

ORDINANCE NO. 1486

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE RELATED TO VARIANCES; CLARIFYING THE OFFICERS OF THE CITY WHO MAY APPEAL A VARIANCE DECISION OF THE PLANNING BOARD; MODIFYING THE TIME ALLOWED TO APPEAL A VARIANCE DECISION OF THE PLANNING BOARD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR CODIFICATION; 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 10.11.02 of the Land Development Code of the City of Panama City Beach related to Procedures after Completeness Determination, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

10.11.02 Procedures after Completeness Determination

- A. Within thirty (30) days of the **Building** and Planning Department's determination that the application is complete, the Department shall schedule a public hearing on the application before the Planning Board.
- B. The **Building** and Planning Department shall prepare a written report to the Planning Board regarding the Department's analysis of the pending application. The report shall be available to the applicant and the general public no less than five (5) days prior to the Planning Board's public hearing on the application.
- C. The Planning Board shall conduct a quasi-judicial hearing on the application.
- D. At the conclusion of the quasi-judicial hearing or within 30 days thereafter, the Planning Board's decision shall be reduced to a proposed, written order containing conclusions of applicable law, findings of relevant fact and signed by the chairman or vice-chairman and attested by the Board's secretary.

- E. Notice of the proposed order shall be mailed or hand-delivered to the applicant, the City Manager, the Mayor, each member of the City Council, and any person who shall have requested a copy during or at the conclusion of the public hearing. A sign-up sheet for such notice requests shall be provided and announced at the public hearing. Such notice shall include a copy of the proposed order, a description of the persons entitled to appeal and a statement of the appeal procedures set forth in this section.
- F. Within ~~ten (10)~~ fifteen (15) days after mailing or hand delivery of the notice of proposed order, ~~the City~~ the City Manager, the Mayor, any member of the City Council, the applicant, or an Adversely Affected Person who appeared at the hearing shall be entitled to file with the secretary of the Planning Board a written request for a rehearing before the City Council. Except for a request by the Mayor or member of the City Council, the written request for a rehearing shall identify the specific grounds for such request. Any amendments to the written request for a rehearing may be made no less than ten (10) days prior to the City Council's public hearing on the application.
- (Ord. # 1328, 2/12/15)
- G. If no such request is timely filed, the Planning Board's proposed order shall become final and the City Council shall have no jurisdiction in the matter.
- H. If such a request is timely filed, the Planning Board's proposed order shall be superseded by the City Council's final action on the request pursuant to section 10.17.00.

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.

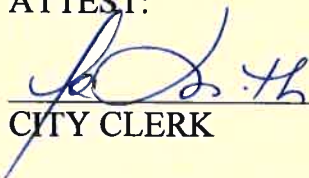
SECTION 4. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the
City Council of the City of Panama City Beach, Florida, this 10th day of

January, 2019.


MAYOR

ATTEST:


CITY CLERK

EXAMINED AND APPROVED by me this 10th day of
January, 2019.


MAYOR

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