

ORDINANCE NO. 1623-R

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE; REVISING THE DESIGN STANDARDS REGARDING STEM WALLS, DRAINAGE PLANS AND INSPECTIONS IN SUBDIVISIONS WITHOUT AN APPROVED STORMWATER MANAGEMENT PLAN; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; 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 4.02.02(D) of the City's Land Development Code related to the Dimensional Standards for Zoning Districts, is amended to read as follows (new text **bold and underlined**, deleted text struckthrough):

4.02.02 Dimensional Standards for Zoning Districts

...

D. Building Height, Setback and Coverage Requirements

1. ***Building* location is determined by the *Setback* standards from the property line on the front, sides and rear of the property. Table 4.02.02.A sets forth the *Setback* requirements, along with the maximum *Building Height* for each zoning district. These provisions are modified for FBO districts pursuant to Section 7.02.03.**
2. **Every part of the required *Setback area* shall be open from its lowest point to the sky, unobstructed except for the customary projection of sills, belts, courses, *Cornices*, ornamental features, and *Eaves* that do not extend more than three (3) feet into the setback area; approved *Accessory Buildings*; and fencing. Open or enclosed fire escapes, outside stairways, balconies, chimneys, flues, generators or other projections shall not extend into any required *Setback area*, except that uncovered steps may project not more than three (3) feet into any required *Setback area*. Air conditioner/heat pumps shall be located the lesser of the *Setback* for the principal *Building* or five (5) feet from the property line. Underground improvements are not subject to *Setback* requirements.**
3. ***Building Height* shall be measured from the highest crown (highest point in the vehicular area of the right of way) of an abutting street to the highest point of the ceiling in the highest habitable *Story*.**
4. ***Roof* pitches greater than 12:12 (twelve feet of rise for twelve horizontal feet), height are prohibited.**
5. **Nothing shall extend above the ridgeline except chimneys, cupolas, steeples, parapets, antennas, mechanical equipment and elevator equipment. Within the AR zoning district, height limitations shall not apply to silos.**
6. **Within commercial districts, there shall be no projection of sills, belts, courses ornamental features**

or Eaves over any public right-of-way.

O. A vacant lot located within a subdivision without an approved stormwater management plan must additionally comply with the following standards:

- (a) No impervious surface is permitted within five (5) feet of a property line;
- (b) A swale shall be constructed within the entire limits of the adjacent right-of-way consisting of grass seed or sod and a minimum depth of six (6) inches;
- (c) The roof shall be designed to drain toward swales (roof drains may be required when necessary);
- (d) Lot grading shall not be directed towards adjacent properties;
- (e) Stem wall construction may be required by the Public Works Department. in Special Flood Hazard Areas and/or on lots where adjacent property elevations differentiate by six (6) inches or more;
- (f) The City may approve a pool deck to be installed up to the rear property line subject to additional requirements to adequately mitigate stormwater runoff. Grading away from adjacent lots and a combination of deck drains or catch basins installed to control runoff may be required. A retaining wall may be required for elevation changes of six (6) inches or more with an adjacent property.;
- (g) Prior to the issuance of any Development Order or Building Permit, the applicant shall submit a grading and drainage plan, subject to the approval of the Public Works Department, designed to prevent excess stormwater runoff in a 100-year flood event of critical duration which shall bear the stamp of a Florida Licensed Professional Engineer. The Building Department shall not issue a certificate of occupancy without receipt of an As-Built Survey, bearing the stamp of a Florida Licensed Professional Land Surveyor and a letter, bearing the stamp of a Florida Licensed Professional Engineer certifying that the drainage plans were built as designed, subject to the review of the Public Works Department. All grading and drainage plans required by subsection (g) shall contain:
 - 1. Name, address, and telephone number of the applicant.
 - 2. Location map and/or aerial photograph of the development site, which clearly outlines project boundaries.
 - 3. Boundary and topographic survey, including the location of all easements, rights of way, and Coastal Setback Line or Coastal Construction Control Line as appropriate. Topographic survey to extend by a minimum of ten (10) feet beyond the property line. Must show highest point of the crown of the road or top of curb along the lot frontage.
 - 4. Flood zone determination from the Flood Insurance Rate Maps.
 - 5. Elevations of any flood zone along with the flood hazard boundaries shall be delineated on the drainage plans. For structures located in FEMA Special Flood Hazard Areas, include the Engineer's determined Base Flood Elevation. (For Special Flood Hazard Areas without base flood elevations see 3.02.05(B))
 - 6. The grading and drainage plans shall include existing and proposed finished grade contours at one (1) foot elevation intervals with flow arrows indicating the Stormwater runoff directions.

