

ORDINANCE 1518

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, RELATED TO THE NAVAL SUPPORT ACTIVITY PANAMA CITY MILITARY INFLUENCE OVERLAY DISTRICT; AMENDING THE CITY'S COMPREHENSIVE GROWTH DEVELOPMENT PLAN AND LAND DEVELOPMENT CODE TO REDUCE THE MAXIMUM HEIGHT OF FACILITIES IN THE WEST MICROWAVE TOWER CORRIDOR OF THE NAVAL SUPPORT ACTIVITY PANAMA CITY MILITARY INFLUENCE OVERLAY DISTRICT; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

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, Future Land Use Element Policy 1.4.L.2.E, SECTION 3 of the Ordinance 1143, known as the 2009 Amended and Restated Panama City Beach Comprehensive Growth Development Plan, is amended to read as follows(new text **bold and underlined**, deleted text ~~struckthrough~~):

SECTION 3

FUTURE LAND USE ELEMENT

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L. Naval Support Activity Panama City Military Influence Overlay District

The Naval Support Activity Panama City Military Influence Overlay District (NSAPC MIOD) shall be established to ensure that the continually changing missions of the local military installations are facilitated to the greatest extent possible. The City shall support the U.S. Navy in its operation of Naval Support Activity Panama City (NSAPC) so that the facilities remain viable and able to fulfill their missions. Three Military Influence Areas (MIAs) shall also be established to encourage compatible land use patterns, protect the public health, safety and general welfare, and help prevent encroachment from incompatible development.

1. **The NSAPC Military Influence Overlay District (NSAPC MIOD):** The NSAPC Military Influence Overlay District shall be the area located on Exhibit 16. The NSAPC MIOD includes the following Military Influence Areas: The NSAPC Land Use and Anti-Terrorism Force Protection Military Influence Area, depicted on Exhibit 17; the NSAPC Land Use Water Interface Military Influence Area, depicted on Exhibit 18; and, the NSAPC Frequency Military Influence Area depicted on Exhibit 19.

2. **Application Coordination:** In order to ensure that the City's long range land use plans are consistent with the operation of NSAPC, the City shall create an ex officio non-voting member position on its Local Planning Agency (aka Planning Board) for NSAPC. The City shall notify the commanding officer (or their appointed representatives) of NSAPC of any proposed Comprehensive Plan amendments (map or text), re-zoning applications, variances, conditional use permits, applications for development orders, and amendments to the City's Land Development Code which are proposed in or affect any area found to be in the NSAPC MIOD on Exhibit 16. The City shall consider NSAPC's input and concerns during its review of such planning, regulatory and development proposals. The City shall also assess the compatibility of such planning, regulatory and development proposal as provided in the following criteria:
 - a. Whether such proposal is compatible with the findings of the Naval Support Activity Panama City Joint Land Use Study, November 2009;
 - b. Whether the military installation's mission will be adversely affected by the proposal;
 - c. Whether such proposal creates any frequency interferences that are incompatible with the current mission of NSAPC. To implement this provision, the City shall ensure that all future commercial and

industrial development located inside the NSAPC Frequency Military Influence Area (Exhibit 19) shall register with the Planning Department and specifically describe any frequency spectrum that is generated or emitted by the proposal.

- d. Whether such proposal is compatible with the NSAPC water based activities. To implement this provision, the City shall ensure that all applications for development orders, including docks, piers, boat slips, boat launches, and marinas located within the NSAPC Land Use Water Interface Military Influence Area (Exhibit 18) shall be submitted to the Planning Department to review for compliance with this provision.
- e. Whether such proposal is compatible with the mission of the NSAPC based on the NSAPC Land Use and Anti-Terrorism Force Protection Military Influence Area. A component of this Influence area is the West Microwave Tower Corridor. Within this corridor a ~~230~~250-foot height limitation shall be enforced to prevent vertical obstructions and ensure noninterference with signal pathways and critical communication lines. Any building or structure, including chimneys; water, fire, radio, and television towers; smokestacks; flagpoles; and similar structures and their necessary mechanical appurtenances, such as elevator shafts, and ventilation equipment shall be limited to ~~230~~250 feet in height. The NSAPC Land Use and Anti-Terrorism Force Protection Military Influence Area is geographically depicted on (Exhibit 17).
- f. Nothing herein shall be construed to limit the ability of NSAPC to request a review of an application, when such application may, in the opinion of NSAPC, present a potential conflict in compatibility.

