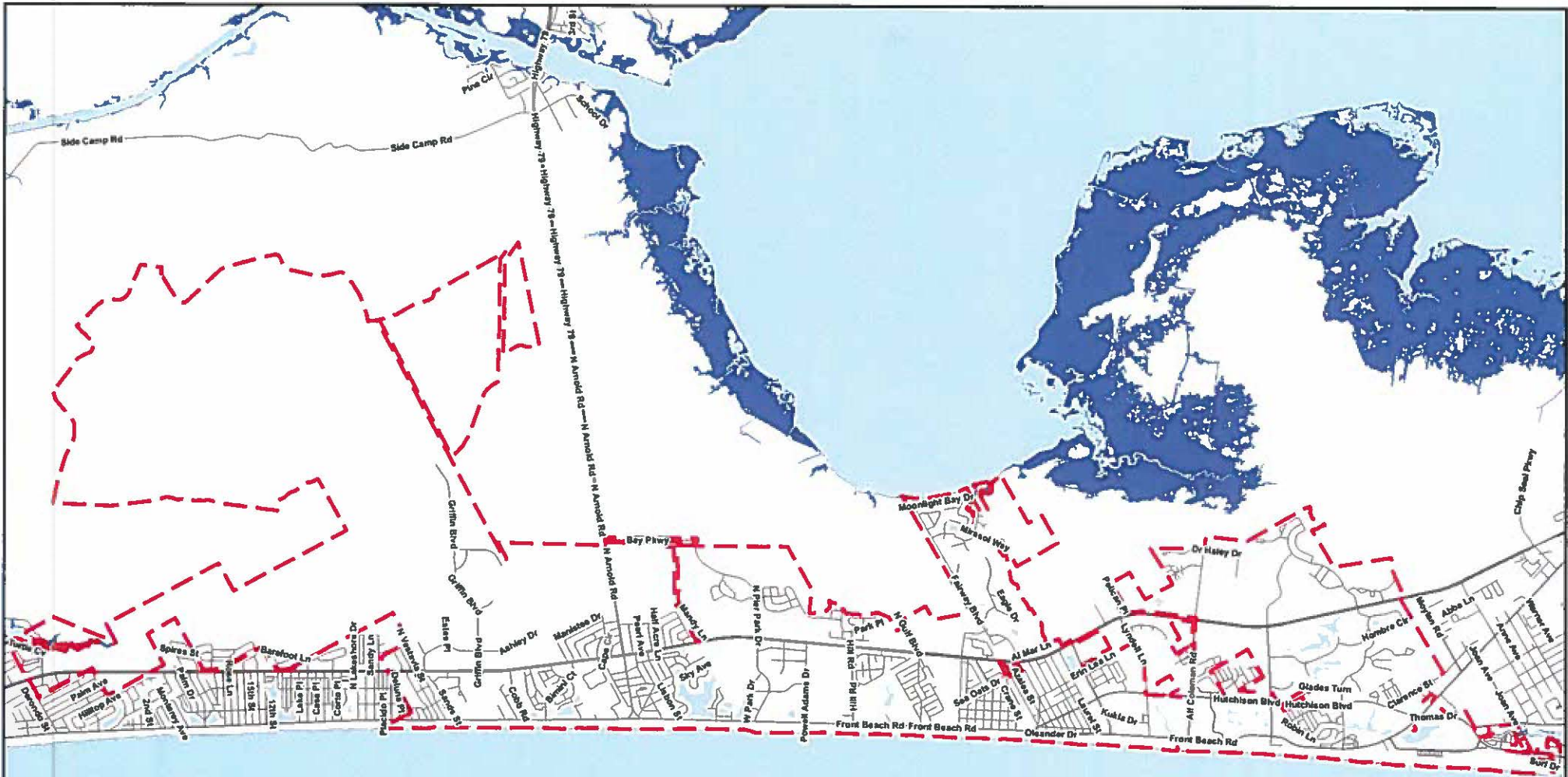
POLICY 19.1: The City will continue to use the following strategies to mitigate flooding from all sources including sea level rise: setbacks and buffers, building codes and design, floodplain regulations, zoning and overlay zones, hard and soft-armoring permits, rebuilding restrictions, stormwater assessments, impact fees and other strategies or regulations as may be needed.

TABLE 2




**ACTIVE POINT SOURCE DISCHARGES
FOR PANAMA CITY BEACH, 2008**

PERMIT NUMBER	NAME	LOCATION
1. FL0021512	CITY SEWER TREATMENT PLANT	WEST BAY

Source: U.S. Environmental Protection Agency

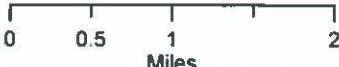


Source: Bay County, City of Panama City Beach, FL Dept of Emergency Services
 Disclaimer: This map intended for planning purposes only. This map is not a legal representation of the features depicted.


	City Limits
	Waterbodies
	Coastal High Hazard Area

Coastal High Hazard Area

Vulnerability Assessment of Coastal Areas



0 0.5 1 2
Miles




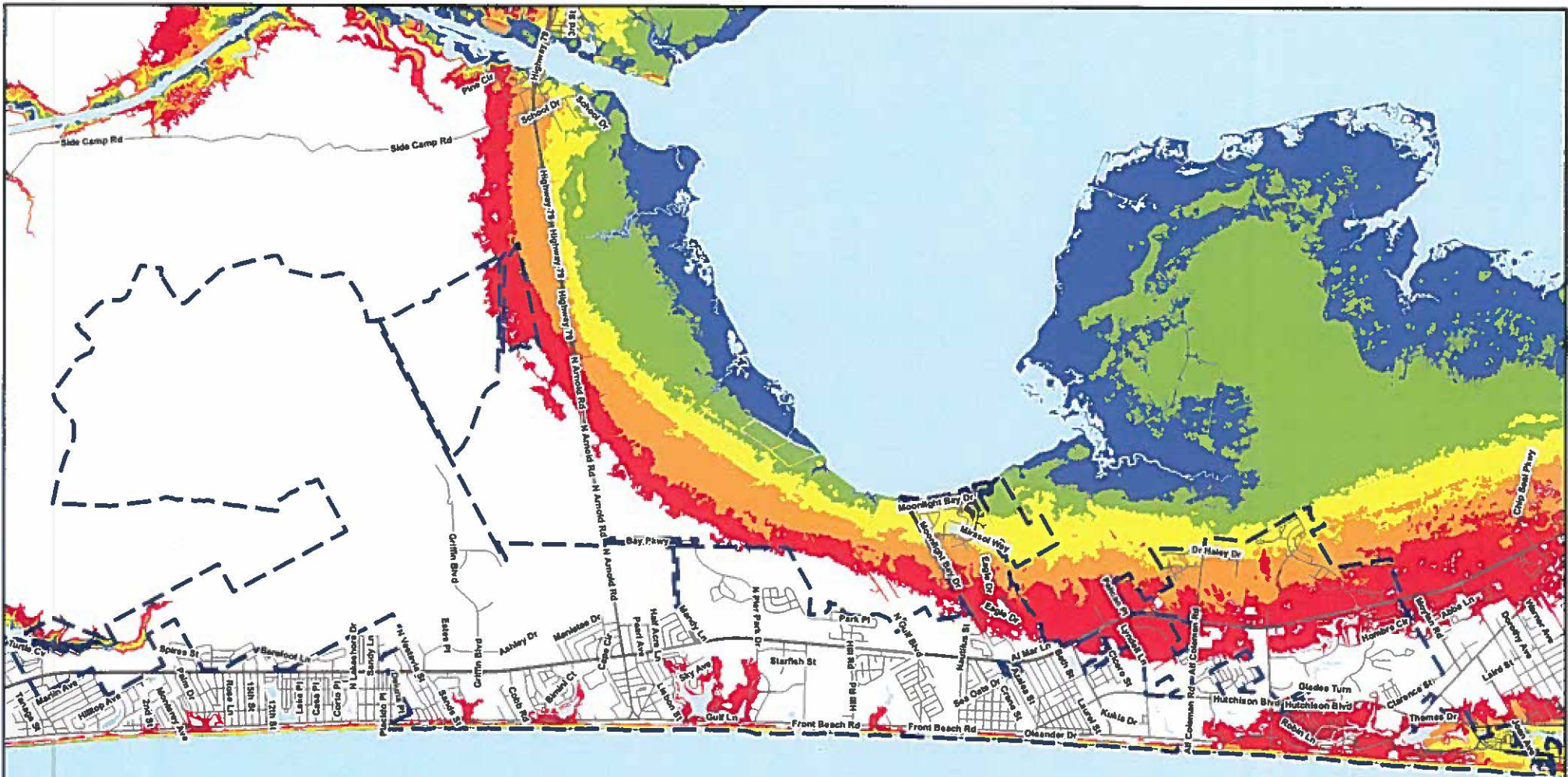


Exhibit
13



Source: Bay County, City of Panama City Beach, FL Dept of Emergency Management
 Disclaimer: This map intended for planning purposes only. This map is not a legal representation of the features depicted.

