

**CITY OF PANAMA CITY BEACH  
PLANNING BOARD**

**MEETING DATE:** February 10, 2021  
**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**      **Pledge of Allegiance – Mr. Morehouse**
  
- ITEM NO. 3**      **Approval of January 13, 2021 Planning Board Meeting Minutes**
  
- ITEM NO. 4**      **Public Comments-Non-Agenda Items Limited to Three Minutes**
  
- ITEM NO. 5**      **Nissim Afula is requesting authorization of a variance from Land Development Code Section 4.04.01.B.7 to access the proposed commercial development across from a residentially zoned parcel. The parcel is located at 13951 Panama City Beach Parkway.**
  
- ITEM NO. 6**      **Comprehensive Plan – Section 12 and Section 13 Recommended Changes**
  
- ITEM NO. 7**      **Code Enforcement Update**
  
- ITEM NO. 8**      **Quasi-Judicial Hearing Procedures Discussion**

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 South 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 Lynne Fasone, City Clerk at City Hall, 17007 Panama City Beach Parkway, 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. 5



**CITY OF PANAMA CITY BEACH**  
**Building and Planning Department**  
116 S. Arnold Road, Panama City Beach, FL 32413  
850-233-5054. ext. 2313 Fax: 850-233-5049  
Email: [achester@pcb.gov](mailto:achester@pcb.gov)

## REQUEST FOR VARIANCE OR APPEAL

**Applicant:**

Name(s): Nissim Afuta

Address: Po Box 9460

City: Panama City State: FL Telephone: 850-545-7030 Fax: \_\_\_\_\_

Email: riley@palmerpropertiesinc.com

Name of Acting Agent: Riley Palmer

Statement acknowledged before a notary public authorizing the representative to act on behalf of the property owner with regard to the application and associated procedures. Attached to the application.

Address of Property Seeking Variance or Appeal: 13951 PCB PRKW

Please provide a survey obtained no more than two (2) years prior to the filing of the application, containing legal description, land area and existing improvements located on the site. Please submit a total of ten (10) copies.

Variance Application Fee: \$500.00 Date Collected: \_\_\_\_\_

The procedure for review of application is found in Sections 10.02.02 and 10.02.12 of the LDC.  
All Site Plans and Plats shall be drawn to scale.

### Basic Submittal Requirements - LDC Section 10.02.02

Plan or Plat Preparer

Name: Ron Rogers, PE

Address: PO Box 28071 Email Address: rrogers@coastalpermit.org

City: Panama City State: FL Telephone: 850-527-7003 Fax: \_\_\_\_\_

Date of Preparation: 12/10/20 Date(s) of any modifications: \_\_\_\_\_

Legal Description: (Consistent with the Required Survey) See attached

A vicinity map showing the location of the property.

Future Land Use Map designation for the property: TD Zoning designation: CH

Deed Restrictions or Private Covenants apply to this property: \_\_\_\_\_ Yes  No  
(If so, please provide a copy with this application.)

**Requested Action** - Please mark the appropriate request.

Variance Request from the following section(s) of the LDC: 4.04.00

Appeal of the Building Official's (or his/her designee) application of the following sections:

State specifically for Variance, the hardship to the subject property, or for Appeal, how has the specific regulation been incorrectly applied: See Attached

**Submittal Requirements for Requests for Variances – LDC Section 10.02.12 (B)**

A statement setting forth:

1. All facts and circumstances upon which the applicant intends to rely for the requested Variance; and
2. An analysis of each of the criteria set forth in section 9.03.03(A)(1)-(8)

**Required Findings – LDC Section 9.03.03**

A. In order for an application for a Variance to be approved or approved with conditions, the Planning Board must make a positive finding, based on the evidence submitted, with regard to each of the following provisions:

1. There is a specific hardship affecting the Development of the Lot resulting from the strict application of the provisions of the LDC.
2. The hardship is not a result of actions of the owner and is not based solely on a desire to reduce Development costs;
3. The need for the proposed Variance is due to the physical shape, configuration or topographical condition of the Lot in such a manner as to distinguish it from other adjacent or nearby Lots or from other Lots in the district;
4. The proposed Variance is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby Lots or other Lots in the district;
5. The proposed Variance will not substantially increase congestion on surrounding Streets, will not increase the danger of fire or other hazard and will not otherwise be detrimental to the health, safety or general welfare of the public;
6. The proposed Variance will be compatible with adjacent and nearby Development and will not alter the essential character of the district;
7. The effect of the proposed Variance is consistent with the purposes of the LDC; and
8. The effect of the proposed Variance is consistent with the Comprehensive Plan.

B. The applicant for a Variance has the burden of proof of demonstrating that the application for a Variance complies with each of the requirements of section 9.03.03A.

Explain how granting the variance will allow the hardship to be overcome? Is the request the minimum necessary to overcome the hardship? See attached

\_\_\_\_\_

\_\_\_\_\_

How many feet away are all adjacent structures (also on surrounding properties) from structure located on subject property? Name specific structures.

**North - 270 FT, East - 138 FT, South 85 FT, West 277 FT**

\_\_\_\_\_

If variance is granted, how will it impact the adjacent properties? Please give specific examples of light, air, noise, congestion, general welfare of the public. See attached

\_\_\_\_\_

**Restricted or Conditional Variance and Termination – LDC Section 9.03.04**

- A. The Planning Board may impose such conditions and restrictions as may be necessary to allow a positive finding for any of the factors listed in section 9.03.03(A)(5) and (6).
- B. After written notice of violation and reasonable opportunity to cure has been given to the property owner, the City Manager shall terminate a restricted or conditional Variance for a violation of the restriction or condition imposed that materially negated the related positive finding. This can be done at any point in time after expiration of the time to cure.

