ORDINANCE NO. 1406

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE; AMENDING THE DEFINITIONS OF BUILDING AND MODULAR HOME; AMENDING THE SITE DESIGN STANDARDS TO CLARIFY AND CONFIRM THE NATURE OF A PERMANENT BUILDING INTENDED FOR HUMAN OCCUPANCY IN THE CITY; AMENDING ACRONYMS AND CITATIONS TO PROPERLY REFER TO DBPR'S AUTHORITY TO APPROVE MODULAR HOMES AS PERMANENT BUILDINGS; REPEALING ALL ORDINANCES IN CONFLICT; 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 1.07.00 of the Land Development Code of the City of Panama City Beach related to Acronyms and Definitions, is amended to read as follows (new text bold and underlined, deleted text struckthrough):

1.07.01 Acronyms

$dbh$ – diameter at breast height  
$DCA$ – Florida Department of Community Affairs  
$DBPR$—Florida Department of Business and Professional Regulation

... 

1.07.02 Definitions

As used in the $LDC$, the following terms shall have the meanings assigned to them. When one or more defined terms are used together, their meanings shall also be combined as the context shall require or permit. All terms not specifically defined shall carry their usual and customary meanings. Undefined terms indigenous to a trade, industry or profession shall be defined when used in such context in accordance with their usual and customary understanding in the trade, industry or profession to which they apply.

...

$Building$ – A site-built permanent structure with two or more opposing sides and a $Roof$ and intended for human occupancy, which is not designed to be moved once erected.
...  

Modular Home — A Residential structure, built in sections (modules) at a factory, assembled on site and bearing the insignia of the DCA-DBPR or its successor regulatory state agency on the inside of the home's electrical panel, designed for erected or installation on a site built permanent foundation.

SECTION 2. From and after the effective date of this ordinance, Section 4.02.00 of the Land Development Code of the City of Panama City Beach related to Site Design Standards, is amended to read as follows (new text bold and underlined, deleted text struckthrough):

4.02.00 SITE DESIGN STANDARDS

4.02.01 Generally

A. The purpose of this chapter is to provide site design and Development standards applicable to both public and private Development.

B. The principal Building on any Lot or Parcel of land shall be erected within the area bound by the required Setbacks. Accessory Buildings shall be subject to front and side Setbacks established for the principal Building, but may be located in required Rear Yards subject to limitations established in this LDC.

C. The minimum Setbacks and other Open Spaces required in this LDC shall apply to each and every Building existing at the time of the adoption of this LDC and to any Building hereafter erected or altered, except as authorized pursuant to the LDC.

D. All newly established or non-grandfathered, permanent Uses in any Commercial or Industrial district involving human occupancy secured or protected from the elements in a structure must be secured or protected within a Building integrally attached to a permanent, supporting structural foundation, which Building is incapable of being moved without specialized heavy equipment and professional expertise, and which building and foundation meet the requirements of the latest version of the Florida Building Code, including but not limited to, general design, wind load and exposure category requirements for structures located within the Wind-borne Debris Region. A structure originally designed to be mobile may not be altered (by removal of tongue, axle, wheels or all of such features and subsequent anchoring to permanent foundation) to become a Building intended to contain a permanent Use involving human occupancy. Notwithstanding the forgoing, a permanent Use in a structure which is securely tied to the earth and meets the requirements of the latest version of the
Florida Building Code, including but not limited to, general design, wind load and exposure category requirements for structures located within the Wind-borne Debris Region, shall be exempt from the foregoing foundation requirement if all of the following conditions are met:

1. Neither the structure nor any sign directing attention to the structure or the business therein is visible by a pedestrian upon the sidewalk or paved right of way of a public street;

2. The structure is one of at least two, co-located and similar structures which comprise part of a themed amusement park not less than seven (7) contiguous acres in size and under unified ownership or control; and

3. Access to the structure and the business located therein is limited to a common gate providing access to the entire amusement park.

SECTION 3. From and after the effective date of this ordinance, Section 5.04.11 of the Land Development Code of the City of Panama City Beach related to Single Family Dwellings and Modular Homes, is amended to read as follows (new text **bold and underlined**, deleted text streaked through):

**5.04.011 Single Family Dwellings and Modular Homes (DCA DBPR Approved)**

A. **Single Family Dwellings** and **DCA DBPR approved Modular Homes** are allowable in the CL, CM and CH zoning districts, subject to the standards of those zoning districts and the standards in this section.

B. The minimum **Lot** area shall be 6,000 square feet.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 5. 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 6. 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 7th day of March, 2017.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this 7th day of March, 2017.

MAYOR

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