- | | |
|---------------------------|-----------------------------|
| City Limits | 2 (Estimated 6 to 8 feet) |
| Storm Surge | 3 (Estimated 9 to 12 feet) |
| Zones | 4 (Estimated 13 to 18 feet) |
| 1 (Estimated 4 to 5 feet) | 5 (Estimated 18 plus feet) |

City of Panama City Beach Future Land Use Vulnerability Assessment of Coastal Areas

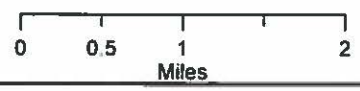
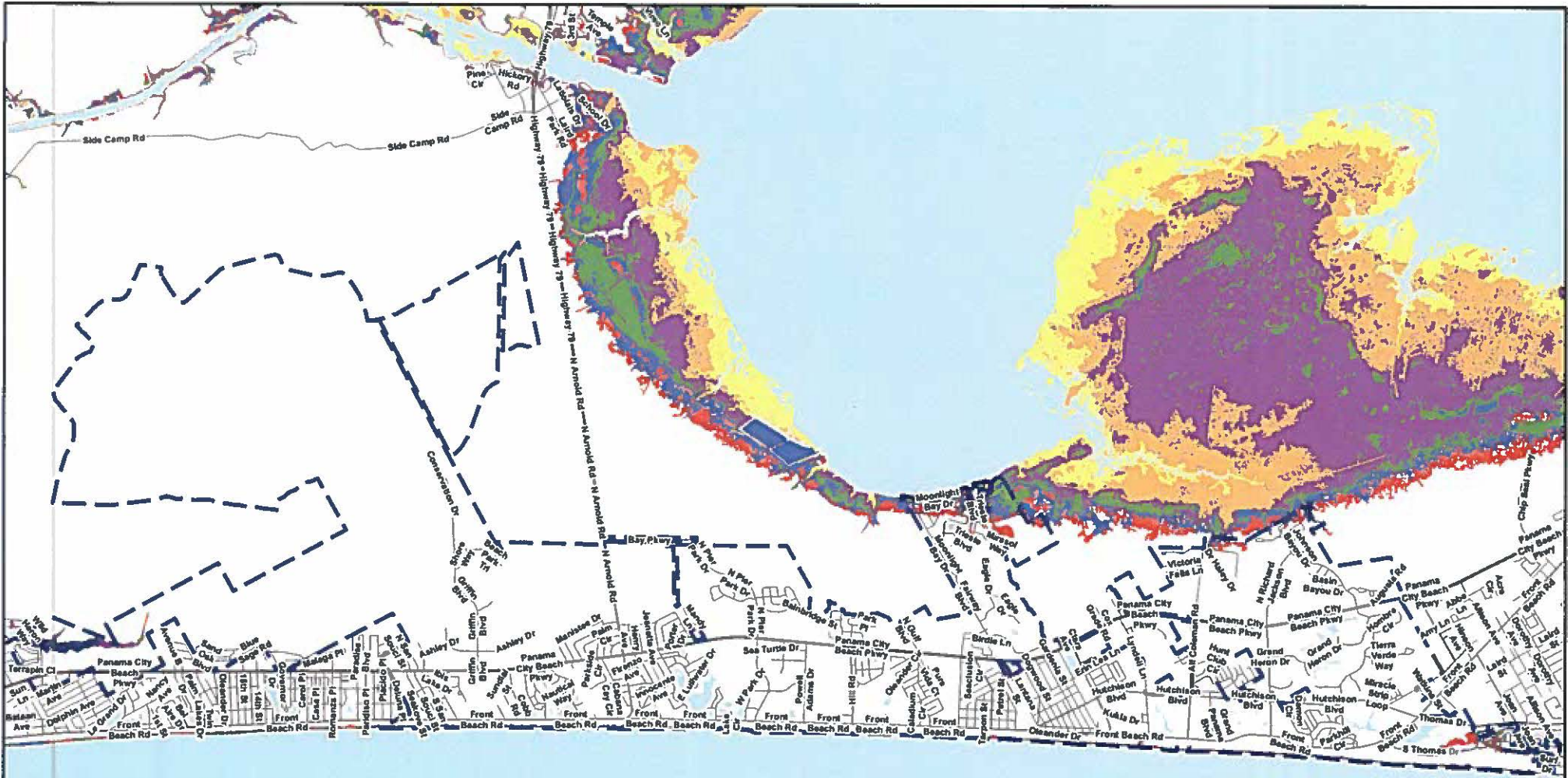


Exhibit
 13A



Source: Bay County, City of Panama City Beach, FEMA
 Disclaimer: This map intended for planning purposes only. This map is not a legal representation of the features depicted.



NOAA Sea Level Rise Projections

Vulnerability Assessment of Coastal Areas



Exhibit
13B

AGENDA ITEM 7

CAPITAL IMPROVEMENTS SCHEDULE

City of Panama City Beach FY 18/19

Traffic Circulation	Funding Source	Current Status	FY 18-19	FY 19-20	FY 20-21	21-22	Beyond 22-23
1.	Clarence Av. Road Widening with sidewalks. Improve various street surfaces and shoulders	Gas Tax	<i>on-going</i>		\$500,000		
2.	Alf Coleman Road -4 lane widening -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA	<i>\$26,000,000 total cost</i> <i>\$7,400,000 spent to date</i>				
3.	N. Thomas Drive -4 lane widening -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA	<i>\$990,000 spent to date</i> <i>\$31,000,000 total cost</i>				
4.	Hill Road -4 lane widening -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA	<i>\$160,900 spent to date</i> <i>\$16,500,000 total cost</i>				
5.	Powell Adams Road -4 lane widening -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA Prop. Share	<i>Seg. I Completed</i> <i>\$3,000,000</i> <i>\$6,000,000 total cost for Seg. II</i>				

Traffic Circulation		Funding Source	Current Status	FY 18-19	FY 19-20	FY 20-21	21-22	Beyond 22-23
6.	S. Thomas Drive -public transit system -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA	Construction completed in '13 \$14,230,000 total cost					
7.	Clara Avenue -4 lane widening -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA	\$124,000 spent to date \$22,000,000 total cost					
8.	Front Beach Road Segment 1 (S. Thomas to N. Thomas Drive) -public transit system -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA Part of South Thomas Dr. project. See project #7.	Construction completed in '13 \$11,130,000 total cost					
9.	Front Beach Road Segment 2 (Jackson Blvd. to S. Thomas) -public transit system -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA	Spent to date \$9,500,000	\$5,400,000				

Traffic Circulation		Funding Source	Current Status	EY 18-19	EY 19-20	EY 20-21	21-22	Beyond 22-23
10.	Front Beach Road Segment 3 (State Road 79 to Lullwater Dr) -public transit system -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA FDOT Prop. Share	<i>Design Const. and Util. CE&I and Post Design \$630,000 Spent to date. \$14,000,000 total cost.</i>	\$1,250,000	\$7,750,000	\$8,000,000	\$7,695,000	
11.	S. Arnold Road (SR 79) -4 lane widening -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA TRIP funding FDOT FDOT 5-Year Work Program	<i>TRIP funding granted for PDE \$1,185,013 spent to date \$15,000,000 total cost</i>	Project Constructed in Conjunction with Segment 3				
12.	Front Beach Road Segment 4.1 (Lullwater Dr. to Hill Rd.) -public transit system -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA	<i>Design Right of Way, construct.</i>	\$50,000	\$760,000	\$760,000	\$6,227,000	\$10,342,525
13.	Front Beach Road Segment 4.2 (Hill Rd. to Hutchison Blvd.) -public transit system -ped/bic. improvements -landscaping -streetscaping (needed to meet future demand)	FBR-CRA	<i>Design Right of Way, construct.</i>					\$1,000,000

Traffic Circulation		Funding Source	Current Status	FY 18-19	FY 19-20	FY 20-21	21-22	Beyond 22-23
23.	West Bay Parkway from Walton County to SR 79 (needed to meet future demand)	FDOT 5-Year Work Program	PD&E Study	\$1,435				Ongoing

Recreation & Open Space		Funding Source	Current Status	FY 18-19	FY 19-20	FY 20-21	21-22	
24.	Multi Use Path/Trail From East Side of Trieste Subdiv. Breakfast Point Subdivision	City Matching Funds & Sun Trail Grant	Design Complete \$108,464 City	\$904,716 Grant \$133,315 City				
Schools								
25.	See Note #2 at end of report.	School Board						
Potable Water, Wastewater, and Reuse		Funding Source	Current Status	FY 18-19	FY 19-20	FY 20-21	21-22	
Potable Water								
26.	CRA Segment 2 Water Main Relocations	Utility	\$493,289 <i>Balance to Finish</i>	\$41,873				
27.	Bid-A-Wee Ph 1 Water Main Replacements	Utility	\$777,269 <i>Balance to Finish</i>	\$777,269				
28.	Bid-A-Wee Ph 2 Water Main Replacements	Utility	\$345,000 <i>Balance to Finish</i>			\$345,000		
29.	CRA SR 79 Water Main Relocations & Reclaimed	Utility	\$832,500 <i>Balance to Finish</i>		\$400,000	\$432,500		
30.	Bay Parkway to Nautilus Water Main	Utility	\$688,800 <i>Total Cost</i>	\$500,000	\$188,800			
Wastewater and Reuse								
31.	Waste / Reclaimed System extenions / loops	Utility	\$1,610,000 <i>Balance to Finish</i>	\$200,000	\$200,000	\$200,000	\$300,000	\$310,000

Potable Water, Wastewater, and Reuse		Funding Source	Current Status	FY 18-19	FY 18-20	FY 20-21	21-22	Beyond 22-28
32.	New Wastewater Treatment site 40 Acres	Utility	\$49,015,000 <i>Total cost</i>	\$100,000			\$750,000	\$48,265,000
33.	CRA SR 79 Sewer Main Relocation & Reclaimed Mains	Utility	\$1,021,200 <i>Total Cost</i>		\$650,000	\$371,200		
34.	Bay Parkway to Nautilus Forcemain and Reclaimed Mains	Utility	\$2,632,000 <i>Total cost</i>	\$1,500,000	\$1,320,000			
35.	Lift Station #73 Cobb Rd. Replacement	Utility	\$1,767,500 <i>Total Cost</i>	\$100,000	\$900,000	\$767,500		
36.	SR 79 Reclaimed Transmission Main	Utility	\$2,442,000 <i>Total cost</i>	\$500,000	\$1,942,000			
37.	CRA Segment 2 Sewer Main Relocations	Utility	\$694,785 <i>Balance to Finish</i>	\$200,000				
38.	All Coleman Force Main Project		\$729,754.00 <i>Balance to Finish</i>	\$729,754	\$35,000	\$329,754		
39.	Stormwater Improvements	Stormwater Utility Assessments		\$2,100,000	\$300,000	\$240,000	\$1,800,000	\$578,500
Prop. Share Projects		Funding Source	Current Status					
1.	US 98 Int. w/ Hill Rd. and US 98 Int. w/ Clara Avenue (needed to meet future demand)	Seahaven Prop. Share	\$300,000 based on trip triggers					
2.	US 98-Hill Rd. 6-laning (needed to meet future demand)	Seahaven Prop. Share	\$1,350,000 (trip triggers)					
3.	US 98-Clara Ave. 6-laning (needed to meet future demand)	Seahaven Prop. Share	\$1,350,000 (trip triggers)					
4.	PD&E for US 98 from SR 79 to Thomas Drive flyover (needed to meet future demand)	Seahaven Prop. Share	\$2,000,000 (trip triggers)					

Prop. Share Projects		Funding Source	Current Status					
5.	ITS for US 98 from Phillips Inlet to Thomas Dr. flyover (needed to meet future demand)	Seahaven Prop. Share	\$1,000,000 (trip triggers)					
6.	Hill Rd. Improvements (needed to meet future demand)	Seahaven Prop. Share	\$938,766 (trip triggers)					

Notes

1. The City of Panama City Beach hereby adopts by reference the most current 5-year Schedule of Improvements as adopted by the FDOT, District 3 and the Bay County TPO.
2. The City of Panama City Beach hereby adopts by reference the Bay County School District's 2018-2019 Work Plan.
3. The FBR-CRA is funded with tax increment payments from Bay County. The amount of tax increment expected for FY 18/19 is approximately \$11,000,000.
4. The City of Panama City Beach will coordinate with the most current Water Supply Plan as formally adopted by the Northwest Florida Water Management District.

