

ORDINANCE NO. 1620

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, AMENDING THE CITY'S LAND DEVELOPMENT CODE RELATED TO OVERLAY DISTRICTS; AMENDING THE CITY'S LAND DEVELOPMENT CODE TO UPDATE AND CLARIFY DEVELOPMENT STANDARDS AND TABLES FOR THE FRONT BEACH ROAD OVERLAY DISTRICT; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN 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 7.02.03B of the City's Land Development Code related to the Applicability of the standards for the Front Beach Road Overlay District, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

SECTION 7.02.03 FRONT BEACH ROAD OVERLAY DISTRICTS

B. Applicability:

1. All of the standards in this section apply to ***New Development*** or ***Redevelopment***.
2. The standards of this section do not apply to:
 - (a) Continuation of a permitted ***Use*** within an existing structure **or parcel**;
 - (b) Changes of ***Use*** within existing structures that do not require increased parking;
 - (c) Normal repair and maintenance of existing structures **or parcels** that do not increase its size or parking demand; and
 - (d) Continuation of a ***Non-Conforming*** situation in accordance with section 9.02.00 of this ***LDC***.
3. Modifications to existing ***Non-Conforming*** structures or ***Uses*** may be authorized in accordance with section 9.02.02 provided that expansions increase conformance by reducing excess front ***Building Setbacks*** and front ***Yard*** parking. In lieu of the standard established in section 9.02.02C an expansion, enlargement or modification that otherwise meets the standards in section 9.02.02C is considered de minimis even if it materially increases pedestrian traffic to or from the Subject Site. (Ord. #1410, 4/13/17)

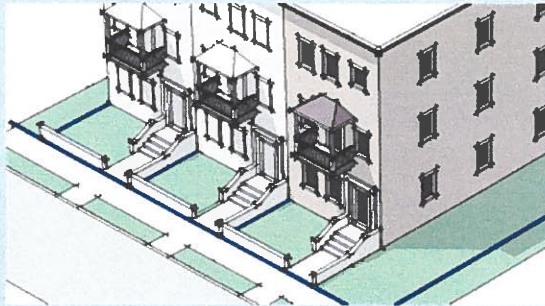
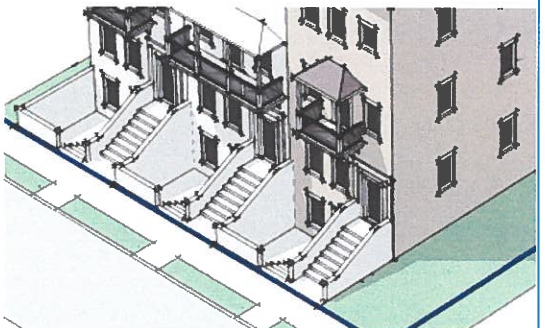
SECTION 2. From and after the effective date of this ordinance, Section 7.02.03F of the City's Land Development Code related to Building Fronts and Setbacks in the Front Beach Road Overlay District, is amended to read as follows (new text **bold and underlined**, deleted text

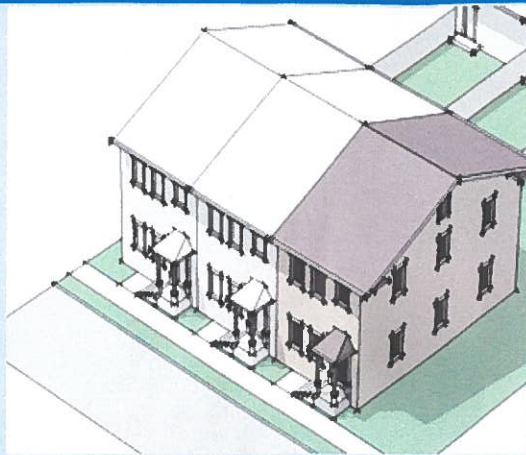
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F. Building Fronts and Setbacks

1. **Setback in Certain Areas.** For *Lots* in subdivisions platted prior to January 1, 2015, that are located in R-1 or R-2 districts on the north side of Front Beach Road, the setbacks of the underlying zoning districts also shall apply to all **Development** and **Redevelopment**. The setbacks for underlying zoning districts also shall apply to all **Development** and **Redevelopment** of a *Parcel* lying in whole or in part along Panama City Beach Parkway.
2. **Building Front Types Defined.** Table 7.02.03.A defines the **Building** front types permitted in FBO districts. All applications for **Development** within an FBO district shall assign each **Building** a specific **Building** front type and each **Building** shall be designed in accordance with the standards that apply to that **Building** front type, as established in this section. In addition to the building fronts established in this section, section 7.02.03L establishes standards allowing the establishment of buildings with porte cochere fronts in the FBO-4 district.

