

ORDINANCE NO. 1491

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE RELATING TO HOSPITALS; REORGANIZING EXISTING REGULATIONS CONCERNING HOSPITALS; REVISING THE SUPPLEMENTAL STANDARDS SPECIFIC TO HOSPITALS TO SET FORTH MINIMUM SPACING, BUFFERING AND SCREENING REQUIREMENTS, AS MORE PARTICULARLY SET FORTH IN THE BODY OF THE ORDINANCE; INCREASING THE PARKING REQUIREMENTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, on November 8, 2018, the City Council has publicly declared its support for the future siting of a hospital within the City; and

WHEREAS, the Planning Board has considered the land use regulations controlling the development of hospitals in the City, and on April 10, 2019, recommended amendments to the land development code to confirm a hospital's compatibility with surrounding land uses; and

WHEREAS, the City Council has considered the amendments and finds that they are in the best interests of the health, safety and welfare of the City's residents and visitors.

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

**Licensed Facility** – A location providing day or **Residential** care or treatment for elderly persons or disabled adults. The term “facility” may include, but is not limited to, any ~~hospital~~, training center, state institution, nursing home, assisted living facility, adult family-care home, adult day care center, **Group Home**, mental health treatment center, or continuing care community.

SECTION 2. From and after the effective date of this ordinance, Table 2.03.02 of the Land Development Code of the City of Panama City Beach related to Land Uses, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Land Uses	AR	R-1a	R-1b	R-1c	R-1cT	RO	RTH	R-2	R-3	CL	CM	CH	MJ	C	R	PF
<b><u>Hospital</u></b>												<b><u>\$ 5.04. 15</u></b>	<b><u>\$ 5.04 .15</u></b>			<b><u>\$ 5.04. 15</u></b>

SECTION 3. From and after the effective date of this ordinance, Table 4.05.02A of the Land Development Code of the City of Panama City Beach related to Parking Space Requirements, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**Table 4.05.02.A: Parking Space Requirements**

Type of Use or activity	Minimum Number of Spaces
Hospitals and other medical facilities providing overnight accommodations	<b><u>2+ per patient bed.</u></b>

SECTION 4. From and after the effective date of this ordinance, Section 5.04.15 of the Land Development Code of the City of Panama City Beach related to Supplemental Standards for Hospitals, is created to read as follows:

**5.04.15 Hospitals**

- A. Hospitals are allowable in the CH, M-1, and PF zoning districts, subject to the standards of these zoning districts and the standards of this section
- B. Hospitals are prohibited in the Coastal High Hazard Overlay District.
- C. The property shall be separated from properties zoned or used for residential purposes by a vegetative fence, a Solid Faced masonry or wooden wall or fence, not less than six (6) feet and not more than (8) feet in height. The decorative side of the fence shall face outward.
- D. The buffer that is otherwise required shall be increased by thirty (30) percent.
- E. The number of Shrubs, small trees and medium or large trees otherwise required in the buffer shall be increased by thirty (30) percent.
- F. The primary access to the hospital shall be from an Arterial or Collector Street. No access shall be permitted from local streets providing access to property zoned or used for residential purposes.
- G. Emergency room access and receiving areas shall be located on the side of the structure not adjacent to property zoned or used for residential purposes.
- H. Helicopter pads shall be located a minimum of 500' from a property zoned or used for residential purposes.
- I. The minimum setback from any property zoned or used for residential purposes is 100 feet.

SECTION 5. From and after the effective date of this ordinance, Section 5.04.05 of the Land Development Code of the City of Panama City Beach related to

Supplemental Standards for Licensed Facilities, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

#### **5.04.05 Community Residential Homes and Licensed Facilities**

- A. *Community Residential Homes*** with six (6) or fewer residents are allowable all districts except the C and R districts, subject to the standards of this zoning district, a minimum separation of one thousand (1,000) feet between each facility and the standards of this section, excluding paragraphs E and F.
- B. *Licensed Facilities*** with seven (7) to fourteen (14) residents are allowable in the R-2, R-3, CL, CM and CH zoning districts, subject to the standards of the R-3, CL, CM and CH zoning districts and the standards of this section.
- C. *Licensed Facilities*** with fifteen (15) or more residents are allowable in the R-3, CL, CM and CH zoning districts, subject to the standards of these zoning districts and the standards of this section.
- D. *Community Residential Homes*** and other ***Licensed Facilities*** which house persons of limited mobility are prohibited within the Coastal High Hazard Overlay District.
- E.** When located next to a property that is ***Used*** or zoned for ***Single Family Residential*** purposes, the side and rear yards shall be enclosed with a ***Solid Faced*** masonry or wooden wall or fence not less than six (6) feet and not more than eight (8) feet in height. The decorative side of the fence shall face outward.
- F.** The number of ***Shrubs***, small trees and medium or large trees otherwise required in the buffer shall be increased by thirty (30) percent.
- G. *Community Residential Homes*** and other applicable ***Licensed Facilities*** shall meet all requirements of section 419.001, F.S.
- H.** ~~Hospitals may be permitted as a supplemental use in the PF zoning district subject to the standards of this section. Hospitals are allowable in the CH, M-1 and PF zoning districts, subject to the standards of those zoning districts and the standards of this section~~
  - ~~1. Hospitals are prohibited in the Coastal High Hazard Overlay District.~~

~~2. The buffer that is otherwise required for the hospital shall be increased by thirty (30) percent.~~

I. **Nursing Homes** are allowable in the R-3, CL, CM and CH zoning districts, subject to the standards of those zoning districts and the standards of this section.

1. **Nursing Homes** are prohibited in the Coastal High Hazard Overlay District.

2. **Nursing Homes** in the R-3 zoning district shall in all respects be consistent with the **Residential** structures in the neighborhood and be consistent with the **Residential** character of the neighborhood. Determination of consistency shall be based on the design of the structure; the amount and location of off-**Street** parking; the location, size and design of the **Driveway; Building** orientation; landscaping; number, size and location of **Accessory Structures**; and the size and location of swimming pools or other outdoor **Recreation** facilities and equipment.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 7. 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 8. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the

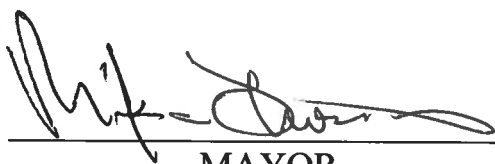
City Council of the City of Panama City Beach, Florida, this 23<sup>rd</sup> day of May, 2019.

  
MAYOR

ATTEST:

  
CITY CLERK

EXAMINED AND APPROVED by me this 23<sup>rd</sup> day of May, 2019.

  
MAYOR

Published in the News Herald on the 25<sup>th</sup> day of April, 2019.

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Posted on pcbgov.com on the 28<sup>th</sup> day of May, 2019.