AGENDA ITEM 8

ORDINANCE NO. 1476

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE RELATED TO VARIANCES; PROVIDING THAT VARIANCES SHALL BE TYPE II QUASI-JUDICIAL PROCEEDINGS HEARD BY THE CITY COUNCIL, AND CONFORMING PROVISIONS THROUGHOUT THE LDC; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Section 1.07.02 of the Land Development Code of the City of Panama City Beach related to Definitions, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

1.07.02 Definitions

As used in the *LDC*, the following terms shall have the meanings assigned to them. When one or more defined terms are used together, their meanings shall also be combined as the context shall require or permit. All terms not specifically defined shall carry their usual and customary meanings. Undefined terms indigenous to a trade, industry or profession shall be defined when used in such context in accordance with their usual and customary understanding in the trade, industry or profession to which they apply.

...

Variance – Administrative action of the City Council ~~Planning Board~~ authorized by section 9.03.00.

SECTION 2. From and after the effective date of this ordinance, Section

3.02.07 of the Land Development Code of the City of Panama City Beach related to Floodplain Management Variances, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

3.02.07 VARIANCES AND APPEALS

- A. **General.** The **City Council Planning Board** shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance. Pursuant to section 553.73(5), F.S., the **City Council Planning Board** shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the *Florida Building Code*. This section does not apply to Section 3109 of the *Florida Building Code, Building*.
- B. **Appeals.** ~~The City Council shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Planning Board in the administration and enforcement of this ordinance.~~ Any person aggrieved by the decision of the City Council may appeal such decision to the Circuit Court, as provided by Florida Statutes.
- C. **Limitations on authority to grant variances.** The **City Council Planning Board** shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 0 of this ordinance, the conditions of issuance set forth in Section 0 of this ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The **City Council Planning Board** has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.
- D. **Restrictions in floodways.** A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 3.02.05C of this ordinance.
- E. **Historic buildings.** A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the *Florida Building Code, Existing Building, Chapter 12 Historic Buildings*, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.
- F. **Functionally dependent uses.** A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this ordinance, provided the variance meets the requirements of Section 0, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

G. Considerations for issuance of variances. In reviewing requests for variances, the City Council Planning Board shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this ordinance, and the following:

1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
4. The importance of the services provided by the proposed development to the city;
5. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
6. The compatibility of the proposed development with existing and anticipated development;
7. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
8. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

H. Conditions for issuance of variances. Variances shall be issued only upon:

1. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;
2. Determination by the City Council Planning Board that:
 - (a) Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - (b) The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - (c) The variance is the minimum necessary, considering the flood hazard, to afford relief;

3. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
4. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

SECTION 3. From and after the effective date of this ordinance, Section 3.05.05 of the Land Development Code of the City of Panama City Beach related to Floodplain Management Variances, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

3.05.05 Appeals

- A. Any person aggrieved, developer, owner or applicant who alleges that the administrative official acted erroneously in enforcing this law, or any person aggrieved, developer, owner or applicant who believes he is entitled to a variance from the enforcement of this law, may appeal the decision of that administrative official to the **City Council Planning Board**. Such appeal, including any appeal fee, shall be filed within thirty (30) days of the receipt of an official notice of decision, or such longer time as may be expressly provided by this law for a particular circumstance. Such an appeal shall be the exclusive remedy to challenge the decision or authority of the administrative official.
- B. The **City Council Planning Board** shall hear and decide all appeals and requests for variances pursuant to the procedures specified in section 9.03.00 of this LDC, as amended from time to time. In the event of an irreconcilable conflict between the procedures specified in this section and in said section 9.03.00, this section shall control. The **City Council Planning Board** is authorized to hear appeals on two (2) grounds and no other, namely,
 1. The **City Council Planning Board** is hereby authorized to interpret and construe where necessary the provisions of this law as applied to any particular circumstance.
 2. The **City Council Planning Board** is hereby authorized to grant such variances from the literal application of this law as will not be contrary to the public health, safety or welfare, if special conditions or circumstances exist which are not common to those similarly situated and owing to which a literal enforcement of the provisions of this law will result in unnecessary hardship. An appeal for such a

variance shall be in writing and shall state in detail the reasons for the request. No other reasons shall be considered. The appeal shall be signed by the applicant who must be the owner or person who will be entitled to possession of the property. The ~~City Council Planning Board~~ shall grant the variance, deny the variance, or grant the variance with conditions within sixty (60) days after the appeal is filed.

3. Any person aggrieved by any decision of the ~~City Council Planning Board~~ may seek review by certiorari in the Circuit Court, 14th Judicial Circuit, Bay County Florida, which shall be the exclusive remedy to challenge the decision or authority of such Board.

(Ord. No. 583, § 1, 9 10 98; Ord. No. 617, § 5, 3-11-99; Ord. No. 907, § 2, 10-14 04; Ord. No. 985, § 1, 9 22 05)

SECTION 4. From and after the effective date of this ordinance, Section 4.02.03C of the Land Development Code of the City of Panama City Beach related to Scenic Corridor Design Requirements, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

4.02.03 Scenic Corridor Design Requirements

Scenic Corridor design and performance standards are established throughout this LDC and the City's Code of Ordinances (CO), including but not limited to the following provisions:

...

C. Design

The following design requirements apply to exterior walls of metal *Buildings* situated on *Lots* or *Parcels* lying in whole or in part within a *Scenic Corridor*:

1. The City finds that the appearance of metal *Buildings* within the *Scenic Corridor* is detrimental to the image of the community both as a tourist destination and as a coastal City of permanent residents, is contrary to the Community Objectives advanced by the August 2001 Front Beach Road Community Redevelopment Plan, diminishes surrounding property values and is contrary to the public welfare.
2. On any *Parcel* which lies in whole or in part within a *Scenic Corridor*, no exterior wall of any *Building* located on such a *Parcel* shall be constructed of metal unless either (i) such wall is not visible by a pedestrian standing within the vehicular right-of-way of the *Scenic Corridor* or (ii) such wall is completely covered by one or more of the following materials:
 - (a) Brick;
 - (b) Stone;
 - (c) Stucco;

- (d) Synthetic stucco;
 - (e) Cementitious materials;
 - (f) Exterior insulation finish system (E.I.F.S.); or
 - (g) Wood siding, provided that such siding is applied with no panel exceeding twelve (12) inches in height.
3. Other non-ferrous material may be permissible, if determined by the Planning Board as a matter of fact to be aesthetically comparable and at least as opaque, weather resistant and permanent as the materials listed in section O.
(ZO 13-44 or 5-41)

SECTION 5. From and after the effective date of this ordinance, Section 4.03.01D of the Land Development Code of the City of Panama City Beach related to Subdivision Design and Layout, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

4.03.00 SUBDIVISION DESIGN AND LAYOUT

4.03.01 Generally

- A. Any division of land shall be subject to the design requirements of this section. Procedures for approval of preliminary *Plats*, final *Plats*, *Lot Splits* and improvement plans are set forth in Chapter 10.
- B. All **New Development** shall be located on a recorded, *Platted Lot* or on a *Lot* resulting from a lawful *Lot Split*.
- C. An existing *Lot* located within a *Subdivision* that has been approved prior to July 26, 2012 by the City Council in the form of a *Plat*, shall be allowed to be developed with a *Single Family Dwelling Unit* subject to satisfaction of *Setback* and *Building* requirements as well as all other applicable regulations.
- D. In Bid-A-Wee 1st Addition, *Lots* less than the required minimum *Lot* size and not meeting the dimensions as approved on the adopted *Plat*, may still receive approval for a *Building Permit* provided the City Council ~~Planning Board~~ finds the following conditions are satisfied:
 - 1. The *Lot* must be of a similar size and width as other *Lots* in the *Subdivision*; and
 - 2. All other applicable regulations must be satisfied.

SECTION 6. From and after the effective date of this ordinance, Section 4.04.01H of the Land Development Code of the City of Panama City Beach related to Variances Generally, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

H. Variances

1. The ~~City Council Planning Board~~, upon application of the property owner, may permit an additional temporary or permanent ***Access Connection*** to a *Parcel* when the property owner demonstrates that:
 - (a) An additional ***Access Connection*** will not materially and adversely affect the safety and efficiency of travel on the public road;
 - (b) The location, design and construction of the ***Access Connection*** is based upon sound engineering judgment and best engineering practices, including without limitation, any other applicable provisions of the *City Code*, Florida Administrative Rule 14-97 and any published recommendations of the Institute of Transportation Engineers (ITE), FDOT or the American Association of State Highway and Transportation Officials (AASHTO); and
 - (c) Special conditions or circumstances, not shared by other *Parcels* similarly situated, exist which prevent the *Use* of an internal circulation system, joint ***Access Connections*** and no alternative means are available to provide ***Reasonable Access*** to the property.
2. Any person aggrieved by any decision of the ~~City Council Planning Board~~ shall have thirty 30 days to appeal that decision in accordance with the procedures specified in section [].
(Ord. No. 802, § 1, 9-9-04; Ord. No. 906, § 1, 10-14-04)

SECTION 7. From and after the effective date of this ordinance, Section 5.07.09 of the Land Development Code of the City of Panama City Beach related to the City Sign Code, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

5.07.08H1, 6

5.07.09A, C4

5.07.09 Existing Signs

A. **Illegal Signs.** Any *Sign* existing as of the effective date of this *Sign Code*, or on the effective date of any amendment to this *Sign Code* (i) which was not *Erected* pursuant to a valid *Permit* from the *City* if required or (ii) which did not comply in all respects with *City* ordinances in effect immediately prior to such effective date or (iii) which was required by *City* ordinance in effect immediately prior to such effective date to be removed due to the passage of time or any other reason, regardless of whether the *City* shall have commenced any enforcement action against such *Sign* or any person, and any *Sign* reclassified as an *Illegal Sign* pursuant to section 0, is hereby deemed to be an "*Illegal Sign*" and such *Sign*, the *Premises* upon which it is located, and the person or persons responsible for such *Sign* shall be subject to the remedies and penalties provided by law.