Table 7.02.03.A: Building Front Definitions

B	<p>Dooryard. A dooryard is a Building front with the façade set back from the Frontage line behind an at-grade courtyard. This type buffers Residential and accommodations Uses from sidewalks and removes the private Yard from public encroachment. The dooryard is suitable to conversion for outdoor dining.</p> <p>Allowed in the FBO-1, FBO-2, and FBO-3 and FBO-4 districts.</p>	
B	<p>Terrace/Light Court. A terrace/light court is a Building front with the façade set back from the Frontage line by an elevated terrace or light court. The court can potentially Access an additional unit or commercial space below Street grade. This type removes the private Yard from public encroachment. The terrace or light court may be suitable to conversion for outdoor dining.</p> <p>Allowed in the FBO-1, FBO-2, and FBO-3 and FBO-4 districts.</p>	

Group	Definition	Illustration
C	<p>Stoop. A stoop is a Building front with the Facade near the sidewalk and the front entry stairs connect to the sidewalk. The Ground Story is elevated to provide privacy for Residential Uses. The stoop Frontage is primarily for Residential Uses in short Setback situations.</p> <p>Allowed in the FBO-2 <u>and</u>, FBO-3 <u>and</u> FBO-4 districts.</p>	

3. Allowed Frontage Types. **Building** front types are only allowed in the FBO where an “A” is shown in Table 7.02.03.B for the corresponding **Building** front and FBO district. An applicant may select any **Building** front type that is allowed in the applicable zoning district. Table 7.02.03.B assigns each of the **Building** front types to a group. **Setback** standards for each of the groups of **Building** front types are listed in the following paragraphs 3, 4, and 5, and 6.

Table 7.02.03.B: Allowed Building Fronts by Overlay District

Table 7.02.03.B: Allowed Building Fronts by Overlay District

		Building Fronts								
Groups		A			B		C			
Districts	Storefront	Gallery	Arcade	Doorway	Dooryard	Terrace / Light Court	Stoop	Forecourt	Lawn	Common Lawn
FBO-1					A	A			A	A
FBO-2	A	A	A	A	A	A	A	A	A	
FBO-3	A	A	A	A	A	A	A	A	A	
FBO-4	A	A	A	A	*	*	A	A	A	

*Steps shall be allowed where necessary to comply with FEMA standards [ML1].

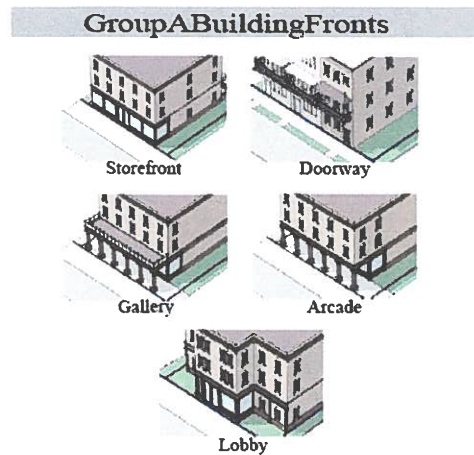
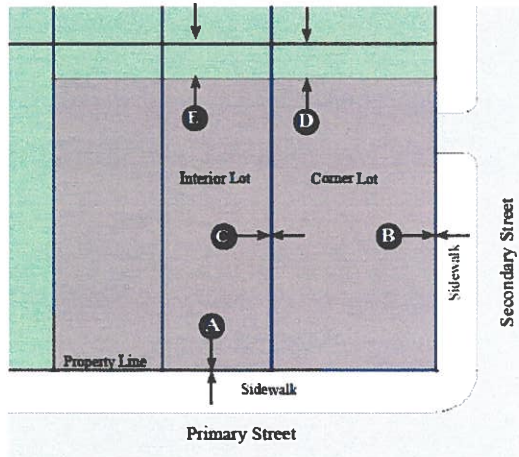
(Ord. #1429, 10/26/17)

4. Group "A" Building Front Standards.

- (a) **Building Setbacks** for **Building** Fronts listed under Group A in Table 7.02.03.B shall comply with the **Setback** requirements established in Table 7.02.03.C.
- (b) **Setbacks** for **Stories** one through four (1-4) are the minimum or maximum **Setbacks** in feet for the applicable side of the **Building** for each of the first four **Stories**. **Setbacks** for **Stories** five and above (5+) are the minimum **Setbacks** in feet for **Stories** above the fourth floor.
- (c) On the south side of Front Beach Road and South Thomas Drive, the minimum side **Setbacks** apply to all portions of the **Building** for the first four (4) stories and the side **Setbacks** for the portions of **Buildings** taller than four (4) stories apply only to the portions of the **Buildings** that are above the fourth **Story**.
- (d) For purposes of the FBO district regulations, the primary **Street** shall be Front Beach Road, South Thomas Drive or Arnold Road. Where a structure or parcel does not abut one of these **Streets**, the primary **Street** shall be the **Street** with the highest order functional classification.
- (e) Setbacks for yards facing **Parcels** within an FBO district that abut parcels in an R-1 district that is not within an FBO district shall comply with the **Setback** requirement for the underlying district unless the FBO district requires a greater **Setback**.

