

**CITY OF PANAMA CITY BEACH
PLANNING BOARD**

MEETING DATE: June 12, 2019
MEETING TIME: 1:00 P. M.
PLACE: City of Panama City Beach City Hall Annex

AGENDA

- ITEM NO. 1** **Call to Order and Roll Call**
- ITEM NO. 2** **Invocation**
- ITEM NO. 3** **Pledge of Allegiance – Mr. Wakstein**
- ITEM NO. 4** **Approval of May 8, 2019 Planning Board Meeting Minutes**
- ITEM NO. 5** **Public Comments-Agenda Items and Previous Agenda Items (Non-Public Hearings) Limited to Three Minutes**
- ITEM NO. 6** **Ordinance 1490 – Small Cell Requirements**
- ITEM NO. 7** **Ordinance 1492 – Cannabis Dispensary Facilities**
- ITEM NO. 8** **Comprehensive Plan – Section 3 – Recommended Changes**
- ITEM NO. 9** **Discussion of Cemeteries – LDC Section 5.06.05**
- ITEM NO. 10** **Legislative Updates**
- ITEM NO. 11** **Code Enforcement Update**

All interested persons are invited to attend and to present information for the Board's consideration. Further information may be obtained from the Building & Planning Department at 233-5054, extension 2313. Anyone not appearing in person may submit written comments to the Building & Planning Department at 116 S. Arnold Road, Panama City Beach, Florida 32413, any time prior to the stated meeting time. All comments received will be considered before final action is taken. If a person decides to appeal a decision of the Planning Board, a record of the proceedings will be needed. Such person will need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be

based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Jo Smith, City Clerk at City Hall, 110 S. Arnold Road, Panama City Beach, Florida 32413 or by phone at (850) 233-5100. If you are hearing impaired and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8771 (TDD).

Notice is hereby provided that one or more members of the City Council or other City boards may attend and speak at the meeting.

ITEM NO. 6

Ordinance 1490



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:
PLANNING BOARD

2. MEETING DATE:
JUNE 12, 2019

3. REQUESTED MOTION/ACTION:
CONSIDER ORDINANCE PROPOSING WAIVER OF SPACING REQUIREMENTS FOR SMALL CELL POLES THAT RESEMBLE CRA LIGHT POLES

4. AGENDA

PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? Yes No N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED Yes No N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

The City regulates the use of Rights-of-way through its City Code and Land Development Regulations and requires any person who will place or maintain a utility pole or other Facility in a Right-of-way to obtain a permit or development order from the City. The City has various requirements on the placement and design of Small Wireless Poles and other utility poles to improve aesthetics, safety, and efficient use of right-of-way, and to otherwise improve the character of the community and advance health, safety, and welfare. Within the boundaries of the Front Beach Road CRA, there is a plan for underground utilities and uniform placement of identical, high quality light poles on both sides of the streets. Under the City's current regulations, strict underground utility requirements exist for the areas where the CRA project has been constructed and these strict rules go into effect in the rest of the CRA as the time for construction approaches for a given area. The placement of utility poles and other Facilities that conflict with the CRA project goals and the current and future underground requirements would significantly undercut the project and make much of the City's efforts and expenditures go to waste. Utility companies have successfully begun designing and disguising their equipment and poles to mimic structures and objects that are generally considered normal and desirable along streets, such as the CRA light poles. If the community considers CRA light poles to be desirable and if a utility pole is difficult to distinguish from those light poles and does not have overhead wires and readily visible equipment, then allowing this style of utility pole or Facility does not detract from the goals of the City's underground utilities efforts. As such, the ordinance proposes to waive otherwise applicable placement and design requirements for utility companies who propose to install a utility pole that closely resembles a CRA-style light pole and replaces an existing CRA-style light pole or is placed where a CRA-style light would be placed in the future. Staff recognizes that matching the design of CRA-style light poles creates increased cost and effort for utility companies, but also that the City's waiver of various location requirements provides value to the utility companies which may exceed this increased cost and effort. The ordinance also provides that when an applicant can meet the regular rules for placement of a Small Wireless Pole or other utility pole in a particular location, that applicant has no obligation to utilize the CRA-style light pole design.

Staff recommends approval.

ORDINANCE NO. 1490

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING CHAPTER 19 OF THE CITY CODE RELATING TO RIGHT-OF-WAY USE TO ELIMINATE THE 75 FOOT SPACING REQUIREMENT BETWEEN UTILITY POLES AND OTHER FACILITIES TO ENSURE CONSISTENCY WITH STATE LAW; TO PROVIDE AN EXCEPTION TO THE PROHIBITION AGAINST UTILITY POLES ON THE SOUTH SIDE OF GULF FRONT ROADS FOR POLES DESIGNED AND SPACED LIKE CRA-STYLE LIGHT POLES WITH CERTAIN CONDITIONS; ALLOWING SUCH UTILITY POLES DESPITE APPLICABLE UNDERGROUND UTILITY RULES; AMENDING THE LAND DEVELOPMENT CODE TO ELIMINATE THE SPACING REQUIREMENT BETWEEN SMALL WIRELESS POLES TO ENSURE CONSISTENCY WITH STATE LAW; WAIVING LAND DEVELOPMENT CODE LOCATION REQUIREMENTS FOR SMALL WIRELESS POLES THAT ARE DESIGNED AND SPACED LIKE CRA-STYLE LIGHT POLES WITH CERTAIN CONDITIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the City of Panama City Beach (the "City") regulates the use of Rights-of-way through its City Code and Land Development Regulations and requires any person who will place or maintain a utility pole or other Facility in a Right-of-way to obtain a permit or development order from the City; and

WHEREAS, Florida Statute 337.401 provides that the City retains the authority to regulate and manage Rights-of-way in exercising its police power, but that all rules which govern providers of communications services must be reasonable and nondiscriminatory; and

WHEREAS, this ordinance applies equally not only to all communications service providers, but to all persons who request to install Facilities in a Right-of-way; and

WHEREAS, the City has various requirements on the placement and design of Small Wireless Poles and other utility poles to improve aesthetics, safety, and efficient use of right-of-way, and to otherwise improve the character of the community and advance health, safety, and welfare; and

WHEREAS, within the boundaries of the Front Beach Road Community Redevelopment Area (including the north-south connector streets and sometimes collectively referred to as the "CRA"), there is a partially constructed plan for underground utilities and uniform placement of identical, high quality light poles on both sides of the streets; and

WHEREAS, strict underground utility requirements exist for the areas where the CRA project has been constructed and these strict rules go into effect in the rest of the CRA as the time for construction approaches for a given area; and

WHEREAS, even before a CRA project has been constructed, limited underground utility requirements apply to all Scenic Corridors and utility poles and any other Facilities are prohibited within a Right-of-way south of the centerline of Front Beach Road, South Thomas Drive, or the portion of Thomas Drive east of South Thomas Drive if such Facility would be three (3) or more feet above grade; and

WHEREAS, the City and Community Development Agency are devoting massive effort and expenditures toward this CRA project and it is one of the City's highest priorities; and

WHEREAS, the placement of utility poles and other Facilities that conflict with the CRA project goals and the current and future underground requirements would significantly undercut the project and make much of the City's efforts and expenditures go to waste; and

WHEREAS, utility companies have successfully begun designing and disguising their equipment and poles to mimic structures and objects that are generally considered normal and desirable along streets, such as the CRA light poles; and

WHEREAS, if the community considers CRA light poles to be desirable and if a utility pole is difficult to distinguish from those light poles and does not have overhead wires and readily visible equipment, then allowing this style of utility pole or Facility does not detract from the goals of the City's underground utilities efforts; and

WHEREAS, locations in the City with strict underground utility requirements have high population density and providing additional options to wireless companies and other utilities to expand their service in these areas is beneficial to the community and will increase convenience and safety; and

WHEREAS, if a utility pole closely resembles a CRA-style light pole and replaces an existing CRA-style light pole or is placed where a CRA-style light pole would be placed in the future, the City's otherwise applicable placement and design requirements provide minimal benefit and sometimes will result in reduced service and unintended negative consequences, and therefore, are appropriate for waiver pursuant to this ordinance; and

WHEREAS, the City recognizes that matching the design of CRA-style light poles creates increased cost and effort for utility companies, but also that the City's waiver of various location requirements provides value to the utility companies which may exceed this increased cost and effort; and

WHEREAS, the Florida Legislature's 2019 amendments to the Florida Statute 337.401 Advanced Wireless Infrastructure Deployment Act do not allow the City to limit the placement, by minimum separation distances, of small wireless facilities, associated poles, and other at-grade communications facilities; and

WHEREAS, this ordinance eliminates the City minimum separation distance rules that are likely to be inconsistent with the amended legislation in many instances; and

WHEREAS, the amended legislation recognizes the City's right to adopt and enforce underground utility requirements and to require that a new utility pole that replaces an existing utility pole to be of substantially similar design, material, and color; and

WHEREAS, this ordinance is consistent with that amended legislation and goes further by providing locations and an efficient process to place utility poles with a specified design in areas where they would otherwise be prohibited by the City's underground utility requirements; and

WHEREAS, this ordinance similarly allows utility poles with a specified design to be installed in areas where they would otherwise be prohibited by other Land Development Code requirements; and

WHEREAS, when an applicant can meet the regular rules for placement of a Small Wireless Pole or other utility pole in a particular location, that applicant has no obligation to utilize the CRA-style light pole design.

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 Chapter 12 of the Code of Ordinances of the City of Panama City Beach, related to Right of way use and permitting is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Sec. 19-154. - Permittee obligations.

- A. Telecommunications Towers, Small Wireless Poles, Collocations, and other wireless communications Facilities are governed additionally by the more specific requirements of the Panama City Beach Land Development Code.
- B. ~~No new Facility that is over fifteen (15) feet in height from grade may be constructed within seventy-five (75) feet of any other Facility that is over fifteen (15) feet in height from grade, unless granted a variance due to unique circumstances. This restriction shall not prohibit the City from installing new Facilities for public safety and welfare reasons, including light poles.~~

C.—No person shall be granted a permit or otherwise be allowed to install any utility pole or any other Facility if such Facility would be three (3) or more feet above grade within a Right-of-way south of the centerline of Front Beach Road, South Thomas Drive, or the portion of Thomas Drive east of South Thomas Drive. **This prohibition does not apply to a utility pole or other Facility, regardless of ownership, if it complies with the Community Redevelopment Area-style light pole design and specifications and it either replaces an existing Community Redevelopment Area-style light pole or is installed in the location of a planned future Community Redevelopment Area-style light pole according to the best available Community Redevelopment Agency plans and Planning Department staff approval. Unless the Front Beach Road Community Redevelopment Agency adopts new light pole design and specifications for a portion of the City, complying with Community Redevelopment Area-style light pole design and specifications means following standards provided by the Front Beach Road Segment 2 Ornamental Aluminum Roadway Lighting and Banner Standard and the construction documents for Front Beach Road Segment 2 for the pole and light fixture, which are on file City Hall. Compliance with these requirements also means all wiring and equipment must be contained underground or inside the pole so that it is not visible or distinguishes the pole and equipment from the Community Redevelopment Area-style light poles. Each such pole may have one box on the ground in the immediate vicinity of the pole for electrical or other equipment so long as it is not taller than three-feet from grade and matches the color and style of other utility boxes located in the Community Redevelopment Area right of way. Planning staff may approve minor deviations in design, brands, and materials that do not result in easily noticeable differences between the pole, fixture, and any visible equipment relative to the actual Community Redevelopment Area-style light poles. Applicants for the waiver under this paragraph must apply to the Planning Department using the procedures applicable to Small Wireless Poles provided by the Panama City Beach Land Development Code. Applicable underground utility requirements of the City Code and Land Development Code are waived for utility poles and other Facilities that strictly comply with this section and which are approved by the City Planning Department, in recognition that such poles do not provide greater negative impacts to the community than the City's own light poles.** Any existing utility poles or Facilities that would not be permissible under this rule shall not be permitted to be replaced, but may be maintained used and repaired, provided repairs do not exceed 50% of the value of the utility pole or Facility.

SECTION 2. From and after the effective date of this ordinance Section 5.05.07 of the Panama City Beach Land Development Code, related to Small Wireless Poles is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

5.05.07 Allowable Locations for Small Wireless Poles and associated Ground-Mounted Equipment Located in Public Right-of-Way

- A. Applications to place ***Small Wireless Facilities*** and ***Small Wireless Poles*** in a public right-of-way may not be denied solely based on the Comprehensive Plan future land use categories and zoning categories of adjacent parcels.
- B. ***Small Wireless Poles*** in public right-of-way (as opposed to a ***Collocation*** on a preexisting structure) are not permissible within 250 feet of the footprint of any ***Dwelling***, including attached garages, porches, and balconies, except ***Dwellings*** that front on the Front Beach Road or South Thomas Drive rights-of-way, in which case the minimum distance shall be 100 feet. In addition, ***Small Wireless Poles*** in public right-of-way (as opposed to a collocation on a preexisting structure) shall not be permissible within 50 feet of the primary public pedestrian entrance to any business.
- C. ~~A new ***Small Wireless Pole*** is not permitted within 200 feet of an existing ***Small Wireless Pole***.~~
- D. It is preferable for all equipment to be integrated into or mounted on the ***Wireless Support Structure*** or utility pole. Ground-mounted equipment that is in addition to a ***Wireless Support Structure*** or utility pole or associated with a ***Collocation*** shall not be permissible within 500 feet of the footprint of any ***Dwelling***, including attached garages, porches, and balconies, except ***Dwellings*** that front on the Front Beach Road or South Thomas Drive rights-of-way, in which case the minimum distance shall be 150 feet. This restriction does not apply to equipment installed entirely underground consistent with existing grade. In addition, ground mounted equipment associated with or installed because of a ***Small Wireless Pole*** or a ***Small Wireless Facility***, including the ***Collocation*** of a ***Small Wireless Facility***, may not be placed on a sidewalk, bike path, or multi-use trail. Ground-mounted equipment includes, but is not limited to, any of the following associated with a ***Small Wireless Facility*** or installed due to a ***Small Wireless Facility***: electric generators or meters, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cutoff switches, vertical cable runs for the connection of power and other services, and guy wires or other secondary supports.
- E. ***Small Wireless Facilities***, ***Small Wireless Poles***, and associated equipment are not exempt from the City's applicable undergrounding requirements that prohibit above-

ground structures in certain public right-of-way, except that **Collocations** on existing above-ground structures are not subject to undergrounding requirements that are applicable to a location. At such time an existing above-ground structure is transitioned to underground, any right to **Collocate** above ground on it is lost.

- F. Applications for **Small Wireless Poles** or **Collocations of Small Wireless Facilities** in locations subject to covenants, conditions, restrictions, articles of incorporation, and bylaws of a homeowners' association are governed by the more stringent rules provided for **Telecommunications Towers** and **Antennas** unless the **Homeowner Association** is a co-applicant, in which case the more lenient rules for **Small Wireless Facilities** and **Small Wireless Poles** will apply. This paragraph does not apply to the installation, placement, maintenance, or replacement of micro wireless facilities on any existing and duly authorized aerial communications facilities as provided by Florida law.
- G. The requirements of B. through E. of this Section are waived for Small Wireless Poles located within the boundaries of the Front Beach Road Community Redevelopment Area and that meet the standards for the exception available under Panama City Beach Code Sec. 19-154 B for complying with Community Redevelopment Agency-style light pole placement, design, and specifications. This waiver is available for Small Wireless Poles proposed on either side of any street within the Front Beach Road Community Redevelopment Area. Applicants agree that in return for the waiver of these requirements and any applicable undergrounding requirement, they will comply with Planning Staff conditions on shielding, stealthing, and limiting the visibility of antennas on the pole to minimize visual differences between the Small Wireless Pole and an actual Community Redevelopment Agency light pole.

When a Community Redevelopment Agency-style light pole is replaced under this paragraph, the applicant must bear the full cost of the replacement and installation and shall perform the work. Pole replacement under this Section may qualify as a collocation pursuant to Section 5.05.08(g) except that the design requirements of this section must be followed, including that the height of the new Small Wireless Pole must comply with the Community Redevelopment Agency-style light pole design and specifications. The new pole shall be owned and maintained by the applicant, unless otherwise agreed by City and applicant in writing.

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 Code and 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 ____ day of _____, 2019.

MAYOR

ATTEST:

_____ CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2019.

MAYOR

Published in the _____ on the ____ day of _____, 2019.

Posted on pcbgov.com on the ____ day of _____, 2019.

Notice provided to the Secretary of State on the 29th day of April, 2019, which is at least 10 days prior to consideration on first reading.

ITEM NO. 7

Ordinance 1492

ORDINANCE NO. 1492

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, REPEALING CITY ORDINANCE 1413 RELATED TO THE REGULATION OF CANNABIS DISPENSING FACILITIES; AUTHORIZING CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, on May 25, 2017, the City adopted Ordinance 1413, which regulated the establishment and operation of Cannabis Dispensing Facilities in the City; and

WHEREAS, in [], 2018, the Florida Legislature adopted legislation preempting municipal regulation of medical marijuana treatment facilities, such that the City's ordinance was rendered unenforceable; and

WHEREAS, though Section 381.986, Florida Statutes, permits a local government to ban medical marijuana treatment facilities from its jurisdiction, the City finds and determines that a total ban on these facilities is contrary to the desire of the majority of electors who voted to legalize medical marijuana in our State in 2016; and

WHEREAS, the City finds and determines that, as a result of its repeal of City Ordinance 1413, medical marijuana treatment facilities may be established in the City limits in accordance with the requirements set forth in Section 381.986, Florida Statutes.

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, Ordinance 1413 of the City of Panama City Beach related to Cannabis Dispensing Facilities is hereby repealed in its entirety.

SECTION 2. The appropriate officers and agents of the City are authorized

and directed to codify, edit and publish in electronic format the Panama City Beach Land Development Code to execute the intent and provisions of this Ordinance, 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 3. 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 ____day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 20__.

MAYOR

Published in the _____ on the ____ day of _____, 201__.

ITEM NO. 8

Comprehensive Plan –
Section 3

SECTION 3

FUTURE LAND USE ELEMENT

1. PURPOSE AND FORMAT

The purpose of the Land Use Element is to designate proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities, and other categories of the public and private uses of land. This element is prepared as a requirement of 163.3177, F.S.

The population shown on the Population Estimates and Projections are those for which Panama City Beach will strive to provide urban services. These numbers will be used by public agencies to plan for the range of public facilities and services including roads, parks, schools and sewers. The numbers reflect a middle course of action between planning for the minimum projected growth and planning for the maximum population projection.

A. Coordinated Managed Growth. The Future Land Use Map, the Population Estimates and Projections chart and this interpretive text all help translate the goals, objectives and policies of the Panama City Beach Comprehensive Growth Development Plan into a more specific course of action. They are intended to be used in directing public and private developmental activities. Actions that must be consistent with these maps and related text include functional service plans and amendments, capital improvement programs, public facilities site approvals, subdivision plat and zoning actions, coastal construction, and federal grant application reviews. Before any decision is made in connection with any of these or other developmental processes, a determination will be made as to the consistency of the proposed developmental action with the goals, objectives and policies of the Panama City Beach Comprehensive Growth Development Plan, including the Future Land Use Plan Map, the Estimated Population projections, and this text. Proposed developmental actions and orders should be evaluated to determine the extent to which they are consistent with these Plan components which embody the essence of the City's development policy. Vested rights and legal non-conformity shall be given consideration in all determinations of developmental action or order approval. Developmental actions or orders that preceded the official adoption of this Plan shall not be deemed inconsistent with the Plan until so determined through one of the several developmental decision processes.

B. Plan Amendments. It is recognized that the development capacity of the area within the service area will vary with time. Part of the supply will be utilized and additional supply will be added from time-to-time through the approval of Plan amendments. Some land will be built upon at densities which are higher than permitted by existing zoning because rezonings will occur in the future, and some development will occur at densities lower than that permitted by zoning. Moreover, impediments can arise to the utilization, at maximum potential densities, of all lands within the boundaries. In some urbanized areas, it may be difficult to

acquire sufficiently large parcels of land. In other areas, neighborhood opposition to proposed developments could alter the assumed density or character of a particular area. Because the development capacity fluctuates with time, it will be re-evaluated on a periodic basis as part of the Plan review and amendment process.