Upon a determination by the *City Manager* or his designee and written notice at any time to the owner or person entitled to possession of an *Illegal Sign* that such *Sign* exists, in addition to any other remedy or penalty that may be available to the *City*, the owner or person entitled to possession of an *Illegal Sign* shall be obligated to remove such *Sign* and any associated *Sign Structure* within twenty (20) days after receipt of such notice unless an appeal of such determination has been previously filed with the *Planning Board* and is pending or has been resolved in the permittee's favor.

B. **Legal Signs.** Any *Sign* existing on the effective date of this *Sign Code* which was *Erected* pursuant to a valid *Permit* from the *City* if required, and which complies in all respects with *City* ordinances in effect immediately prior to such effective date, and which conforms to the provisions of this *Sign Code*, and any subsequent amendment hereto, is hereby deemed to be a "*Legal Sign*" and shall be entitled to a *Permit* or renewed *Permit* evidencing that fact upon application and payment of a registration fee in the amount of \$5.00 to be applied against the actual or reasonably anticipated expenses associated with the registration. The fee may be changed from time to time by resolution of the *City Council* to reflect changed expenses associated with registration.

C. **Attrition and removal of Nonconforming Signs.** Any *Sign* existing on the effective date of this *Sign Code*, or the effective date of any amendment to this *Sign Code*, which complied in all respects with *City* ordinances in effect immediately prior to such effective date, and is not an *Illegal Sign*, but which does not conform to the provisions of this *Sign Code*, or any amendment to this *Sign Code*, either independently or in conjunction with other *Signs* is hereby deemed to be a *Nonconforming Sign*.

1. A *Nonconforming Sign* may not be enlarged but may be maintained (i) by painting or refinishing the surface of the *Sign Face* and *Sign Structure*, or by replacing damaged panels, so as to keep the appearance of the *Sign* the same as it was upon the adoption of this *Sign Code* or subsequent amendment hereto which resulted in such *Sign* becoming a *Nonconforming Sign*, or (ii) by replacement of light bulbs or similar expendable electrical devices, and repair and replacement of electrical components for safety reasons only and not to improve or upgrade the appearance or utility of the *Sign*, or (iii) by lawfully changing the content of its *Face*. In the event that a *Nonconforming Sign* is damaged by fire, wind, flood or other sudden casualty and the cost to repaint and repair such *Sign* (including the *Sign Structure*) does not exceed fifty percent (50%) of the cost to replace such *Sign*, then the *Sign* may be repaired provided (i) a *Permit* therefore is

obtained within thirty (30) days after such casualty, (ii) the repair is commenced within twenty (20) days after the issuance of such *Permit* and diligently pursued to completion, and (iii) the repaired *Sign* will comply with all applicable *Building* and electrical codes. If after completion of such repair in accordance with such *Permit* such *Sign* does not fully comply with this *Sign Code*, it shall nonetheless continue to be a *Nonconforming Sign*.

2. Except as provided in the preceding paragraph, any repainting or any structural or other substantive repair, rebuilding, or *Maintenance* work to a *Nonconforming Sign* shall be deemed a waiver of the nonconforming status of the *Sign*, shall render any prior *Permit* void and shall result in the reclassification of such *Sign* as an *Illegal Sign* to be removed pursuant to sub-section C.1. of this section.

(Ord. #1254, 11/14/13)

3. An *Abandoned Sign* cannot become or continue to be a *Nonconforming Sign*.

(Ord. #1428, 9/14/17)

4. The nonconforming status of all such *Signs* shall expire on January 1, 2001, or such other date as may be stated in the ordinance adopting the amendment to this *Sign Code* which makes the *Sign* nonconforming, and all such *Nonconforming Signs* shall be made to conform with this *Sign Code*, if possible, or be removed before that date. Where two *Off-Premises Signs* are non-conforming due to their proximity to each other, the first in time shall be deemed the first in right and the second shall be removed. The *City Manager* may, and upon written request of the owner or person entitled to possession of a *Nonconforming Sign* shall, notify in writing the owner or person entitled to possession of a *Nonconforming Sign* that the *Sign* is nonconforming and the reasons therefore, and that the *Sign* must be made to conform or be removed before the date of the expiration of the *Sign's* nonconforming status, which date shall be stated. The notice shall state that the owner or person entitled to possession of the *Sign* may appeal: (i) the determination of nonconformance, (ii) the validity or applicability of this *Sign Code*, or (iii) the necessity of a variance, by appeal to the City Council Planning Board as provided in section [] of this *LDC*. The notice shall also state that failure to appeal within thirty (30) days after receipt of the notice shall constitute an acceptance of the *City's* determination respecting the *Sign* and a waiver of any objection to the validity or application of this *Sign Code* to the *Sign*. The purpose of such advance notice is to allow affected parties an opportunity to appeal and resolve contested issues prior to the expiration of nonconforming status.

(Ord. #1254, 11/14/13; Ord. #1428, 9/14/17)

5. Upon a determination by the *City Manager* or his designee and written notice to the owner or person entitled to possession of such *Sign* that a *Nonconforming Sign* has become a *Dilapidated Sign* or an *Abandoned Sign*, or has lost its nonconforming status by waiver or expiration pursuant to this section, the owner or person entitled to possession of such *Sign* shall remove such *Sign* within twenty (20) days after receipt of such notice.

SECTION 8. From and after the effective date of this ordinance, Section 7.02.03 of the Land Development Code of the City of Panama City Beach related to the Front Beach Overlay District, is amended to read as follows (new text **bold and**

underlined, deleted text ~~struckthrough~~):

...

Q. FBO District Development Procedures

1. Approvals Required. (see ~~Error! Reference source not found.~~)
 - (a) Applications for *Development* approval within the FBO districts are processed in accordance with Chapter 10 of the *LDC*, except as modified by this subsection.
 - (b) A Large Site Development (see section ~~Error! Reference source not found.~~) requires approval of a Master Plan that follows the Type V (Master Plan) review procedures established in Chapter 10.
 - (c) A *Plat* cannot be approved by the City Council until the Master Plan has been approved by the Planning Board through the Type V approval process. All *Plats* shall be consistent with the Master Plan.
 - (d) All other *Development* requires Type I approval.

Table 7.02.03.M: Summary of Approval Requirements

Development Category	I	II	V	VI
	Type Process	Type Process	Type Process	Type Process
Large Site <i>Development</i> or Conditional <i>Use</i> , no <i>Subdivision</i>	✓		✓	
Large Site <i>Development</i> or Conditional <i>Use</i> , with <i>Subdivision</i>	✓	✓	✓	
All other Uses or Development	✓			
<i>Variance</i> requests				✓

2. Concept Plan. This section does not require detailed engineering or *Site Plan* drawings as a prerequisite to approval required by the Planning Board. An applicant may provide a concept plan showing the general types and locations of proposed *Development* and *Street* layouts (such as a bubble plan) before submitting a formal Type I, II or V application. The *Building* and Planning Department and the Engineering Department may submit informal comments on the Concept Plan. However, any comments relating to the Concept Plan are for the applicant's convenience and do not have any binding effect on subsequent approvals.

...

6. Modification of FBO Standards

- (a) Intent. The *City* desires to maintain the design integrity and functionality of the FBO district, while providing flexibility and the ability to provide quality *Development* on the relatively small *Lots* that characterize the Front Beach Road corridor.
- (a) Categories of Standards. Table 7.02.03.N establishes three (3) categories of standards:
- (1) **Not Modifiable.** Those regulations that cannot be modified or varied are considered essential to the concept of reducing the number and length of automobile trips and to achieve the purposes of the FBO districts.
 - (2) **Administrative Modifications.** Those regulations that can be modified by: (1) the *Building* and Planning Department if only a Type I approval is required or (2) by the agency with final approval authority if a Class II or Class V approval is required. The approving agency can modify any standard listed as subject to an administrative modification in Table 7.02.03.N by up to 10%, subject to the standards set out below. Any modification that exceeds this threshold requires a *Variance*. In order for an application for an administrative modification to be approved or approved with conditions, the approving agency must make a positive finding, based on the evidence submitted, for each of the following:
 - i. The modification is needed due to the physical shape, configuration or topographical condition of the *Lot* and
 - ii. The modification is compatible with adjacent and nearby *Development* that conforms to the FBO district standards and
 - iii. The modification will not alter the essential character of the district or have a detrimental effect on the community health, safety or welfare.
 - (3) Those that can only be varied by the City Council Planning Board through a [Type VI] process (see section 10.11.00).
 - i. The applicant must demonstrate that the requested *Variance* meets the standards established in section 9.03.03 and must proffer an alternative condition that meets the purpose and intent of the FBO standards to the extent possible.
 - ii. If a standard is listed in Table 7.02.03.N, below as not modifiable or subject to an administrative modification, the standard is not subject to a *Variance*.
 - iii. For Large Site Developments subject to Section 7.02.03P, modifications authorized through ministerial or variance procedures by Table 7.02.03.N shall be considered and may be granted in conjunction with the Type V consideration of a Master Plan in accordance with sections ~~Error! Reference source not found.~~ and ~~1 Error! Reference source not found.~~04.06.