(Ord. # 1292, 10-10-13)

Table 7.02.03.C: Group A Setbacks



Notes:

- A – Front Setback
- C – Interior Lot Side Setback
- E – Interior Lot Rear Setback

- B – Exterior Lot Side Setback
- D – Exterior Lot Rear Setback

Table 7.02.03.C Setbacks for Group A Building Front Types (in feet)

Dimension	Setback		FBO-1	FBO-2	FBO-3	FBO-4
A	Front Setback (feet)	Stories 1 – 4	N/A	Minimum and Maximum: the greater of 47 from CL or 5 from PL		
		Stories 5 +		Minimum: the greater of 62 from CL or 20 from PL		
B	Exterior Lot Side Setback (feet)	Stories 1 – 4		5 maximum	5 maximum	5 maximum
		Stories 5 +		20 minimum	20 minimum	20 minimum
C	Interior Lot Side Setback (feet)	Stories 1 – 3		0 minimum	0 minimum	10 minimum
		Stories 1-3 South of Front Beach or South Thomas		10 minimum	NA	10 minimum
		Story 4		0 minimum	0 minimum	10 minimum
		Story 4 South of Front Beach or South Thomas		15 minimum	NA	15 minimum
		Stories 5 +		10 minimum	10 minimum	20 minimum
		Stories 5 + South of Front Beach or South Thomas		20 minimum	NA	20 minimum
D	Rear Setback (feet)	All Stories –	FDEP or 25 min. if no FDEP	25 minimum	FDEP or 25 min. if no FDEP line is established	

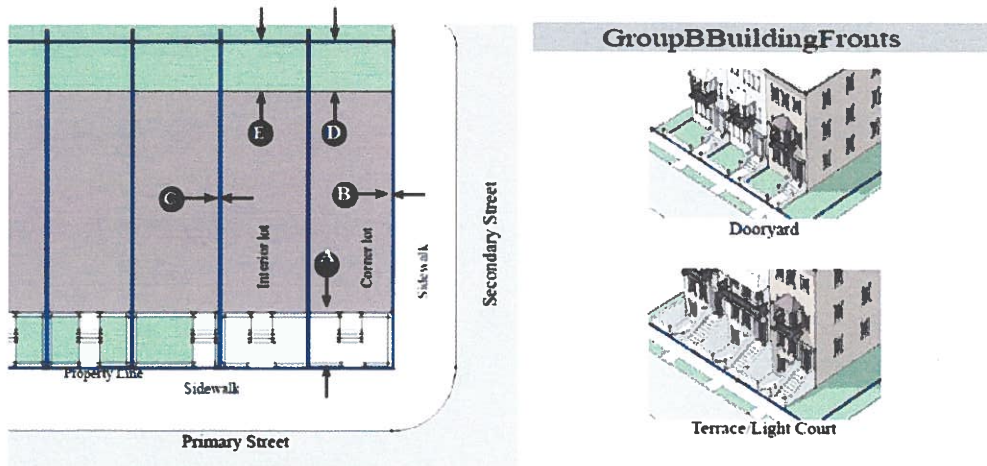
Notes:

- 1: At least 80% of the **Building Facade** shall be located at the **Front Setback** line for storefront, arcade, gallery & doorway, except as authorized for a porte cochere (see section 7.02.03L).
- 2: For **Buildings** located on **Corner Lots**, at least the first 30 feet of the **Building** façade closest to the corner, shall be located at the **Setback** line, except as authorized for a porte cochere (see section 7.02.03L). Lobby **Building** Front Type is exempt from this standard.
- 4: CL = centerline of Front Beach Road; PL = Property line
5. All **Setbacks** are measured from the Property line (or CL) to the **Building Facade**.
6. Refer to section 1.02.01G for **Front Yard** standards for areas between the **Building** façade and the front property line.
7. NA – not applicable

5. **Group “B” Building Front Standards.**

- (a) **Building Setbacks** for **Building Fronts** listed under Group B in Table 7.02.03.B shall comply with the setback requirements established in Table 7.02.03.D.
- (b) **Setbacks** for **Stories** one through four (1-4) are the minimum or maximum **Setbacks** in feet for the applicable side of the **Building** for each of the first four (4) **Stories**. **Setbacks** for **Stories** five (5) and above are the minimum **Setbacks** in feet for **Stories** above the fourth floor.
- (c) On the south side of Front Beach Road and South Thomas Drive, the minimum side **Setbacks** apply to all portions of the **Building** for the first four (4) stories and the side **Setbacks** for the portions of **Buildings** taller than four (4) stories apply only to the portions of the **Buildings** that are above the fourth **Story**.
- (d) For purposes of the FBO district regulations, the primary **Street** shall be Front Beach Road, South Thomas Drive or Arnold Road. Where a structure does not abut one of these **Streets**, the primary **Street** shall be the **Street** with the highest order functional classification.
- (e) Setbacks for yards facing **Parcels** within an FBO district that abut parcels in an R-1 district that is not within an FBO district shall comply with the **Setback** requirement for the underlying district unless the FBO district requires a greater **Setback**.
- (f) **Parking for group “B” buildings is generally provided to the rear, off-site and/or through on-street parking.**