C. Limitations. The Comprehensive Plan establishes broad parameters within which the various levels of government can conduct detailed land use planning and zoning activities, and functional planning and programming of urban infrastructure and service. It also serves the full range of other governmental planning and programming activities which require information about the location and extent of future population growth and land use. Among the primary purposes for adopting the Future Land Use Map are to establish continuity and certainty as bases for individual, small-scale land use decisions in both the public and private sectors, and to enable coordinated, timely, cost-effective expansion, maintenance and utilization of the full range of urban facilities and services. The existence of an adopted comprehensive plan does not obviate the need to conduct detailed examinations of localized land use and service conditions. Nor does the Comprehensive Plan substitute for detailed functional plans for infrastructure such as roadways, water and sewer facilities.

Given the range and scope of the comprehensive plan elements ~~as now required in Florida~~, the extent and complexity of development, the long-range time horizons of the plan and the legal status of the comprehensive plan, it is critical to maintain viable programs to update and amend the Panama City Beach Comprehensive Growth Development Plan and related functional plans. Localized land use and service conditions must be systematically reviewed to determine whether the Panama City Beach Comprehensive Growth Development Plan should be proposed for amendment, and functional plans for all urban services must be coordinated and updated for consistency with the Panama City Beach Comprehensive Growth Development Plan.

D. Interpretation of the Future Land Use Map: The Future Land Use Map of the Panama City Beach Comprehensive Growth Development Plan is a framework indicating the large-scale pattern of future land use in the Panama City Beach area. The land use pattern indicated on the Future Land Use Map is very detailed from an area-wide perspective. However, the map does not specifically depict each and every individual occurrence of land use and zoning throughout the neighborhoods which comprise Panama City Beach.

The land use categories used on the Future Land Use Map are necessarily broad, and there are numerous instances where existing uses and parcels zoned for a particular use, are not specifically depicted on the Future Land Use Plan Map. This is due largely to graphic limitations. In addition, the mixing of uses in individual buildings, projects and neighborhoods is common in many parts of the urban area, and is becoming a more widely accepted land use practice when compatible uses are properly integrated through the use of sound land use, planning and design principles. Accordingly, the Future Land Use cannot readily depict specific land use, let alone parcel-specific density or intensity of use, without broadly defining the land use categories and areas. Each of the land use categories utilized on the Future Land Use Map also provides for the inclusion of some other uses under certain conditions. The land use maps are not zoning maps.

E. Unusual Uses. Other "unusual uses" not specifically authorized in this chapter may be approved if consistent with the objectives and policies of this Plan, and provided that the use would not have an unfavorable effect on the surrounding areas by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. The intent of this provision is to enable consideration to be given to the approval of uses which are not specifically or administratively provided for in any zoning district or in any Future Land Use Map category. Conversely, this provision is not intended to permit uses to be approved in a Future Land Use Map category if the use is authorized in a different Future Land Use Map category.

F. Ultimate Development Area. The 2020~~40~~ Future Land Use Map identifies the areas that will be urbanized within that time frame. It is difficult to specify where and how much of Panama City Beach's total area may ultimately be converted to urban development. This is due to uncertainty regarding long-term rates of population and economic growth; housing and community preferences; availability and price of energy, water, agricultural and mineral resources; and State, federal and international influences. It is reasonably safe to assume, however, that the areas least suitable for urban development today will remain least suitable in the future.

2. INTRODUCTION

In the preparation of the Future Land Use Element, it was necessary to determine what the existing usage of properties is, and evaluate what has happened in recent history to affect the changes that have taken place. ~~Recent annexation requests by St. Joe, t~~The beginning of continuing large-scale redevelopment projects, and the continued population and tourist trade growth is placing increasing importance on long range planning, especially in the areas adjacent to the present city limits of Panama City Beach.

The potential for incompatible land uses and standards is created as a result of significant amounts of unincorporated areas of the County being adjacent to the City limits. When there is only an imaginary line separating lands with land use regulations from those without, it is impossible to be very effective predicting future development trends. The City of Panama City Beach will continue to coordinate land use issues with the County so that growth management practices of each may be compatible.

For the purpose of planning, this analysis sometimes looks at the area surrounding the City as well as the City proper. This area consists of approximately ~~21,000~~ 16,308 acres, and stretches from the Phillips Inlet Bridge to the Hathaway Bridge, and from the Gulf of Mexico to approximately one-half mile north of S.R. 30 Alt (Panama City Beach Parkway). This encompasses the areas now under development as well as those that may affect the City of Panama

City Beach within the next ten years. The area within the City limits of Panama City Beach is approximately ~~11,015~~ **12,452** acres excluding the ~~720~~ **1,040** acres of right-of-way.

The City, which already provides water and sewer service to the majority of the developed and developing areas, can better coordinate land use with the availability of public facilities by annexing these surrounding areas. The quality and quantity of the future development abutting the City boundaries has a significant impact on the future demand for City services. Through annexations and the intergovernmental coordination effort of this plan, an equitable arrangement will be sought with Bay County whereby the City will have more input into the future development of these areas.

Panama City Beach is a beach resort community with an increasing year-round residential presence. Because its principal source of income is tourism, the two principal developed land uses are residential and commercial. Much of the land along the beach is used to accommodate beach visitors with either lodging, recreation, food or shopping facilities. The main thoroughfares are primarily commercial usage with scattered hotels, commercial uses, multifamily land uses, and recreational facilities. Condominiums, retail, amusements, and single family residential development is located throughout the beach area.

3. INVENTORY / EXISTING LAND USES

Of the ~~10,940~~ **12,452** acres within the city limits, approximately ~~3,129~~ **2,525** acres have not been developed. A breakdown of the various land usages is shown on Table 1, and their locations are shown on the Existing Land Use Map, Exhibit Number 1.

Each land use category below is used for inventory and convenience. This inventory is not intended to create specific definitions for regulatory purposes. The list is ~~borrowed from current zoning~~ for inventory only and includes:

- A. Single Family Residential Districts include land which is utilized for single family dwellings and customary accessory buildings incidental thereto.
- B. Multi-Family Residential Districts include land which is utilized for ~~single-family dwellings,~~ multi-family dwellings, ~~churches, schools, business and professional service structures (excluding the retail sale of goods and commodities)~~ and customary accessory buildings incident to these structures in this definition.
- C. Tourist Districts include land which is utilized for ~~single-family dwellings, multi-family dwellings,~~ churches, schools, business and professional service structures ~~(excluding the retail sale of goods and commodities)~~ clubs, lodges, apartments, hotels, motels, condominiums, parking lots, retail sales and services, lounges, business uses, personal services, drive-in facilities, amusements, ~~recreation~~ and entertainment, service stations, self-service laundries, pick-up laundry and cleaner stations, car wash facilities, mini-warehouses, transient tourist

accommodations, public lodging establishments, and customary accessory buildings incident to these structures in this definition.

- D. **Industrial Districts** include land which utilizes structures for lumber and building supplies, heating and air conditioning, sheet metal, welding, plumbing, electrical, laundries and dry cleaners, bakeries, bottling plants, printing, light manufacturing and processing, wholesaling, warehousing, and distribution facilities.
- E. **Agriculture Districts** include land utilized for farming, silviculture, pastoral, and utilitarian areas.
- F. **Recreational Districts** include land which is utilized for parks, golf courses and dedicated beaches and water accesses.
- G. **Conservation Districts** include land which is utilized for the conservation of natural resources.
- H. **Educational Districts** include land which is utilized for public and private schools.
- I. **Public Buildings and Grounds Districts** include land which are utilized for governmental offices, fire stations, police stations, and other governmental facilities.
- J. **Historical Districts** include, at minimum, sites which have been identified by the Department of State on its Master Site File.
- K. **Mixed Use Districts** include areas which provide both residential and nonresidential land uses.

TABLE 1
DISTRIBUTION OF DEVELOPED AND VACANT LAND
ON THE EXISTING LAND USE MAP

	<u>Total Dev.</u> <u>Acreage</u>	<u>Portion of</u> <u>Total</u> <u>Dev. Land</u>	<u>Portion of</u> <u>City Limits</u>
SF Residential	1,215	15.5%	11.1%
MF Residential	350	4.5%	3.2%
Tourist	1,151	14.7%	10.5%
Industrial	75	1.0%	0.7%
Public Bldg. & Grounds	50	0.7%	0.5%
Educational	95	1.3%	0.9%
Recreation	485	6.3%	4.4%
Conservation	4,240	54.0%	38.8%
Agriculture	0	0	0%
Historical	0	0	0%
Mixed Use	150	2.0%	1.4%
Vacant Land	3,129	N/A	28.5%
TOTAL	10,940	1.00	1.00%

TABLE 1
DISTRIBUTION OF DEVELOPED AND VACANT LAND
ON THE EXISTING LAND USE MAP

<u>Land Use</u>	<u>Total Dev Acreage</u>	<u>Portion of Total Dev Land</u>	<u>Portion of Total City Limits</u>
<u>Single Family Residential</u>	<u>1163</u>	<u>13.09%</u>	<u>9.34%</u>
<u>Multi Family Residential</u>	<u>430</u>	<u>4.84%</u>	<u>3.45%</u>
<u>Tourist</u>	<u>1407</u>	<u>15.83%</u>	<u>11.30%</u>
<u>Industrial</u>	<u>120</u>	<u>1.35%</u>	<u>0.96%</u>
<u>Public Buildings and Grounds</u>	<u>89</u>	<u>1.00%</u>	<u>0.71%</u>
<u>Educational</u>	<u>139</u>	<u>1.56%</u>	<u>1.12%</u>
<u>Recreation</u>	<u>679</u>	<u>7.64%</u>	<u>5.45%</u>
<u>Conservation</u>	<u>4844</u>	<u>54.51%</u>	<u>38.90%</u>
<u>Agriculture</u>	<u>0</u>	<u>0.00%</u>	<u>0.00%</u>
<u>Historical</u>	<u>0</u>	<u>0.00%</u>	<u>0.00%</u>
<u>Mixed Use</u>	<u>16</u>	<u>0.18%</u>	<u>0.13%</u>
<u>Total Developed</u>	<u>8887</u>	<u>100.00%</u>	<u>71.37%</u>
<u>Undel/Vacant</u>	<u>2525</u>		<u>20.28%</u>
<u>Overall City Limits</u>	<u>12,452</u>		
<u>ROWs</u>	<u>1,040</u>		<u>9.34%</u>
<u>City Limits Excluding ROWs</u>	<u>11,412</u>		

Sources: City of Panama City Beach Building & Planning Dept. and the Bay County GIS Department.

Table Notes:

1. Conservation and Recreation acreages are considered developed since these lands are not available for development.
2. Portion of Total Developed Land = Total Developed Acreage / ~~7,811~~ 8,887.
3. Portion of Total City Limits = ~~Portion of Total Developed Acreage~~ / 10,940 12,452

4. ~~Table excludes 873 acres of right of way~~

5. Acreage figures include annexations as of ~~August 13, 2008~~ April 2019

4. PRESENT TRENDS

From 2004~~9~~ to 2005 present, market conditions created a demand for development and redevelopment within the City limits. In the past, the large amount of vacant land **within and** adjacent to the City was the primary area for major developments. Several development and redevelopment projects have taken place ~~within the City limits~~ and others are planned over the next few years.

These projects primarily consist of commercial retail, entertainment, recreation, townhouse, single-family housing, and a very limited amount of additional high-rise condominium uses.

~~With the construction of the four lane projects for U.S. 98, Hathaway Bridge, and SR 79, additional commercial, multi family, and single family construction is anticipated along these roadways. Future phases of construction to 4 lane SR 79 have been funded and has commenced to extend the project further north eventually to Interstate 10.~~

The majority of open land not yet developed outside the City of Panama City Beach is owned by the St. Joe Company. The availability of this land for development will have a large impact on where development will take place.

~~From 1970 to 1980, Panama City Beach was growing at the rate of 80.3 new residents per year. From 1980 to 1990, Panama City Beach grew at an average of 190.3 new residents per year. However, based upon statistics from the University of Florida, it is evident that most of the growth during the 1980's was between 1980 and 1985, when Panama City Beach averaged 245 new residents per year. After 1985, growth decreased to an average of 135 new residents per year. Future land use and housing elements project the amount of land, by land use category, that will be required to accommodate future growth in Panama City Beach. The City's own residential population projections forecast approximately 14,711,000 residents in 20120 and 23,000 24,581 residents in 20420.~~

A summary of the projected seasonal population of Panama City Beach during the planning period is shown in Table 7 in Section 2 of this Plan.

A. SINGLE FAMILY RESIDENTIAL

The single family residential land use for the City of Panama City Beach and its surrounding area includes land which is utilized for single family dwellings and customary accessory buildings incidental thereto. The Existing Land Use Map, Exhibit Number 1 shows the single family residential areas.

Table 1 shows a breakdown of the different land usage within the City of Panama City Beach. There are approximately ~~1,215~~ 1,163 acres of land used for single family residential housing within the City limits of Panama City Beach and ~~225~~ 449 acres of vacant land designated for single family residential use on the Future Land Use Map. The total amount of land used for single family residential use is approximately ~~11.1%~~ 9.34% of the total area of the City.

All of the early development of the Beach area was single family housing, and took place along the beachfront. Table 1 of the Housing Element shows there were 71 housing units existing in the study area prior to 1939 with 52 units remaining at the time of the 2000 Census. This early development of the Panama City Beach area took place to the west of the existing City limits and in the Long Beach area. Just west of S.R. 79 between Front Beach Road and Panama City Beach Parkway are two of the earlier residential communities, known as Laguna Beach and Sunnyside Beach. These communities were developed north of Front Beach Road, leaving the beach front property as open space. These beaches are deeded to the property owners through their titles, and are for general use of the residents of these communities. Both of these areas with their open beach still exist today. In the mid 1990's Summerbreeze subdivision began developing along Front Beach Road between Cobb Road and State Road 79. Also in the late 1980's and early 1990's, Carillon Beach began development of a Seaside type residential community which is located at the west end of Bay County near the Walton County line. Palmetto Trace Subdivision was developed in 2002 on the northerly side of Panama City Beach Parkway and across from Summerwood Subdivision.

An area of earlier low density residential housing is in the Long Beach and Edgewater Beach areas at the east end of the City of Panama City Beach. ~~Some of the Long Beach development is still present in a small portion along 2nd Street (South Thomas Drive).~~ A large number of the earlier development has been replaced by high-rise condominiums (Long Beach Resort). The early development in the Edgewater Beach area no longer exists, it was removed to make way for what is known as the Edgewater Beach Resort.

Other areas of later residential development starting from the west end of the Study area and going easterly are Inlet Beach, Hollywood Beach, Santa Monica, and Miramar Heights which have developed slowly since the mid-1940's. Around the City's center at S.R. 79 are four subdivisions that were developed mainly in the 1960's and 1970's. These four are Gulf Resort Beach, El Centro Beach, Lullwater Beach, and the Gulf Highlands subdivision.

East of this area in the vicinity of Gulf Boulevard and between Front and Panama City Beach Parkway are the subdivisions known as Summerwood and Open Sands. Just east of there in the vicinity of Argonaut Street is the Bid-A-Wee Subdivision. Summerwood was developed in the mid 1990's while Open Sands and Bid-A-Wee were developed in the mid-1970's. Bid-A-Wee Subdivision like Laguna Beach and Sunnyside Beach, has a private beach which is deeded to the property owners of the subdivision.

The area between Lantana Street and Clara Avenue known as Bahama Beach lies just east of the Bid-A-Wee Subdivision. This area consists of scattered houses and mobile homes on

private lots, and has slowly developed since the early 1950's.

Across S.R. 30 Alternate (Panama City Beach Parkway) is a development known as the Colony Club. This is a planned development with an 18-hole golf course and just north of this area situated on West Bay is the Colony Club Harbour development. The Colony Club portion of this area began in the early 1980's with Colony Club Harbour following in 1985.

The small area just east of Colony Club Development on Panama City Beach Parkway is a subdivision that was constructed in 1986 and is known as North Beach subdivision. Also in this vicinity is the Glades subdivision which was developed in the 1990's and consists of an 18-hole golf course known as the Hombre.

Other areas between S.R. 30 Alternate and S.R. 30 to the intersection of Hutchison Boulevard consist of scattered homes that have been constructed since the early 1950's. Also in this area are mobile homes on private lots.

Major subdivisions that have been developed in the last 10 years include the developments of Whisper Dunes and Turtle Cove which are located west of SR 79 and north of the Parkway. East of Richard Jackson Boulevard and north of the parkway the multiphase Breakfast Point subdivision is underway.

A visual depiction of the housing growth trends for the City of Panama City Beach is shown on the Housing Growth Trends Exhibit number 4.

B. MULTI-FAMILY RESIDENTIAL

These districts include land which is utilized for single-family dwellings, multi-family dwellings, churches, schools, business and professional service structures (excluding the retail sale of goods and commodities) and customary accessory buildings incident to these structures in this definition. Exhibit 1 shows there are approximately ~~350~~ **430** acres within the City of Panama City Beach developed as multi-family residential units which represents approximately 3.2% **3.45%** of the total area of the City. There are approximately ~~140~~ **238** acres designated as Multi-family on the Future Land Use Map.

Starting at the west end of the city limits and proceeding easterly, ~~the first~~ **there is the partially** multifamily development is **of** Whisper Dunes along with a 360-unit apartment complex Alexan Laguna **further to the east**, ~~which are both currently under construction. Whisper Dunes is to be 378-unit townhome development. Alexan Laguna is to be a 360-unit apartment complex.~~

The next easterly designation of high density residential usage contains the Southwinds Condominium and Portside Condominium complexes. The Portside complex is accessible from both Front and Panama City Beach Parkway and has a pedestrian underpass for access to the beach.

The Horizons South Condominium complex is the next area designated as high density. This is another townhouse development that has access to both Front and Panama City Beach

Parkway.

Near the intersection of SR 79 and PCB Parkway is the Parkside apartments totaling 288 units. North of PCB Parkway on North Pier Park Drive is Pier Park Crossings and upon completion will have 240 units.

Proceeding further east to just west of the Open Sands Subdivision is a mobile home parks named Reid's Court and Trailer Park. Most of the mobile homes in this park are used as summertime rental units for the tourists. Also in this designated area along the western boundary of the Open Sands Subdivision is Caladium Village which is a row of townhouses that are rented as apartments.

Within the confines of the Colony Club, there is a condominium complex, and proceeding further east to just west of ~~Beekrich Road~~ **Richard Jackson Boulevard** is the resort complex known as the Edgewater Beach Resort. This complex began development in the early 1980's and is comprised of multi high-rise condominium structures on the south side of S.R. 30 (Front Beach Road). The area north of Front Beach Road and south of Hutchison Boulevard is a complex of townhouses surrounded by a par 3 professionally designed golf course. Also, within this complex is a convention center and a tennis academy. Further east, is Waterfall townhomes on Alf Coleman Road which has begun construction of what will ultimately be 125 unit townhome development. Across from the Glades Subdivision is Alexan Gardens (a 240 unit apartment complex) which was constructed in 2005.

Just to the east of the Edgewater Beach Resort is the Gulf Highlands townhouse development.

Proceeding further to the east, along ~~2nd Street~~ (South Thomas Drive) there are numerous high density residential developments as well as many townhouse developments.

At the intersection of Thomas Drive and 2nd Street (South Thomas Drive), back to the west is a large mobile home and recreational vehicle park, and just to the east of there off Joan Avenue on the southern shoreline of North Lagoon is the St. Thomas Square Condominium complex.

Near the intersection of Hutchison Boulevard on Clarence Street are the developments of Edgewater Crossings and Pelican Pointe totaling 344 units.