**Limitation on Time to Use Variance – LDC Section 9.03.05**

Any Variance authorized by the Board of Adjustment and not used and acted upon in a real and substantial way by the applicant or the applicant’s successor in interest; within one (1) year from the date on which the decision of the Board of Adjustment is reduced to a written order or if appealed; the date on which the order becomes final, shall be deemed Abandoned and be void and of no further force and effect.

**Applicant’s Name(s):**  
**Nissim Afuta**

Print Name

**Date: 1-5-2021**

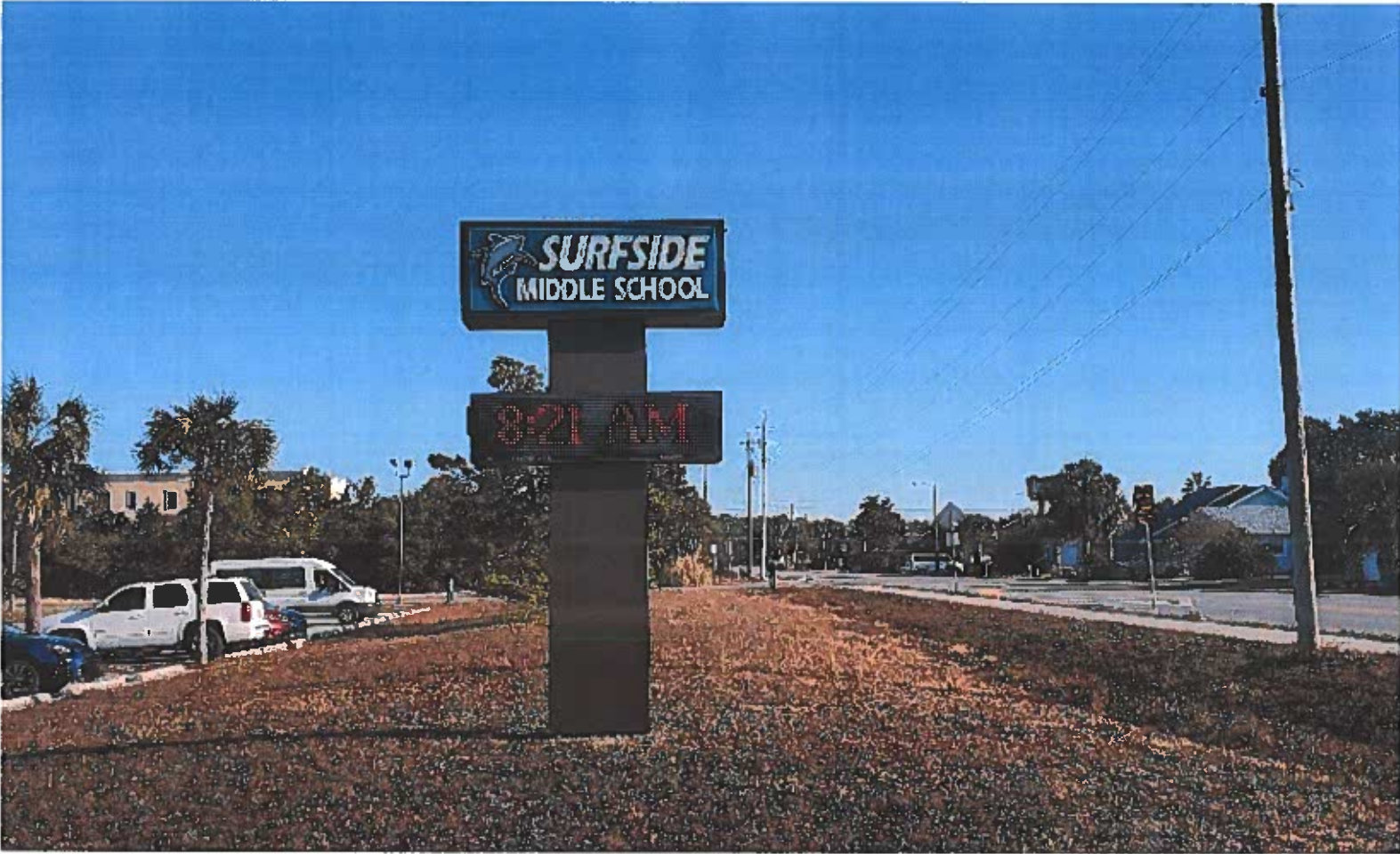
  
Signature

Print Name

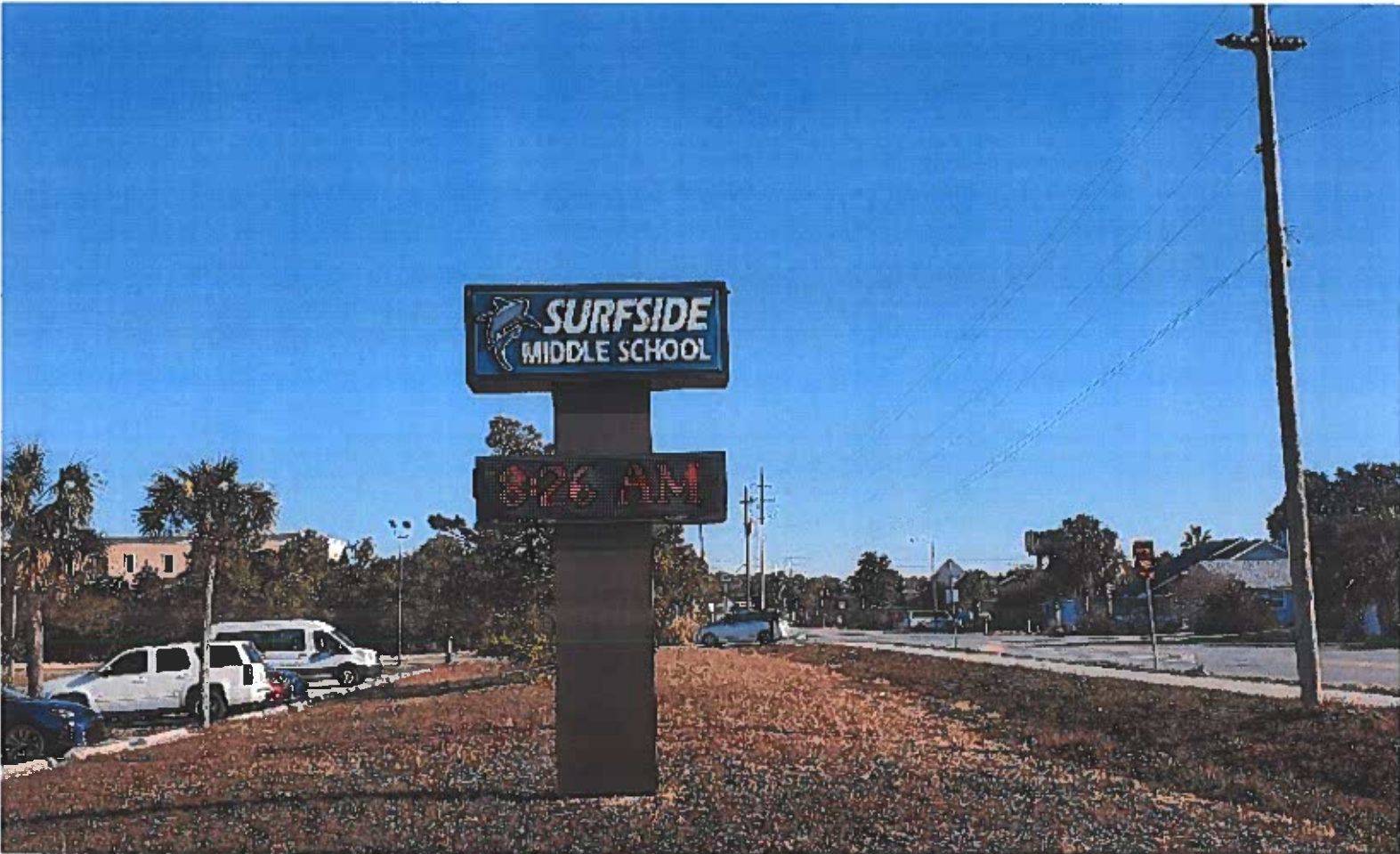
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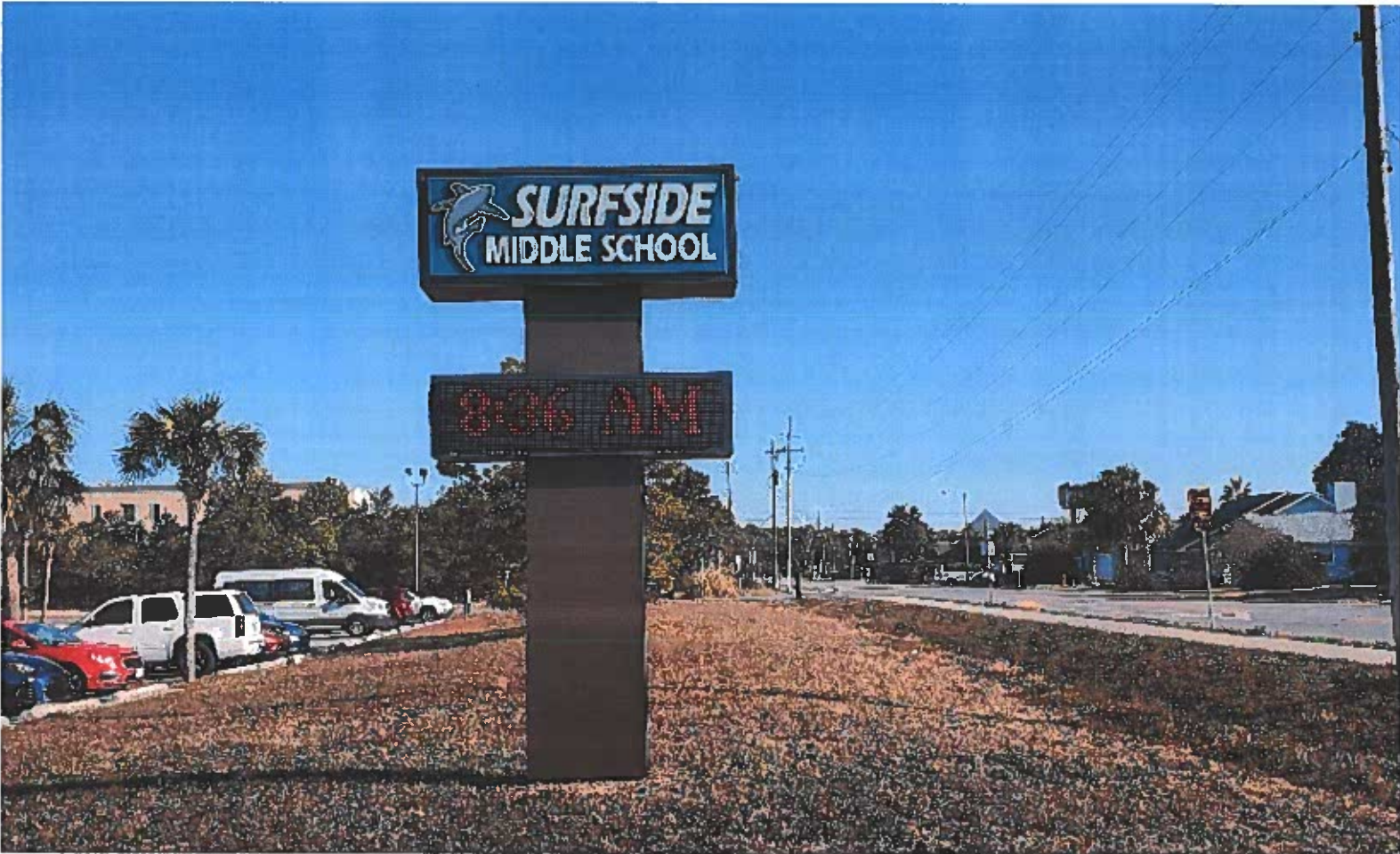