Table 7.02.03.D: Group B Setbacks



Notes:

- A – Front Setback
- C – Interior Lot Side Setback
- E – Interior Lot Rear Setback
- B – Exterior Lot Side Setback
- D – Exterior Lot Rear Setback

Table 7.02.03.D Setbacks for Group B Building Front Types (in feet)

Dimension	Setback		FBO-1	FBO-2	FBO-3	FBO-4
A	Front Setback Along Front Beach Road, South Thomas Drive or Arnold Road (feet)	Stories 1 – 4	min: the greater of 52 from CL; or 10 from PL	Minimum: the greater of 50 from CL or 8 from the PL. maximum: the greater of 62 from CL or 20		
		Stories 5 +	max: the greater of 72 from CL; or 30 from PL	Minimum: the greater of 62 from CL or 8 from the PL		
B	Front Setback Along Other Streets (feet)	Stories 1 – 4	10 minimum	8 minimum 20 maximum	8 minimum 20 maximum	N/A
		Stories 5 +	30 maximum	20 minimum	20 minimum	
	Exterior Lot Side Setback (feet)	Stories 1 – 4	5 minimum	5 maximum	5 maximum	
		Stories 5 +		20 minimum	20 minimum	
C	Interior Lot Side Setback (feet)	Story 1	0 minimum	0 minimum	0 maximum	
		1 Story building south of Front Beach or South Thomas	5 minimum	5 minimum	NA	
		Story 2	5 minimum	0 minimum	0 minimum	
		2 Story building south of Front Beach or South Thomas	7.5 minimum	7.5 minimum	NA	
		Story 3	10 minimum	0 minimum	0 minimum	
		3 Story building south of Front Beach or South Thomas	10 minimum	10 minimum	NA	
		Story 4	10 minimum	0 minimum	0 minimum	
		4 Story building south of Front Beach or South Thomas	15 minimum	15 minimum	NA	
		Stories 5+		0 minimum	10 minimum	
		Stories 5 + south of Front Beach or South Thomas	NA	20 minimum	NA	
D	Rear Setback (feet)	All Stories	5 minimum	FDEP or 25 min. if no FDEP	25 minimum	

Notes:

1: At least 80% of the **Building Facade** shall be located at the front **Setback** line, except as authorized for a porte cochere (see section 7.02.03L).

2: For **Buildings** located on **Corner Lots**, at least the first 30 feet of the **Building Facade**, as measured from the front **Building** corner, shall be located at the **Setback** line.

- 3: CL = centerline of Front Beach Road; PL = Property line
- 4. All **Setbacks** are measured from the Property line (or CL) to the **Building Facade**.
- 5. NA = Not Applicable
- 6. Refer to section 1.02.01G for **Front Yard** standards for portions of the **Building Setback** from the property line.

6. **Group "C" Building Front Standards.**

(a) **Building Setbacks** for **Building** Fronts listed under Group C in Table 7.02.03.B shall comply with the setback requirements established in Table 7.02.03.E, except that front **Setbacks** on Front Beach Road, S. Thomas Drive and Thomas Drive may be up to 25 feet if the development consists of two or more residential dwellings and the area is improved with an access driveway serving all dwellings.

(Ord. #1429, 10/26/17)

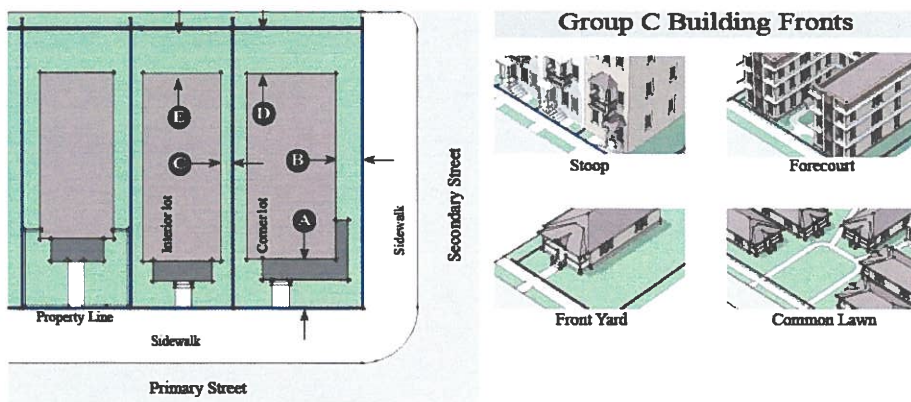
(b) **Setbacks** for **Stories** one through four (1-4) are the minimum or maximum **Setbacks** in feet for the applicable side of the **Building** for each of the first four **Stories**. **Setbacks** for **Stories** five and above (5+) are the minimum **Setbacks** in feet for **Stories** above the fourth floor.

(c) On the south side of Front Beach Road and South Thomas Drive, the minimum side **Setbacks** apply to all portions of the **Building** for the first four (4) stories and the side **Setbacks** for the portions of **Buildings** taller than four (4) stories apply only to the portions of the **Buildings** that are above the fourth **Story**.

