

ORDINANCE NO. 1638

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING SECTION 1.04.02 OF THE CITY'S LAND DEVELOPMENT CODE REGARDING DIVISION OF LAND; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; 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 1.04.02 of the City's Land Development Code is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

1.04.02 Division of Land

- A. Every division of land within the *City* (other than a division of land authorized by subsection D ~~or E~~) resulting in three (3) or more ***Lots, Parcels***, tracts, etc. shall be made by reference to a recorded ***Plat***. Plats shall be approved in accordance with the procedural requirements set forth in Chapter 10 of the *LDC*.
- B. Every division of land within the *City* which results in only two (2) ***Lots, Parcels***, tracts, etc. not part of a previous subdivision made pursuant to this subsection and resulting in only two (2) ***Lots, Parcels***, tracts, etc. shall either comply with subsection A or require a drawing showing:
 - 1. The metes and bounds descriptions of both ***Lots***, parcels, tracts, etc.;
 - 2. A sketch to scale of the described ***Lots***, parcels, tracts, etc.; showing the assessor's property identification numbers for contiguous parcels, the metes and bounds along the property lines, and the approximate locations of rights of way and easements located within or abutting said lots, parcels, tracts, etc.
- C. The *City* shall not issue a ***Local Development Order*** or ***Building Permit*** for *Development* proposed on a ***Lot, Parcel***, tract, etc. established in violation of this *LDC*.
- D. An assembly of platted lots may be disassembled (subdivided) without complying with either subsections A or B so long as no resulting ***Lot*** bears a description or size other than as shown on a currently applicable, recorded ***Plat*** and each such resulting, previously platted ***Lot*** complies in all respects with this *LDC*.
- E. **No Plat shall be required under this section for any division of land resulting from an action pursuant to Chapters 73 or 74, Florida Statutes, or any otherwise involuntary acquisition of a parcel of land by a public entity.**

SECTION 2. 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 Code of Ordinances, 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 passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 11th day of January 2024.

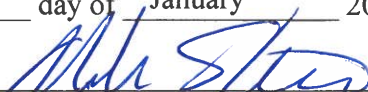
CITY OF PANAMA CITY BEACH

By: 
Mark Sheldon, Mayor

ATTEST:


Lynne Fasone, City Clerk

EXAMINED AND APPROVED by me this 11th day of January 2024.


Mark Sheldon, Mayor

PUBLISHED in the Panama City News Herald on the 19th day of December, 2023.
POSTED on pcbfl.gov on the 18th day of December, 2023.

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published. This Business Impact Estimate may be revised following its initial posting.

Proposed ordinance's title/reference:

ORDINANCE NO. 1638, AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING SECTION 1.0402 OF THE CITY'S LAND DEVELOPMENT CODE REGARDING DIVISION OF LAND; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance:

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

¹ See Section 166.041(4)(c), Florida Statutes.

If no exemption applies, in accordance with the provisions of controlling law, the City hereby publishes the following information: **N/A, exemption applies.**

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):