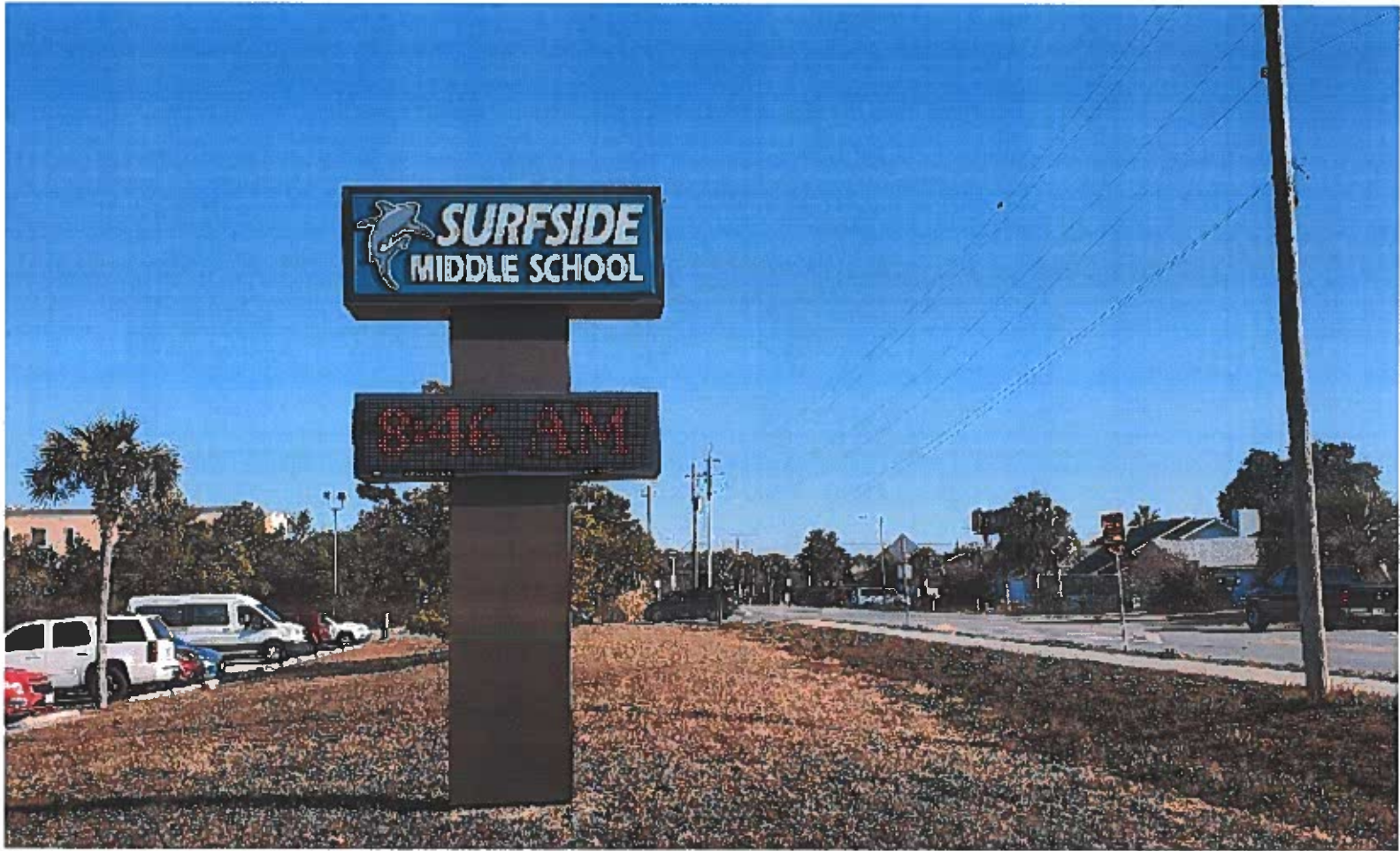







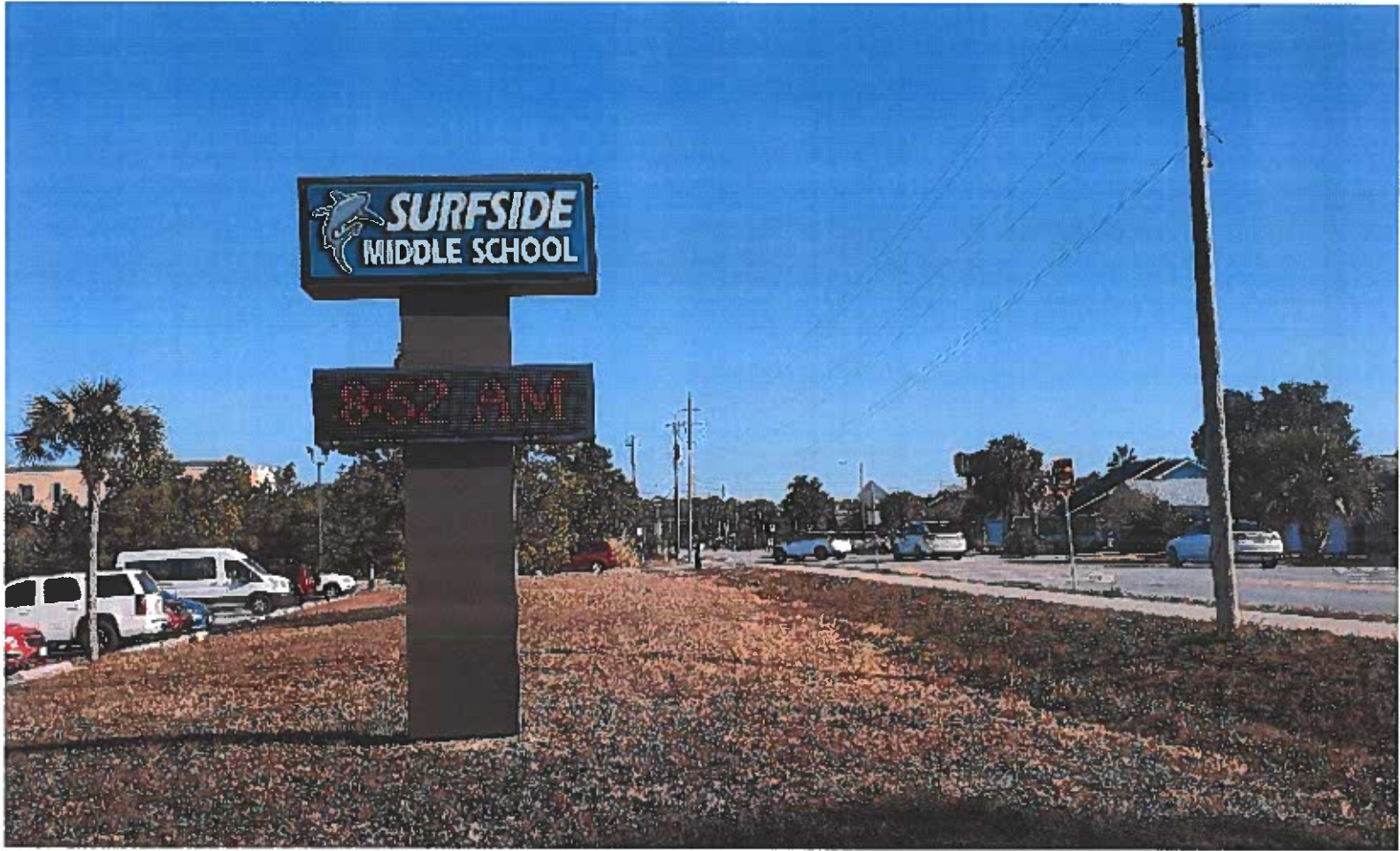