(d) For purposes of the Front Beach Overlay district regulations, the primary **Street** shall be Front Beach Road, South Thomas Drive or Arnold Road. Where a structure or parcel does not abut one of these **Streets**, the primary **Street** shall be the **Street** with the highest order functional classification.

(e) Setbacks for yards facing **Parcels** within an FBO district that abut parcels in an R-1 district that is not within an FBO district shall comply with the **Setback** requirement for the underlying district unless the FBO district requires a greater **Setback**.

Table 7.02.03.E: Group C Setbacks



Notes:

- A – Front Setback
- B – Exterior Lot Side Setback
- C – Interior Lot Side Setback
- D – Exterior Lot Rear Setback
- E – Interior Lot Rear Setback

Table 7.02.03.E Setbacks for Group C Building Front Types (in feet)

Dimension	Setback	FBO-1	FBO-2	FBO-3	FBO-4	
A	Front Setback Along Front Beach Road (feet)	Stories 1 – 4	minimum: the greater of 52 from CL; or 10 from PL maximum: the greater of 67 from CL; or 25 from PL	minimum: the greater of 47 from CL or 5 from PL maximum: the greater of 50 from CL or 8 from PL	minimum: the greater of 47 from CL or 5 from PL maximum: the greater of 50 from CL or 8 from PL	
		Stories 5 +				minimum: the greater of 62 from CL or 20 from PL
B	Front Setback Along Other Streets (feet)	Stories 1 – 4	10 minimum 25 maximum	3 minimum 8 maximum	0 minimum 8 maximum	0 minimum 8 maximum
		Stories 5 +		20 minimum	20 minimum	20 minimum
	Exterior Lot Side Setback (feet)	Stories 1 – 4	5 minimum	<u>0' minimum</u> <u>5' maximum</u>	<u>0' minimum</u> <u>5' maximum</u>	<u>0' minimum</u> <u>5' maximum</u>
		Stories 5 +		20 minimum	20 minimum	20 minimum
C	Interior Lot Side Setback (feet)	Story 1-2 Story	5 minimum	0 minimum	0 minimum	10 minimum
		1 Story building south of Front Beach or South Thomas		5 minimum	NA	10 minimum
		2 Story building south of Front Beach or South Thomas	7.5 minimum	7.5 minimum	NA	10 minimum
		Story 3	10 minimum	0 minimum	0 maximum	0 minimum
		3 Story building south of Front Beach or South Thomas	10 minimum	10 minimum	NA	15 minimum
		Story 4	10 minimum	0 minimum	0 minimum	0 minimum
		4 Story building south of Front Beach or South Thomas	15 minimum	15 minimum	NA	15 minimum
		Stories 5 +	NA	0 minimum	0 minimum	0 minimum
		Stories 5 + South of Front Beach or South Thomas		20 minimum	NA	20 minimum
D	Rear Setback (feet)	All Stories	5 minimum	FDEP or 25 min. if no FDEP	25 minimum	FDEP or 25 min. if no FDEP

Notes:

- 1: At least 80% of the **Building Facade** shall be located at the front **Setback** line, except as authorized for a porte cochere (see section 7.02.03L).
- 2: At least 50% of the **Building Facade** shall be located at the front **Setback** line for the Forecourt, Lawn and Common Lawn.
- 3: CL = centerline of Front Beach Road; PL = Property line
4. All **Setbacks** are measured from the Property line (or CL) to the **Building Facade**.
5. Refer to section 7.02.03G for **Front Yard** standards for portions of the **Building Setback** from the property line.

6. NA = not applicable
(Ord. #1254, 11/14/13; Ord. # 1329, 1-8-15; Ord. #1340, 4/9/15)

SECTION 3. From and after the effective date of this ordinance, Section 7.02.03G(4) of the City's Land Development Code related to Maintenance of Front Yards Along Front Beach Road, Arnold Road and South Thomas Drive, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

G. Front Yards Along Front Beach Road, Arnold Road and South Thomas Drive

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4. **Maintenance.** The ultimate owner of the **Front Yard** shall be responsible for raising all monies required for operations, maintenance or physical improvements in the **Front Yard** through annual dues, special assessments or other arrangements approved by the **City**. A copy of binding covenants or other arrangement providing for ongoing maintenance shall be recorded and a copy shall be provided to the **City**. In the event that the association or any successor organization shall fail to maintain the **Front Yard** in reasonable order and condition in accordance with the **Development** plan, the **City** may serve written notice upon the owner of record, setting forth the manner in which the owner of record has failed to maintain the **Front Yard** in reasonable condition. Failure to adequately maintain **Front Yards** in reasonable order and condition constitutes a violation of this section. The **City** is hereby authorized to give notice to the owner or occupant, as the case may be, of any violation, directing the owner to remedy the same within twenty (20) days. If a homeowner's association assumes ownership, its by-laws shall provide as follows:

(a) The homeowners' association shall be authorized under its bylaws to place liens on the property of residents who fall delinquent in payment of such dues or assessments.

