ORDINANCE NO. 1514

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH,
FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT
CODE; AMENDING TABLE 4.02.02A RELATING TO THE REAR
SETBACKS APPLICABLE IN R-3 ZONING DISTRICTS;
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN
CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING
AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the City's current regulations for rear setbacks in R-3 districts
require a larger setback when such development is adjacent to other non-residential
uses; and

WHEREAS, staff finds these rear setback standards for R-3 to be in error, and
recommends that the LDC be amended to require a larger setback when such
development is adjacent to residential uses.

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, Table
4.02.02A of the Land Development Code of the City of Panama City Beach related to
Unified Development in Multiple Districts, is amended to read as follows (new text
bold and underlined, deleted text struck through):

4.02.02 Dimensional Standards for Zoning Districts

H. 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.
The Side Yard Setbacks shown apply to one-story Buildings. For each story above the first story, the Side Yard Setback shall increase 2.5 feet.

A zero Side Yard Setback is allowed, but shall apply to only one Side Yard. The second Side Yard shall have a Setback of eight (8) feet.

The minimum Rear Yard Setback shall increase four (4) feet for each Story above the third story. In the M-1 district the Rear Yard Setback shall increase six and one-half (6.5) feet for every Story above the first Story.

The minimum Side Street Setback shown applies to 1-3 story Buildings. For each Story above the third Story, the Side Street Setback shall increase 2.5 feet.

The minimum Setback for a Side or Rear Yard, adjacent to an R-2 district or above (R-2 through AR), shall be as shown in the table. For each Story above the first, such Side and Rear Yard Setback shall increase by one (1) foot for every foot of height beginning at fifteen (15) feet.
from the side or rear property line as applicable.

6. Maximum height may be affected by Setback or overlay district requirements.

7. 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.

- **Summer breeze 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
  - Daugette Addition to Bahama Beach
  - Fernwood Park
  - Gardenia Beach
  - Hearn's Addition to Bahama Beach
  - Hutchinson's 1st Addition and 2nd Addition
  - Leary's 2nd Addition

(Ord. #1340, 4/9/15; Ord #1475, 12/13/18)
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 13th day of

February, 2020

MAYOR

ATTEST:

Mary Jan Bectt
CITY CLERK

EXAMINED AND APPROVED by me this 13th day of

February, 2020
MAYOR

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