

ORDINANCE NO. 1449

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE; PROVIDING THAT PARKING LOTS SHALL BE DESIGNED TO REDUCE GLARE FROM VEHICLE LIGHTS ONTO PROPERTIES USED FOR RESIDENTIAL PURPOSES; PROVIDING INCREASED SETBACKS FOR PARKING GARAGES LOCATED ADJACENT TO LAND USED FOR SINGLE FAMILY RESIDENTIAL PURPOSES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION, AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the Land Development Code generally establishes standards for property that are dependent on how the property or adjacent property is "zoned or used", though in some instances the standards are solely based on how the property is zoned; and

WHEREAS, the Planning Board has determined that particularly where the affected land is being used for residential purposes, this higher "zoned or used" standard provides better protection to residential properties and increases the likelihood of compatibility between properties; and

WHEREAS, the Planning Board has identified two provisions of the code relating to the design of parking lots and the siting of parking garages which do not presently provide this enhanced protection and recommend the LDC be amended so that properties used for residential purposes are as well protected from parking lot nuisance as properties zoned for residential purposes.

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

4.04.01(B) of the Land Development Code of the City of Panama City Beach related to

Access Management, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**4.04.01 Access Management.**

No **Access Connection** shall be constructed on any public road without a permit issued by the City of Panama City Beach pursuant to this section. Requirements for review are established in Chapter 10.

**B. Access Standards and Permitting.** The following standards shall apply to all **Driveways** or **Access** points from a **Lot** or **Parcel** onto a public **Street**:

1. No privately owned, constructed, financed or controlled Driveway Connection shall be constructed, repaired or modified in any way unless a permit therefore shall have been issued by the City upon submission of plans and specifications sufficient to demonstrate compliance with this law and payment of a permit fee. Except for a driveway connection serving four (4) or fewer residential units, the plans and specifications submitted to the City shall be sealed and certified by an engineer registered and licensed to practice in the State of Florida to conform in all material respects with the standards specified in this section.
2. The maximum width of a **Driveway** or **Access** way shall be twenty-four (24) feet provided, however that when the City Engineer determines that a wider **Driveway** would provide safer access, the width may be increased to not more than thirty-six (36) feet.
3. The maximum number of **Driveways** or **Access** points shall be according to the following:
  - (a) **Access Class 3 Roads.** Each **Parcel** of land under **Single Unified Ownership or Control** fronting any **Access Class 3** road as defined in section 1.07.02 shall be permitted one (1) **Access Connection** from the property to that public road for every 1,500 feet that **Parcel** abuts that public road.
  - (b) **Access Class 5 Roads.** Each **Parcel** of land under **Single Unified Ownership or Control** fronting any **Access Class 5** road as defined in section 1.07.02 shall be permitted one (1) **Access Connection** from the property to that public road for every 245 feet that **Parcel** abuts that public road.
  - (c) **Access Class 7 Roads.** Each **Parcel** of land under **Single Unified Ownership or Control** fronting any **Access Class 7** road as defined in section 1.07.02 shall be permitted one (1) **Access Connection** from the property to that public road for every 125 feet that **Parcel** abuts that public road.

(d) Properties fronting all other roads shall meet the standards in Table 4.04.01.A:

**Table 4.04.01.A: Maximum Number of Access Points**

<i>Lot Width</i>	<i>Maximum Number of Access Points</i>
Less than 100 feet	1
100 feet to 200 feet	2
More than 200 feet	2 plus 1 for each additional 200 feet or fraction thereof

4. There shall be a minimum distance of thirty-five (35) feet between any two (2) openings onto the same **Street**.
5. No point of **Access** shall be allowed within forty (40) feet of the **Intersection** of the right-of-way lines of any public **Street**.
6. **Access** ways or **Driveways** for **Corner Lots** shall be located on the **Street** with the lower functional classification.
7. Where proposed **Development** in a non-residential zoning district abuts two (2) **Streets** and where that portion of any such **Street** abutting the non-residential **Development** also abuts any **Residential** zoning district, **Access** to the non-residential **Development** shall be provided only from the **Street** not abutting a **Residential** district.
8. **Drive-Through** lanes or loading spaces shall not be located any closer than thirty-five (35) feet to the boundary of a property zoned or used for **Residential** purposes (See section 4.05.08 for additional loading space requirements).
9. **Parking Lots** shall be designed to avoid glare from **Vehicle** lights onto property zoned or used for **Residential** purposes as **Vehicles** enter or exit the **Parking Lot** and individual spaces. Wherever a parking space faces such property, a **Solid Faced** masonry or wooden wall or fence extending from the parking surface to a height of not less than forty-two (42) inches shall be provided.
10. No curbs shall be cut or altered and no points of **Access** or openings for **Vehicles** onto a public **Street** shall be established, without a permit issued by the **City**.
11. Approval from FDOT or Bay County is required for any **Access** onto a road under their jurisdiction.

12. The location, design and construction of **Driveway Connections** shall comply with current FDOT's Roadway Traffic Design Standards. All **Vehicular Use Areas** shall be constructed to meet these standards and the **City Manager** may approve the use of alternative materials subject to submittal and approval of a plan for, and agreement to control dust. A **Single Family** residential **Driveway** may be constructed of otherwise acceptable concrete (only four (4) inches thick), pavers or other materials of similar durability as determined by the **City Manager**.

SECTION 2. From and after the effective date of this ordinance, Section 4.05.03(I) of the Land Development Code of the City of Panama City Beach related to Access Management, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

#### **4.05.03 Parking Design, Location and Access Requirements**

##### **I. Parking Garage and Parking Lot Setbacks**

1. A **Parking Garage** located adjacent to land zoned ~~or used~~ for **Single Family Residential** purposes shall have minimum **Side** and **Rear Setbacks** equal to the greater of twenty (20) feet or the distance specified for principal **Buildings** in the district in which the **Parking Garage** is located. **Parking Lots** located on a **Lot**, lying in whole or in part within a **Scenic Corridor** (except within an FBO district) shall be **Setback** a minimum of five (5) feet from all property lines. **Parking Lots** abutting all other roads shall be **Setback** a minimum of ten (10) feet.

(Code 17-54)

2. In all other instances, the **Front, Side** and **Rear Setbacks** shall conform to the requirements of the applicable zoning district.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. 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 5. 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 12<sup>th</sup> day of April, 2018.

  
MAYOR

ATTEST:

  
CITY CLERK

EXAMINED AND APPROVED by me this 12<sup>th</sup> day of April, 2018.

  
MAYOR

Published in the Panama City News Herald on the 27<sup>th</sup> day of March, 2018.

Posted on pcbgov.com on the 13<sup>th</sup> day of April, 2018.