(b) Should any bill or bills for maintenance of **Front Yards** by the **City** be unpaid by November 1 of each year, a late fee of fifteen percent (15%) shall be added to such bills and a lien shall be filed against the **Premises** in the same manner as other municipal claims.

(c) **Commercial Use of Front Yards.** All or a portion of privately owned **Front Yards in commercial zoning districts (CL, CM and CH)** may be used for dining areas or other commercial activities, subject to ~~approval of a supplemental Standards for Specific Uses as provided in compliance with~~ section 5.04.06.

(Ord. #1254, 11/14/13; Ord. # 1340, 4/9/15; Ord. #1335, 2/26/15; Ord. #1366, 11/12/15)

SECTION 4. From and after the effective date of this ordinance, Section 7.02.03I(4) of the City's Land Development Code related to Off-site Parking Areas, General Parking

Requirements, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

4. All off-site parking areas shall meet the following requirements:
 - (a) The off-site parking areas shall be connected to the **Use** they serve by a pedestrian connection meeting the requirements of sections 4.05.03 and 4.05.04, as applicable.
 - (b) The owner of the off-site parking area shall enter into a written agreement with the applicant that reserves the necessary spaces for the proposed **Development**.
 - (c) The owner of the off-site parking area shall enter into a written agreement with the **City** that the off-site **Parking Spaces** shall not be disposed of except in conjunction with the sale of the **Building that** with the parking area serves and that the off-site **Parking Spaces** will be reserved and maintained so long as they are required. The owner shall bear the expense of recording the agreement and shall agree that the agreement shall bind all heirs, successors and assigns.

SECTION 5. From and after the effective date of this ordinance, Section 7.02.03J of the City's Land Development Code related to Surface Parking Standards, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

J. Surface Parking Standards

1. Surface parking shall comply with the standards in sections 4.05.00 and 4.06.00, except as otherwise provided herein.
2. Surface parking areas located on-site shall be located in the rear **Yard** or in a **Side Yard** location provided that the **Side Yard** width does not exceed 100 feet or fifty (50) percent of the width of the **Lot or Parcel**, whichever is less. On gulf-front lots in FBO-4, on-site surface parking areas may be locate in a **Front or Side Yard** provided that a decorative wall or hedge not exceeding forty-two (42) inches in height, is installed along the front property line.
(Ord. #1437, 11/9/17)
3. ~~As shown in Figure 7.02.03.B-E, s~~Surface or garage parking for **Single Family Residential** lots along Front Beach Road shall be accessed from a side **Street**, rear **Street** or **Alley**, if available. Where side or rear **Access** is not available, garages and **Parking Spaces** shall be located behind the front of the **Building** in accordance with the figures.
4. Parking for lots with direct access to Front Beach Road, South Thomas Drive or Arnold Road shall be designed to enable drivers to enter and leave the lots in a forward gear. ~~Figure 7.02.03.E shows sample Driveway configurations that enable compliance with this provision.~~

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SECTION 6. From and after the effective date of this ordinance, the following figures shall be struck and deleted from Section 7.02.03J:

Figure 7.02.03.B: Illustration of Front Loaded Parking Condition

Figure 7.02.03.C: Illustration of Rear Loaded Parking Condition

Figure 7.02.03.D: *Parking Garage Design with Building in Front*

Figure 7.02.03.E: Additional Residential Parking Options

SECTION 7. From and after the effective date of this ordinance, Section 7.02.03K2 of the City's Land Development Code related to Parking Standards, is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

K. Parking Structures

Except as provided in this subsection, all ***Parking Structures*** shall meet the requirements of section **Error! Reference source not found.**

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2. **Ground Floor Building Design.** ***Parking Structures*** shall have commercial ***Uses*** or window displays along the ground floor **and shall be at least two stories in height. Vehicle entrances from the sides of Buildings facing a primary Street to the parking garage shall not be authorized unless the City Manager finds that there are no practical alternatives.** However, one (1) ADA/State of Florida compliant pedestrian entrance to the ***Parking Structure*** may be located along each block. For purposes of the illustrations in this section, the primary ***Street*** shall be Front Beach Road, South Thomas Drive or Arnold Road. **Figures 7.02.03 F through O illustrate many of the requirements of this section 7.02.03K.**
 - (a) When the ***Parking Structure*** includes a commercial ***Use*** lining the ***Building*** on the ***Street*** level, the retail or commercial liner shall provide a usable depth of no less than 10 feet. At least seventy-five (75) percent of the ground floor wall area between two (2) Feet and seven (7) feet shall be ***Glazed*** and shall have a minimum transparency of seventy (70) percent. ~~Figure 7.02.03.F through J illustrate these conditions.~~
 - (b) When the ***Parking Structure*** includes window displays lining the ***Building*** on the ***Street*** level, window displays shall provide a usable depth of no less than three (3) feet. Blinds, curtains or glass with greater opacity may be used in display windows without active displays. At least fifty (50) percent of the ground floor wall area between two (2) feet and seven (7) feet shall be ***Glazed*** and shall have a minimum transparency of seventy (70) percent.