 **SURFSIDE**  
MIDDLE SCHOOL

8:46 AM




 **SURFSIDE**  
MIDDLE SCHOOL

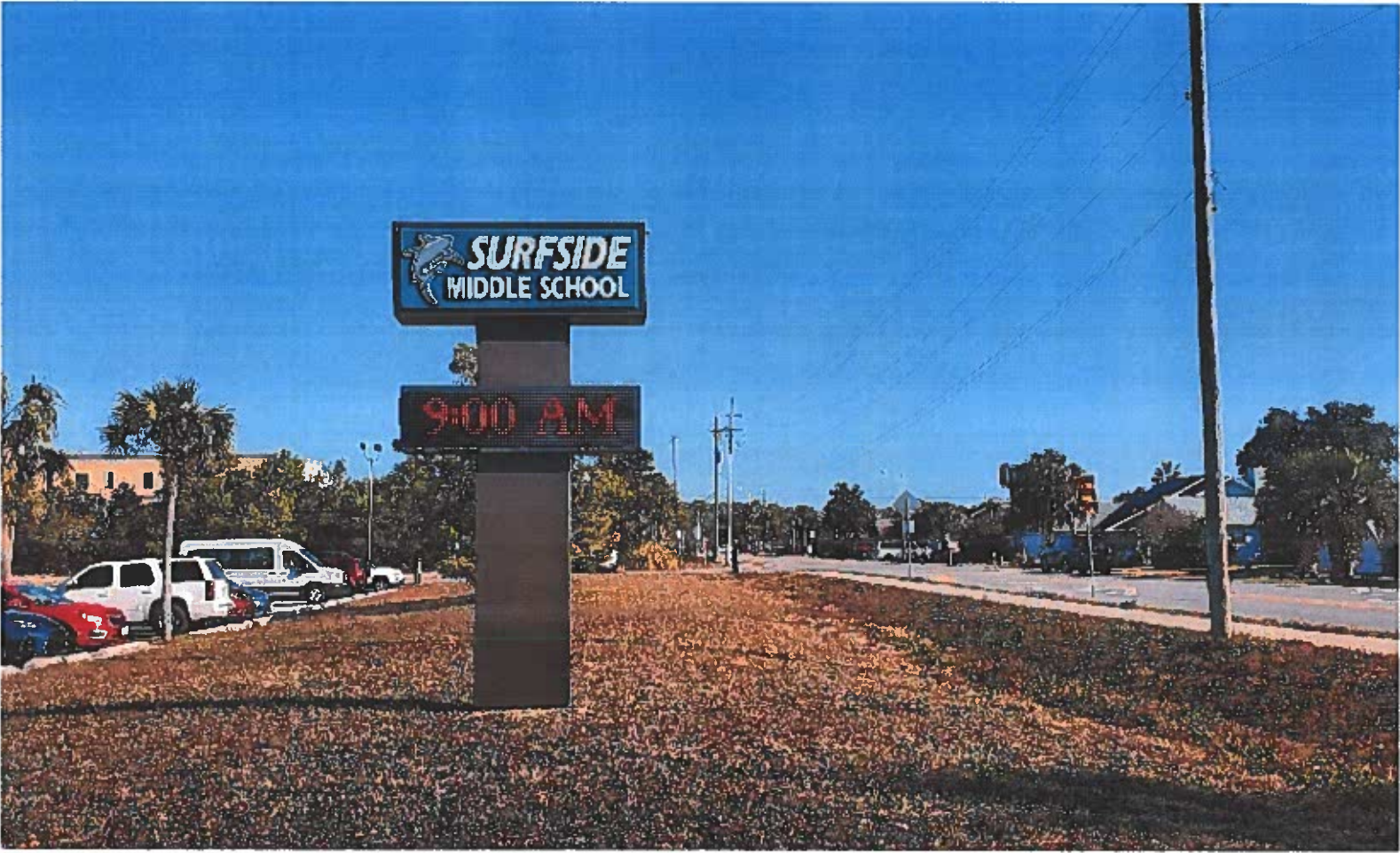