C. TOURISTS DISTRICT

The commercial development which comprises the tourist and business uses within the planning area is a mixture ~~of~~ ~~intermingled~~ ~~with~~ hotels, **condominiums**, shops, amusements parks, restaurants and office buildings. Table 1 shows there are approximately ~~1,151~~ **1,407** acres of land developed for Tourist use which represents ~~10.5%~~ **11.3%** of the land area within the City. There are approximately ~~1,420~~ **868** acres of vacant land designated as Tourist on the Future Land Use Map. ~~The~~ **Tourist land uses** ~~concentration of the mixed usage is primarily~~ **are** found in heavy

concentrations along Front Beach Road from the Hutchison Boulevard intersection on the east to Clara Avenue on the west **and Panama City Beach Parkway. These areas are** concentrated with an abundance of ~~m~~hotels, shops, amusements, service stations, restaurants, condominiums big box retailers and other commercial and tourist related businesses. and restaurants on both sides of the highway. East from the intersection of Front Beach Road with Hutchison Boulevard to the intersection of Front Beach Road and Panama City Beach Parkway at Holley Drive is a mixture of motels, mini-golf courses, restaurants, furniture stores, convenience stores, service stations, hardware stores, restaurants, apartment buildings and car washes. The commercial area along Thomas Drive west of St. Andrews State Park is strip shopping centers, individual shops and restaurants catering primarily to the condominium dwellers and local residents of the area. The commercial area at the intersection of North Lagoon Drive and Thomas Drive consists of commercial fishing piers, fish markets and restaurants with a motel, convenience store and office building.

The total amount of Tourist land in the city totals 3,000 acres or 27.3 percent of the entire land area.

D. INDUSTRIAL LAND USE

The Beach Commerce Park was ~~annexed as vacant land on May 10, 2001~~ and represents the only industrial area within the city limits. The Commerce Park has undergone substantial development and currently comprises approximately ~~280~~ 122 acres of developed land out of the 285 acres designated Industrial on the Future Land Use Map. Developed Industrial land represents ~~0.7%~~ .96% of the land area of the city.

E. AGRICULTURE LAND USE

There are approximately ~~400~~ 372 acres of agricultural land located near the Commerce Park. The land is vacant and may eventually be harvested for its timber or rezoned and developed since the owner is the St. Joe Company. Agricultural land represents ~~3.7%~~ 3% of the land area of the city.

F. RECREATIONAL LAND USE

The land within the city that falls under the classification of recreational land use includes golf courses (both private and public), beach accesses, any County owned beach or pier facilities, private dedicated beaches and community park facilities. Some recreation oriented establishments that are ~~arbitrarily~~ excluded from the recreational land use categories include miniature golf courses, water slides and theme parks. These are all considered a part of the commercial land use as defined in this study. There are approximately ~~485~~ 425 acres of recreational land in the city limits representing ~~4.4%~~ 3.4% of the total land area.

First and foremost in the area of recreation, and undoubtedly the biggest asset to the City of Panama City Beach, is its miles of gulf front beaches, which is enjoyed by ~~Billed as the~~

~~"World's Most Beautiful Beaches", the estimated number of people using the beaches each year ranges from the hundreds of thousands to the millions of visitors each year.~~ Exhibit 1, Existing Land Use Map, shows all of the land designated as recreational land use in light green. The beach accesses are shown on the Recreational Exhibit number 5. The recreational area shown on the map on each side of Thomas Drive at the west intersection of North Lagoon Drive is an 18-hole golf course known as Signal Hill.

At the intersection of Alf Coleman Road and Front Beach Road is the M.B. Miller Park and Pier. This park and the pier are operated by the County. There is a community park on Tarpon Street just east of Lantana Street. North of Panama City Beach Parkway in this area is an 18-hole golf course that is a part of the Colony Club development. The beachfront property shown in green between Crane Street and Anemone Street is a strip of beachfront land that is privately owned and deeded to the property owners of the Bid-A-Wee Subdivision. West of this area is the City park and pier known as Aaron Bessant Park and Dan Russell Municipal Pier. The pier and the park are both operated by the City of Panama City Beach for the use of the public. The pier was built by the City and is being paid for by access charges. ~~The Pier was demolished in 2008 as part of a project to reconstruct and lengthen the Pier. The new Pier opened in July, 2009.~~ North of this off Panama City Beach Parkway is the Frank K. Brown Municipal Park. This park consists of ball fields, a public pool, expanded basketball and tennis courts, playgrounds, walking trails, soccer fields and other recreational facilities. **In 2011, the 2,900+-acre PCB Conservation Park was developed in order to move highly treated wastewater discharge from the bay to a natural wetlands habitat. This recreation and conservation land is used for environmental education, nature observation, recreational off-road biking, primitive hiking, off road runs, birding, and geocaching as well as implementation of native species restoration program. The park contains approximately 24 miles of hiking/biking trails, 10 wetland boardwalks totaling 1.14 miles in length, a 100 seat outdoor classroom, 2,500 sf. pavilion, public restrooms and a picnic area. Schools, civic clubs, and private rentals are scheduled through parks and recreation.**

Other recreational areas shown on the map near Lakeside, Castle Circle and Palm Circle are neighborhood recreational facilities that are maintained by the City.

G. CONSERVATION LAND USE

There are 4,240 **4,844** acres of conservation land in the City limits representing ~~38.8%~~ **38.9%** of the land area. The Existing Land Use Map number 1 designates large areas specific for conservation adjacent to Frank Brown Park, Arnold High School, and the 3,000 **2,900**-acre city owned property **Conservation park** that is to be used as a park and wet weather discharge area. **Adjacent to Conservation Park is a 624 acre area owned by the Northwest Florida Water Management District.** Areas that have been put into conservation easements are also depicted on the map. These areas mostly consist of those lands designated as conservation through the Regional General Permit issued by the Army Corps of Engineers to the St. Joe Company and the Ecosystem Management Agreement between FDEP and the St. Joe Company. Additionally, conservation lands are not shown on the Existing Land Use Map which are in conjunction with the

recreational areas, open space areas, and waterbodies.

H. EDUCATIONAL

There are approximately 95 93 acres dedicated on the Future Land Use Map to educational uses within the City limits and 139 developed acres which amounts to ~~0.9%~~ 1.12% of the land area.

Four educational land uses are located within the city limits. At the intersection of Clara Avenue and Hutchison Boulevard is the Hutchinson Beach Elementary School. Arnold High School opened for classes in 2000 and is located at the intersection of Panama City Beach Parkway and Alf Coleman Road. Surfside Middle School was completed in 1989 and is located on the west side of Nautilus Street just south of Panama City Beach Parkway. Breakfast Point Academy is a new K-8 school that will open for classes in 2008. The academy and is located on ~~Beekrieh Road~~ Richard Jackson Boulevard north of Panama City Beach Parkway.

I. PUBLIC BUILDINGS AND GROUNDS

The Public Buildings and Grounds category includes all the properties that are government or privately owned, such as, fire stations, police stations, public parking facilities and treatment plants. There are approximately ~~50~~ 89 acres of developed Public Buildings and Grounds in the city limits representing ~~0.5%~~ .71% of the total land area.

J. HISTORICAL RESOURCES

There are no known ~~some possible~~ historical structures and or sites in the City ~~as shown on Exhibit 15~~. The City has, and will continue, to require surveys of these areas as the applicable development order applications are submitted. The City ~~will also conducted~~ in 2011 and found none. ~~to verify their existence and consider protection standards if necessary.~~

K. MIXED USE

~~Seven~~ ~~(6)~~ **(7)** mixed use developments (planned unit developments) currently exist within the service area. The table below gives more detail of each development.

<u>Mixed Use Development</u>	<u>Dwelling Units</u>	<u>Commercial/Office Square Footage</u>
Tapestry Park	194	650,000sf Retail/Office
Ibis Lake	300	120,000sf Retail/Office
East Lake Creek	357	180,000sf Retail/Per. Service and 100,000sf Business/Prof. Service
Parkside PUD	354	83,000sf Retail/Personal Service
<u>Parkside II</u>	<u>360</u>	<u>9.94 Acres 85% FAR</u>
Town of Seahaven	2,952	1,000 Hotel Rooms/118,000sf Retail/24,000sf Office
Grand Panama	967	200,000sf Retail/Office

Mixed use developments comprise ~~There are~~ approximately ~~150~~ **815 acres dedicated on the Future Land Use Map to Mixed Use, which amounts to 6.5% of the City's land area and of those 179 acres are** of developed land and approximately 740 acres of vacant land.

~~These figures do not include the pending annexation of the St. Joe Company's Panama City Beach Mixed Use Development of Regional Impact.~~

L. VACANT, UNDEVELOPED LANDS

Vacant, undeveloped land is approximately ~~3,125~~ **2,525** acres and represents ~~28.5%~~ **20.28%** of the land within the City limits. Vacant land is shown by Future on the Existing Land Use Map designation and in Table 2 1.

M. NATURAL RESOURCES

All of the land uses related to natural resources are shown in other areas of this report. The soils, minerals, beaches, shores, wetlands, harbors, bays and estuarine systems are shown in the Conservation Element, as well as the flood plain area.

5. ANALYSIS OF PRESENT TRENDS AND PROJECTIONS FOR THE FUTURE

For purposes of projecting future land use needs, it is appropriate to establish the ratio of land use acreage to population to establish the proportion of each land use needed to support a given population. The most recent estimate from the Bureau of Economic and Business Research (BEBR) reports a population estimate for Panama City Beach of is 13,975 ~~13,453~~ in 2018 ~~2018~~. For the unincorporated areas of the service area, an estimate of the 2007 ~~18~~ population was 27,308. Therefore, the total population of the beaches area is estimated to be 41,283, was made using water billing data. Water bills inside the city limits totaled 5,932 in September, 2006 representing 59.3% of the total population of the city. Water bills outside of the city limits totaled 11,856 for the same time period. Using the same ratio of water bills to population as indicated in the city limits results in an estimated unincorporated population of 19,993 in the service area. Combined, the total population of the beach service area is estimated to be 33,446. Comparison of the Future Land Use Map designations in the city with the 2008 population estimate results in the following Future Land Use percentages:

TABLE 2
DISTRIBUTION OF ACREAGE ON THE FUTURE LAND USE MAP

	Total Dev. Acreage	Portion of Total Dev. Land	Total Vacant	Total Acreage	Portion of Total City Limits (13,453)	Ratio of Dev. Acreage to Pop.
SF Res.	1,050	13.4%	225	1,275	11.7%	.080
MF Res.	140	2.0%	135	275	2.5%	.011
Tourist	1,580	20.2%	1,420	3,000	27.3%	.117
Ind.	75	1.0%	205	280	2.6%	.006
Public Bldg. & Grounds	50	0.6%	0	50	0.5%	.004
Educational	95	1.2%	0.01	95	0.9%	.007
Recreation	485	6.0%	0	485	4.4%	.036
Cons.	4,240	54.3%	0	4,240	38.7%	.315
Ag.	0	0	400	400	3.7%	0.03
Historical	0	0	0	0	0	0.00
Mixed Use	100	1.3%	740	840	7.7%	.007
TOTAL	7,815	1.00	3,129	10,940	1.00	.613

TABLE 2**DISTRIBUTION OF ACREAGE ON THE FUTURE LAND USE MAP**

	<u>Total Dev Acreage</u>	<u>Portion of Total Dev Land</u>	<u>Total Undl /Vacant Acreage</u>	<u>Total Acreage</u>	<u>Portion of Total City Limits</u>	<u>Ratio of Developed Acreage to Population 13,975 2018</u>
<u>Single Family Residential</u>	<u>835</u>	<u>9.40%</u>	<u>449</u>	<u>1284</u>	<u>10.30%</u>	<u>.059</u>
<u>Multi Family Residential</u>	<u>201</u>	<u>2.26%</u>	<u>37</u>	<u>238</u>	<u>2.00%</u>	<u>.014</u>
<u>Tourist</u>	<u>2140</u>	<u>24.08%</u>	<u>868</u>	<u>3008</u>	<u>24.00%</u>	<u>.153</u>
<u>Industrial</u>	<u>122</u>	<u>1.37%</u>	<u>163</u>	<u>285</u>	<u>2.30%</u>	<u>.008</u>
<u>Public Buildings and Grounds</u>	<u>51</u>	<u>0.57%</u>	<u>0</u>	<u>51</u>	<u>0.41%</u>	<u>.003</u>
<u>Educational</u>	<u>93</u>	<u>1.05%</u>	<u>0</u>	<u>93</u>	<u>0.75%</u>	<u>.006</u>
<u>Recreation</u>	<u>425</u>	<u>4.78%</u>	<u>0</u>	<u>425</u>	<u>3.40%</u>	<u>.030</u>
<u>Conservation</u>	<u>4841</u>	<u>54.47%</u>	<u>0</u>	<u>4841</u>	<u>38.90%</u>	<u>.346</u>
<u>Agriculture</u>	<u>0</u>	<u>0.00%</u>	<u>372</u>	<u>372</u>	<u>3.00%</u>	<u>0</u>
<u>Historical</u>	<u>0</u>	<u>0.00%</u>	<u>0</u>	<u>0</u>	<u>0.00%</u>	<u>0</u>
<u>Mixed Use</u>	<u>179</u>	<u>2.01%</u>	<u>636</u>	<u>815</u>	<u>6.50%</u>	<u>.012</u>
	<u>8887</u>	<u>100.00%</u>	<u>2525</u>	<u>11412</u>		
<u>Overall City Limits</u>	<u>12452</u>					
<u>ROWs</u>	<u>1040</u>				<u>8.40%</u>	
<u>City Limits Excluding ROWs</u>	<u>11412</u>					
<u>Developed Land</u>	<u>8887</u>					
<u>Undeveloped</u>	<u>2525</u>					
<u>Surrounding Area</u>	<u>16308</u>					

Sources: City of Panama City Beach Building & Planning Dept. and the Bay County GIS Department.

Table Notes:

1. Total Acreage = Total Developed Acreage + Total Vacant.
2. Portion of Total Developed Land = Total Developed Acreage / 7,815 **8,887**.
3. Portion of Total **City Limits Land Mass** = Total Acreage / 40,940 **12,452**.
4. Table excludes 873 acres of right of way
5. Acreage figures include annexations as of August 13, 2008 **March 2019**.

It is anticipated that trends in the near future will mostly parallel that of the past and that such trends are appropriate for promoting infill development and discouraging urban sprawl. However, as the year-round residential population continues to grow it can be expected that the demand for non-residential uses will continue to result in an increase in the supply in this area. As this process matures, there will be a corresponding reduction in the dependency on such non-residential land uses already located in the Panama City area.

Non-residential development within the beach service area should continue to be encouraged so that trip numbers and lengths can be reduced as well as creating opportunities to develop pedestrian/bicycle oriented neighborhoods.

The Beach area during an expanded economy has always excelled in residential and commercial development. It is anticipated this trend will continue. The property in the City will continue to see substantial growth due to large-scale redevelopment projects and annexations.

It is anticipated that within the City limits of Panama City Beach the future land use will follow the same patterns as in the past. Using the land use percentages established in Table 3 2 and the projected population as shown in Table 1 of Section 2 of the Plan (Population Estimates and Projections), the following table projects the amount of acreage needed for each land use in order to support the population projected through the year 20240.

TABLE 3

**PROJECTED LAND USE NEEDS
PANAMA CITY BEACH SERVICE AREA
2220 (Population Projected at 25,500)**

CATEGORY	Total Acres Needed	Total Acres Needed (110%)	Existing Plus Vacant	Surplus or (Shortfall)	Addn'l Dev. Ac. Needed
Single Family Res.	2,040	2,244	1,275	(969)	969
Multi Family Res.	281	310	275	(35)	35
Tourist	2,983	3,282	3,000	(282)	282
Industrial	153	170	280	90	n/a
Public Bldgs. & Grounds	102	112	50	(62)	n/a
Education	179	197	95	(102)	n/a
Recreation	918	1,000	485	(515)	n/a
Conservation	8,032	8,835	4,240	(4,595)	n/a
Agriculture	765	842	400	(442)	n/a
Historical	0	0	0	0	n/a
Mixed Use	180	197	840	643	0
TOTAL	15,633	17,189	10,940	(6,249)	1,286

Source: The City of Panama City Beach Building & Planning Department and the Bay County GIS Department

TABLE 3

**PROJECTED LAND USE NEEDS
PANAMA CITY BEACH
2040 (Population Projected at 24,581)**

<u>Land Use</u>	<u>Total Acres Needed</u>	<u>Total Acres needed 110%</u>	<u>Existing Plus Vacant</u>	<u>Surplus or (Shortfall)</u>	<u>Additional Devel. Acres Needed</u>
<u>Single Family</u>	<u>1,450</u>	<u>1,595</u>	<u>1,284</u>	<u>(311)</u>	<u>311</u>
<u>Multi-Family</u>	<u>344</u>	<u>378</u>	<u>238</u>	<u>(140)</u>	<u>140</u>
<u>Tourist</u>	<u>3,760</u>	<u>4,136</u>	<u>3,008</u>	<u>(1,128)</u>	<u>1,128</u>
<u>Industrial</u>	<u>197</u>	<u>217</u>	<u>285</u>	<u>68</u>	<u>-</u>
<u>Public Buildings/Grounds</u>	<u>74</u>	<u>81</u>	<u>51</u>	<u>(30)</u>	<u>-</u>
<u>Education</u>	<u>148</u>	<u>163</u>	<u>93</u>	<u>(70)</u>	<u>-</u>
<u>Recreation</u>	<u>737</u>	<u>811</u>	<u>425</u>	<u>(386)</u>	<u>-</u>
<u>Conservation</u>	<u>8,505</u>	<u>9,356</u>	<u>4,841</u>	<u>(4,515)</u>	<u>-</u>
<u>Agriculture</u>	<u>-</u>	<u>-</u>	<u>372</u>	<u>372</u>	<u>-</u>
<u>Historical</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Mixed Use</u>	<u>295</u>	<u>325</u>	<u>815</u>	<u>491</u>	<u>-</u>
<u>Total</u>	<u>15,510</u>	<u>17,061</u>	<u>11,412.00</u>	<u>(5,649)</u>	<u>1,579</u>
<u>2040 est. Pop. 24,581</u>					
Source: City of Panama City Beach Planning Department and Bay County GIS					

Notes:

1. "Total Acres Needed" is derived from multiplying the population (~~25,500~~ **24,581**) by the "Ratio of Developed Acreage to Population" in Table 2 for each Future Land Use designation.
2. "Total Acres Needed (110%) assumes a rate of 10% vacant land for each designation is necessary for

encouraging infill development and discouraging urban sprawl by providing an acceptable range of land choices for varied land uses. The current undeveloped/vacant land rate in the City limits is ~~28.6%~~ 20.28% (from Table ~~2~~ 1).

3. "Existing Plus Vacant" is "Total Acreage" from Table 2.
4. "Surplus or Shortfall" is the "Total Acres Needed (110%)" minus "Existing Plus Vacant".
5. "Additional Development Acreage Needed" is only shown for the urban land uses of Single Family Residential, Multi-family Residential, and Tourist. The need for additional lands with a designation of Public Buildings and Grounds, Education, or Recreation will be derived by the City or the School District as part of long-term strategic planning process that considers the intensification of existing properties.
6. Industrial land is shown as having a surplus through 20240. However, having an abundant supply of vacant Industrial land is important in attracting new development as some industrial users require hundreds of acres. As such, additional Industrial land be needed during the planning time frame.
7. Conservation and Historical acreage will be added as opportunities arise.
8. ~~Agriculture acreage has been added the City as part of an annexation by St. Joe.~~ Additional Agricultural land may be added as part of future annexations. There is currently no demand for Agriculture acreage other than for silvicultural operations.
9. Mixed Use land is shown to have a surplus. However, the Mixed Use land use designation is more of a result of a developer wishing to bring together residential and non-residential uses in a unique design that is not permitted elsewhere by the zoning ordinances. The Mixed Use designation does not provide an independent land use designation but rather provides for flexibility in the development process. As such, there may be additional lands added to the Mixed Use designation even though a surplus is shown.
10. The needed acreage shown is based upon the existing city limit boundaries. It is expected that significant acreages will be added to the City through annexes during the planning time frame. These annexed lands are mostly expected to be designated as Tourist, Mixed Use, Single Family Residential, or Industrial. A detailed analysis of need will be conducted at the time of annexation as part of the large-scale comprehensive plan amendment that will accompany such annexation application.

