

ORDINANCE 1502

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE RELATING TO SUBDIVISIONS; PROVIDING THAT SUBDIVISIONS OF LAND INVOLVING 3 OR MORE ACRES OF LAND UPON WHICH A MAJORITY OF THE PROPOSED LOTS ARE INTENDED FOR RESIDENTIAL USE SHALL INCLUDE A NEIGHBORHOOD PARK SPACE; SETTING STANDARDS FOR NEIGHBORHOOD PARKS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the City anticipates substantial future growth of residential subdivisions; and

WHEREAS, the City Council finds that neighborhood parks provide a wide array of benefits to residential subdivisions as well as the community at-large; and

WHEREAS, the City Council finds that neighborhood parks facilitate physical activity which provides health benefits to the entire community, increase community engagements and foster positive relationships amongst neighbors, increase property values and attract homebuyers to the area; and

WHEREAS, in order to achieve the benefits associated with parks, it is paramount that new subdivisions dedicate a portion of subdivided land for neighborhood parks; and

WHEREAS, the City Council determines that requiring five percent of new subdivided land over three acres be dedicated to neighborhood parks balances the interests of those bearing the economic costs and risks associated with real estate development with the benefits to the public health safety and welfare gained by increased park space.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Section 4.03.00 of the Land Development Code of the City of Panama City Beach related to Subdivision Design and Layout, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

4.03.00 SUBDIVISION DESIGN AND LAYOUT

4.03.01 Generally

- A. Any division of land shall be subject to the design requirements of this section. Procedures for approval of preliminary **Plats**, final **Plats**, **Lot Splits** and improvement plans are set forth in Chapter 10.
- B. All **New Development** shall be located on a recorded, **Platted Lot** or on a **Lot** resulting from a lawful **Lot Split**.
- C. An existing **Lot** located within a **Subdivision** that has been approved prior to July 26, 2012 by the City Council in the form of a **Plat**, shall be allowed to be developed with a **Single Family Dwelling Unit** subject to satisfaction of **Setback** and **Building** requirements as well as all other applicable regulations.
- D. In Bid-A-Wee 1st Addition, **Lots** less than the required minimum **Lot** size and not meeting the dimensions as approved on the adopted **Plat**, may still receive approval for a **Building Permit** provided the Planning Board finds the following conditions are satisfied:
 - 1. The **Lot** must be of a similar size and width as other **Lots** in the **Subdivision**; and
 - 2. All other applicable regulations must be satisfied.

(Ord. # 1253, 12-13-12)

4.03.02 Design Requirements

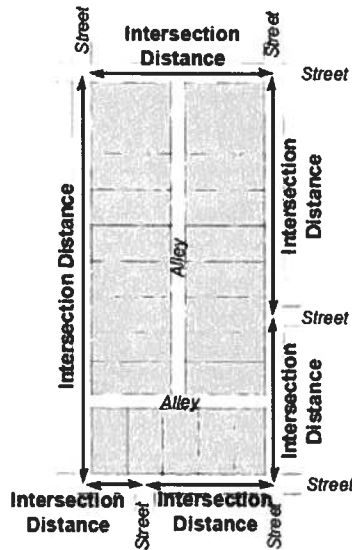
- A. Blocks and **Lots**

1. **Block Dimensions.** Excepting locations where the City Manager determines that natural or built features preclude compliance, block length shall be regulated by intersection distance according to the requirements of Table 4.03.02.A and the following provisions:
 - (a) Intersection distance shall be the distance between two consecutive **Street** intersections as illustrated in **Figure 4.03.02.A**. Intersection distance shall be measured between the center lines of **Streets**. Alleys and **Driveways** shall not be considered **Streets** for the purposes of this standard. Maximum intersection distances shall not apply along **Arterial Streets**.
 - (b) For any block exceeding 500 feet in length, the Board may require one or more cross block connections for pedestrians to reduce the effective block length to 330 feet or less. Connections shall be located in public access easements measuring at least fifteen (15) feet in width and shall have paved walkways measuring at least five (5) feet in width.

Table 4.03.02.A: Block Size Standards

Zoning District	Maximum Intersection Distance
R-1a	1,200 feet
R-1b	1,200 feet
R-1c-T	1,200 feet
RO	1,200 feet
RTH	1,200 feet
R-2	1,200 feet
R-3	1,200 feet
CL	1,200 feet
CM	1,200 feet
CH	1,200 feet
TNOD	400 feet
FBO-1	660 feet
FBO-2	660 feet
FBO-3	660 feet
FBO-4	No maximum

Figure 4.03.02.A: Intersection Distance



2. **Lots** shall meet the **Lot** design requirements for the zoning district in which the **Subdivision** is proposed.
 3. **Corner Lots** for **Subdivisions** in **Residential** zoning districts shall be large enough to provide for **Front Setbacks** and side **Street Setbacks**.
 4. Each **Lot** shall have **Frontage** on and **Access** to an existing or proposed public or private **Street** or **Alley**.
 5. Double-Frontage Lots and Flag Lots shall not be allowed.
 6. **Lot Lines** shall be at right angles to **Street** lines to the maximum extent possible.
 7. No **Lot** shall be divided by a **City** boundary line.
 8. The finished grade of all **habitable space** at the **Building** location shall be a minimum of one (1) foot above the crown of the adjacent **Street** or back of curb, whichever is higher.
 9. Dead-end **Streets** (cul-de-sacs) shall be limited to forty-five (45) **Residential Lots**.
- B. Improvements**
1. The proposed **Subdivision** shall include a **Street** system consistent with the **Traffic Circulation Map** of the Comprehensive Plan, the transportation system standards set forth in section 4.04.04 and the **Street** pattern in the surrounding area.