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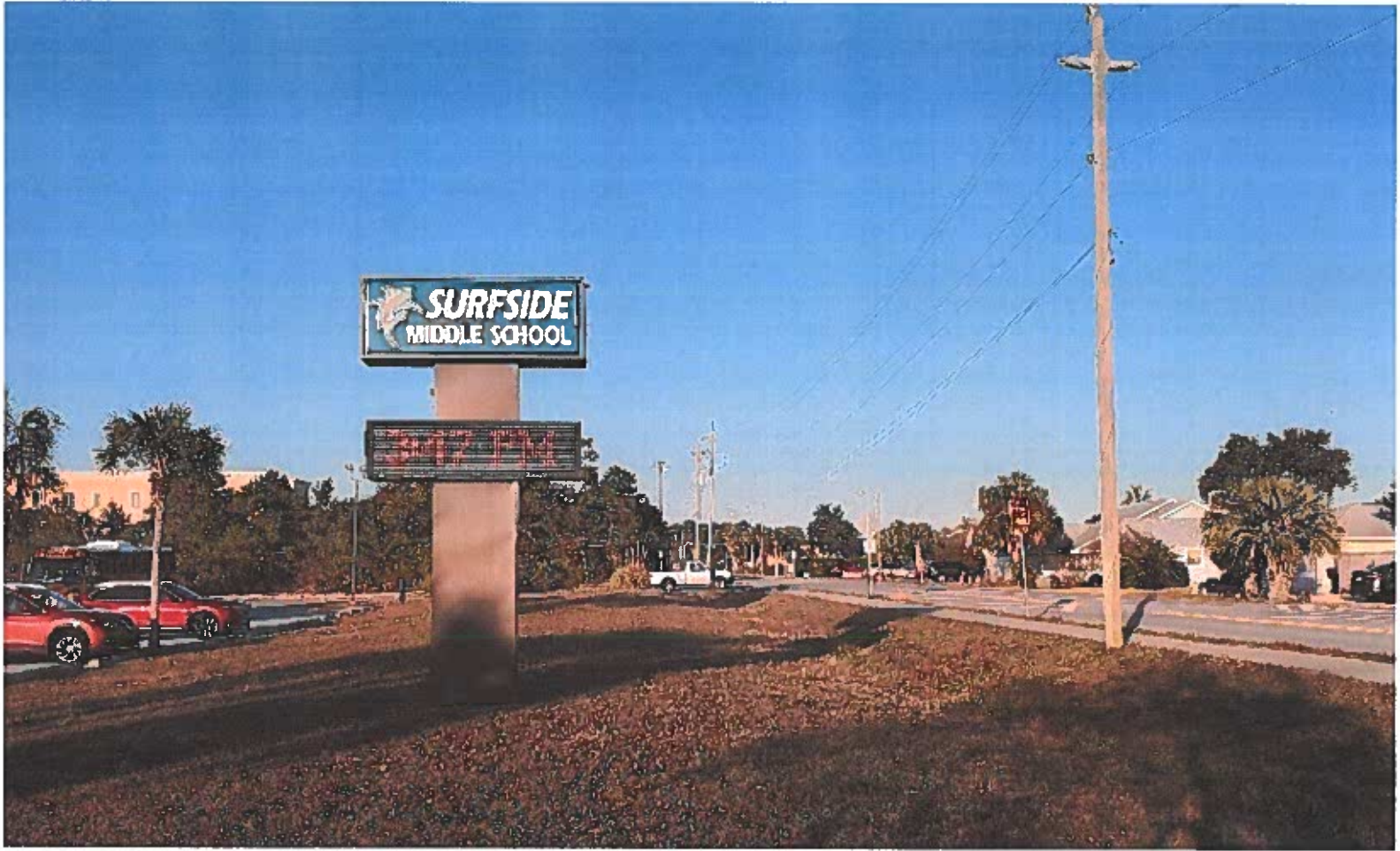


