

ORDINANCE NO. 1429

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE TO REVISE THE SETBACK REQUIREMENTS FOR RESIDENTIAL DWELLING CONSTRUCTED WITH A FRONT LAWN IN AN FBO DISTRICT; INCREASING THE FRONT YARD SETBACKS TO 25 FEET FOR CERTAIN DEVELOPMENTS WHICH PROVIDE A DRIVEWAY SERVING MULTIPLE DWELLINGS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the maximum front yard setback for single family residential structures in an FBO-4 District is usually 8 feet from the front property line; and

WHEREAS, development projects comprising multiple dwellings have trouble meeting driveway spacing standards (a property is permitted to only have one driveway for every 125 feet of frontage on Front Beach Road), such that a shared driveway is necessary to provide access and meet the spacing requirements; and

WHEREAS, the access improvements must be parallel to Front Beach Road in order to serve all dwellings on the property, which makes it impossible for the dwelling units to be no more than 8 feet from the front property line as required by the Land Development Code; and

WHEREAS, the City's Planning Board has received two variance requests arising from the incompatibility of the setbacks with the access management requirements, and suspects there will be more if the Code is not amended to address the conflict; and

WHEREAS, the City's Planning Board has determined that frontyard setbacks of 25 feet will provide for a shared driveway that serves multiple dwellings, and recommends that the Land Development Code be further amended to specifically allow Lawn developments in all Front Beach Overlay Districts.

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

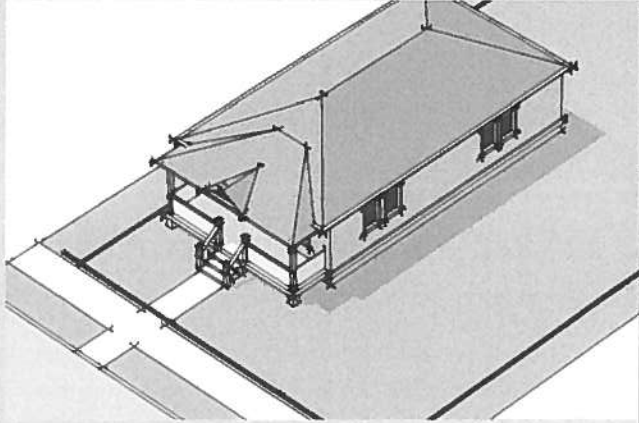
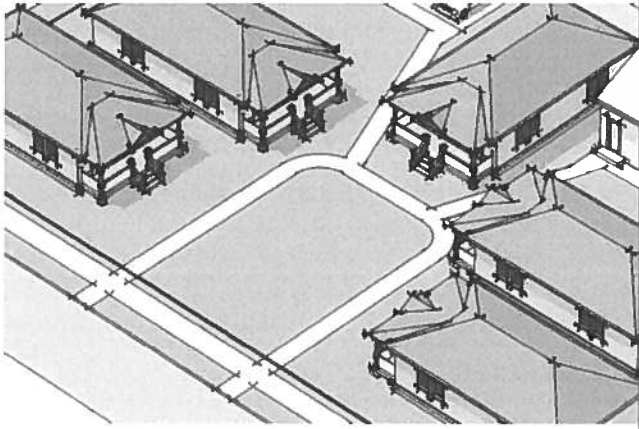
7.02.03 Front Beach Overlay Districts

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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

Group	Definition	Illustration
C	<p>Lawn. A lawn is a Building front with the façade is set back from the front Lot Line. Attached porches may be permitted to encroach into front Yards and an open fence at the Frontage line is optional. This Building front is used for Residential and non-residential uses.</p> <p>Allowed in the FBO-1, FBO-2, FBO-3 and FBO-4 districts.</p>	
C	<p>Common Lawn. A common lawn is a Building front with a group of Buildings sharing a common lawn that opens to the Street. This Building front is used for Residential and non-residential uses.</p> <p>Allowed in the FBO-1 district.</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.

Table 7.02.03.B: Allowed *Building Fronts* by Overlay District

Groups	Building Fronts									
	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	<u>A</u>	
FBO-3	A	A	A	A	A	A	A	A	<u>A</u>	
FBO-4	A	A	A	A	*	*	A	A	<u>A</u>	

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

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 7.02.03B, 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.
- (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 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**.

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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 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 26th day of October, 2017.


MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this 26th day of

October, 2017.


MAYOR

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