- (a) **Streets**, sidewalks meeting the applicable requirements of section 4.04.03, curbs and gutters, streetlights and **Street** signs shall meet the minimum design and construction specifications of the Engineering Technical Manual and the provisions of this section.
- (b) The maximum pavement width shall be twenty-four (24) feet, between the valleys of the curbs unless the City Manager approves and increase to a width of up to thirty-six (36) feet.
- (c) Rights-of-way and **Street** design shall meet the requirements of section 4.04.04 and be dedicated to the **City** unless the City approves the use of private **Streets**.
- (d) Curbs and gutters shall be required for all **Streets**.
- (e) Streetlights shall be required in locations established by the **Engineering Technical Manual**.
- (f) **Street** name signs shall be required in locations established by the **Engineering Technical Manual**.
- (g) Grass or sod shall be required between the curb and sidewalk or property line. Landscaping may be used in conjunction with or as an alternative to, grass or sod provided that such landscaping complies with applicable site distance standards.
- (h) Minimum centerline radius for midblock curves shall be as follows:

Posted Speed (MPH)	Design Speed (MPH)	Centerline Radius (Feet)
25	30	250
20	25	150
15	20	80

- (i) The minimum cul-de-sac radius shall be 40 feet.
2. The proposed **Subdivision** shall provide for infrastructure improvements as set forth in Chapter 6. Each **Lot** in the **Subdivision** shall have the following services:
- (a) A source of electric power;
 - (b) A telephone service cable;
 - (c) Central potable water;
 - (d) Central sanitary sewer;
 - (e) Central reclaimed water, where such service is available within one thousand (1,000) feet and with sufficient capacity to serve the subdivision; and

- (f) Fire hydrants or fire protection, as required by the national Fire Prevention Code.
3. Equipment shall meet the following requirements for location and screening:
- (a) Utility equipment, such as pumps, valve boxes, switching boxes, back-flow devices, but not including light poles, shall be fully screened by a wall or fence of **Solid Face** construction or by **Native Vegetation** creating a continuous screen; and
 - (b) All electric, telephone, cable television or other communication lines shall be placed underground within the right-of-way or within a recorded easement.
4. The **Subdivision** design shall include provisions for resource protection as set forth in Chapter 3.
5. The design of the **Subdivision** shall include provisions for utility lines within easements or the right-of-way. Such easements shall be a minimum of fifteen (15) feet for potable and reclaimed water force mains and twenty (20) feet for gravity sewer and storm drainage mains.
6. In areas zoned for **Residential Uses**, a **Subdivision** may contain a structure that is temporarily used as a model home and for conducting business directly related to the sale and promotion of **Lots** and houses within such **Subdivision**. Such operations must cease when sales in said **Subdivision** have been completed, but not longer than two (2) years. Additional time may be granted through the conditional use process after considering the history of nuisances, structure condition and compatibility with the neighborhood.
7. The design and layout of a subdivision may, on occasion, be adversely impacted by the presence of protected natural features such as wetlands or plant and animal species habitat. Such impact shall be considered a hardship that is eligible for a variance request when such request is the minimum necessary to overcome the identified impact of the protected natural feature.
8. **A proposed Subdivision involving 3 or more acres of land, in which a majority of the lots are intended for the development of residential dwelling units, shall include land dedicated for a neighborhood park. Land dedicated for use as a neighborhood park shall comprise at least 5% of the acreage to be subdivided. Neighborhood parks may include, but are not limited to, sports fields, tennis courts, basketball courts, hiking and biking trails, playgrounds and other areas where members of the Subdivision may congregate for recreational uses.**
- (a) **The land dedicated for use as a neighborhood park shall be developable uplands exclusive of required setbacks from wetland or environmental areas and shall not contain any restrictions or encumbrances that prevent its use as a**

neighborhood park. The following uses shall be excluded from the calculation of land required for the neighborhood park acreage:

- i. Clubhouses;**
- ii. Floodplain mitigation areas;**
- iii. Drainage/stormwater detention areas (except for drainage/stormwater detention areas used solely for required neighborhood park amenities); and**
- iv. Parking areas (except for parking areas required to satisfy minimum parking requirements for neighborhood park amenities);**
- v. Landscape easements;**
- vi. Sidewalks; and**
- vii. Pools.**

(b) Land dedicated as a neighborhood park may be retained in private ownership for public use, and shall be subject to such conditions as the City may establish concerning access, use and maintenance of such lands, as deemed necessary to assure the preservation of such lands in perpetuity for their intended purposes. The owner shall execute any and all documents necessary to effect the intended purposes. Neighborhood parks may be offered to the City as a gift, and at the discretion of the City Council may be accepted upon recommendation by the Planning Board.

(c) Neighborhood parks must be continuously maintained in a safe manner. If the park is to be maintained by an association, trust or community development district, the owner shall provide documentation acceptable to the City demonstrating that such organization is governed according to the following:

- 1. The organization is organized by the owner and operating with the financial subsidization of the owner, if necessary, before the sale of any lots within the development.**
- 2. Membership in the organization is mandatory for all purchasers of dwelling units therein and their successors.**
- 3. The organization shall be responsible for maintenance of and insurance and taxes on the neighborhood parks.**
- 4. The members of the organization shall share equitably the costs of maintaining and developing the neighborhood park in accordance with the procedures established by them.**

(d) The city shall not issue any certificate of occupancy in a Subdivision to which this section applies until the Owner complies fully with this section.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the

provisions of this Ordinance within the Panama City Beach Land Development Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 4. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 12th day of December, 2019.


MAYOR

ATTEST:


CITY CLERK

EXAMINED AND APPROVED by me this 12th day of December, 2019.


MAYOR

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