 **SURFSIDE**  
MIDDLE SCHOOL

9:00 AM









## **DATA AND ANALYSIS**

**APPLICANT:** Nissim Afuta

**PROJECT ADDRESS:** 13951 Panama City Beach Parkway  
Parcel ID # 33830-306-000

**ZONING DISTRICT:** CH

### **REQUESTED ACTION:**

- **Section 4.04.01.B.7** states: "Where proposed Development in a non-residential zoning district abuts two (2) Streets and where that portion of any such Street abutting the non-residential Development also abuts any Residential zoning district, Access to the non-residential Development shall be provided only from the Street not abutting a Residential district."

The applicant is requesting a variance from LDC Section 4.04.01.B.7 to access the proposed commercial development across from a residentially zoned parcel. See attached zoning map and proposed site layout plan.

### **REASON FOR REQUEST:**

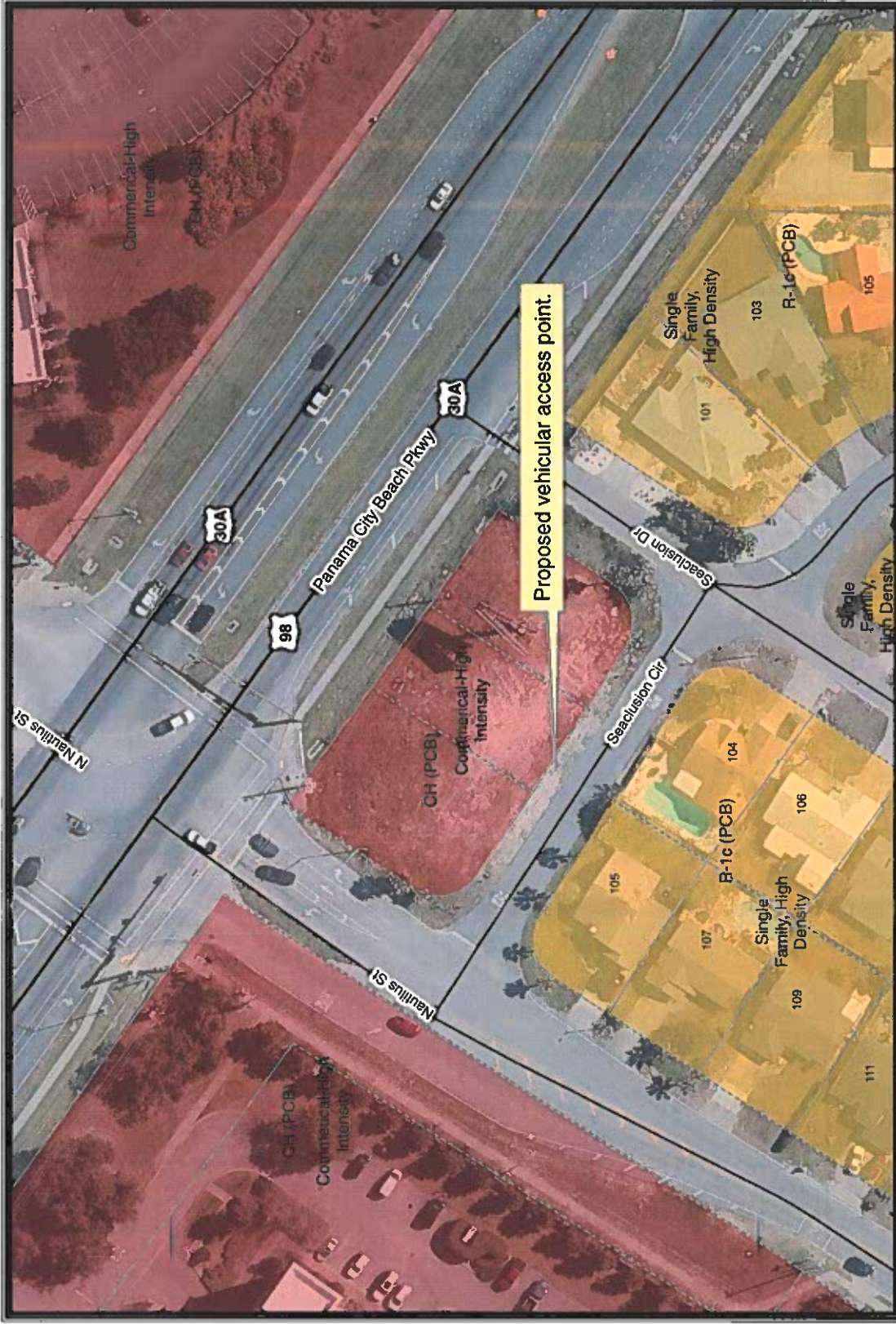
- FDOT will not allow access from PCB Parkway because the site is too close to Nautilus St.
- Access from Nautilus St. is partially blocked by a median, is too close to the intersection and may create dangerous traffic movements.
- The City's land Development Code Section 4.04.01.B.7 does not allow accesses to a commercial use across from a Residential parcel.