- (c) **Parking Structures** that provide a lining of retail or commercial **Uses** at the **Street** level shall be classified according to the requirements of section 7.02.03K, and meet the applicable regulations.

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SECTION 8. From and after the effective date of this ordinance, Section 7.02.03N of the City’s Land Development Code related to Building Design Standards, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

N. Building Design Standards

1. *Building Materials.*

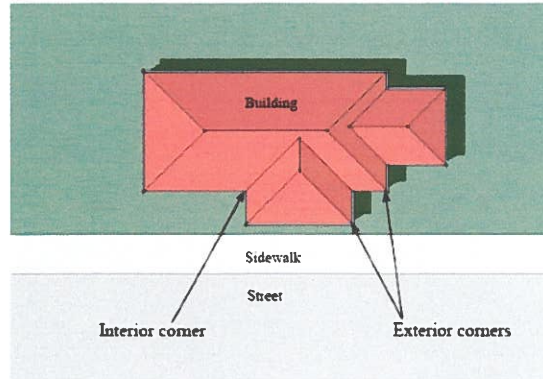
- (a) In the FBO-1 and FBO-2 districts, no more than two (2) materials shall be visible on any exterior façade, not including windows, doors, foundation walls, columns, chimneys, soffits and trim. If two wall materials are used, heavier-weighted materials shall be located below lighter-weighted materials, as defined in Table 7.02.03.L and separated by a horizontal joint. Vertical changes in material shall not occur within two (2) feet of an exterior corner. When possible, vertical changes in materials shall occur at interior corners (see Figure 7.02.03.R). Allowed materials include wood, stone, brick, stucco, architectural block (split faced), and cementitious materials.

Table 7.02.03.L: Exterior Materials by Weight

Heavy weight materials	Medium weight materials	Light weight materials
Brick	Stucco	Horizontal siding
Stone		Vertical siding
		Shingle siding

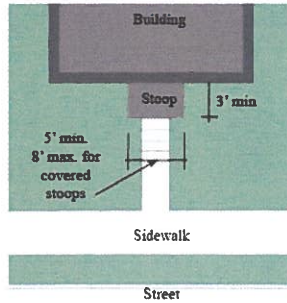
- (b) **Building** exteriors in the FBO-3 and FBO-4 districts shall be clad in masonry materials only. Masonry materials include stone, brick or stucco. Cementitious materials that mimic wood lap siding are not an approved masonry material for any building that is more than three (3) stories in **Height**. No more than two materials shall be visible on any exterior façade, not including windows, doors, foundation walls, soffit, columns and trim. If two wall materials are used, heavier-weighted materials shall be located below lighter-weighted materials, as defined in Table 7.02.03.L and separated by a horizontal joint. Changes in material along a horizontal plane shall not occur within two (2) feet of an exterior corner. When possible, these horizontal changes in materials shall occur at interior corners. (see Figure 7.02.03.R)

Figure 7.02.03.R: Interior and Exterior Corners



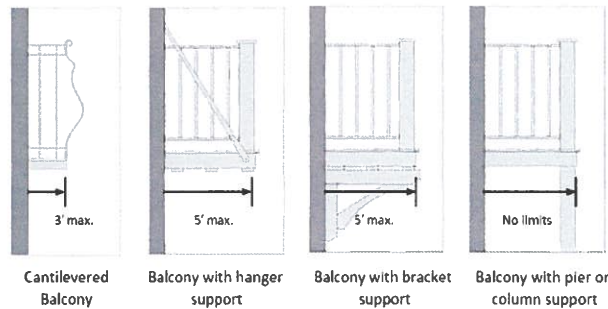
2. Front Porches and Stoops. (See Figure 7.02.03.S and Figure 7.02.03.T)
 - (a) Porches and stoops shall be raised a minimum of thirty (30) inches above the grade of the sidewalk.
 - (b) Front porches shall be a minimum of eight (8) feet deep. Porch beams shall be visible. Porch column width shall match the width of the porch beams. To the greatest practical extent, columns and piers should be evenly spaced.
 - (c) Handicapped ramps used in conjunction with a front porch or stoop shall be constructed of masonry, concrete, pressure treated lumber or composite lumber, and shall not be located on a **Street**-facing side of the porch.
3. Stoops and covered stoops shall be constructed of stone, brick, concrete, pressure treated materials ~~and~~ composite materials, **or a combination thereof**, and shall be a minimum of three (3) feet deep and a minimum of five (5) feet wide. A covered stoop greater than eight (8) feet wide shall be considered a porch.
4. Covered stoops shall have a visible means of support for the **Roof** consisting of beams and columns, piers or brackets. Columns and piers shall have the same width and spacing requirements as columns and piers for porches. Stoops and covered stoops shall be accessed by stairs.