A. PROJECTED RESIDENTIAL DISTRICT NEEDS

~~Recent residential annexations include both single family residential subdivisions and townhome developments.~~ The projected single family residential land use needs acreage through 20240 is expected to be approximately ~~8.0%~~ 5.9% of the residential population. With a projected population of ~~25,500~~ 24,581 in 20240, the single family residential acreage need is expected to be approximately ~~2,244~~ 1,450 acres or an increase of ~~969~~ 311 additional acres in the city. A 10% increase has been added to the acreage needed to allow for a limited amount of market choices to be available. **The City may also consider options that include higher allowable densities, smaller lot sizes and use of guest houses in single family districts to promote infill development and offset the needed acreage.**

The projected multi-family residential land use needs acreage through 20240 is expected to be approximately ~~4.4%~~ 1.4% of the residential population. With a projected population of ~~25,500~~ 24,581 in 20240, the multi-family residential acreage need is expected to be approximately ~~310~~ 344 acres or an increase of ~~35~~ 140 additional acres in the city. A 10% increase has been added to the acreage needed to allow for a limited amount of market choices to be available. **The**

City may also consider higher allowable densities in the Multi-Family district to offset the needed acreage.

B. PROJECTED TOURIST DISTRICT NEEDS

The projected Tourist land use needs acreage through 20240 is expected to be approximately 11.7% 15.3% of the residential population. With a projected population of 25,500 24,581 in 20240, the potential Tourist acreage need is expected to be approximately 3,000 4,136 acres or an increase of 282 1,128 additional acres in the city. A 10% increase has been added to the acreage needed to allow for a limited amount of market choices to be available. **However, this land use has the potential to generate the greatest amount of vehicular traffic which is a continuing problem. Considering the allowable density of 45 units per acre and the vast commercial / tourism related uses allowed in this land use category, the assumption that there is a need for additional Tourist acreage is not an absolute and other options should be explored.**

C. PROJECTED INDUSTRIAL DISTRICT NEEDS

~~As a resort community, there has historically been very little industrial use. For years, the only industrial use was a concrete batch plant located north of Panama City Beach Parkway at the west end of the City. Annexations over the past few years have added approximately 280 acres of industrial land at the Commerce Park. Although development of the Commerce Park has been significant, there still remains vacant land suitable for development. As of 2008~~19, approximately 75 122 acres of the Commerce Park have been developed with approximately 205 163 acres available for development. As the Panama City Beach area continues to develop and redevelop, it can be expected that more light industry, warehousing and office park land uses will locate in the area. The projected industrial land use needs to support the 20240 population are expected to, for the most part, be met by the current amount of vacant industrial land. However, with the opening of the ~~new~~ International Airport, new industrial uses may be attracted to the area and could require larger acreage than previous industrial users needed. If this were to occur, it is possible additional industrial land may be needed prior to 20240.

D. PROJECTED PUBLIC BUILDINGS AND GROUNDS NEEDS

The projected Public Buildings and Grounds land use needs acreage through 20240 is expected to be approximately 0.4% .3% of the residential population. With a projected population of 25,500 24,581 in 20240, the Public Building and Grounds acreage need is expected to be approximately 112 81 acres or an increase of 62 30 additional acres in the city. There remains significant vacant areas of existing City-owned parcels whereby the additional acreage can be met if found to be necessary. Additional land purchases will be required as part of the Front Beach Road Community Redevelopment Area program. However, it is very unlikely that land purchases will be necessary to provide the necessary public buildings and grounds.

E. PROJECTED EDUCATIONAL NEEDS

~~Recent construction of the new Bay County School Board's development of the Breakfast Point Academy and the proposed K-8 school near the new sports park~~ K-8 school on Beekrieh Road is expected to meet the Education land use needs of the City through 20240. Any increase in floor area needed to satisfy student enrollments is expected to be met by expanding existing campuses on their current sites.

F. PROJECTED RECREATIONAL NEEDS

The Goal of the City of Panama City Beach is to “ensure provision of sufficient recreational facilities and open space for all citizens and visitors of Panama City Beach through the provision or encouragement of facilities. Presently there are 9 city owned recreational facilities/parks in the Panama City Beach city limits which adds up to approximately 3,150 acres. These facilities are: Frank Brown Park-169 acres, Aaron Bessant Park-55 acres, Aquatic Center-5 acres, Scott’s Field Neighborhood Park-3 acres, Maggie Steel Neighborhood Park-2 acres, Lyndell Senior Center-8 acres, 2,900+ acre Conservation Park which includes a reclaimed water discharge area/recreation area, nature/bike trails and a native species restoration program and one saltwater fishing pier, the Russell-Field’s 1,500 ft. Pier, and Beachfront-7.8 acres. ~~5 municipal parks (354 acres) and two piers (one city owned and one county owned) within the city limits. These facilities are: Frank Brown Park 236 acres, Pier Park 102 acres, MB Miller Park 11 acres, Scott Park 3 acres, and Maggie Steel Park 2 acres.~~

~~The City has adopted and maintains the following Level of Service standards for Recreation: The City’s fulltime population in 2008 was estimated to be 13,453.~~

<u>Category</u>	<u>Standard Acres/1,000 Population</u>	<u>Currently Available Acres/1,000 Population</u>
Local Parks	5.0	35

<u>Category</u>	<u>Standard Facility/1,000 Population</u>	<u>Currently Available Facility/1,000 Population</u>
Golf Course (holes)	.35	5.40
Tennis Court	.25	0.34
Basketball court	.04	0.52
Baseball Field	.03	1.10
Football/Soccer Field	.01	0.70
Shuffleboard Courts	.03	0.30

~~During 2006 the City also completed an aquatics center which included a 50m pool and a children's activity pool.~~

Within the City of Panama City Beach there are 55 public beach access points and the City has completed construction of a 1.83 acre parking site to park between 120 – 140 vehicles near the beach accesses at Churchwell Drive and Front Beach Road. The City will continue to pursue land acquisition opportunities in other areas of the City to be used for public beach access parking. Currently the City charges a fee of \$2,100 6,500 per 50 feet of beach frontage; these collected funds are placed in the Beach Access Public Parking Fund to be used to purchase land for parking.

~~The City completed an additional 2,000 feet of a~~ **currently has** a paved bicycle/pedestrian trail system and has applied for a grant to complete that portion of the trail **which runs** from Power Line Road to West Bay Elementary **and connects the Colony Club subdivision, Frank Brown Park with Conservation Park.** This network of bicycle/pedestrian trails will eventually connect to Frank Brown Park with a 3,000-acre reclaimed water discharge area/recreation area west of Highway 79, Pine Log State Forest and Arnold High School and Breakfast Point. ~~The City is also developing a 3,000-acre reclaimed water discharge area/recreation area which will contain nature/bike trails and a native species restoration program.~~

There are currently adequate recreational facilities within the City limits and with the continued expansion of Frank Brown Park, an expanded bikeway system, the creation of other conservation/open space areas, private sector recreational amenities, recreational facilities needs within the City limits will be met for several years.

G. PROJECTED CONSERVATION NEEDS

~~Since the last plan updated, t~~ The City has added approximately 3,130 **4,841** acres of Conservation land uses ~~on~~ the Future Land Use Map (**some of which is also used for recreational uses as mentioned previously**). These include ~~City purchased~~ a 32,0900 acres for a wet weather discharge site and public park, ~~An annexation occurred~~ 120 acres east of Colony Club which designated 120 acres for Conservation land use. ~~The remaining 10 acres of Conservation land use was created when the~~ **in Tapestry Park Planned Unit Development Master Plan received approval. 624 acres east of conservation Park owned by Northwest Florida Water Management District, large tracts owned by St. Joe at the west end of the city and other parcels spread throughout the city.** It is expected that additional areas will be designated as Conservation as opportunities arise. Future Conservation areas will probably be the result of St. Joe Company land that has been put into conservation easements as part of the Regional General Permit issued by the Army Corps of Engineers and the Ecosystem Management Agreement between St. Joe and the FDEP.

H. PROJECTED AGRICULTURE NEEDS

It is expected that additional land for agricultural use will be the result of an annexation into the City or the conversion of residential land that has been found to be unsuitable for development because of the presence of wetlands or the existence of a conservation easement. It is also expected that any such land will have historically been used for agricultural/silvicultural

purposes, resulting in no net increase in agricultural lands in the beaches area.

I. PROJECTED HISTORICAL LAND USE NEEDS

Historical resources will be identified and added to the Future Land Use Map as new sites are identified by local or state agencies. The City ~~will conduct~~ed a study of possible historical structures in 2011 and found none ~~and require property owners to survey potential historical areas as site plan applications are submitted.~~

J. PROJECTED MIXED USE NEEDS

Planned Unit Developments will be added to the Future Land Use Map as they are approved.

K. PROJECTED OPEN SPACE NEEDS

The existing open space areas provide more than adequate areas for the residents and seasonal population of the City. The following table reflects the current available open space areas in and adjacent to Panama City Beach.

**TABLE 8 3
OPEN SPACE INVENTORY
PANAMA CITY BEACH 2007**

<u>NAME-PROVIDER</u>	<u>LOCATION</u>	<u>ACREAGE</u>
St. Andrew Bay-Gulf of Mexico	North, South and East of Panama City Beach	70,000 acres
Saltwater Beaches	Gulf of Mexico	420 acres
Right of Way	City	720 1,040 acres

Source: Panama City Beach Utilities Department, Bay County GIS Division.

The City has an oversupply of open space areas in and adjacent to the City. The small land area of the City as compared to the vast expanse of saltwater resources would alone be more than adequate to serve the resident and seasonal populations well beyond 20240. However, open space will be acquired for stormwater ponds associated with road widening projects conducted as part of the Front Beach Road Community Redevelopment Area.

L. PROJECTED REDEVELOPMENT NEEDS

By 20240, over ninety percent of the City's housing stock will be less than 40 years old. Therefore, through the ~~10~~ **20**-year planning period, most of these homes will continue to be in sound condition. However, several homes have been determined to be substandard and either repaired or destroyed during the planning period. ~~A large number of older motels along Front Beach Road~~ **continues to be redeveloped as older structures are** ~~were~~ demolished and construction of high-rise condominiums, hotels, **retail development** and planned unit developments **have and continue to be built.** ~~projects took place.~~ It is expected that ~~some limited amount of~~ redevelopment will continue to occur over the planning period. The pace of the redevelopment will ~~likely~~ **continue to** be limited by market forces.

M. PROJECTED DEVELOPMENT IN FLOOD PRONE AREAS

When looking at the City as a whole, some of the most developed areas are those in the floodplains (gulf front). There will ~~be~~ continue to be some infill development and an increasing amount of redevelopment in the future in areas shown to be subject to periodic inundation as defined in the Category 1 storm surge area reflected on the Coastal High Hazard Map, Exhibit 13, and the Hurricane Evacuation Map, Exhibit 14. All development and redevelopment in the areas highlighted on the Floodplains map will be required to comply with current flood zone legislation and ordinances.

N. PROJECTED DEVELOPMENT BY 20240

Approximately ~~4,286~~ **1,579** acres will be needed for development by 20240. The soil characteristics are reflected on the General Soils Map Exhibit 11. Natural resource information is contained in the Conservation Element and shown on Exhibits 8 through 12.

The Future Land Use Map shows all of the lands within the City limits of Panama City Beach as falling into one of the following categories: single family residential, multi-family residential, tourist, mixed use, industrial, public buildings and grounds, educational, recreational, conservation **and** agriculture ~~historical, and open space.~~ ~~The total lands within the city when developed are projected to have the land use distribution as shown in Table 6.~~

6. AVAILABILITY OF FACILITIES AND SERVICES

Detailed analysis of the availability of facilities and services are provided in the Plan elements entitled: Traffic Circulation, Recreation and Open Space, Sanitary Sewer, Solid Waste, Drainage, Potable Water and Groundwater Aquifer Recharge.

7. LAND USE GOALS, OBJECTIVES AND POLICIES

GOAL: Provide the resources and regulations necessary to protect property rights, health, safety and welfare of the citizens of Panama City Beach while enabling continued growth through land use which has the necessary infrastructure.

OBJECTIVE 1: Future growth and development will be managed through the preparation, adoption, implementation and enforcement of Land Development Regulations.

POLICY 1.1: The terms, words, and categories used in this goal are intended to convey and be understood in their common and ordinary meanings, without reference to the definitions used for convenience in the inventory section of this element.

POLICY 1.2: The Future Land Use Map, Exhibit Number 2, is hereby adopted as an exhibit of the planning goals for Panama City Beach for 2020 40.

POLICY 1.3: Within one year of the adoption of the amended Comprehensive Plan, the City shall amend the land development regulations to contain specific and detailed provisions to implement the adopted Comprehensive Plan goals as amended, and which as a minimum include standards to be followed in the control and distribution of population densities and building and structure intensities.

POLICY 1.4: Land Development Regulations adopted to implement the Comprehensive Plan goals shall be based on and be consistent with the following specific standards for residential densities and intensities of each of the Future Land Use categories as indicated below. Some of the specific standards set forth in this and following policies are incorporated in to this planning document because these standards have already been adopted in the City's long-standing zoning ordinances. The following Future Land Use categories are created by this policy and allocated to specific areas as shown on the Future Land Use Map. **A limited number of land uses other than those listed in each category below are allowed with additional supplemental standards or as a conditional use and addressed in the Land Development Code:**

A. Single Family Residential: The single family residential land use category generally consists of ~~is limited to~~ single family residential uses including zero lot line, ~~mobile~~ **manufactured** homes, and customary accessory uses thereto. ~~Conditional Uses include churches, schools, and public uses~~ (Updated 05-05-06 to eliminate townhomes as a permitted land use).

Density: The maximum residential density shall be 6 residential units per gross acre and no zoning district shall permit more than a maximum density of 120.8 units per acre.

Intensity: The maximum lot coverage shall be 80% as determined by dividing the impervious areas, excluding parking, by the gross area of the site or lot.

B. Multi-Family Residential: The Multi-family Residential land use category generally consists of ~~is limited to~~ single and multi-family residential uses, townhomes, ~~churches, schools, business and professional services~~ excluding the retail sale of goods and

~~commodities~~, and customary accessory buildings thereto (Updated 05-05-06 to include townhomes as a permissible land use).

Density: The maximum residential density shall be 40 units per gross acre.

Intensity: The maximum lot coverage shall be 40% as determined by dividing the impervious areas, excluding parking, by the gross area of the site or lot.

C. **Tourist:** The Tourist land use category is designed for a wide variety of nonresidential uses including retail, hotels, motels, hotel apartments, public lodging establishments, churches, parking lots, business and professional uses, personal services, ~~amusements~~, recreational and entertainment, service stations, cleaners, car wash facilities, mini-warehouses, schools, public uses, ~~campgrounds, and travel-trailer parks~~. Additionally, single family and multi-family residential uses are permitted within the Tourist district.

Density: The maximum residential density shall be 15 residential units per gross acre and no zoning district shall permit more than a maximum density of 45 units per acre.

Intensity: The maximum lot coverage shall be 80% as determined by dividing the impervious areas, by the gross area of the site or lot, and the maximum floor area ratio shall be ~~8~~100%. Floor area ratio shall only apply to non-residential uses.

1. ~~Coastal Overlay District: The Coastal Overlay District~~ **Front Beach Overlay District: The Front Beach Overlay District** is a subdistrict of the Tourist land use category and is comprised of those properties **located on or near the Front Beach Road corridor**, ~~designated for tourist use that are for all practical purposes located adjacent to the waters or the sandy beach of the Gulf of Mexico.~~

Density: Density for dwelling uses in the ~~Coastal~~ **Front Beach Overlay District that lie between the sandy beach of the Gulf and the seaward most dedicated right-of-way** shall be limited to a maximum of forty-five (45) dwelling units per gross acre. Density (number of units) for lodging accommodation uses shall be determined by reference to ~~intensity limits~~, **site design standards**, height limits, ~~and~~ off-street parking requirements ~~and~~ **other standards**.

Intensity: The maximum lot coverage shall be 80% as determined by dividing the impervious areas by the gross area of the

site or lot.

Height: The standard height for all buildings in the coastal Front Beach Overlay District range from 35' to 150' shall not exceed ~~two hundred twenty (220')~~ from the prevailing grade of the lot to the ceiling of the highest story.

- D. Industrial:** The purpose of the Industrial land use category is to protect lands for production, and distribution, of goods, and other industrial activities. A wide range of light and heavy industrial activities are allowable in this category. Specific uses include warehousing, public uses, special uses, park and ride lots, motor vehicle impound lot, terminals, airports, industrial parks, manufacturing, repair, fabrication, assembly, packaging, processing, and concrete and asphalt plants, and borrow pits. ~~Construction and Demolition Debris landfills are allowable with a buffer from adjacent properties that meets the requirements of FDEP or a minimum of 50 feet, whichever is greater.~~

Density: Residential land uses are ~~prohibited~~ limited to single family as an accessory use.

Intensity: The maximum lot coverage shall be 70% as determined by dividing the impervious areas, by the gross area of the site or lot, and the maximum floor area ratio shall be 80%.

- E. Public Buildings & Grounds:** The purpose of the Public Buildings and Grounds land use category is intended for structures or lands that are owned, leased, or operated by a governmental entity, such as civic and community centers, hospitals and public health facilities, libraries, police and fire stations, airports, government administration buildings; and systems or facilities for transportation, communications, sewer, drainage, and potable water.

Density: Residential land uses are prohibited.

Intensity: The maximum lot coverage shall be 70% as determined by dividing the impervious areas, by the gross area of the site or lot.

- F. Educational:** The Educational land use category is intended for activities and facilities of public or private primary or secondary schools, vocational and technical schools, technology training facilities, and colleges and universities licensed by the Florida Department of Education. Pursuant to Objective 11 of the Future Land Use Element and Objective 2 of the Intergovernmental Coordination Element, public schools are permitted within all future

land use categories except the Industrial and Conservation districts.

Density: Residential land uses are prohibited.

Intensity: The maximum lot coverage shall be 70% as determined by dividing the impervious areas, excluding parking, by the gross area of the site or lot, ~~and a maximum height of no more than 50 feet.~~

G. Recreation: The Recreation land use category is intended for lands devoted to public parks, playgrounds, golf courses, dedicated beaches, and open spaces serving local, community, and regional needs. Lands set aside for the private use of residents/owners in planned unit developments are not necessarily designated for recreational land use.

Density: Residential land uses are prohibited.

Intensity: The maximum lot coverage shall be 40% as determined by dividing the impervious areas by the gross area of the site or lot, and the maximum a floor area ratio shall be 30% .

H. Conservation: The Conservation land use category shall be applied to public and private land areas that have been acquired or reserved by mutual agreement with the owner for the purpose of conserving, preserving, or managing environmentally sensitive lands. Passive recreational uses that are consistent and compatible with the conservation purpose of the category may be permitted. Permitted uses allowed also consist of open space uses such as walkways, piers and docks elevated on pilings, and FDEP permitted wetland discharge areas with supporting structures. (Updated 05-05-06)

Density: Residential, commercial, and industrial land uses are prohibited.

Intensity: Impervious surface area will be limited to a maximum of 5%.

I. Agriculture: The Agriculture land use category is applied to land that is used for production of plants and animals useful to humans, including to a variable extent the preparation of these products for human use and their disposal by marketing or otherwise, and includes aquaculture, horticulture, floriculture, viticulture, silviculture, dairy, livestock, poultry, bees, and any and all forms of farm products and farm production. The land in this category is suited for the cultivation of crops, and livestock including cropland, pastureland, orchards, vineyards, nurseries, ornamental horticulture areas, groves, confined feeding operations specialty farms and silviculture activities.

Specific residential uses allowable in this category include single-family and manufactured/mobile homes.

Non-residential uses allowable in this category include farm buildings (barns, equipment, sheds, poultry houses, stables, other livestock houses, pole barns, corrals and similar structures), and private airstrips.