(Ord. # 1443, 2/8/18)

Table 7.02.03.N: Standards

Standard	Reference (subsection of 7.02.03)	Not Modifiable	Ministerial Modification	Variance
Front Yards	G		✓	
Minimum Parking Requirements	I		✓	
Shared Parking	I	✓		
Parking Location	I			✓
Parking Lot Landscaping	I		✓	
Parking Lot Design	I		✓	
Parking Mitigation	I	✓		
Parking Structure Location	K	✓		
Parking Structure Building Fronts	K	✓		
Parking Structure Building Materials	K	✓		
Parking Structures - Other Design Requirements	K			✓
Location of Frontage Types	F			✓
Front Setbacks (minimum)	F			✓
Front Setbacks (maximum)	F			✓
Side Setbacks (minimum)	F		✓	
Side Setbacks (maximum)	F			✓
Rear Setbacks (minimum)	F		✓	
Rear Setbacks (maximum)	F		✓	
Gallery Setback (maximum)	F		✓	
Build-to ratio (80% Building Facade shall be located at the front setback line for first 4 Stories)	F		✓	
Tower Rooms	F		✓	
Height in feet (maximum) and Building Stepbacks	H			✓
Podium Design	H		✓	
Driveways / Garages	J			✓
Building Materials	N			✓
Modulation	N		✓	
Mechanical Unit Locations / Design	N		✓	
Porches / Balconies	N			✓
Drop-offs	L		✓	

(Ord. # 1340, 4/9/15)

SECTION 9. From and after the effective date of this ordinance, Section 8.03.03 of the Land Development Code of the City of Panama City Beach related to Variances Generally, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

8.03.03 Roles and Responsibilities

The Planning Board shall have the following roles and responsibilities:

- A. To hear, consider and make recommendations to the City Council regarding proposals for amendments to the Comprehensive Plan.
- B. To hear, consider and make recommendations to the City Council regarding proposals for amendments to the **LDC**.
- C. To hear, consider and make recommendations to the City Council regarding proposals for amendments to the **Official Zoning Map**.
- D. To hear, consider and approve or deny applications for conditional **Uses**.
- E. To conduct public hearings and render decisions in compliance with the requirements of the **LDC**.
- F. To hear, consider and approve or deny applications for Master Plans of Planned Unit **Developments** and Traditional Neighborhood **Developments** or modifications thereof.
- G. To hear, consider and recommend action on applications for annexation (or de-annexation) into (or out of) the City of Panama City Beach.
- H. To review Large-Site Developments and certain variances from the FBO regulations as specified in Chapter 7.
- I. To sit as the Tree Board for the City of Panama City Beach. The Tree Board shall have the following responsibilities:
 - 1. To study, investigate, counsel and develop and update annually and administer a plan for the care, preservation, pruning, planting, re-planting, removal or disposition of trees and **Shrubs** in parks, **City right-of-ways** and in all other public areas. Such plan will be presented annually to the City Council and, upon

approval and funding, shall constitute the official Comprehensive Tree Plan for the City of Panama City Beach, Florida.

2. To review the *City's* ordinances related to landscaping and tree protection and recommend to the City Council all necessary amendments. Such review shall occur by December of Each year.
- J. To procure and suggest plans for the arrangement of the *City* with a view to its general improvements and probable future growth and demands. These plans are to take into consideration:
1. The extension of the *City* works into adjacent territory;
 2. The improvements and changes in public utilities and lines of transportation by surface and water;
 3. The location, widths and grades of *Streets* necessary for the best treatment of the *City*;
 4. The *Development* and improvement of waterfronts with seawalls and wharves;
 5. The location and design of public *Buildings*; municipal decoration and ornamentation;
 6. *Residential*, commercial and industrial *Land Use* and extensions thereof; and
 7. The existing park, *Recreation* and boulevard systems and any such extensions thereof as may be deemed advisable.
- K. (Code 17 18) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination or interpretation made by the *City Manager*, or his designee or the City Engineer, which is related to the *LDC*, excepting building codes and other matters within the jurisdiction of the Examining Board; and
(Ord No1241 9-13-12)
- L. To hear, consider and make recommendations to the City Council regarding applications for authorize a *Variance* from a provision of the *LDC*.
(Ord No1241 9-13-12)

SECTION 10. From and after the effective date of this ordinance, Section 9.03.00 of the Land Development Code of the City of Panama City Beach related to Roles and Responsibilities of the Planning Board, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

9.03.00 VARIANCES

9.03.01 Generally

The City Council Planning Board may authorize a *Variance* from the site and *Building* design or *Development* standards set forth in the *LDC* (except where expressly prohibited) where the Board has determined that the requirements of this subsection have been met. ~~The Planning Board may not authorize a Variance from any standard, requirement or provision of the Sign Code except that the Board may authorize a Variance from the setback requirements for a Sign where the Board has determined that the requirements of this subsection have been met.~~

9.03.02 Procedure

A. Applications

1. An application for a *Variance* shall include the submittals required in Chapter 10.
2. The application for a *Variance* shall include a statement explaining how the *Variance* request conforms to the requirements listed in section 9.03.00.

B. Review of Applications

An application for a *Variance* shall be reviewed pursuant to the applicable procedures set forth in Chapter 10.

9.03.03 Required Findings

A. In order for an application for a *Variance* to be approved or approved with conditions, the City Council Planning Board must make a positive finding, based on the evidence submitted, with regard to each of the following provisions:

1. There is a specific hardship affecting the *Development* of the *Lot* resulting from the strict application of the provisions of the *LDC*;

2. The hardship is not a result of actions of the owner and is not based solely on a desire to reduce *Development* costs;
 3. The need for the proposed *Variance* is due to the physical shape, configuration or topographical condition of the *Lot* in such a manner as to distinguish it from other adjacent or nearby *Lots* or from other *Lots* in the district;
 4. The proposed *Variance* is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby *Lots* or other *Lots* in the district;
 5. The proposed *Variance* will not substantially increase congestion on surrounding *Streets*, will not increase the danger of fire or other hazard and will not otherwise be detrimental to the health, safety or general welfare of the public;
 6. The proposed *Variance* will be compatible with adjacent and nearby *Development* and will not alter the essential character of the district;
 7. The effect of the proposed *Variance* is consistent with the purposes of the *LDC*; and
 8. The effect of the proposed *Variance* is consistent with the Comprehensive Plan.
- B. The applicant for a *Variance* has the burden of proof of demonstrating that the application for a *Variance* complies with each of the requirements of section 0.
(Ord #1254, 11/14/13)

9.03.04 Restricted or Conditional *Variance* and Termination

- A. The City Council Planning Board may impose such conditions and restrictions as may be necessary to allow a positive finding for any of the factors listed in section 0 and 6.
- B. After written notice of violation and reasonable opportunity to cure has been given to the property owner, the *City Manager* shall terminate a restricted or conditional *Variance* for a violation of the restriction or condition imposed that materially negated the related positive finding. This can be done at any point in time after expiration of the time to cure.

9.03.05 Limitation on Time to Use *Variance*

Any *Variance* authorized by the City Council Planning Board and not used and acted upon in a real and substantial way by the applicant or the applicant's successor in interest within one (1) year from the date on which the decision of the City Council Planning Board is reduced to a written order or if appealed the date on which the order becomes final, shall be deemed *Abandoned* and be void and of no further force and effect.

SECTION 11. From and after the effective date of this ordinance, Section 10.04.03 of the Land Development Code of the City of Panama City Beach related to Type II Land Use Applications, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

10.04.03 Applications Subject to Type II Review – Quasi-Judicial Proceedings

The following applications, which pertains to quasi-judicial decisions, which are required to be made by the City Council, shall be processed pursuant to the Type II procedures:

- A. Statutorily required approval of final Subdivision Plats for compliance as to form with state law and review for compliance with additional requirements, if any, imposed by this LDC on the form of Subdivision Plats;
- B. A Zoning or Rezoning which does not involve one or more Lots of land that in the aggregate are so large as to affect the community as a whole and accordingly constitute a legislative and not a quasi-judicial action;
- C. Conditional Uses involving any Parcel or combination of contiguous Parcels encompassing more than three (3) acres of land (a large conditional Use); and
- D. City Council rehearing of decisions of the Planning Board pursuant to section 10.17.00.
- E. Variances;
- F. Appeal of a termination of a restricted or conditional Variance;

SECTION 11. From and after the effective date of this ordinance, Sections 10.04.07 and 10.11.00 of the Land Development Code of the City of Panama City Beach related to Type VI Land Use Applications, is hereby repealed.

SECTION 12. From and after the effective date of this ordinance, Section

10.07.00 of the Land Development Code of the City of Panama City Beach related to Variances, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

10.07.00 TYPE II PROCEDURES – QUASI-JUDICIAL PROCEEDINGS

10.07.01 Generally

The procedures set forth in this section, are applicable to all applications subject to Type II review, which are listed in section 10.04.03.

10.07.02 Procedures After Completeness Determination

A. Final Subdivision Plats

1. Within thirty (30) days of the Building and Planning Department's, the Engineering Department's and the City Attorney's determination that the final plat application is complete, the Building Department shall schedule a public hearing on the proposed plat before the City Council.
2. The Building and Planning Department and the Engineering Department shall each prepare a written report to the City Council regarding the respective Department's analysis of the pending application. The report shall be available to the applicant and the general public no less than five (5) days prior to the City Council's public hearing on the plat
3. The City Council shall conduct a quasi-judicial hearing on the application and determine whether to approve or deny the plat. In addition to notice of hearing by Publication as required by the Florida Statutes, notice of the City Council hearing shall be by Posted Notice.
4. All quasi-judicial hearings shall be conducted pursuant to the requirements of section 10.13.00.

B. Zoning, Rezoning, Large Conditional Use, Variances, and New Wireless Tower or Antenna (no Colocation)

1. Within thirty (30) days of the Building and Planning Department's determination that the application is complete, the Department shall schedule a public hearing on the application before the Planning Board.
2. The Building and Planning Department shall prepare a written report to the Planning Board regarding the Department's analysis of the pending application. The report shall be available to the applicant and the general public no less than five (5) days prior to the Planning Board's public hearing on the application.

3. The Planning Board shall conduct a quasi-judicial hearing on the application and prepare a
- Page 18 of 20

recommendation to the City Council. Public Notice of the Planning Board quasi-judicial hearing shall be provided by Posted Notice, Publication and Neighborhood Notice (300-feet). For Neighborhood Notice of a variance for an existing or proposed structure more than forty (40) feet in height, a distance of 500 feet shall be used. For Neighborhood Notice of all other requests, a distance of 300 feet shall be used.