Figure 7.02.03.T: Stoops



- Balconies.** Balconies facing adjacent to and facing the sandy shore of the beach shall extend no further than three (3) feet beyond the **Building** wall without the use of brackets, hangers, piers or columns. Balconies extending from three (3) to five (5) feet from the **Building** wall shall incorporate the use of brackets, hangers, columns or piers as a visible means of support. A balcony extending beyond five (5) feet from the **Building** wall shall use walls, columns or piers as a visible means of support. (see Figure 7.02.03.U)

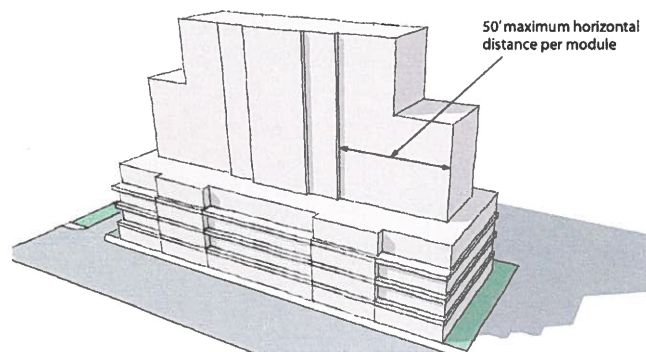
Figure 7.02.03.U: Balconies



- Mechanical Unit Location.** Mechanical equipment shall not be located at the front of a Building. Mechanical equipment shall be located in areas that are screened from the public streetscape or public Access ways by the sides and rears of Buildings or within mechanical areas inside the Buildings. Roof-top mechanical equipment shall be screened by a wall that is equal to the height of the equipment being screened.
- Utilities.** On-site utilities shall be screened or incorporated into building insets to the greatest practical extent.
- Modulation.** In the FBO-3 and FBO-4 districts, recesses and projections shall be used to create shadow lines to break up the massing of all **Buildings** taller than four (4) **Stories** that have more than seventy-five (75) feet of **Frontage** along Front Beach Road and South Thomas Drive for all **Stories** above the fourth **Story**. The minimum depth of modulation shall be two (2) feet. The minimum horizontal width shall be five (5) feet and the maximum horizontal width per module shall be fifty (50) feet. (see Figure 7.02.03.V)

9. **Recognizable Top.** In the FBO-3 and FBO-4 districts, a recognizable "top" is required consisting of (but not limited to) (a) Cornice treatments; (b) roof overhangs with brackets; (c) stepped parapets; (d) richly textured materials (e.g. tile or masonry treatments); (e) differently colored materials (colored "stripes" are not acceptable as the only treatment); or (f) other non-habitable space that is under a pitched roof and above the top floor ceiling shall not be counted towards building height.
10. **Recognizable Base.** In the FBO-3 and FBO-4 districts, a recognizable "base" is required at ground level consisting of (but not limited to): (a) protruding walls; (b) richly textured materials (e.g., tile or masonry treatments); (c) special materials such as ceramic tile, granite and marble; (d) contrasting colored materials mullions, and/or panels.
11. **Entryways.** Enhanced landscaping, landscape planters or wing walls, structural or vegetative shading features and benches or other seating components shall be incorporated into entryways.
12. **Lighting.** Architectural lighting highlighting building columns, ~~C~~cornices or other distinguishing architectural features shall be ~~reg~~required along the front ~~fa~~5cade of buildings. Designs shall not interfere with turtle nesting season protections.

Figure 7.02.03.V: Modulation



SECTION 9. From and after the effective date of this ordinance, Section 7.02.03Q6 of the City's Land Development Code related to Modification of FBO Standards, is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Q. FBO District Development Procedures

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.

(b) 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 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 **Error! Reference source not found.** 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 **below** 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 1.02.01N shall be considered and may be granted in conjunction with the Type V consideration of a Master Plan in accordance with sections 10.02.05G and 10.04.06.

(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 Setbacks	H	✓		
Podium Design	H		✓	
Driveways / Garages	J			✓
Building Materials	N			✓
Modulation	N		✓	
Mechanical Unit Locations / Design	N		✓	
Perches / Balconies	N			✓
Drop-offs	L		✓	

(Ord. # 1340, 4/9/15; Ord. #1475, 12/13/18)

SECTION 10. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

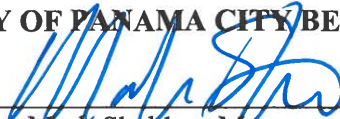
SECTION 11. The appropriate officers and agents of the City are authorized and directed

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 12. This Ordinance shall take effect immediately upon passed.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 8th day of June, 2023.

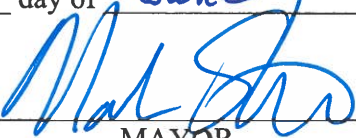
CITY OF PANAMA CITY BEACH

By: 
Mark Sheldon, Mayor

ATTEST:


Lynne Fasone, City Clerk

EXAMINED AND APPROVED by me this 8th day of June, 2023.


MAYOR

Published in the News Herald on the 24th day of May, 2023.

Posted on pcbfl.gov on the 12th day of May, 2023.

Posted on publicnoticesbaycountyfl.gov on the 24th day of May, 2023.