

ORDINANCE NO. 1537

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE; AMENDING THE DEFINITION OF PORTABLE STORAGE UNIT; AMENDING THE REGULATIONS FOR USE OF A PORTABLE STORAGE UNIT AS MORE FULLY DESCRIBED IN THE BODY OF THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

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

SECTION 1. From and after the effective date of this ordinance, Section 1.02.01 of the Land Development Code of the City of Panama City Beach related to Definitions, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

1.02.01 Definitions

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

...

Portable Storage Unit – Any container designed for the storage of personal property, **with or without wheels or a chassis**, which is typically rented to owners or occupants of property for temporary *Use* and which is delivered and removed by truck. Examples of ***Portable Storage Units*** include, but are not limited to, moving and storage containers, road and storage trailers and steel shipping containers.

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Portable Storage Units include, but are not limited to, storage shipping containers, storage moving "pods", or any other similar units

SECTION 2. From and after the effective date of this ordinance, Section 5.02.09 of the Land Development Code of the City of Panama City Beach related to Portable Storage Units, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

5.02.09 Portable Storage Units.

A. Prohibitions. It shall be unlawful for any person to place or permit the placement of a *Portable Storage Unit* on improved or unimproved property in violation of section 5.02.09B.

B. Regulation of Portable Storage Units

1. No *Premises* improved with one or more *Dwellings* (herein, a *Residential Premises*) shall contain more than one *Portable Storage Unit* at any time.
2. No *Residential Premises* shall **place a Portable Storage Unit without a temporary use permit issued pursuant to section 10.14.02 nor shall it** continuously contain a *Portable Storage Unit* in excess of ten (10) days in any 60-day period **unless:**
 - (a) Placed in association with a building permit issued by the City in which case such Portable Storage Unit may remain for the duration of construction but shall be removed upon the completion of the work, the expiration of the associated building permit or the issuance of a Certificate of Occupancy whichever occurs earliest.**
 - (b) Placed in association with relocation of an existing occupant for a period not to exceed ten (10) days.**
3. No *Portable Storage Unit* placed on a *Residential Premises* shall exceed eight (8) feet in width, twenty (20) feet in length and nine (9) feet in height.
4. No *Portable Storage Unit* or any portion thereof shall be placed on a sidewalk, in a right-of-way or otherwise on a *Residential Premises* so as to cause an obstruction of vision at *Street Intersections*.
5. No *Portable Storage Unit* shall be placed on unimproved or vacant property.

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6. In the event of damage to a *Premises* caused by fire, storm, *Flood* or declared government emergency, the *City Manager* may approve exceptions to the standards in this section.
7. **No Portable Storage Unit may be visible from the Scenic Corridor or the sandy gulf beach.**
8. **Portable Storage Units are permitted in Commercial or Industrial Zoning Districts subject to following standards:**
 - (a) **All Units shall be maintained in accordance with section 8-7**
 - (b) **Except in M-1 Zoning Districts, all Units shall be screened from view from any public right-of-way. Units placed in an M-1 Zoning District on the side or rear of a building may be visible from the right-of-way.**
 - (c) **Units may not be stacked vertically and no other property or materials (other than screening material) may be placed on top or around the unit.**
 - (d) **Units must meet all applicable setbacks and not be placed in an area designated for other uses pursuant to the provisions of this Code or on an approved site plan.**

C. Remedies and Enforcement

1. The provisions of this section may be enforced by the *City Manager*.
2. Each day a *Portable Storage Unit* remains on property in violation of this section shall constitute a separate violation.
3. In addition to any other penalty provided by law, compliance with this section 5.02.09 may be enforced by the remedies and procedures set forth in Chapter 25 of the *City Code* (the Code Enforcement Hearing Officer System) or removal of the *Portable Storage Unit* by the *City*. In the event of removal by the *City*, the company providing the *Portable Storage Unit* and the owner and occupant of the private property where same is located, shall be jointly and severally liable for the expenses incurred by the *City*.

(Ord. # 1163-R, § 2, 10-8-09)

SECTION 3. From and after the effective date of this ordinance, Section 5.03.01 of the Land Development Code of the City of Panama City Beach related to Temporary Uses and Structures, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

5.03.00 TEMPORARY USES AND STRUCTURES

5.03.01 Generally

- D. Certain temporary *Uses* and structures meeting the conditions of this Chapter may be permitted to accommodate outdoor sales, festivals and entertainment, ~~Portable Storage Units~~ and temporary structures during construction activities – but only to the extent authorized in this section. All other temporary *Uses* and structures are prohibited.
- E. A temporary *Use* permit issued pursuant to section 10.14.02 is required prior to the establishment of a temporary *Use* or structure. Unless otherwise specified in this Code, a temporary *Use* permit shall be valid for a maximum of thirty (30) days and, unless otherwise specified in this *LDC*, may be renewed for one (1) consecutive thirty (30) day period.
- F. Placement and use of Portable Storage Units shall be governed by section 5.02.09 of this Code.
(Ord. # 1250, 12-13-12; Ord. # 1268, 2-28-13)

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

SECTION 5. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Land Development Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 5. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the

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City Council of the City of Panama City Beach, Florida, this 8th day of October, 2020.



MAYOR

ATTEST:

Lynne Fasone
CITY CLERK

EXAMINED AND APPROVED by me this 8th day of October, 2020.



MAYOR

Published in the News Herald on the 22nd day of September, 2020.

Posted on pcbgov.com on the 21st day of September, 2020.

Lynne Fasone

From: webmaster@pcbgov.com on behalf of The City of Panama City Beach, FL
<webmaster@pcbgov.com>
Sent: Monday, September 21, 2020 10:31 AM
To: Lynne Fasone
Subject: City of Panama City Beach, FL: Public Notice for Ordinance 1537

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Public Notice for Ordinance 1537

- **Category** Admin
- **RFP Number** Ord 1537
- **Start Date** 09/21/2020 10:15 AM
- **Close Date** 10/08/2020 9:00 PM
- **RFP Post Status** Open

DRAFT ORDINANCE 1537

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the following entitled ordinance shall be presented to the City Council of the City of Panama City Beach, Florida, for a public hearing and final adoption at its regular meeting to be conducted at **6:00 PM on October 8, 2020**, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida, to-wit,

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This meeting will be held at City Hall with the reminder that persons are encouraged to follow appropriate social distancing and safety guidelines. The live meeting will be livestreamed on www.pcbgov.com. All persons wishing to be heard on the adoption of the Ordinance are invited to appear.

Any person requiring a special accommodation to participate in this meeting because of a disability or physical impairment should contact the Panama City Beach City Clerk, at lfasone@pcbgov.com or by phone at (850) 233-5100 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the Interim City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8770 (Voice) or (800) 955-8771 (TDD).

ALL INTERESTED PERSONS desiring to be heard on the adoption of the aforesaid ordinance are invited to be present at the meeting either in person, according to the capacity restrictions.