Allowable uses also include churches and places of worship, public or private primary or secondary schools, and recreational uses.

~~Construction and Demolition Debris landfills are allowable with a buffer from adjacent properties that meets the requirements of FDEP or a minimum of 50 feet, whichever is greater.~~

Density: The maximum density shall be one dwelling unit per ten acres.

Intensity: The maximum lot coverage shall be 30% as determined by dividing the impervious areas, by the gross area of the site and the maximum floor area ratio shall be 10%.

J. Historical Resources: The Historical Resources Future Land Use Map designation will, at a minimum, be those areas identified by the Department of State on its Master Site File.

Density: The maximum residential density shall be six (6) dwelling unit per acre.

Intensity: The maximum lot coverage shall be 30% as determined by dividing the impervious areas by the gross area of the site and the maximum floor area ratio shall be 30%.

K. Mixed Use:

1. District Intent: The general intent of the Mixed Use future land use category is to provide a flexible, alternative land use category to encourage imaginative and innovative design for the unified development of tracts of land, within overall density and use guidelines established herein. This category is characterized by a mixture of functionally integrated residential, commercial, office, open space, public facility, light industrial, and recreational land uses.

The Mixed Use future land use category is specifically intended to:

- a. Promote more efficient and economic uses of land.
- b. Provide design flexibility to meet changing needs, technologies, economics, and consumer preferences.
- c. Promote efficient and integrated networks of vehicular and pedestrian roadways, paths, and connections.
- d. Encourage retention of environmentally sensitive features by using techniques such as clustering development on the least environmentally sensitive portions of the site.
- e. Lower development and building costs by permitting smaller networks of utilities and streets and the use of more economical building types and shared facilities.
- f. Permit the combining and coordinating of land uses, residential types, building types, and building relationships within a planned development.
- g. Promote compatibility with surrounding residential land uses.
- h. Coordinate the timing and sequencing of development with the availability of public services and facilities.
- i. Encourage the use of sound planning and design techniques to achieve overall coordinated development, eliminating the negative impacts of unplanned and piecemeal development.

2. Permitted Land Uses: Permitted land uses will consist of single-family residential, multi-family residential, commercial, recreation, silviculture, light industrial (only when subordinate to at least one other land use) , and public facilities.

3. Mixture of Land Uses: Properties in this category are required to be developed with at least three (3) of the land use categories listed in the Permitted Land Uses in this section. One land use shall be a residential use and one land

use shall be a non-residential use neither of which may be less than 10% of the total land area. All of the land uses do not have to be developed at the same time, nor is one land use a prerequisite to another land use. For the purposes of this section, properties refers to the overall parent parcel of land that is assigned the Mixed Use future land use category and not individual lots within the parent parcel of land.

4. Density/Intensity:

- a. Density: Residential land use shall not exceed a gross density of 10 dwelling units per acre.
- b. Intensity: Non-residential land uses shall not exceed an impervious coverage of 80 percent nor a floor area ratio of 80 percent.

5. Development Standards and Techniques: The Mixed Use District is intended to permit variation in lot size, shape, width, depth, roadway standards, and building setbacks without an increase in overall density or intensity of development while ensuring, to the greatest extent possible, compatibility with adjoining development. Innovative development standards and principles are encouraged. At a minimum, development standards will include, but not be limited to the following:

- a. Access management controls, vehicular and pedestrian interconnections, and internal roadway systems that help maintain the capacity of existing and future roadways.
- b. Functional buffering that ensures compatibility between land uses.
- c. Adequate landscaping of commercial parking lots along arterial roadways.
- d. Development near immediately surrounding existing residential areas shall be designed to reduce intrusive impact upon the existing residential uses.
- e. Clustering development away from environmentally sensitive features onto less environmentally sensitive features and allowing gross densities to be calculated on the overall site.

6. **Unified Ownership:** A property must be under single ownership or under unified control at the time the Mixed Use future land use category is assigned.
7. **Zoning Implementation:** The Mixed Use future land use category will be implemented through a Planned Unit

Development zoning district or any other zoning district found consistent with the purpose and intent of the Mixed Use future land use category.

L. Naval Support Activity Panama City Military Influence Overlay District

The Naval Support Activity Panama City Military Influence Overlay District (NSAPC MIOD) shall be established to ensure that the continually changing missions of the local military installations are facilitated to the greatest extent possible. The City shall support the U.S. Navy in its operation of Naval Support Activity Panama City (NSAPC) so that the facilities remain viable and able to fulfill their missions. Three Military Influence Areas (MIAs) shall also be established to encourage compatible land use patterns, protect the public health, safety and general welfare, and help prevent encroachment from incompatible development.

1. **The NSAPC Military Influence Overlay District (NSAPC MIOD):** The NSAPC Military Influence Overlay District shall be the area located on Exhibit 16. The NSAPC MIOD includes the following Military Influence Areas: The NSAPC Land Use and Anti-Terrorism Force Protection Military Influence Area, depicted on Exhibit 17; the NSAPC Land Use Water Interface Military Influence Area, depicted on Exhibit 18; and, the NSAPC Frequency Military Influence Area depicted on Exhibit 19.
2. **Application Coordination:** In order to ensure that the City's long range land use plans are consistent with the operation of NSAPC, the City shall create an ex officio non-voting member position on its Local Planning Agency (aka Planning Board) for NSAPC. The City shall notify the commanding officer (or their appointed representatives) of NSAPC of any proposed Comprehensive Plan amendments (map or text), re-zoning applications, variances, conditional use permits, applications for

development orders, and amendments to the City's Land Development Code which are proposed in or affect any area found to be in the NSAPC MIOD on Exhibit 16. The City shall consider NSAPC's input and concerns during its review of such planning, regulatory and development proposals. The City shall also assess the compatibility of such planning, regulatory and development proposal as provided in the following criteria:

- a. Whether such proposal is compatible with the findings of the Naval Support Activity Panama City Joint Land Use Study, November 2009;
- b. Whether the military installation's mission will be adversely affected by the proposal;
- c. Whether such proposal creates any frequency interferences that are incompatible with the current mission of NSAPC. To implement this provision, the City shall ensure that all future commercial and industrial development located inside the NSAPC Frequency Military Influence Area (Exhibit 19) shall register with the Planning Department and specifically describe any frequency spectrum that is generated or emitted by the proposal.
- d. Whether such proposal is compatible with the NSAPC water based activities. To implement this provision, the City shall ensure that all applications for development orders, including docks, piers, boat slips, boat launches, and marinas located within the NSAPC Land Use Water Interface Military Influence Area (Exhibit 18) shall be submitted to the Planning Department to review for compliance with this provision.
- e. Whether such proposal is compatible with the mission of the NSAPC based on the NSAPC Land Use and Anti-Terrorism Force Protection Military Influence Area. A component of this Influence

area is the West Microwave Tower Corridor. Within this corridor a 250-foot height limitation shall be enforced to prevent vertical obstructions and ensure noninterference with signal pathways and critical communication lines. Any building or structure, including chimneys; water, fire, radio, and television towers; smokestacks; flagpoles; and similar structures and their necessary mechanical appurtenances, such as elevator shafts, and ventilation equipment shall be limited to 250 feet in height. The NSAPC Land Use and Anti-Terrorism Force Protection Military Influence Area is geographically depicted on (Exhibit 17).

- f. Nothing herein shall be construed to limit the ability of NSAPC to request a review of an application, when such application may, in the opinion of NSAPC, present a potential conflict in compatibility. *(Updated April, 2012)*

OBJECTIVE 2: Coordinate with any appropriate resource planning and management plan prepared pursuant to Chapter 380, F.S.

POLICY 2.1: While implementing this plan through the Land Use Regulations, the City can coordinate with any appropriate resource planning and management plan prepared pursuant to Chapter 380, F.S. and approved by the Governor and the Florida Cabinet.

OBJECTIVE 3: Ensure the availability of suitable land for utility facilities necessary to support proposed development.

POLICY 3.1: The City shall coordinate with other service providers to establish criteria for facilities siting and planning for location of future sites.

POLICY 3.2: Provide in Land Use Regulations, provisions for adequate utilities within individual developments.

POLICY 3.3: The City reserves the right to place utility facilities in any land use designation.

OBJECTIVE 4: Provide flexibility in the on-going approval process so as to encourage the redevelopment or renewal of blighted or unsightly areas or those uses inconsistent with the community's character and future land uses.

POLICY 4.1: The City shall use Land Development Regulations to implement policies to reduce eye sores, junk, substandard housing or unsafe buildings.

POLICY 4.2: The City shall establish standards in the Land Development Regulations which encourage the elimination of blighted areas and uses inconsistent with the community's character and future land uses.

POLICY 4.3: The City may use incentives to encourage redevelopment or renewal of blighted or unsightly areas.

POLICY 4.4: Land Development Regulations shall be established which implement the goals contained in this Plan which include:

- A. Regulation of land use categories included on the future Land Use Map;
- B. Subdivision of land;
- C. Signs;
- D. Areas subject to seasonal or periodic flooding;
- E. Compatibility of adjacent land uses;
- F. Provisions that facilities and services meet the level of service standards adopted by the City of Panama City Beach, and that facilities and services are available concurrent with the impacts of development, or that Development Orders are conditioned on the availability of the facilities and services necessary to serve the proposed development; and that facilities that provide utility service to the various land uses are authorized at the same time the land uses are authorized;
- G. Provisions for drainage and stormwater management, open space, and safe and convenient on-site traffic flow, considering needed vehicle parking;
- H. Protection of potable water wellfields;
- I. Establishment of standards for densities or intensities of use for each

future land use category;

- J. Identification, designation and protection of historically significant properties.

POLICY 4.5: The City may designate areas as urban infill, urban redevelopment, or downtown revitalization areas as deemed appropriate and as defined in Chapter 163.3164, F.S.

POLICY 4.6: The Front Beach Road Community Redevelopment Plan is hereby incorporated and adopted as part of this Comprehensive Plan (*updated, 2004*).

POLICY 4.7: The City will implement the strategies and objectives identified in the Front Beach Road Community Redevelopment Plan (*updated, 2004*).

OBJECTIVE 5: The City shall continue to implement procedures for evaluating historic resources and natural resources within the City.

POLICY 5.1: The City shall keep a current listing of historic resources and natural resources. Historic resources will be those identified by the Department of State on its Master Site File.

POLICY 5.2: The Land Development Regulations will implement regulations for development or redevelopment on each site to evaluate the possibility of historic resources.

OBJECTIVE 6: Coordinate coastal area population densities with the appropriate local hurricane evacuation plan, when applicable.

POLICY 6.1: The City shall coordinate coastal area population densities with the Bay County Peace Time Emergency Operation Plan, the Bay County Hazard Mitigation Strategy, and coordinate evacuation, as determined by the City Council, with the Bay County Emergency Operations Center.

POLICY 6.2: The City shall prohibit the location of hospitals, nursing homes, convalescent homes or other similar high density, low mobility institutions in the coastal high hazard area.

OBJECTIVE 7: Future development will be directed into urban service areas shown on Exhibit 7-A to discourage the proliferation of urban sprawl.

POLICY 7.1: The City shall maintain land use districts and densities as appropriate to promote infill of vacant areas. **The City may consider options that include higher allowable densities, smaller lot sizes and use of guest houses in single family zones to promote infill development.**

POLICY 7.2: New and existing development shall be required to connect to central water and central sewer systems when such services are available. As used in this Policy, the term "available" shall mean that distribution or collection (including forcemains) lines are adjacent to or within usual and customary distances from the parcel under consideration. Availability shall not affect concurrency requirements.

POLICY 7.3: Development review procedures shall evaluate the compatibility of proposed developments with adjacent lands and require screening or buffers for all construction except single family and two-family residential uses on individually platted lots.

POLICY 7.4: The City will consider adopting standards for permitting reduced lot sizes when such reduction is specifically required to result in the protection of natural resources, construction of affordable housing or other factors determined by the City Council to be a public benefit.

OBJECTIVE 8: Coordinate future land uses with the appropriate topography, soil conditions, and the availability of facilities and services while ensuring energy-efficient land use patterns, pursuing greenhouse gas reduction strategies and promoting energy conservation.

POLICY 8.1: The Land Development Regulations shall implement policies which coordinate future land uses with the soil conditions, appropriate topography, and the availability of facilities and services required by the development.

POLICY 8.2: All new and existing land uses shall be adequately served by facilities and services at the level of service established in this Comprehensive Plan. All Development Orders and Development Permits shall be approved pursuant to the Concurrency Management System outlined in Section 1 of this Plan.

POLICY 8.3: The Future Land Use Map and Zoning Map shall be based upon energy-efficient land use patterns accounting for existing and future electric power generation.

POLICY 8.4: The City will ~~pursue reasonable strategies~~ **encourage the development of walkable / bikeable and compact communities, support the inclusion of solar panels, green roofs, water and energy efficiency and other green building design principles in commercial and residential structural design, preserve environmentally sensitive areas and green space, continue to expand traffic synchronization throughout the city, expand the funding and use of mass transit and explore other measures to aid in the reduction** ~~reduce~~ of greenhouse gases and promote energy conservation as opportunities occur.

OBJECTIVE 9: In Land Development Regulations, encourage the use of innovative Land Development Regulations which may include provisions for planned unit developments and other mixed land use development techniques.

POLICY 9.1: Innovative land use development patterns, including planned unit developments and cluster zoning may be permitted and encouraged in the implementation of the Land Development Regulations.

POLICY 9.2: Development of larger tracts of land may be planned as neighborhoods which may include non-residential uses such as schools, recreation or other public facilities and neighborhood commercial uses.

POLICY 9.3: Neighborhood commercial uses may be permitted within areas designated for residential development provided these activities are compatible with the adjacent land uses and adequately buffered.

POLICY 9.4: Land Development Regulations may provide for flexible land use management techniques, such as transfer of development rights.

POLICY 9.5: Future development and redevelopment activities will be required to conform to the Stormwater Master Plan developed in conjunction with the City's Land Development Regulations.

OBJECTIVE 10: Provide reasonable measures to protect the rights of property owners as guaranteed by law.

POLICY 10.1: Upon adoption of this plan, property owners' rights of development shall be vested when: (1) final development approval has been granted by the City; (2) a valid, unexpired building permit has been obtained from the City or the Bay County Building Department, as appropriate for development within the City; and (3) the development authorized by the building permit has commenced and continued in good faith prior to the adoption of this Plan.

POLICY 10.2: Land uses or structures which do not conform to the provisions of this Plan on the date of this Plan's adoption shall be considered as non-conforming. Such land uses for structures shall be allowed to remain in a non-conforming condition, including ordinary repair and maintenance until **any of the conditions identified in the adopted Land Development Code have been met.**

A. ~~The land use or structure is discontinued or abandoned for a period of six (6) months or more;~~

B. ~~The land use is changed;~~

C. ~~The structure is modified or expanded so that the burden of the nonconformance increases; or~~

D. ~~The structure is damaged to the extent of fifty percent (50%) or more of its replacement cost.~~

POLICY 10.3: The City shall establish procedures for the consideration and granting or denying vested rights applications pursuant to the provisions of this Plan. Any order granting or denying such rights shall be considered a Development Order for purposes of 163.3215, Fla. Stat.

POLICY 10.4: Applications for vested rights permits must be made to the City within one year of the adoption of this Plan. After one year of that date, vested rights applications will not be accepted, nor will vested rights permits be issued on applications which are not timely filed.

OBJECTIVE 11: Coordinate with the Bay County School Board concerning facility siting plans and the impact of development on existing facilities. Coordination shall be consistent with the adopted interlocal agreement and with the requirements for school concurrency as implemented by the plan amendments to the Capital Improvements Element, the Intergovernmental Coordination Element, and the Public School Facilities Element.

OBJECTIVE 12: Coordinate with the ~~West Bay-Walton Area Vision Plan~~ (Sector Plan), and any applicable Detail Specific Area Plan (DSAP) thereunder, and any special character district containing specific natural resource protection and other standards that are applicable to property annexed into the City limits.

POLICY 12.1: For areas annexed into the City limits that are located within areas identified in Objective 12, the City shall apply all preexisting policies of the Vision Plan, the DSAP or the special character district when such policies are more restrictive on development and redevelopment than the City's Comprehensive Plan by appropriate amendment to its Comprehensive Plan unless it shall determine and declare a valid public purpose precluding or limiting such policies. Such plan amendment shall be considered concurrently with the requested annexation/future land use map amendment.

OBJECTIVE 13: The City may from time to time find that a particular land use plan amendment associated with newly annexed property would further community objectives and goals but for the existence of a potentially adverse impact arising from the transition from the County to the City Comprehensive Plan. In such cases, the City may adopt site specific plan policies to mitigate the identifiable adverse impact.

POLICY 13.1: The property legally described in Ordinance 959 and consisting of approximately 130 acres shall be subject to all of the applicable regulations of the City of Panama City Beach, all other applicable governing agencies, and the following:

1. The area of the subject property located within the CHHA shall be permitted to be developed with non-residential land uses and/or public lodging establishments as defined in Chapter 509.242, F.S. Permanent residential land uses shall be prohibited within the CHHA.

POLICY 13.2: The property legally described in Ordinance 956 and consisting of approximately 22.86 acres shall be subject to all of the applicable regulations of the City of Panama City Beach, all other applicable governing agencies, and the following:

1. The subject property shall be limited to a maximum residential density of fifteen (15) dwelling units per acre.

POLICY 13.3: The property legally described in Ordinance 1076 and consisting of approximately 21.79 acres shall be subject to all of the applicable regulations of the City of Panama City Beach, all other applicable governing agencies, and the following:

1. The subject property shall be limited to a maximum residential density of ten (10) dwelling units per acre.

~~2. The subject property shall have height limitations as depicted on Exhibit C of the adopted Development Agreement;~~

~~3. The twenty five foot buffer along the full length of the easterly property line of the property, as shown on Exhibit C of the adopted Development Agreement, shall be designated as Conservation on the Future Land Use Map. The Future Land Use Map shall be amended to implement this section no later than at the time of EAR based amendments. (Updated 05-05-06, 10-30-07; 07-13-17)~~

POLICY 13.4: The property legally described in Ordinance 1128 and consisting of approximately .44 acres shall be subject to all of the applicable regulations of the City of Panama City Beach, all other applicable governing agencies, and the following:

1. The subject property shall be limited to a maximum residential density of six (6) dwelling units per acre. *(Updated 09-25-08)*

POLICY 13.5: The property legally described in Ordinance 1230 and consisting of approximately 27.3 acres shall be subject to all of the applicable regulations of the City of Panama City Beach, all other applicable governing agencies, and the following:

1. The subject property shall be limited to a maximum residential density of ten (10) dwelling units per acre. *(Updated January, 2013)*

ITEM NO. 9

Discussion of Cemeteries

2. Zoning Districts and Uses

Land Uses	AR	R-1a	R-1b	R-1c	R-1cT	RO	RTH	R-2	R-3	CL	CM	CH	MI	C	R	PF
Borrow Pits/C&D Landfills, Land Clearing Debris, Heavy Industry	C 5.06.04												C 5.06.04			C 5.06.04
Car Wash Facilities (freestanding)												P	P			
Cemetery	P									C 5.06.05	C 5.06.05	P	P			P
Civic Centers												C 5.06.06	C 5.06.06			
Cannabis Dispensary Facilities												C 5.06.07				
Clinics and Medical Offices										P	P	P	P		A	
Clubs, Lounges, Bars									A	A	A	C 5.06.06	C 5.06.06			
Coffee Shops, Delicatessens									A	A	S 5.04.26	S 5.04.26	A			
Commercial Use of Front Yards in an FBO District											S 5.04.06	S 5.04.06	S 5.04.06			
Communication Towers										S 5.05.00	S 5.05.00	S 5.05.00	S 5.05.00		S 5.05.00	S 5.05.00
Community Centers	P											P	P		C 5.06.07	P
Construction Materials and Supplies												S 5.04.08	P			
Discount Stores or Centers ("Big Box")											S 5.04.08	P	P			
Distribution Centers												S 5.04.31	S 5.04.31			
Drive-through/Drive-In Facilities											P	P	P			
Dry Cleaning Plants													P			
Dwellings:																
Duplexes, Triplexes, Quadplexes,							P	S 5.04.09	S 5.04.09	S 5.04.09	S 5.04.09	S 5.04.09				

- G. If a **Residential** use or zone is located within five hundred (500) feet, then a large or medium tree is required to be planted every twenty (20) feet along the property line(s) nearest the **Residential** use or zone.
- H. Prior to approval of a construction and debris landfill, land clearing debris landfill, borrow pit or **Heavy Industrial Use**, the applicant must provide a sufficient reclamation plan for the site.
- I. The landfill, pit or **Heavy Industrial Use** shall be prohibited within one thousand (1,000) feet of a wellfield protection area or environmentally sensitive lands.
- J. A landfill shall be limited to a maximum height of thirty (30) feet within one thousand (1,000) feet of a property line and at no time shall ever exceed forty (40) feet in height as measured to the highest point of the fill above prevailing grade.