4. The City Council shall conduct a quasi-judicial hearing on the application and determine whether to approve, approve with conditions or deny the application. In addition to notice of hearing by Publication as required by the Florida Statutes, notice of the City Council hearing shall be by Posted Notice.
5. All quasi-judicial hearings shall be conducted pursuant to the requirements of section 10.13.00.

SECTION 13. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 14. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Land Development Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 15. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this ____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 20__.

MAYOR

Published in the _____ on the ____ day of _____, 2018.

Posted on pcbgov.com on the ____ day of _____, 2018.

AGENDA ITEM 9

ORDINANCE NO. 1477

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY LAND DEVELOPMENT CODE RELATED TO UNDERGROUND UTILITIES IN SCENIC CORRIDORS; PROVIDING THAT NO UTILITIES SHALL BE PERMITTED ABOVE GROUND IN A PORTION OF CITY ROW FOLLOWING THE CITY'S AWARD OF A CONSTRUCTION CONTRACT THAT CONTEMPLATES THE UNDERGROUNDING OF UTILITIES IN THAT PROJECT ROW; CLARIFYING THE LDC EXEMPTIONS RELATED TO WORK IN ROWS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the City, by and through its Front Beach Road Community Redevelopment Agency, has undertaken and continue to undertake great effort and expense to improve many of the City's Scenic Corridors, in whole or in part; and

WHEREAS, one of the major features of the City's right-of way improvements is the undergrounding of utilities in the right of way; and

WHEREAS, the City finds that the undergrounding of utilities creates an attractive, inviting and less cluttered corridor, and that the installation of above ground utilities subsequent to the City's improvement of a right of way or portion thereof wherein then existing utilities in the right of way were placed underground is inconsistent with the City's vision for these corridors; and

WHEREAS, the City finds and determines it is necessary and appropriate to amend its regulation to clarify that exemptions from the City's undergrounding regulations shall not apply in those segments of improved right of way where the City has undertaken to have utilities undergrounded.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Section

Page 1 of 4
Ordinance 1477

4.02.03 of the Land Development Code of the City of Panama City Beach related to Scenic Corridor Design Requirements, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

4.02.03 Scenic Corridor Design Requirements

Scenic Corridor design and performance standards are established throughout this *LDC* and the *City's Code of Ordinances (CO)*, including but not limited to the following provisions:

...

E. Underground Utilities in Scenic Corridors

Every electrical, cable television, data, telephone or other telecommunication feed installed or replaced from a public right-of-way and in, along or across any *Scenic Corridor* to any structure, ***Building*** or ***Accessory*** thereto, shall be placed underground for the entire length of such feed. Pre-existing feeds associated with such ***Building*** or structure shall be immediately placed underground as part of such improvements; provided however, that in the event the underground placement of such pre-existing feeds is required solely due to renovations or improvements consisting exclusively of emergency repairs or replacement of existing improvements damaged by casualty loss, the property owner may delay the underground placement of such pre-existing feeds for a period of sixty (60) days. Notwithstanding the forgoing, each new construction site shall per permitted one temporary, overhead electrical and telephone drop for a period not to exceed one year. This section shall not apply to high voltage primary lines serving a transformer station maintained by an electrical utility or to trunk and feeder lines serving a cable television, data, telephone or other telecommunications distribution point maintained by a telecommunication utility, **unless and until the City awards a contract for the construction and improvement of a Scenic Corridor or portion thereof, which project contemplates the undergrounding of utilities located in the project right of way. Except as may be permitted elsewhere in this LDC or the City Code, no above ground utilities shall be permitted in those portions of the Scenic Corridors improved, or under contract or construction to be improved, by the City or other government agency.**

SECTION 2. From and after the effective date of this ordinance, Section

1.04.03 of the Land Development Code of the City of Panama City Beach related to Unified Development in Multiple Districts, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

...

1.04.03 Exceptions

The following general conditions or circumstances are exempt from the provisions and requirements of the LDC:

...

- B. Work required for public facilities and services within the public right-of-way, as further described below:
 - 1. Work required for the installation of facilities for the distribution or transmission of gas, water, sewer, electric power or telecommunications services (except *Telecommunications Towers or Small Wireless Facilities*).
 - 2. Work required for the purpose of inspecting, repairing or replacing any existing water or sewer lines, mains or pipes.
 - 3. Work required for the purpose of inspecting, repairing or replacing cables, power lines, utility poles, utility tunnels or the like.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Land Development Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 5. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the

Page 3 of 4
Ordinance 1477

City Council of the City of Panama City Beach, Florida, this ____day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 20__.

MAYOR

Published in the _____ on the ____ day of _____, 201__.

Posted on pcbgov.com on the ____ day of _____, 201__.

Notice provided to the Secretary of State on the ____ day of _____, 2018.

AGENDA ITEM 10

ORDINANCE NO. 1478

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING CHAPTER 19 OF THE CITY'S CODE OF ORDINANCES RELATING TO RIGHT-OF-WAY USE; PROHIBITING NEW UTILITY POLES AND FACILITIES EXCEEDING THREE FEET IN RIGHT-OF-WAY SOUTH OF THE CENTERLINES OF FRONT BEACH ROAD, SOUTH THOMAS DRIVE, AND THE PORTION OF THOMAS DRIVE EAST OF SOUTH THOMAS DRIVE; EXEMPTING CITY OWNED LIGHT POLES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the City of Panama City Beach (the "City") regulates the use of Rights-of-way through its City Code and requires any person who will place or maintain a Facility in a Right-of-way to obtain a permit from the City; and

WHEREAS, Florida Statute 337.401 provides that the City retains the authority to regulate and manage Rights-of-way in exercising its police power, but all rules which govern providers of communications services must be reasonable and nondiscriminatory; and

WHEREAS, this ordinance applies equally not only to all communications service providers, but to all persons who request to install Facilities in a Right-of-way; and

WHEREAS, the sandy beaches and the Gulf of Mexico are among the City's most valuable assets; and

WHEREAS, residents and tourists value scenic views of the Gulf of Mexico, including views from locations across the street from the Gulf of Mexico or views while traveling within Rights-of-way; and

WHEREAS, above-ground utilities, such as utility poles, which the Code includes in its definition of Facilities, interfere with these views and are aesthetically harmful the quality of life for citizens and the tourist experience for visitors; and

WHEREAS, currently the City has few utility poles or other above-ground

utilities on the south side of its Gulf-front Scenic Corridors; and

WHEREAS, it is in the best interest of the City to minimize above-ground utilities in these locations, prohibit additional above-ground utilities in these areas, and gradually phase out the existing above-ground utilities in these areas; and

WHEREAS, utility providers have adequate space for equipment on the north sides of these Gulf-front Scenic Corridors, where placement of above-ground Facilities is less detrimental to views of the Gulf of Mexico and the aesthetics of the City; and

WHEREAS, this ordinance is not intended to authorize the use of the north side of any Right-of-way for above-ground utilities if above-ground utilities are otherwise prohibited now or in the future for that entire area of Right-of-way.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance Chapter 12 of the Code of Ordinances of the City of Panama City Beach, related to Right of way use and permitting is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Sec. 19-154. - Permittee obligations.

- A. Telecommunications Towers, Small Wireless Poles, Collocations, and other wireless communications Facilities are governed additionally by the more specific requirements of the Panama City Beach Land Development Code.
- B. No new Facility that is over fifteen (15) feet in height from grade may be constructed within seventy-five (75) feet of any other Facility that is over fifteen (15) feet in height from grade, unless granted a variance due to unique circumstances. This restriction shall not prohibit the City from installing new Facilities for public safety and welfare reasons, including light poles.
- C. No person shall be granted a permit or otherwise be allowed to install any utility pole or any other Facility if such Facility would be three (3) or more feet above grade within a Right-of-way south of the centerline of Front Beach Road, South Thomas Drive, or the portion of Thomas Drive east of South Thomas Drive. This prohibition shall not apply to light poles owned by the City. Any existing utility poles or Facilities that would not be permissible**

under this rule shall not be permitted to be replaced, but may be maintained used and repaired, provided repairs do not exceed 50% of the value of the utility pole or Facility.

- GD.** Permittee shall place or maintain all Facilities in the Right-of-way so as not to unreasonably interfere with the drainage of all lands lying within the City, the travel and use of the right-of-way by the public and with the rights and convenience of property owners who adjoin any portion of the right-of-way, and in a manner consistent with accepted industry practice and applicable law.
- DE.** Permittee shall not place or maintain its Facilities in the Right-of-way so as to interfere with, displace, damage or destroy any Facilities lawfully occupying the Right-of-way, including but not limited to sewers, gas or water mains, storm drains, pipes, cables or conduits of the City or any other Person.
- EF.** All safety practices required by applicable law or accepted industry practices and standards shall be used during the placement or maintenance of Facilities in a Right-of-way.
- FG.** When requested by City, the Permittee shall, at Permittee's expense, make changes to the components or location of Facilities to conform to the reasonably necessary requirements of localized areas.
- GH.** Permittee shall coordinate its placement and maintenance activities with other utilities and the City when such activities require disturbance of the Right-of-way, and shall notify the City not less than twenty-four nor more than seventy two hours in advance of any pavement cut. Unless otherwise authorized or directed by the City, Permittee shall use directional bores for any work to Facilities which require the crossing of a Right-of-way, or for the installation of Facilities parallel to a fully developed and landscaped urban curb and gutter Right-of-way.
- HJ.** Where excavation of a Right-of-way is required, a Permittee shall comply with the Underground Facility Damage Prevention and Safety Act set forth in Chapter 556, Florida Statutes (2006), as it may be amended.
- IJ.** Permittee shall use and exercise due caution, care and skill in performing permitted work in a Right-of-way and shall take all reasonable steps to safeguard work site areas.
- JK.** A Permittee shall, upon thirty days written notice by any person holding a City Right-of-way Permit, temporarily raise or lower its Facilities to allow the work authorized by the Permit, at the requesting Permittee's expense.
- KL.** After the completion of any placement or maintenance of a Facility in a Right-of-way or each phase thereof, a Permittee shall, at its expense, restore to its original condition the Right-of-way and any other public or private property damaged or destroyed in whole or in part by Permittee, its agents, servants or employees in exercising the privileges granted by the Permit. If the Permittee fails to make such restoration within thirty days, or such longer period of time as may be reasonably required under the circumstances, following the completion of such placement and maintenance, the City may perform the restoration and charge the costs of restoration against the Permittee in accordance with Section 337.401, Florida Statutes, (2006), as it may be amended. A Permittee shall guarantee its restoration

work and shall correct any restoration work that does not satisfy the City's requirements at its own expense for twelve months following written acceptance of the permitted work by the City Engineer.