7. A detailed description of the method of conveying stormwater from imperious surface to the right of way with elevations and dimensions.

**Table 4.02.02.A: Building Height and Setback Standards
[INTENTIONALLY OMITTED]**

8. Within the *Residential* subdivisions listed below that are located outside an FBO district, no permit shall be issued for a three (3) Story dwelling or a dwelling exceeding twenty (20) feet in *Building Height* until at least thirty (30) percent of the lots in the subdivision have been developed with two (2) story dwellings. This provision does not apply to the portions of the following subdivisions located within an FBO district:

Miramar Beach Area - All R-1C zoned areas in the following subdivisions:

- Miramar Heights Subdivision
- Wells Gulf Beach Estates
- Miramar Beach 1st Addition

Palmetto Trace - All phases.

Summerwood - All phases.

Summerbreeze Subdivision - All phases

Gulf Highlands, Unit 2 - All R-1B zoned areas.

Open Sands - All R-1C zoned areas including the Pura Vida unrecorded subdivision.

Gulf Highlands Subdivision - All R-1B or R-1C zoned areas.

El Centro Beach Area - All R-1C zoned areas in the following subdivisions:

- El Centro Beach
- Diamond Head Section of Lakeside By The Gulf
- Crown Point Section of Lakeside By The Gulf

Colony Club Area - All property zoned as R-1A in the following subdivisions:

- Greens West
- Bay West Estates Unit 1
- Colony Club Subdivision Phase 1
- Trieste Phase 2
- North Colony Club Estates Phase 1
- Trieste
- Colony Club Harbour Phases 1, 2, and 3
- All unrecorded lots in the Colony Club area.

The Glades Area - All property zoned as R-1B or R-O in the following subdivisions:

- The Glades and The Glades Phase II
- Tierra Verde and Tierra Verde Phase II
- Glades unrecorded addition

Bid-A-Wee Beach Area - All property zoned as R-1C or R-O in the following subdivisions:

- Seclusion Beach
- North Bid-A-Wee 1st Addition
- North Bid-A-Wee Beach
- Reflections
- Bid-A-Wee Beach 1st Addition
- Bahama Beach and Bahama Beach 1st Addition
- Doughty Addition to Bahama Beach
- Fernwood Park
- Gardenia Beach
- Hearn's Addition to Bahama Beach
- Hutchison's 1st Addition and 2nd Addition
- Leary's 2nd Addition

(Ord. #1340, 4/9/15; Ord #1475, 12/13/18; Ord. #1514, 2-13-20)

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

SECTION 3. SEVERABILITY. If any provision of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction, the other provisions of this ordinance shall remain in full force and effect.

SECTION 3. CODIFICATION. 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 4. EFFECTIVE DATE. 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 28th day of September, 2023.

CITY OF PANAMA CITY BEACH

By: _____

Mark Sheldon, Mayor

ATTEST:

Lynne Fasone
Lynne Fasone, City Clerk

EXAMINED AND APPROVED by me this 28th day of September 2023.

Mark Sheldon, Mayor

PUBLISHED in the Panama City News-Herald on the 6th day of June, 2023.

PUBLISHED in the Panama City News-Herald on the 7th day of September, 2023.

POSTED on pcbfl.gov on the 26th day of May, 2023.

POSTED on pcbfl.gov on the 8th day of August, 2023.