5.06.05 Cemeteries

Cemeteries larger than one-half (1/2) acre may be allowed in the CL and CM zoning districts subject to conditional use approval and compliance with the following conditions:

- A. **Cemeteries** are allowable in the CL and CM zoning districts, subject to the standards of those districts and the standards of this section.
- B. **Access** shall be on an **Arterial** or **Collector Street**.
- C. The number of **Shrubs**, small trees and large trees otherwise required in the buffer shall be increased by thirty (30) percent.
- D. The property shall be enclosed with:
 - 1. A **Vegetative Fence**; or
 - 2. A **Solid Faced** masonry or wooden wall or fence not less than six (6) feet and not more than eight (8) feet in height, unless a **Solid Faced** fence is prohibited by State or federal law. The decorative side of the fence shall face outward.
- E. Buildings shall be at least thirty (30) feet from all property lines.

END

END

5.06.06 Clubs, Lounges, Bars and Civic Centers

Clubs, lounges, bars and civic centers may be allowed in a CH or M-1 zoning district subject to conditional use approval. The **Use, Accessory Buildings** and **Vehicular Use Areas** must be located no closer than twenty-five (25) feet from a property zoned for **Single Family Residential**.

5.06.07 Cannabis Dispensary Facilities

- A. Location.
 - 1. Facilities may be allowed in a CH district subject to conditional use approval. Facilities shall not be permitted on Front Beach Road, South Thomas Drive or Thomas Drive, or in a Front Beach Overlay District.

ITEM NO. 10

Legislative Updates

2019 Legislative Update

Amy Myers and Cole Davis
with assistance from the Florida League of Cities

The following includes a summary of bills passed by the Legislature in the 2019 session which impact or are of interest to the City. Specific recommendations are made for action or consideration by City staff or the Council. Bill summaries which have no recommendation are included for information purposes.

Coastal Management **CS/HB 325 (LaMarca)**

Local sponsors submit annual funding requests to the Department of Environmental Protection (DEP) for beach management and inlet management projects. The bill revises the criteria used by DEP to rank projects for funding consideration and requires DEP to implement a scoring system for annual project funding priorities. In addition, the bill revises requirements for the state's comprehensive long-term management plan and requires it to include a strategic beach management plan, a critically eroded beaches report and a statewide long-range budget plan. In addition, the bill requires DEP to submit a three-year work plan and related forecast for the availability of funding to the Legislature.

Effective date: July 1, 2019.

Environmental Regulation

Private Property Rights **CS/HB 1159 (La Rosa)**

The bill imposes restrictions on the enforcement of local government tree ordinances and imposes notice requirements on county property appraisers.

HB 1159 provides that a local government may not enforce its tree requirements against a residential property owner for the trimming or removal of a tree if the owner obtains documentation from a certified arborist or a licensed landscape architect that the tree presents a danger to persons or property. The bill specifically prohibits a local government from requiring the property owner to replant a tree that was removed under such circumstances.

Recommendations: *The provisions of this bill will need to be incorporated into the City's current tree regulations in section 4.06 of the LDC.*

Effective date: July 1, 2019.

Wetland Mitigation **CS/HB 521 (McClure)**

The bill amends current law relating to wetland mitigation banking and offsite regional wetland mitigation. The bill provides legislative findings that recognize state and federal mitigation bank credits may not be available in certain instances to offset adverse impacts of a project and that in such instances a local government is authorized to permit mitigation on local government lands owned for conservation purposes.

Effective date: July 1, 2019.

Ethics & Elections

Financial Disclosure HB 7021 (Public Integrity & Ethics Committee)

The bill provides for the mandatory electronic filing of Form 1 (Limited) and Form 6 (Full) financial disclosures by specified state officers and employees. The bill requires the Florida Commission on Ethics to procure and test an electronic disclosure filing system by January 2022. The bill requires disclosures to be completed and submitted online and to be accessible and searchable online by the public. Form 6 filers are required to file their forms electronically beginning January 1, 2022. Form 1 filers are required to file their forms electronically beginning January 1, 2023. The electronic filing requirement is not applicable to candidates running for an office subject to the Form 6 or Form 1 filing requirement (Form 1 individuals will continue to file with their qualifying officer until January 1, 2023). The bill prohibits filers from submitting a copy of their most recent income tax return along with their disclosure and prohibits filers from providing specified information such as a social security number, bank account numbers, credit card numbers, personal identification numbers, or taxpayer identification numbers. If a filer includes such information, the information may be made available for public inspection unless the filer requests redaction. The bill provides the Commission is not liable for the release of such information if the filer has not requested redaction. The bill increases the purchasing power threshold that would subject a state or local government employee that is a business manager or purchasing agent to the Form 1 filing requirement. This threshold is increased to \$35,000 (Category Two) from \$20,000 (Category One). Beginning January 1, 2023, the bill eliminates the ability of a Form 1 filer to report using a comparative threshold based on a percentage value. The bill requires the Commission on Ethics to collect filer e-mail addresses and requires each unit of government with officers subject to the filing requirement to assist the Commission in these efforts by providing e-mail addresses to the Commission by February 1 of each year.

Effect: Mandatory filers will need to ensure compliance with the disclosure requirements and electronically file when mandatory. No new positions or offices with the City are required to file financial disclosure as a result of this bill.

Recommendation: *Mandatory filers are encouraged to review their filing practices and contact the City Attorney with questions.*

Effective date: Upon becoming law unless otherwise specified.

Election Administration
SB 7066 (Ethics and Elections Committee)

The bill makes extensive changes to the Florida Election Code relating to voting systems, ballot sorting and counting, vote-by-mail requirements, provisional ballots, voter signature updates, polling location requirements, precinct reporting, ballot design and security, county canvassing boards, supervisors of elections, and election contests.

Applicable to the City, the bill prohibits an operator of a polling place from prohibiting voter solicitation outside of the no-solicitation zone during polling hours. The City has no such policy.

Effective date: July 1, 2019, unless otherwise specified.

Finance & Taxation

Government Accountability
SB 7014 (Governmental Oversight and Accountability Committee)

The bill requires local governments to establish and maintain internal controls designed to prevent and detect waste, fraud, and abuse, and provides a definition for “waste,” “fraud,” and “abuse” for purposes of auditing those internal controls. The bill adds tourist development councils and county tourism promotion agencies to the definition of “local government entity” to clarify that the Auditor General has authority to audit those entities. Audit committees must publicly announce requests for proposals for the audit services, and the bill specifies the factors that must be considered in selecting the auditor and the procedures for negotiating for compensation.

Additionally, municipal auditor selection committees must contain at least one member of the governing entity and may not contain any employee except in an advisory capacity.

Recommendation: *The City currently has internal controls designed to prevent and detect the same issues mandated by the bill. A thorough review of these controls and incorporation of these new mandates is recommended to ensure compliance with the new law. Reappointment of the auditor review committee to remove any current employees of the City.*

Effective date: July 1, 2019.

Approved by Governor, Ch. 2019-15, Laws of Florida.

Discretionary Sales Surtaxes
CS/CS/HB 5 (DiCeglie)

Relevant to the City, the bill requires local government sales surtax referenda to be held only at a general election. It also modifies requirements for a program performance audit by the Office of Program Policy Analysis and Governmental Accountability (OPPAGA), requiring a local government to provide the ordinance or resolution at least 180 days before the referendum. OPPAGA is then directed, within 30 days of receiving the ordinance or resolution, to procure a certified public accountant to conduct a performance audit.

The bill also makes substantial amendments to the citizen initiative process to amend the Florida Constitution.

Recommendation: *None at this time. The City Attorney will ensure that any proposed future surtax referenda which the City supports meets the requirements of the new law.*

Effective date: Section 1, including provisions related to local government surtax election dates and performance audits and charter county transportation surtax by citizen initiative become effective January 1, 2020.

**Local Government Financial Reporting
HB 861 (Fernandez-Barquin; Roach)**

The bill requires city and county budget officers to report certain information regarding the local government's final budget and economic status to the Office of Economic and Demographic Research annually in a format specified by the Office:

1. Government spending per resident, including, at a minimum, the spending per resident for the previous 5 fiscal years.
2. Government debt per resident, including, at a minimum, the debt per resident for the previous 5 fiscal years.
3. Median income within the county or city.
4. The average county employee salary.
5. Percent of budget spent on salaries and benefits for county or city employees.
6. Number of special taxing districts, wholly or partially, within the county.

The bill also requires city and county budgets to remain on the website for at least 45 days and for the final budget to remain on the website for at least 2 years.

Recommendation: *The new reporting requirements take effect on October 15, 2019. Forms are to be prepared and provided by the State by July 15, 2019. City staff will prepare to meet these new requirement. Staff and the Council will need to consider the additional time and expense necessary to meet this new obligation.*

Effective date: Upon becoming law.

**Taxation
CS/HB 7123 (Ways & Means Committee; Avila)**

The bill, the 2019 tax package, includes two sales tax holidays: a three-day back-to-school sales tax holiday (August 2-4); and a seven-day disaster preparedness sales tax holiday (May 31-June 6). The bill also includes a reduction of the tax on commercial leases from 5.7% to 5.35% and changes the timing of payments to local governments in fiscally constrained counties and Monroe County to offset property tax refunds granted to homeowners due to hurricanes in 2016 and 2017.

The bill specifies that a communications services provider that collects and remits the communications services tax is not required to pay right-of-way fees. A pass-through provider is defined as a person with communications services equipment in the right-of-way but who does not collect the municipality or county's communications services taxes. A pass-through provider is subject to right-of-way fees. The bill excludes from the definition of a pass-through provider a person who does not collect the communications services tax for the county or municipality, but who sells communications services to a person who does collect the tax.

Effective date: July 1, 2019.

General Government

Attorney Fees and Costs CS/CS/CS/HB 829 (Sabatini)

The bill creates a new section of law providing for a mandatory award of attorney fees, costs and damages to the prevailing party in a civil action where the adoption or enforcement of a local government ordinance is alleged to have been expressly preempted by the state Constitution or by state law. Fees may not be awarded if written notice is provided to the local government that a proposed or adopted ordinance may be expressly preempted and the local government withdraws a proposed ordinance within 30 days of receipt of the notice or, in the case of an adopted ordinance, notices the ordinance for repeal within 30 days of receipt of the notice and repeals the ordinance within 30 days thereafter. The bill is prospective in nature. In addition, it exempts ordinances adopted pursuant to part II of chapter 163, s. 553.73, or s. 633.202. Finally, the bill provides that a county or municipality may continue to enforce a regulation, moratorium or policy adopted before February 1, 2019, relating to the land application of Class B biosolids until it is repealed or until the effective date of rules adopted by the Florida Department of Environmental Protection, whichever occurs first.

Recommendation: *No action at this time. This bill has no effect on any pending litigation involving the City.*

Effective date: July 1, 2019.

Communications Services CS/CS/CS/SB 1000 (Hutson)

The bill makes extensive changes to section 337.401, Florida Statutes, which governs the use of public rights-of-way by providers of communications services, including provisions on small wireless infrastructure. Current law contains a statement of legislative intent that local governments treat providers of communications services in a nondiscriminatory and competitively neutral manner. In direct contrast to this "nondiscrimination language," the bill requires local governments to consider factors, such as distinct engineering, or construction and operation considerations, when imposing rules or regulations on the placement or maintenance of communications facilities. In addition, the bill eliminates many provisions of the Advanced

Wireless Deployment Act of 2017 and modifies several definitions, including the definitions of “application,” “collocate”, “wireless infrastructure provider,” and “wireless support structure.”

The definition of “application” now includes both a permit to collocate small wireless facilities and a request to place a new utility pole. The definition of “applicable codes” removes reference to “objective design standards.” The bill creates a new subsection 377.401(7), which provides that local governments may require providers comply with objective design standards established by ordinance and modifies the standards to address both small wireless facilities and new utility poles. The definition of “applicable codes” also includes reference to the National Electrical Safety Code and the 2017 edition of the FDOT-UAM.

Under the 2017 law, the installation of a new utility pole in the rights-of-way to support a small wireless facility was subject to certain spacing, height and permit application review timeframes, but a local government was authorized to otherwise apply its “rules and regulations governing the placement of utility poles in the rights of way.” The bill deletes this language. In addition, the bill requires a local government to treat a permit application to locate new utility pole in the right-of-way the same as a permit application to collocate a small wireless facility onto an existing utility pole (this includes the “shot clock” timeframe for permit approvals and other prohibitions and limits applicable to review of collocation of small wireless facilities). The bill prohibits a local government from instituting a moratorium, either expressly or de facto, that would delay the filing or processing of registrations, or issuance of permits or other approvals for the collocation of small wireless facilities or installation of utility poles.

Current law prohibits a local government from requiring the placement of small wireless facilities on any specific pole. The bill adds to this prohibition, and specifies a local government may not:

- Require a demonstration that collocation on an existing structure is not legally or technically possible as a condition for granting a permit;
- Require, in a right-of-way controlled by DOT, compliance with local government rules and regulations absent a delegation from DOT;
- Require a meeting before filing an application;
- Require direct or indirect public notification or a public meeting before placement of the facilities in the right-of-way;
- Limit the size or configuration of a small wireless facility;
- Prohibit installation of a new pole to support collocation if the installation otherwise meets the requirements of the law; or
- Require that any component of a small wireless facility be placed underground, except as provided in the law.

The bill eliminates the ability of local governments to require performance bonds or security funds from providers. It allows local governments to require a construction bond limited to no more than 18 months after the construction is completed. Also, the bill prohibits a local government from requiring a provider to indemnify it for liabilities not caused by the provider.

Current law requires that a provider comply with a local government’s nondiscriminatory undergrounding requirements that prohibit above-ground structures in the right-of-way. The bill specifies conditions under which a local government may prohibit the placement of new poles used

to support small wireless facilities in areas where the local government has required undergrounding. A local government may prohibit the placement of new poles if: the undergrounding requirements were in place at least 90 days prior to the permit application; structures that are allowed to remain above ground are reasonably available to providers for the collocation of small wireless facilities; and the provider is allowed to install a new pole in a designated area of the right-of-way that complies with these requirements, provided it is not reasonably able to provide the service by collocating on any remaining utility pole or other structure in the right-of-way. If small wireless facilities were installed prior to the local government's adoption of undergrounding requirements, the local government must allow the facilities to remain in place or allow the provider to replace the associated pole within 50 feet of the prior location.

In addition, the bill prohibits a local government from requiring wireless providers to submit certain information, such as an inventory of communications facilities, maps, locations of such facilities or other information, as a condition of registration, renewal or for any other purpose. It authorizes a local government to require, as part of a permit application, that the applicant identify ground-level communications facilities within 50 feet of the proposed installation location for the placement of at-grade communications facilities. The bill also prohibits requiring a wireless provider to pay any fee, cost or other charge for registration or renewal; adoption or enforcement of any ordinances, regulations or requirements as to the placement or operation of communications facilities in a right-of-way by a communications services provider; or imposition or collection of any tax or charge for providing communications services over the communications services provider's communications facilities in a right-of-way.

The bill creates a cause of action for any person aggrieved by a violation of the right-of-way statute. A party may bring a civil action in a U.S. district court or any other court of competent jurisdiction, and the court may grant temporary or permanent injunctions to prevent or restrain violations and direct the recovery of full costs, including the award of reasonable attorney fees.

Recommendation: *Ordinance 1490 updates the City's codes to comply with the new law.*

Effective date: July 1, 2019.

Building Permit Fees CS/HB 127 (Williamson)

The bill requires the governing bodies of counties and municipalities to post permit and inspection fee schedules and building permit and section utilization reports on their websites by December 31, 2020. The information in the report must be derived from relevant information available in the most recently completed financial audit. After December 31, 2020, a local government that provides a schedule of fees must update its building permit and inspection utilization report before adjusting the fee schedule. The report must include the following information:

- Direct and indirect costs incurred by the local government to enforce the Florida Building Code, including costs related to personnel services costs (including salary and related employee benefit costs), and operating expenditures and expenses;
- Permit and inspection utilization information, including:

- Number of building permit applications submitted.
- Number of building permit permits issued or approved.
- Number of building inspections and reinspections requested.
- Number of building inspections and reinspections conducted.
- Number of building inspections conducted by a private provider.
- Number of building audits provided by the local government of the building inspections conducted by a private provider.
- Number of positions dedicated by the local government to enforce the Florida Building Code, issue building permits, and conduct inspections.
- Certain other permissible activities for enforcing the Florida Building Code.
- Revenue information, including revenue derived from certain fees, fines, investment earnings from investment of revenue derived from fees and fines, balances carried forward and balances refunded by the local government, and revenue derived from other sources, including general revenue.

Recommendation: *Staff is advised to carefully review its current fee and rate schedule related to building permit fees and advise the Council for any necessary updates to this schedule prior to December 31, 2020.*

Effective date: July 1, 2019.

Building Permits
CS/CS/HB 447 (Diamond)

The bill addresses a variety of issues relating to the Florida Building Code and building permits. It allows the Florida Building Commission to approve updates to the Florida Building Code every three years. The bill creates a process, at the discretion of a local government, for it to send notice to the owner or contractor listed on a building permit that a permit is about to expire. It expands current exemptions from the requirement to use a licensed contractor where the contractor listed on the permit substantially completed the project as determined by the local permitting agency for a one-family or two-family residence, townhome, or individual residential condominium or cooperative unit, under specified conditions. The bill specifies processes by which a property owner may close a building permit and clarifies that a building department may close a permit six years after the permit is issued instead of six years after the permit expires. It prohibits a local government from denying a contractor a permit solely because the contractor has expired building permits. The bill provides that a local government may charge a person only one search fee, commensurate with the research and time costs incurred by the local government, for identifying a building permit for each unit or subunit assigned by the local government to a parcel. The bill also prohibits a local government from carrying forward an amount exceeding the average of its operating budget for enforcing the Code for the preceding four fiscal years (excluding reserves). The local government must use any excess funds that it is prohibited from carrying forward to rebate and reduce building permit fees.

Recommendation: *Staff is advised to audit and carefully review its current fee and rate schedule related to building permit fees. Staff and the Council may want to consider contracting with an*

outside firm to complete this study as effectively and efficiently as possible to amend any rates to ensure that building permit fees are compliant with the new law.

Effective date: October 1, 2019.

Firefighters
CS/CS 426 (Flores)

The bill entitles firefighters who receive a diagnosis of certain cancers to a package of mandated benefits. These benefits include coverage under a group health or self-insurance policy and a lump sum cash payout of \$25,000. The bills require the employer to reimburse the firefighter for any out-of-pocket deductibles, co-payments or coinsurance relating to cancer treatment. For the firefighter to get the lump sum payout and reimbursements of out-of-pocket costs for 10 years post-employment, the firefighter must elect to continue coverage in an employer-sponsored health plan or group health insurance trust. If the firefighter participates in an employer-sponsored retirement plan, the plan must qualify the firefighter as totally and permanently disabled if he or she is prevented from rendering useful and effective service as a firefighter and is likely to remain disabled continuously and permanently due to the diagnosis or treatment of cancer. The retirement plan must qualify the firefighter as “died in the line-of-duty” if he or she dies from the cancer or treatment of cancer.