SECTION 2. From and after the effective date of this ordinance, Section 7.02.06.C.2.e. of the City's Land Development Code, is amended to read as follows(new text **bold and underlined**, deleted text ~~struckthrough~~):

7.02.06 Naval Support Activity Panama City Military Influence Overlay District

A. Purpose

The Naval Support Activity Panama City Military Influence Overlay District (NSA-PC MIOD) is established to ensure that the continually changing missions of the local military installations are facilitated to the greatest extent possible. The City shall support the U.S. Navy in its operation of Naval Support Activity Panama City (NSA-PC) so that the facilities remain viable and able to fulfill their missions. The district and the three (3) Military Influence Areas are established to encourage compatible land use patterns, protect the public health, safety and general welfare, and help prevent encroachment from incompatible development.

B. Boundaries

The NSA-PC Military Influence Overlay District (NSA-PC MIOD): The NSA-PC Military Influence Overlay District which corresponds with the area located on Exhibit 16 of the Comprehensive Plan and as shown on the **Zoning Map**. The NSA-PC MIOD includes the following Military Influence Areas as shown in the referenced exhibits of the Comprehensive Plan: The NSA-PC Land Use and Anti-Terrorism Force Protection Military Influence Area, depicted on Exhibit 17; the NSA-PC Land Use Water Interface Military Influence Area, depicted on Exhibit 18; and the NSA-PC Frequency Military Influence Area depicted on Exhibit 19.

C. Application Coordination

1. The **City** shall notify the commanding officer (or their appointed representatives) of NSA-PC of any proposed Comprehensive Plan amendments (map or text), amendments to this **LDC** or applications for **Development Orders** that are proposed in or affect any area found to be in the NSA-PC MIOD.
2. The **City** shall consider NSA-PC's input and concerns during its review of such planning, regulatory and development proposals. The **City** also shall assess the compatibility of any planning, regulatory and development proposal as provided in the following criteria:
 - (a) Whether such proposal is compatible with the findings of the Naval Support Activity Panama City Joint Land Use Study, November 2009;
 - (b) Whether the military installation's mission will be adversely affected by the proposal;

- (c) Whether such proposal creates any frequency interferences that are incompatible with the current mission of NSA-PC. To implement this provision, the City shall ensure that all future commercial and industrial development located inside the NSA-PC Frequency Military Influence Area shall register with the Planning Department and specifically describe any frequency spectrum that is generated or emitted by the proposal.
 - (d) Whether such proposal is compatible with the NSA-PC water based activities. To implement this provision, the **City** shall ensure that all applications for development orders, including docks, piers, boat slips, boat launches, and marinas located within the NSA-PC Land Use Water Interface Military Influence Area shall be submitted to the Planning Department to review for compliance with this provision.
 - (e) Whether such proposal is compatible with the mission of the NSA-PC based on the NSA-PC Land Use and Anti-Terrorism Force Protection Military Influence Area. A component of this Influence area is the West Microwave Tower Corridor. Within this corridor a ~~230~~ 250-foot height limitation shall be enforced to prevent vertical obstructions and ensure noninterference with signal pathways and critical communication lines. Any building or structure, including chimneys; water, fire, radio, and television towers; smokestacks; flagpoles; and similar structures and their necessary mechanical appurtenances, such as elevator shafts, and ventilation equipment shall be limited to ~~230~~ 250 feet in height.
3. Nothing herein shall be construed to limit the ability of NSA-PC to request a review of an application for a **Development Order**, when such application may, in the opinion of NSA-PC, present a potential conflict in compatibility.

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

SECTION 4. This Ordinance shall take effect as provided by law.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 23rd day of July, 2020.