- LM.** Permittee shall warrant that all work performed in connection with the placement or maintenance of a Facility in a Right-of-way will be of good quality and in conformance with the Plans and Specifications submitted with the application and approved by the City.
- MN.** Upon completion of the placement or maintenance of a Facility in a Right-of-way, Permittee shall promptly file three copies of complete and accurate "as-built" plans identifying and locating those portions of the Facilities placed in the Right-of-way.
- NO.** Permittee shall at all times comply with and abide by all applicable provisions of state and federal law, and City ordinances, codes and regulations in placing or maintaining a Facility in a Right-of-way, for so long as Permittee places or maintains a Facility in a Right-of-way.

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

SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 4. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this ____day of

_____, 2018.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2018.

MAYOR

Published in the _____ on the ____ day of _____, 2018.

Posted on pcbgov.com on the ____ day of _____, 2018.

Notice provided to the Secretary of State on the ____ day of _____, 2018, which is at least 10 days prior to consideration on first reading.

AGENDA ITEM # 10

AGENDA ITEM 11

ORDINANCE NO. 1479

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE; AMENDING THE REQUIREMENTS FOR TRADITIONAL OVERLAY DISTRICTS TO PERMIT THEM ON PARCELS OF 3 ACRES OR MORE IN RESIDENTIAL DISTRICTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Section 7.02.02 of the Land Development Code of the City of Panama City Beach related to Traditional Neighborhood Overlay Districts, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

7.02.02 Traditional Neighborhood Overlay District

- A. **District Intent:** The general intent of the Traditional Neighborhood Overlay District (*TNOD*) is to provide a flexible, alternative district, within the **Residential and CH zoning districts**, to encourage imaginative and innovative housing types and design for the unified *Development* of tracts of land, within overall density and *Use* guidelines established herein and in the Comprehensive Plan. This overlay district is characterized by a mixture of functionally integrated housing types ~~and non-Residential Uses as~~ specified in this section.
- B. **Mixture of Housing Types and Uses Permitted:** A Traditional Neighborhood Overlay District shall be comprised of at least **three (3) acres if located in a Residential zoning category, and five (5) acres if located in a CH zone.** Properties in this district are required to be developed with at least three (3) distinct types of housing units, each of which shall comprise of at least ten (10) percent of the total land area dedicated to *Platted Lots*. Examples of

distinct types or styles of housing units include *Single Family* cottages and bungalows, rowhouses, apartment *Buildings*, multi-*Story Single Family Townhomes*, *Multi-family Dwellings* and *Single Family Dwellings*. Acreage dedicated to *Streets*, stormwater, parks, etc... shall not be utilized in the calculation of the ten (10) percent *Lot* minimum. Permitted *Uses* shall be limited to that of the underlying CH zoning district.

All of the housing types do not have to be developed at the same time, nor is one housing type a prerequisite to another housing type. For the purpose of this section, "properties" refers to the overall parent *Parcel* of land that is assigned the Traditional Neighborhood Overlay district and not individual *Lots* within the parent *Parcel* of land. Whenever property designated for a Traditional Neighborhood shall not be subject to an approved Master Plan as hereinafter provided or upon invalidation of such a Master Plan, the property shall be subject to all land *Development* regulations applicable to the underlying CH zoning district generally, as amended from time to time.

For the purpose of this section, the Planning Board may recommend to the City Council for approval and inclusion in section 1.02.01D, regulations uniformly applicable to *Manufactured Homes* requiring such foundations, building materials, *Roof* slopes and skirting as will ensure structural and aesthetic compatibility with site built homes.

In CH zoning districts, Non-residential Uses shall be permitted, but not encouraged, in a Traditional Neighborhood Overlay District provided that the applicant can demonstrate that such *Uses* are not only compatible with *Residential Use* but also affirmatively encourage *Residential Use*, such as live-in shops or offices.

C. Density/Intensity

1. *Residential Land Use* shall not exceed a gross density of the underlying CH zoning district.
2. The following intensity standards shall also apply:
 - (a) **Impervious coverage ratio:** Maximum of seventy (70) percent of *Lot* area. Up to 100% impervious coverage of Lot area may be permitted if the impervious coverage for the overall development tract does not exceed seventy (70) percent.
 - (b) **Floor Area Ratio** (non-residential *Use* only): Maximum permitted by the underlying CH zoning district regulation.
 - (c) **Building Height:** Maximum permitted by the underlying CH zoning district regulation.
 - (d) **Open Space:** Minimum of thirty (30) percent of *Lot* area.

- (e) Nothing in this section shall be utilized as a basis to exceed the maximum densities or intensities mandated by the *City's Comprehensive Plan*.

D. Development Standards and Procedures for Approval: Upon approval by the Planning Board as provided in this subsection and approval of a *Plat* by the City Council in accordance with *LDC*, the Traditional Neighborhood Overlay District is intended to permit variation in *Lot* size, shape, width, depth, roadway standards and *Building Setbacks* as will not be inconsistent with the Comprehensive Plan and the density/intensity standards specified in this subsection and as will ensure compatibility with adjoining *Development* and adjoining *Land Uses*. Innovative *Development* standards and principles are encouraged. The following *Lot* and *Building* standards shall apply:

- (a) Minimum *Lot Area*: 1,250 square feet
- (b) Minimum *Lot Width at Front Setback*: 25 feet
- (c) Minimum *Front Yard*: 5 feet for roads internal to the *Development*. A minimum *Setback* of 25 feet is required adjacent to public roads that abut properties external to the *Development*.
- (d) Minimum *Side Yard*:
 - Interior (to the *Development*) 0 feet

 - Exterior (adjacent to *Parcels* exterior to the *Development*):
 - One Story: 5 feet
 - Two Stories: 7 ½ feet
 - Three Stories: 10 feet
 - Four Stories and Over: 10 feet Plus 4 inches per each foot of *Building Height* over 40 feet
- (e) Minimum *Side Yard, Street*:
 - 5 feet for roads internal to the *Development*
 - 15 feet adjacent to public roads that abut properties external to the *Development*.
- (f) Minimum *Rear Yard*:
 - Interior (to the *Development*): 0 feet
 - Exterior (adjacent to *Parcels* exterior to the *Development*): 10 feet plus 4 inches per each foot of *Building Height* over 40 feet

E. Master Plan: A Master Plan shall be submitted by all owners of the property to be subjected to the Master Plan (collectively the "applicant") to the *Building* and Planning Department for

review by the Planning Board. The Master Plan shall include, but not be limited to, all of the following:

1. A statement of objectives describing the general purpose and character of the proposed **Development** including type of structures, **Uses**, **Lot** sizes and **Setback**.
2. A vicinity map showing the location of the proposed **Development**.
3. A boundary survey and legal description of the property.
4. Detailed perimeter buffering and landscaping plan.
5. Locations and sizes of **Land Uses** including a plan graphically depicting location, height, density, intensity and massing of all **Buildings**. The plan shall additionally depict the location of all parking areas, **Access** points, points of connectivity to surrounding neighborhoods and similar areas that will be utilized for any purpose other than landscaping.
6. Location, type and density of housing types.
7. Detail of proposed roadway standards.
8. Type of zoning districts and existing **Uses** abutting the proposed Traditional Neighborhood Overlay district boundaries.
9. A detailed, written list and complete explanation of how the proposed Traditional Neighborhood is consistent with the requirements of this section.
10. The timeline for **Development** of the Traditional Neighborhood, including **Development** phases if applicable and setting forth benchmarks for monitoring the progress of construction of each phase, which benchmarks shall include, wherever applicable, land clearing, soil stabilization, construction of each landscaping element of horizontal infrastructure (roads, utilities, drainage, et cetera) and vertical infrastructure and improvements. The Final Development Plan shall be submitted within one (1) year of Master Plan approval. The timeline must show that construction of the horizontal improvements will be commenced and substantially completed within one (1) year and two (2) years, respectively, after approval of the Final Development Plan; provided that in the event the Traditional Neighborhood is divided into phases, the timeline must show that construction of Phase I horizontal improvements will be commenced and substantially completed within one (1) year and two (2) years, respectively, after approval of the Final Development Plan and that the horizontal infrastructure for all remaining phases will be

substantially completed within four (4) years after approval of the first Final Development Plan. In addition, the timeline must provide that ninety (90) percent of the land area of the Traditional Neighborhood, excluding horizontal infrastructure, will be built-out to its intended, final *Use* within ten (10) years.

11. Other applicable information as required on the Application for Master Plan Approval.

- F. Master Plan is Conceptual:** This section shall not be construed so as to require detailed engineering or *Site Plan* drawings as a prerequisite to approval by the Planning Board. An applicant may provide a concept plan showing the general types and locations of proposed *Development, Open Space*, conservation areas, etc. (bubble plan); however, detailed drawings and information consistent with the approved Master Plan will be required prior to issuance of a *Local Development Order* for any phase(s) of *Development*. In the event that the Master Plan contains no provision for a particular matter that is regulated in the underlying CH district, then the *Local Development Order* shall be consistent with both the approved Master Plan and all regulations applicable within the underlying CH district generally.
- G. Master Plan Approval Not by Right:** A property owner has no legal right for approval of a Master Plan. Rather, the *City* shall approve a Master Plan only when it has determined that the applicant has demonstrated, to the satisfaction of the *City*, that the Master Plan provides a sufficient *Development* plan that provides a mixture of housing types, is compatible with adjacent properties, is consistent with this section, applicable local, state and federal regulations and is consistent with the comprehensive plan.
- H. Conditions of Approval:** In order to approve a Master Plan or any revision thereto, the Planning Board shall first determine, in a public hearing after notice, that the following conditions (among others it deems appropriate) are met by the applicant:
1. That the *Development* is planned as one complex *Land Use* rather than as an aggregation of individual and unrelated *Buildings and Uses*.
 2. That the applicant has met the intent of this section by allocating sufficient acreage for *Development* of at least three housing types as listed in section 1.02.01B.
- I. Progress Report to Planning Board:** Upon Master Plan approval, the applicant shall submit a Progress Report to the Planning Board no later than the dates as stated in the Master Plan. The Progress Report shall give a summary of the *Development* of the Traditional Neighborhood to date including number of *Dwelling Units*, protection of natural resources,

unanticipated events that have taken place and other benchmarks that measure progress in completing the approved Master Plan.