If the firefighter did not participate in an employer-sponsored retirement plan, the employer must provide a disability retirement plan that provides at least 42 percent of annual salary until the firefighter’s death. The employer must provide a death benefit to the firefighter’s beneficiary for at least 10 years totaling at least 42 percent of the firefighter’s most recent annual salary. Additionally, firefighters who die from cancer or cancer treatment are considered to have died in the manner described in statutes, for purposes of statutorily required death benefits. The cost to provide the reimbursements, lump sum payments, disability retirement benefits and line-of-duty death benefits if the firefighter does not participate in an employer-sponsored retirement plan must be borne solely by the employer. For employer-sponsored retirement plans, the contributions necessary to fund the increased actuarial cost associated with the benefits mandated in this bill must be borne solely by the employer. To qualify for these benefits, the firefighter must be employed by the employer for at least five continuous years, may not have used tobacco products in the preceding five years and may not have been employed in any other position that is proven to create a higher risk for any cancer in the preceding years. The bill requires a firefighter’s cancer diagnosis be considered an “injury or illness incurred in the line-of-duty” for determining employer policies and the provision of benefits. The bill specifies that a firefighter’s cancer diagnosis must be considered an “injury or illness incurred in the line-of-duty” for the purposes of determining leave time and employment retention policies. The bill also requires the Division of State Fire Marshal within the Florida Department of Financial Services to adopt rules to establish employer best practices for preventing or reducing the incidence of cancer among firefighters.

Recommendation: *City Staff is advised to contact its insurance and retirement providers to acquire any additional coverages necessary and review employment and pension policies to comply with the new law. The Council will need to consider the financial impacts of providing these additional benefits in its next budget.*

Effective date: July 1, 2019.
Approved by Governor, Ch. 2019-21, Laws of Florida.

Death Benefits
CS/SB 7098 (Governmental Oversight and Accountability Committee)

The bill implements a constitutional amendment approved by the voters in November 2018. The bill requires the payment of death benefits to the survivors of certain first responders, Florida National Guard (FLNG) members and members of the U.S. Armed Forces. The bill increases the death benefit, from \$50,000 to \$75,000, for those who are accidentally killed or receive accidental bodily injury that results in the loss of the individual's life or meet additional requirements, such as the accidental death that occurs from the response to an emergency. If the first responder, FLNG member or service member is unlawfully and intentionally killed or dies from such unlawful and intentional act while engaged in the performance of official duties, the death benefit is increased from \$150,000 to \$225,000. The bill also provides these benefits to paramedics and emergency medical technicians and removes the annual Consumer Price Index adjustment of the benefit amounts. The bill expands death benefits for certain educational expenses of surviving spouses and children of firefighters, law enforcement officers, correctional officers, correctional probation officers, paramedics, emergency medical technicians and FLNG members who are accidentally killed or receive accidental bodily injury resulting in loss of life.

Recommendation: *City Staff is advised to contact its insurance and retirement providers to acquire any additional coverages necessary and review employment and pension policies to comply with the new law. The Council will need to consider the financial impacts of providing these additional benefits in its next budget.*

Effective date: July 1, 2019.

Engineering
CS/CS/HB 827 (Toledo)

The bill authorizes the Florida Board of Professional Engineers to establish minimum standards of practice and rules for the profession of engineering. Florida law authorizes the use of "private providers" for some building plan review and inspection services. The bill reduces the number of days a local building official must review a private provider's building permit application from 30 business days to 20 business days. The bill also changes the number of days an owner that decides to use a private inspector is required to notify a local building official from seven business days before the first scheduled inspection to two business days. Finally, the bill specifies that projects wholly or partially funded by the Department of Transportation and administered by a local governmental entity may not allow the same entity to perform both design services and construction engineering and inspection services.

Recommendation: *City staff is currently implementing a system for working with and complying with laws related to private building inspection and plans review services. Staff will be advised by the City Attorney of additional requirements of the City in compliance with the new.*

Effective date: October 1, 2019.

**Public Utility Storm Protection Plans
CS/CS/CS/SB 796 (Gruters)**

The bill creates a recovery clause for storm protection costs instead of recovering these costs through a utility's base rates and provides for recovery of a return on capital costs (profit) through the clause. The bill is intended to promote storm protection activities that will reduce restoration costs and outage times. It requires an investor-owned public utility to submit to the Public Service Commission, as part of its "storm hardening plan," a "transmission and distribution storm protection plan" that covers the utility's immediate 10-year planning period. The bill requires the plan to be updated every three years and submitted to the Commission for approval. The bill prohibits such plans from including the undergrounding of more than 4 percent of the utility's lateral distribution lines per year. The bill specifies the required contents of the plan, including information to demonstrate the plan costs are not included in the utility's base rates. It requires the Commission to conduct an annual proceeding to allow a public utility to recover prudently incurred transmission and distribution storm protection plan costs through the storm protection cost recovery clause. Once the Commission determines the costs were prudently incurred, the costs are not subject to further review, except for situations involving fraud or intentional withholding of information by the utility.

Effective date: Upon becoming law.

Land Use & Growth Management

**Property Development
CS/CS 7103 (Commerce Committee)**

The bill addresses land use and property development relating to inclusionary housing ordinances, the timing of development approvals, impact fees, and private providers of building inspection services. Its primary provisions:

- **Affordable Housing:** Requires a local government which adopts an inclusionary housing ordinance to provide incentives to fully offset the costs to the developer of its affordable housing contribution. Incentives may include, but are not limited to, density or intensity bonuses or reduced/waived fees.
- **Development Orders:** Requires a local government, upon receiving an application for approval of a development order or permit, to review the application for completeness within 30 days. An applicant will have an additional 30 days to address deficiencies in the application, if identified by the local government. A local government then has 120 days to approve, approve with conditions, or deny the application. For applications requiring final action through a quasi-judicial or public hearing, a local government would have 180 days to approve, approve with conditions, or deny the application. The parties may agree to extend these time frames. The bill authorizes parties to a development order challenge to use summary proceedings under section 51.011, F.S., and provides that a prevailing party in a challenge to a development order is entitled to recover attorney fees and costs.

- **School Concurrency:** The bill specifies that school proportionate-share mitigation credit shall be based on the total impact fee assessed and not on the impact fee for any type of school.
- **Impact Fees:** It codifies the dual-rational nexus test for determining the legal validity of impact fees and provides the impact fee may not be collected earlier than the date of issuance of the building permit. It specifies the local government must credit against the collection of the impact fee any contribution related to school facilities on a dollar-for-dollar basis. It further specifies that if a local government increases its impact fee rates, the holder of any impact fee credits that were in existence before the increase, is entitled to the full benefit of the intensity or density prepaid by the credit balance as of the date it was first established. It authorizes a local government to waive impact fees for the development of affordable housing and specifies that a local government is not required to use any revenues to offset the impact.
- **State of Emergency Extensions:** The bill revises current law regarding the tolling and extension of permits and other authorizations to provide that time is extended only during declared states of emergency for natural (i.e. weather-related) emergencies.
- **Private Providers:** The bill expands the scope of work for private providers who review site plans and inspect buildings. It prohibits local governments from charging fees for inspections if a private provider is used but authorizes a local government to charge a reasonable administrative fee when a private provider is used. It reduces the time from 30 business days to 20 business days for building departments to review permit applications when a private provider approves the plans. It limits a local government's authority to audit a private provider to four times annually and prohibits a building official from replicating the plan reviews of inspections done by a private provider.
- **Fire Sprinkler Retrofit:** The bill extends the date for condominium associations (not timeshare condo associations) that are part of a high-rise residential building to retrofit either a fire sprinkler system or an engineered life safety system from January 2020 to January 2024.

Recommendation: *City Staff is currently working on a fee schedule and process for handling private providers. Counsel will advise and review processes with the Building and Planning Staff to ensure that administrative policies are updated in compliance with the new law.*

Effective date: July 1, 2019.

**Community Development Districts
CS/CS/HB 437 (Buchanan)**

The bill allows a petitioner that is establishing a new community development district (CDD) of less than 2,500 acres to include a list of adjacent parcels that the petitioner expects to annex into the district boundaries within the next 10 years. A parcel may only be included with the consent of the landowner. The bill provides a process for expanding the boundaries of the CDD to include parcels identified for annexation, even if the resulting CDD is greater than 2,500 acres. Finally, the bill provides that a CDD may merge with a special district created by a special act pursuant to the terms of that special act and makes provision for the assets and liabilities of the CDD.

Effective date: Upon becoming law.

**Community Redevelopment Agencies
CS/HB 9 (LaMarca)**

The bill regulates CRAs in the following ways:

- Increases audit, ethics, reporting and accountability measures for community redevelopment agencies (CRAs). The bill requires CRAs to annually submit additional reporting information to the state, including performance data for each CRA plan, number of projects started, total number of projects completed, commercial property vacancy rates, and amount expended on affordable housing.
- Requires CRA procurement to comport with city and county procurement procedures. The bill provides that a CRA that has no financial activity for six consecutive years may be declared inactive by the Department of Economic Opportunity.
- Terminates a CRA in existence on October 1, 2019, on the expiration date provided in its charter or on September 30, 2039, whichever is earlier, unless the governing body that created the CRA approves its continued existence by a majority vote.
- It requires monies in a CRA trust fund be expended only pursuant to an annual budget adopted by the CRA board and requires the budget for a CRA created by a municipality to be submitted annually to the county commission within 10 days of adoption of the budget.
- Beginning October 1, 2019, CRA monies may be expended only for undertakings of the CRA as described in the community redevelopment plan pursuant to an adopted annual budget and for the purposes specifically authorized in current law.
- The bill authorizes the governing body that created the CRA to determine the amount of tax increment financing available to the CRA and set the level of funding at any amount between 50 percent and 95 percent of the increment (only Miami-Dade County has this authority under current law).

Recommendation: *Staff should reexamine its annual reporting content and procedures to comply with the new law.*

Effective Date: October 1, 2019.

**Small-scale Plan Amendments
HB 6017 (Duggan)**

The bill repeals the 120-acre cumulative annual limit on small-scale development amendments that may be approved by a local government. A comprehensive plan amendment may be classified as small-scale amendment if the amendment involves less than 10 acres of land, does not impact land located in an area of critical state concern, preserves the internal consistency of the overall local comprehensive plan, does not require substantive changes to the text of the plan, and the local government considering the amendment has not adopted a cumulative total of 120 acres of small-scale comprehensive plan amendments in the current calendar year.

Effective date: July 1, 2019.

Right of Entry
CS/CS/HB 767 (Robinson)

The bill addresses reservations of interest in mineral rights in the contracts for sale of public lands. Current law provides that a local government, a water management district or an agency of the state may sell or release reserved interest in any parcel of land except that such sale or release shall be made upon petition of the purchaser that includes a statement of reasons justifying the sale or release. The bill releases the right of entry to any interest in phosphate, minerals, metals or petroleum reserved in favor of a local government, water management district or any agency of the state for any parcel of property that is a contiguous tract of less than 20 acres in the aggregate under the same ownership.

Effective date: July 1, 2019.

Vegetable Gardens
CS/SB 82 (Bradley)

The bill preempts any local ordinance or regulation of vegetable gardens on residential property. While local governments would be preempted from prohibiting vegetable gardens, the bill allows for local ordinances to regulate the use of water during droughts, fertilizer use, or invasive species control. The bill does not apply to homeowner's association regulations or deed-restricted communities.

Recommendation: *The City currently has no regulation violative of this new law.*

Effective date: July 1, 2019.

Public Records & Public Meetings:

Recommendation for all new Public Records laws: *Legal staff will provide guidance to the City Clerk and Police Department Staff regarding these new laws.*

Public Records/Civilian Personnel Employed by Law Enforcement Agency
SB 248 (Hooper)

The bill expands exemptions from public records requirements for agency personnel information by defining the term "home addresses" for purposes of public records exemptions for personal identifying and location information of certain agency personnel and their family members. The term is defined to include the physical address, the mailing address, the street address, the parcel identification number, the plot identification number, the legal description of the property, GPS coordinates, and other descriptive property information that may reveal the location of the residence. The bill creates a new public records exemption for personal identifying and location

information of active or former civilian personnel employed by a law enforcement agency, and of spouses and children of such personnel.

Effective date: July 1, 2019.

Approved by Governor, Ch. 2019-12, Laws of Florida.

Public Meetings/Local Government Utilities
HB 327 (Davis)

The bill exempts from public meetings requirements portions of meetings that would reveal certain exempt information concerning information technology systems held by local government utilities and requires exempt portions of such meetings to be recorded and transcribed. It exempts from public records requirements the recordings and transcripts of such meetings except to the extent that any portion of the recording or transcript is determined by a court, after an in-camera review, to reveal nonexempt data.

Effective date: July 1, 2019.

Public Records/Victim of Mass Violence
SB 186 (Lee, Book)

The bill amends s. 406.136 and transfers this section to s. 119.071, Florida Statutes. It expands an existing exemption from the public records law to make confidential and exempt from disclosure any photographs, video and audio recordings that depict or record the killing of a victim of mass violence. Current law exempted only the photographs, audio and video that depict or record the killing of a law enforcement officer acting in accordance with her or her official duties. The bill defines the term “killing of a victim of mass violence” and specifies who may obtain such videos and recordings and the process for doing so. The bill provides that it is a third-degree felony for any custodian to willfully and knowingly violate the exemption. The exemption is retroactive.

Effective upon becoming law.

Public Records/Child Abuse, Abandonment, or Neglect
SB 318 (Montford)

The bill prohibits the release of any identifying information with respect to any person reporting child abuse, abandonment, or neglect, except under specified circumstances.

Effective date: July 1, 2019.

Public Records/Public Utility Held Customer Information and Data
CS/HB 591 (Davis, Yarborough)

The bill exempts from public records requirements customer meter-derived data and billing information in increments of less than one billing cycle that is held by local government utilities.

Effective date: July 1, 2019.

Human Trafficking
CS/CS/CS 851 (Fitzenhagen)

The bill permits a direct-support organization created by the bill to contract with the Florida Forensic Institute for Research, Security, and Tactics. The bill requires the OPPAGA to complete a study by January 1, 2023, on the effectiveness of the Soliciting for Prostitution Database and provide a recommendation as to whether it should remain in operation or be repealed and provides that the database will be repealed January 1, 2024, unless reviewed and saved from repeal by the Legislature.

The bill creates a human trafficking task force for each judicial circuit which is tasked with working with local government agencies in developing training on detecting, reporting, and intervention and treatment of human trafficking.

Effective date: July 1, 2019.

Federal Immigration Enforcement
CS/CS/CS/SB 168 (Gruters)

The bill relates to state and local government enforcement of federal immigration laws. It provides several definitions, including “sanctuary policy,” which means a law, policy, practice, procedure or custom adopted or permitted by a state entity, law enforcement agency or local governmental entity that contravenes the federal immigration laws or that knowingly prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency with respect to federal immigration enforcement. The bill also defines “sanctuary policymaker” to mean a state or local elected official, or an appointed official of a local governmental, who has voted for, allowed to be implemented or voted against the repeal of prohibition of a sanctuary policy. The bill prohibits the adoption or enforcement of a sanctuary policy and requires cooperation with federal immigration authorities. If a local government entity, state entity or law enforcement agency fails to comply with the bill’s provisions, the court may enjoin any unlawful sanctuary policy. The bill also allows a court to have continuing jurisdiction over the parties and subject matter and to enforce its orders with the initiation of contempt proceedings as provided by law. The attorney general may bring a civil action against governmental entities that fail to comply with the provisions of the bill and allows the state to seek injunctive relief to compel compliance with the requirements. This provision does not specify a dollar amount for restitution.

Recommendation: *The City currently has no policy, written or unwritten, in violation of this new bill.*

Effective date: July 1, 2019.

Medical Use of Marijuana
CS/CS/CS/SB 182 (Brandes)

The bill redefines the term “medical use” to include the possession, use or administration of marijuana in a form for smoking and deletes a provision prohibiting medical marijuana treatment centers (MMTC) from dispensing or selling specified products.

Effective date: March 18, 2019.

Approved by Governor, Ch. 2019-001, Laws of Florida.

Implementation of Recommendations of Marjory Stoneman Douglas Commission CS/CS/SB 7030 (Education Committee)

Based on recommendations from the MSD Commission regarding the guardian program, the bill amends s. 30.15, F.S., to require a sheriff to establish a guardian program if the local school board votes by majority to implement the program, or to contract with another sheriff’s office that has established a program, to provide training to school district or charter school employees. A sheriff who has established a guardian program may contract to provide training to a school district or charter school employee employed in a county whose sheriff has not established a guardian program. The sheriff conducting the training will be reimbursed for screening-related and training-related costs and for providing a one-time stipend of \$500 to each school guardian who participates in the school guardian program. The bill also removes the prohibition on an individual who exclusively performs classroom duties as a classroom teacher from participating in the guardian program.

Effective date: Upon becoming law, except as otherwise provided.

E911 Systems CS/CS/441 (DuBose)

The bill requires each county to develop a plan to implement countywide text-to-911 service and, by January 1, 2022, to enact a system that allows for text-to-911 service. The Marjory Stoneman Douglas High School Public Safety Commission reviewed the 911 and first responder dispatch communications related to the shootings that occurred at the school on February 14, 2018. Among other things, the Commission recommended that counties be required to develop and implement communications systems that allow direct radio communication between public-safety access points (PSAP) and first responders outside the PSAP’s normal service area to provide for more efficient dispatch of first responders.

Currently, 35 counties in Florida provide fully active and operational text-to-911 service. By the end of this calendar year, an additional 27 counties are expected to implement text-to-911 service. The remaining 5 counties have indicated an estimated completion date for text-to-911 service by the end of 2021.

Effective date: July 1, 2019.

Police, Fire, and Search and Rescue Dogs and Police Horses SB 96 (Bean)

The bill increases penalties for certain offenses committed on police, fire or search and rescue canines.

Effective date: October 1, 2019.

Approved by Governor, Ch. 2019-9, Laws of Florida.

Vaping

SB 7012 (Innovation, Industry, and Technology)

The bill implements Amendment 9 to the Florida Constitution, which was approved by voters in November 2018, and which bans the use of vaping devices such as electronic cigarettes in enclosed indoor workplaces. The bill authorizes the use of vaping devices in retail vape shops and other locations currently authorized to permit tobacco smoking. The bill amends the current preemption in section 386.209, Florida Statutes, to implement the grant of authority to local governments in Amendment 9, which authorizes local governments to adopt more restrictive local ordinances on the use of vaping devices.

Recommendation: *City Staff and the Council will need to consider adoption of policies regarding smoking and vaping prohibitions in the bill and develop signage for City property wherein vaping or smoking is prohibited. The Council will need to consider if it wants to adopt more stringent vaping regulations than provided in the new law.*

Effective date: July 1, 2019.

Approved by Governor, Ch. 2019-14, Laws of Florida.

Public Safety

CS/HB 7125 (Judiciary Committee; Daniels; Renner)

The bill is a criminal justice reform package that encompasses a plethora of changes including raising Florida's theft "threshold" from \$300 to \$750. This will bring Florida's amount close to the national average and adjusts for inflation, as the \$300 amount was set in 1986. The bill repeals and reduces driver license suspensions and revocations for non-driving related reasons and revises specified offenses for driving while a license is suspended or revoked. It repeals mandatory direct file for juvenile offenders and revises youthful offender sentencing eligibility, increases penalties for introducing a cell phone and other contraband into a state correctional institution, and revises offenses related to persons detained in county detention facilities.

Effective date: October 1, 2019.