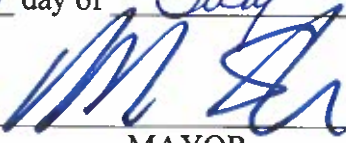
Mark Sheldon, MAYOR

ATTEST:



Jo Smith, INTERIM CITY CLERK

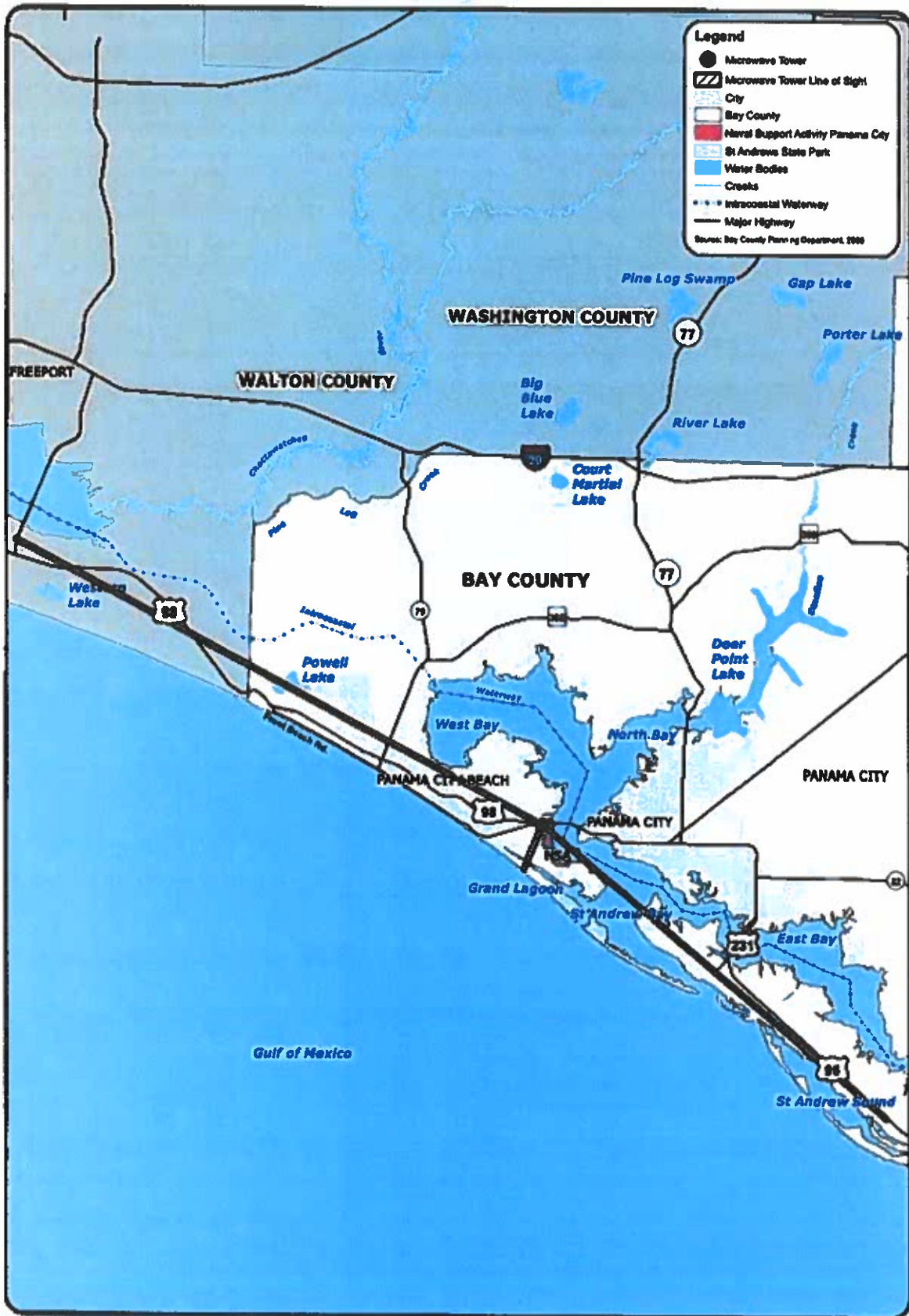
EXAMINED AND APPROVED by me this 23rd day of July, 2020.



MAYOR

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**Regional Microwave Tower Line-of-Sight
Figure 3-2**

Bay County JLUS