J. Revisions to an Approved TNOD Master Plan: Revisions to an approved *TNOD* Master Plan shall be made in accordance with section **Error! Reference source not found.** of this *LDC*.

K. Final Development Plan: Either concurrently or within one (1) year following zoning and Master Plan approval, all the owners of all or a portion of the property to the Master Plan shall submit one or more Final Development Plans covering all or part of the approved Master Plan. In the event that all the owners of the property subject to the Master Plan are not required to submit a Final Development Plan for a portion of the approved Master Plan, the remaining owners must at least consent in writing to that Final Development Plan. The Final Development Plan shall be reviewed by the *Building* and Planning Department for consistency with the approved Master Plan. A *Local Development Order* may be issued if the Department finds the Final Development Plan consistent with the Master Plan.

1. The Final Development Plan shall include all of the following:

- - (a) Boundary survey and legal description of the property.
 - (b) A vicinity map showing the location of the proposed *Development*.
 - (c) The location of all proposed *Building* sites including height of structures and *Setbacks* indicating the distance from property lines, proposed and existing *Streets*, other *Buildings* and other man- made or natural features which would be affected by *Building Encroachment*.
 - (d) A table showing the acreage for each *Land Use* category, housing types and the average *Residential* density.
 - (e) *Lot* sizes.
 - (f) Common *Open Spaces* that are *Useable* and operated by the developer or dedicated to a homeowner association or similar group. Common *Open Space* may contain such *Recreational* structures and improvements as are desirable and appropriate for the common benefit and enjoyment of residents of the Traditional Neighborhood.
 - (g) All *Streets*, thoroughfares, *Access* ways and pedestrian interconnections shall be designed to effectively relate to the major thoroughfares and maintain the capacity of existing and future roadways. Consistency with this requirement shall be determined by the Engineering Department.

- (h) **Development** adjacent to existing **Residential** areas or areas zoned for **Residential Use** shall be designed to reduce intrusive impact upon the existing **Residential Uses**.
 - (i) **Development** shall be clustered away from environmentally sensitive features onto less environmentally sensitive features. Gross densities shall be calculated on the overall site.
 - (j) A utility service plan including sanitary sewer, storm drainage and potable water.
 - (k) A statement indicating the type of legal instruments that will be created to provide for management of common areas.
 - (l) If the project is to be phased, boundaries of each phase shall be indicated.
2. Construction and **Development** of the Traditional Neighborhood shall be completed in strict compliance with the timeline set forth in the Master Plan. The Planning Board may, upon good cause shown at a regular or special meeting, extend the period for beginning and completing construction of any benchmark, provided that the aggregate of all such extensions shall not exceed a period of one (1) year. Further extensions of time to complete a benchmark shall require an amendment to the Master Plan to amend the time line.
 3. Unified Ownership: A **property** must be under single ownership or under unified control at the time the Traditional Neighborhood Overlay district is assigned, the Master Plan is approved and the **Local Development Order** is approved.
 4. Interpretations: Any interpretation by the **City** staff in the review of the Final **Development** Plan may be appealed to the Planning Board.
- (Ord. No. 925, §1, 2-24-05) (Ord. #1254, 11/14/13)

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

SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this

20181102

Ordinance within the Panama City Beach Land Development Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 4. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this ____ day of _____, 2018.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2018.

MAYOR

Published in the _____ on the ____ day of _____, 2018.

Posted on pcbgov.com on the ____ day of _____, 2018.

AGENDA ITEM 12



CODE ENFORCEMENT UPDATE

OCTOBER 2018

CITATION REPORT

DATE	CITATION NUMBER	VIOLATION	CITATION AMOUNT	AMOUNT COLLECTED	OFFICER	GENERAL OR CRA
6/1/2018	5719	Dilapidated Fence	\$ 100.00	\$ 80.00	MW	G
6/1/2018	5712	Junk Abandoned Material	\$ 250.00		MW	C
6/4/2018	5640	Short Term Rental	\$ 250.00	\$ 200.00	SE	G
6/6/2018	5722	Grass	\$ 100.00	\$ 80.00	MW	G
6/6/2018	5726	Junk & Trash out front	\$ 250.00	\$ 200.00	MW	G
6/7/2018	5753	Grass	\$ 100.00	\$ 240.00	SE	C
6/7/2018	5755	Grass	\$ 100.00	\$ 80.00	SE	G
6/7/2018	5648	Grass	\$ 100.00	\$ 80.00	SE	G
6/7/2018	5649	Grass	\$ 100.00	\$ 559.98	SE	G
6/7/2018	5650	Grass	\$ 100.00	\$ 80.00	SE	G
6/7/2018	5728	Grass	\$ 100.00	\$ 80.00	MW	G
6/7/2018	5729	Grass	\$ 100.00		MW	C
6/7/2018	5730	Grass	\$ 100.00	\$ 80.00	MW	C
6/7/2018	5727	Abandoned Material	\$ 250.00		MW	C
6/7/2018	5731	Grass	\$ 100.00	\$ 80.00	MW	G
6/7/2018	5733	Fence	\$ 100.00		MW	C
6/8/2018	5643	Grass	\$ 100.00		SE	G
6/8/2018	5951	Grass	\$ 100.00	\$ 80.00	SE	G
6/8/2018	5802	Grass	\$ 100.00		SE	G
6/11/2018	5647	Litter/Garbage	\$ 250.00	\$ 3,400.00	SE	C
6/13/2018	5803	Grass	\$ 100.00	\$ 80.00	SE	G
6/18/2018	5804	Grass over 18"	\$ 100.00	\$ 720.00	SE	G
6/19/2018	5736	Too Many People	\$ 250.00	\$ 200.00	MW	G
6/22/2018	5811	Grass	\$ 100.00	\$ 80.00	SE	G
6/22/2018	5812	Grass	\$ 100.00	\$ 200.00	SE	G
6/22/2018	5737	Grass	\$ 100.00	\$ 80.00	SE	C
6/26/2018	5740	Grass over 18"	\$ 100.00	\$ 80.00	MW	G
6/27/2018	5743	Grass	\$ 100.00	\$ 80.00	MW	G
6/27/2018	5744	Junk	\$ 100.00		MW	G
6/27/2018	5745	Junk Abandoned Material	\$ 250.00	\$ 200.00	MW	G
6/28/2018	5746	Junk Abandoned Material	\$ 500.00		MW	G
6/28/2018	5747	Junk Abandoned Material	\$ 500.00		MW	G
6/28/2018	5814	Grass	\$ 100.00		SE	G
6/28/2018	5151	Junk/ Business in Residential	\$ 250.00		JT	C
6/29/2018	5152	Use without development order	\$ 100.00	\$ 80.00	JT	G
6/29/2018	5749	Short Term Rental	\$ 250.00	\$ 200.00	MW	G
6/29/2018	5750	Junk Abandoned Mat	\$ 250.00		MW	G
7/5/2018	5786	Tires and Junk	\$ 250.00		MW	G
7/9/2018	5787	Grass	\$ 100.00	\$ 80.00	MW	G
7/9/2018	5816	Abandoned Material	\$ 250.00		SE	G
7/9/2018	5817	Grass	\$ 100.00		SE	G

7/9/2018	5789	Grass	\$ 100.00	\$ 640.00	MW	C
7/10/2018	5818	Grass	\$ 100.00		SE	G
7/13/2018	5820	Grass	\$ 100.00	\$ 80.00	SE	G
7/13/2018	5791	Junk Abandoned Mat	\$ 100.00	\$ 80.00	MW	G
7/17/2018	5793	Grass & Weeds	\$ 100.00		MW	G
7/19/2018	5796	Too Many People	\$ 250.00	\$ 200.00	MW	G
7/23/2018	5822	Grass	\$ 100.00	\$ 80.00	SE	G
7/23/2018	5153	Short Term Rental	\$ 500.00	\$ 400.00	JT	G
7/25/2018	5952	Short Term Rental	\$ 250.00	\$ 135.00	MW	G
7/25/2018	5825	Grass	\$ 200.00		SE	G
7/27/2018	5826	Grass	\$ 100.00		SE	G
7/30/2018	5956	Junk, Tires, Trash	\$ 250.00		MW	G
7/31/2018	5827	Grass	\$ 100.00		SE	G
8/2/2018	5828	Prohibited Sign	\$ 100.00		SE	C
8/2/2018	5959	Grass	\$ 100.00		MW	C
8/3/2018	2366	Short Term Rental	\$ 500.00	\$ 400.00	JT	G
8/7/2018	5960	Grass	\$ 100.00		MW	C
8/8/2018	5961	Grass over 18"	\$ 100.00		MW	G
8/8/2018	5829	Grass over 18"	\$ 100.00		SE	G
8/8/2018	5830	Grass over 18"	\$ 100.00		SE	G
8/8/2018	5831	Grass over 18"	\$ 100.00		SE	G
8/10/2018	5832	Grass	\$ 100.00	\$ 80.00	SE	G
8/20/2018	5833	Grass over 18"	\$ 100.00		SE	G
8/23/2018	5837	Grass over 18"	\$ 100.00		SE	G
8/23/2018	5838	Grass over 18"	\$ 100.00		SE	G
8/23/2018	5839	Grass over 18"	\$ 100.00		SE	G
8/30/2018	5842	Grass	\$ 100.00		SE	C
8/31/2018	5843	Grass 18"	\$ 100.00		SE	G
Total			\$ 17,180.00	\$ 9,494.98		

Additional amount collected during this period for citations issued previous to June 2018	\$ 3,009.35
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