Transportation

Autonomous Vehicles

CS/HB 311 (Fischer)

Current law authorizes the operation of autonomous vehicles in the state by any person holding a valid driver license. The physical presence of an operator in the vehicle is not required under specified conditions. The bill changes the term “autonomous vehicle” to “automated driving system” and defines the term “On-demand Autonomous Vehicle Network” to mean a passenger network that uses digital means to connect passengers to fully autonomous vehicles for-hire. The bill specifies that a licensed human operator is not required to operate a fully autonomous vehicle and removes the requirement that an operator possess a valid driver license. It specifies the automated driving system, rather than a person, is deemed the operator of an autonomous vehicle when the automated driving system is engaged. The bill authorizes an on-demand autonomous vehicle network to operate pursuant to state laws with the same insurance requirements applicable to transportation network companies. It prohibits local governments from imposing a fee, tax, or other requirement on automated driving systems or autonomous vehicles. Finally, the bill authorizes the Florida Turnpike Enterprise to construct and operate facilities for the advancement of autonomous and connected transportation technologies.

Effective date: July 1, 2019

Micromobility Devices
CS/CS/HB 453 (Toledo)

The bill establishes a regulatory framework for authorizing the operation of micromobility devices and motorized scooters. It defines “micromobility device” and revises the definition of “motorized scooter.” It grants certain rights and requires certain duties to the operator of a micromobility device or motorized scooter that are the same as those as a bicycle rider. The bill specifies that a local government is not prohibited from regulating the operation of micromobility devices or motorized scooters on streets, highways, or sidewalks within their jurisdictions. It allows the operation of such devices without a driver license. The bill excludes such devices from compliance with vehicle registration, licensing, and insurance requirements; equipment requirements for slow-moving vehicles; and motor vehicle provisions relating to licensing and license-plate display. Finally, the bill requires a person who offers such devices for hire to secure all such devices located in any area of the state where an active tropical storm or hurricane warning has been issued.

Recommendation: *The City's current prohibition on the rental of motor scooters encompasses vehicles defined in this new bill as micromobility devices and motor scooters. The Council will need to consider adoption of regulations applicable to the operation of these devices consistent with the new law.*

Effective date: Upon becoming law.

Wireless Communications While Driving
CS/HB 107 (Toledo)

Current law prohibits a person from texting, emailing, and instant messaging while driving, and provides certain exceptions, including use of a navigation device or system or use of hands-free technology. The bill changes current enforcement of this prohibition from a secondary offense to a primary offense. In addition, the bill prohibits the use of a wireless communications device in

a handheld manner (including listening or talking on) while driving in a school zone or construction work zone where workers are present. The prohibitions do not apply to a stationary vehicle. The bill requires a law enforcement officer who stops a motor vehicle for violating either prohibition to inform the driver that he or she has a right to decline a search of the wireless communications device. It prohibits a law enforcement officer from accessing a device without a warrant, confiscating a device while waiting for a warrant, or coercing the driver to provide access to a device without a warrant. The bill requires a law enforcement officer to record the race and ethnicity of a person issued a citation for violating either prohibition and requires the Department of Highway Safety and Motor Vehicles to provide an annual report of this information to the Governor and Legislature. The bill provides for a statewide awareness campaign, with enforcement only by warning from October 1, 2019, through December 31, 2019, after which a person may be issued a citation. Violation of this law is a noncriminal infraction, punishable as a moving violation, and three points will be assessed against a person's license. Persons cited for a first offense may avoid punishment and assessment of points by completing a wireless communications device driving safety program.

Effective date: July 1, 2019

Transportation
CS/CS/CS/HB 385 (Avila)

Among other things, this bill provides the Florida Department of Transportation (DOT) must approve the design plans of all transportation projects on, under, over, or abutting a DOT-owned right-of-way, regardless of funding source, for compliance with DOT design standards.

Effective date: July 1, 2019.

Department of Transportation
CS/CS/CS/HB 905 (Andrade)

The bill is the comprehensive Department of Transportation (DOT) package. Of specific interest to local governments, the bill prohibits a local government from adopting standards or specifications that are contrary to the DOT's standards or specifications for permissible use of aggregates or reclaimed asphalt that have been certified for use. The bill specifies that certain projects wholly or partially funded by DOT and administered by a local governmental entity may not allow the same entity to perform both design services and construction engineering and inspection services. The prohibition does not apply to seaports. The bill extends the length of time for DOT to provide funding for a fire station on Alligator Alley and requires the local governmental entity operating the fire station to contribute ten percent of the direct operating costs. The bill revises the definition of "small county" under the Small County Outreach Program to mean any county that has a population of 200,000 or less.

Effective date: July 1, 2019.

Motor Vehicles
CS/HB 1057 (McClure)

The bill is the comprehensive Department of Highway Safety and Motor Vehicles package. Of specific interest to local governments, the bill authorizes a motor vehicle to be equipped with one or more lamps or devices underneath the motor vehicle if such lamps or devices do not emit light in violation of statutes regarding lights on law enforcement vehicles. Additionally, the bill authorizes a privately-owned vehicle belonging to an active firefighter member of a volunteer firefighting company or medical staff physician or technician of a licensed medical facility, while responding to an emergency, to display or use red warning signals visible from the front and from the rear of such vehicle.

Recommendation: *Staff may want to consider a policy in response to the bill's allowance of City firefighters to equip emergency lights to their private vehicles.*

Effective date: October 1, 2019.

**Transportation
CS/SB 7068 (Infrastructure Committee)**

The bill creates the Multi-use Corridors of Regional Economic Significance Program within the Florida Department of Transportation (DOT). The program is designed to advance construction of three regional corridors that will accommodate multiple modes of transportation and infrastructure. The bill identifies three regional corridors: Southwest-Central Florida Connector (extending from Collier County to Polk County); Suncoast Connector (extending from Citrus County to Jefferson County); and Northern Turnpike Connector (extending from northern terminus of Florida Turnpike northwest to the Suncoast Parkway). It establishes a task force for each corridor comprised of representatives from state agencies and other stakeholders to evaluate and coordinate corridor analysis, environmental and land use impacts, and other impacts. Each task force must issue a written report by October 1, 2020. The bill directs DOT to provide affected local governments with a copy of the applicable task force report. Not later than December 2023, a local government that has an interchange within its jurisdiction shall consider whether its comprehensive plan should be amended to provide appropriate land uses and protections around the interchange. To the extent feasible, construction of the projects must begin no later than December 31, 2022 and be open to traffic no later than December 31, 2030. The bill authorizes funding for the projects in the corridors, which includes increased revenues derived from the State Transportation Trust Fund and portions of motor vehicle license taxes. Projects undertaken in the corridors must be tolled facilities. The bill authorizes additional funding for the Small County Road Assistance Program, the Small County Outreach Program, and the Transportation Disadvantaged Trust Fund. In addition, it creates and provides funding for a construction workforce development program within DOT.

Effective date: July 1, 2019.



AUTHORIZATION FOR DIRECT PAYMENT

PAYEE hereby authorizes and agrees to accept payment ("PAYMENT(S)") by Panama City Beach through electronic funds transfer, directed to the BANK and ACCOUNT NUMBER specified, for any payment obligations Panama City Beach may have to PAYEE, on the following terms and conditions:

PAYMENTS will be in accordance with and governed by the National Automated Clearing House Associations' Corporation Trade Payment Rules and Article 4A of the Uniform Commercial Code, both as amended from time to time.

Panama City Beach may rely on the information provided below and the PAYEE shall be responsible for any loss that may arise due to such reliance or any error, mistake or fraud in such information.

PAYEE may terminate this AUTHORIZATION at any time upon thirty (30) days written notice to Panama City Beach, delivered to Panama City Beach recipient of this AUTHORIZATION specified below. If PAYEE desires, such notice may be accompanied by another executed AUTHORIZATION, in this form, with information different than that provided below, to become effective on the date of termination of this AUTHORIZATION. PAYMENTS shall be deemed made by Panama City Beach when BANK receives or has control of the transaction and PAYEE shall not claim against Panama City Beach that may occur from thereafter. This AUTHORIZATION does not enlarge, diminish or otherwise alter the respective rights or obligations of Panama City Beach or PAYEE under any commercial agreement, including the agreement, giving rise to the payment obligation for which any PAYMENT is made. Panama City Beach may, at its option, make payments to PAYEE at any time in other forms (check, etc.) allowable under such agreements. PAYEE agrees to promptly notify Panama City Beach if it does not receive any PAYMENT that it expected to receive as a result of this AUTHORIZATION. Panama City Beach has the right to adjust future PAYMENTS if it finds any PAYMENT to be duplicate, in excess of requirements, fraudulent or in error.

PLEASE PRINT CLEARLY THE FOLLOWING VENDOR INFORMATION:

(PAYEE NAME)

(PAYEE ADDRESS)

(CITY)

(STATE)

(ZIP CODE)

(CONTACT NAME- Please Print)

(E-MAIL ADDRESS)

(PHONE NUMBER)

(FAX NUMBER)

(BANK NAME)

(BANK ADDRESS)

Routing No. _____

Account No. _____

Is this a CHECKING account _____ or is this a SAVINGS account _____ (please check one)

The payment notification will be sent electronically to the email address listed above.

On _____ I authorize Panama City Beach to initiate electronic entries into my account and have agreed to the terms listed above
(Date)

(AUTHORIZED SIGNATURE)

(PRINTED NAME OF SIGNATORY)

(TITLE)

ITEM NO. 11

Code Enforcement Update



CODE ENFORCEMENT UPDATE

MAY 2019

CITATION REPORT

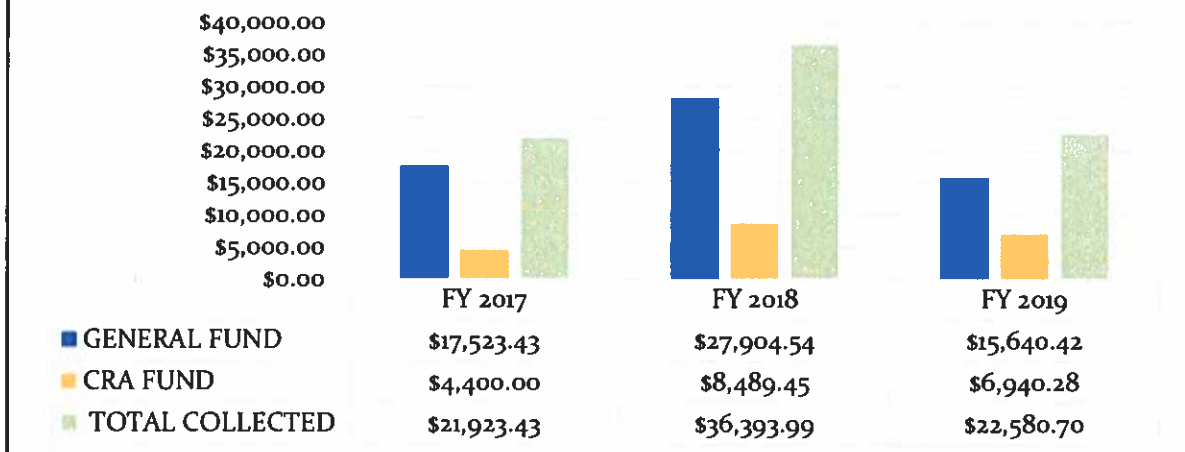
DATE	CITATION NUMBER	VIOLATION	CITATION AMOUNT	AMOUNT COLLECTED	OFFICER	GENERAL OR CRA
4/26/2019	6102	Accumulation of abandoned material	\$ 250.00	\$ 25.00	JM	CRA
4/30/2019	6103	Excessive growth grass/weeds	\$ 100.00		JM	CRA
5/1/2019	6104	Excessive growth grass/weeds	\$ 100.00	\$ 100.00	JM	GF
5/3/2019	6087	Accumulation of abandoned material and litter	\$ 250.00		LS	GF
5/3/2019	6105	Accumulation of abandoned material	\$ 250.00	\$ 250.00	JM	CRA
5/7/2019	6107	Portable toilet	\$ 250.00		JM	CRA
5/8/2019	6108	Excessive growth grass/weeds	\$ 100.00		JM	GF
5/9/2019	6089	Accumulation of abandoned material	\$ 250.00		LS	GF
5/9/2019	6090	Accumulation of abandoned material	\$ 250.00		LS	GF
5/10/2019	6091	Accumulation of abandoned material	\$ 250.00		LS	GF
5/10/2019	6110	Damaged fence	\$ 100.00		JM	GF
5/13/2019	6092	Excessive growth grass/weeds	\$ 100.00		LS	GF
5/15/2019	6111	Accumulation of junk in backyard	\$ 250.00		JM	GF
5/13/2019	6151	Dead tree - Fire hazard	\$ 100.00		JT	GF
5/21/2019	6112	Building maintenance	\$ 650.00		JM	CRA
5/21/2019	6113	Grass/weed overgrowth	\$ 100.00		JM	GF
Total			\$ 3,350.00	\$ 375.00		

Previously issued citations collected this period

3/18/2019	6039	Damaged Fence	\$ 100.00	\$ 100.00	JM	CRA
3/27/2019	6073	Accumulation of Abandoned Material	\$ 250.00	\$ 250.00	LS	GF
4/17/2019	6083	Accumulation of Junk	\$ 250.00	\$ 250.00	LS	GF
4/2/2019	6045	Unsafe Unfit/ Fire Hazard	\$ 250.00	\$ 25.00	JM	GF
3/19/2019	6069	Unpermitted use of land	\$ 250.00	\$ 250.00	LS	CRA
4/23/2019	6086	Excessive Growth grass/weeds	\$ 200.00	\$ 20.00	LS	GF
Total			\$ 1,300.00	\$ 895.00		

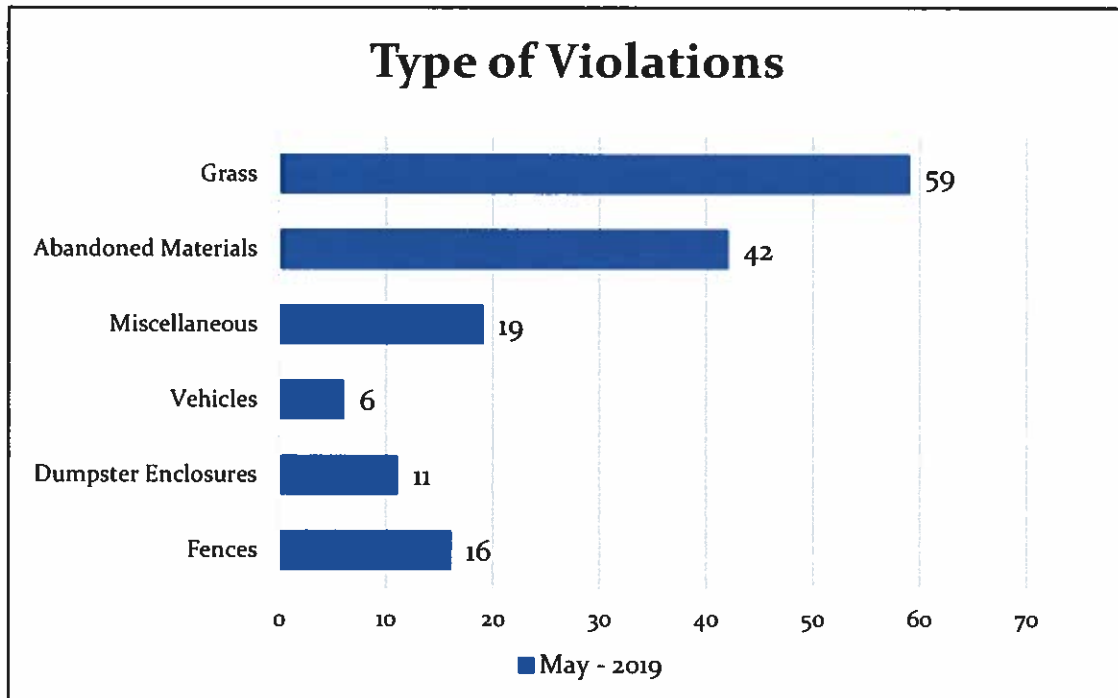
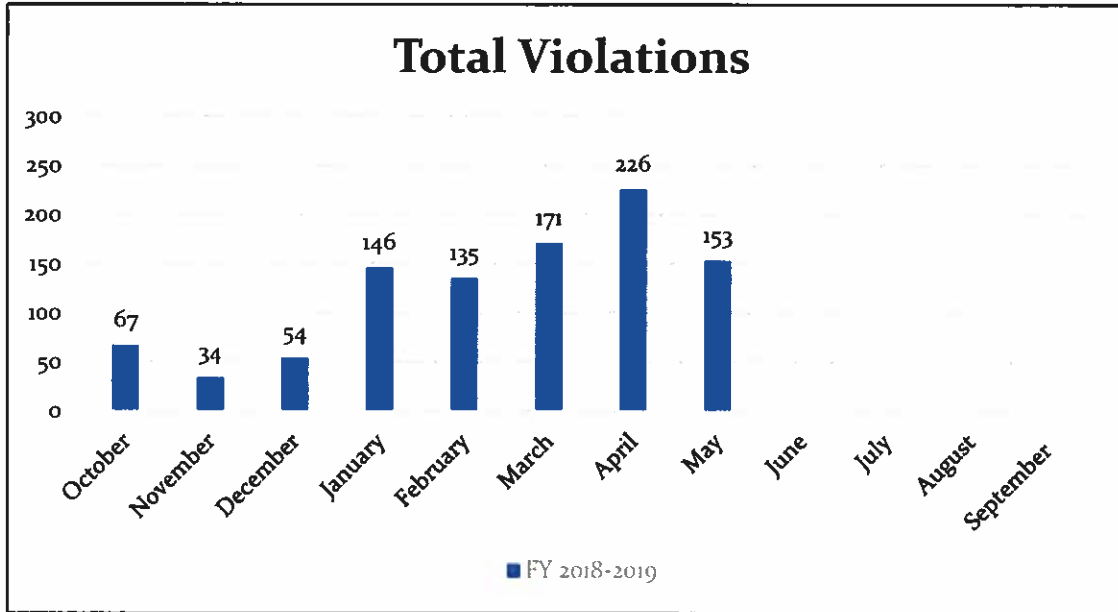
Grand Total Collected		\$ 1,270.00
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Code Enforcement Funds Collected

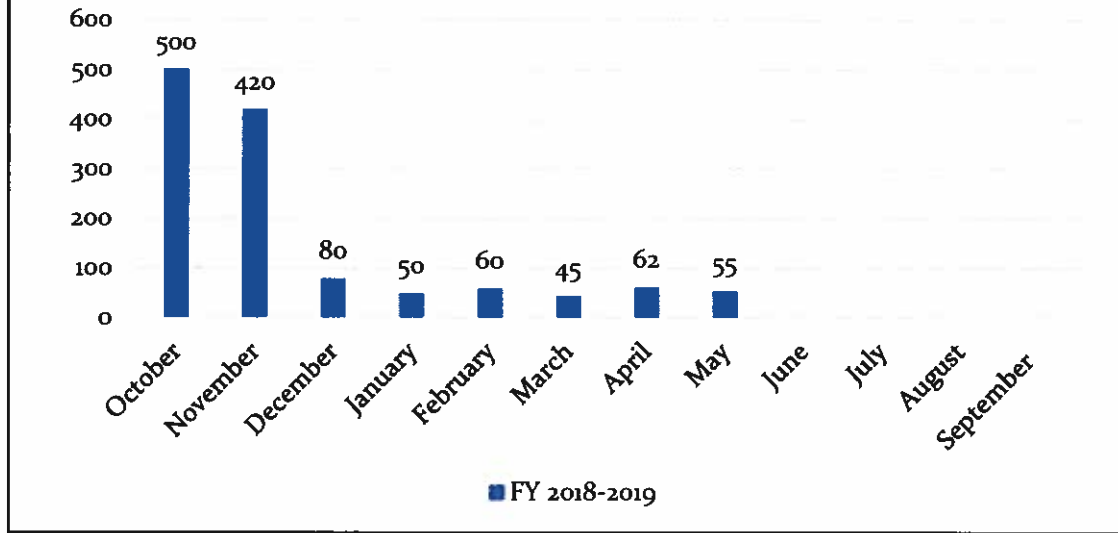


Summary

In **MAY 2019**, the Code Enforcement Division continued its efforts to maintain and improve the quality of life throughout the residential and business community. Over the course of the month, the department issued 153 violations.



ROW Sign Violations



NOTES

1.

2.

3.