**The proposed request is contrary to the following section of the City's Land Development Code:**

- Section 4.04.01.B.7 (included above)

**CONCLUSION:** Based on the unusual circumstances of the subject parcel and recommendations of the City's transportation consultant and the Public Works department to approve the variance (see attached), staff has no objections to the request.





Proposed vehicular access point.

- Legend**
- PCB, Parcels
  - Major Road
  - Minor Road
- Zoning, PCB**
- Commercial - Low Intensity (CL)
  - Commercial - Medium Intensity (CM)
  - Commercial - High Intensity (CH)
  - Single Family, Low Density (R-1a)
  - Single Family, Medium Density (R-1b)
  - Planned Unit Development (PUD)
  - Single Family, High Density (R-1c)
  - Residential - Zero Lot Line (R0)
  - Light Industry (M-1)
  - Recreation (R)
  - Conservation (C)
  - Agricultural and Rural Residential (AR)
  - Townhouse (RTH)
  - Limited Multi-family (R-2)
  - Unlimited Multi-family (R-3)
  - Commercial - High Intensity (CH)
  - Public Facilities (PF)



Prepared by The  
City of Panama City Beach  
Planning Department

## Charles Silky

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**From:** Kelly Jenkins  
**Sent:** Friday, August 21, 2020 6:50 AM  
**To:** Charles Silky; Mel Leonard  
**Cc:** Wyatt Rothwell  
**Subject:** FW: Re: Fwd: US # 98

The message below is from our traffic mgmt expert. I don't know if they could get a variance for access off of the other sides of the property? Or what about a right in from Nautilus and left out only on Seaclusion Drive?

---

**From:** Phillip Kurth <pkurth@fteinc.net>  
**Sent:** Thursday, August 20, 2020 4:25 PM  
**To:** Kelly Jenkins <kjenkins@pcb.gov>  
**Subject:** RE: Re: Fwd: US # 98

**[CAUTION]** This email originated from outside of the organization. Do not follow guidance, click links, or open attachments unless you recognize the sender and know the content is safe.

I definitely have safety concerns with a left out maneuver, which will happen even if it is posted for No Left Turn. With the merge condition, plus school traffic, plus the additional Bay Parkway traffic, I foresee motorists taking refuge in the gore area which is not good. In addition, there are going to be issues with vehicles accessing the northbound left turn lane to go west on US 98. Is there any way they can rotate the parking 90 degrees and access from Seaclusion Circle?

We were trying to figure out what to do with this proposed development's access... Since I believe you are working on our access mgmt plan right now, I thought I'd reach out to you for an opinion. I believe the big issue is that FDOT won't give them access to BBR and the two side streets abut residential zoning. I think that Seaclusion Drive is one way to the north right now adjacent to this property only. Please let me know what you think if you have a chance soon?

Thanks,  
Kelly

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**From:** Wyatt Rothwell <[wrothwell@pcb.gov](mailto:wrothwell@pcb.gov)>  
**Sent:** Thursday, August 20, 2020 1:04 PM  
**To:** Kelly Jenkins <[kjenkins@pcb.gov](mailto:kjenkins@pcb.gov)>  
**Subject:** FW: Re: Fwd: US # 98

Wyatt Rothwell, E.I.  
Public Works Engineer I  
City of Panama City Beach  
116 S. Arnold Road  
Panama City Beach, FL. 32413  
(850) 233-5100, Ext. 2421 (Office)  
[www.pcb.gov.com](http://www.pcb.gov.com)



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**From:** Charles Silky <[csilky@pcb.gov](mailto:csilky@pcb.gov)>  
**Sent:** Wednesday, August 19, 2020 8:36 AM  
**To:** Ron Rogers <[rrogers@coastalpermit.org](mailto:rrogers@coastalpermit.org)>  
**Cc:** Wyatt Rothwell <[wrothwell@pcb.gov](mailto:wrothwell@pcb.gov)>  
**Subject:** RE: Re: Fwd: US # 98

That may work, with a right in right out. I forwarded the plan to Wyatt for his input.

---

**From:** Ron Rogers <[rrogers@coastalpermit.org](mailto:rrogers@coastalpermit.org)>  
**Sent:** Wednesday, August 19, 2020 8:26 AM  
**To:** Charles Silky <[csilky@pcb.gov](mailto:csilky@pcb.gov)>  
**Subject:** Fwd: Re: Fwd: US # 98

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## Charles Silky

---

**From:** Wyatt Rothwell  
**Sent:** Thursday, November 19, 2020 2:03 PM  
**To:** Charles Silky  
**Cc:** Kelly Jenkins; Kathy Younce  
**Subject:** Driveway: Nautilus Street Retail Center  
**Attachments:** Driveway Recommendations\_Nautilus Street Retail Center\_20201119.pdf; FW: Re: Fwd: US # 98

Charles,

Public Works Engineering Staff has discussed the driveway off of Nautilus for Nautilus Street Detail Center located near the intersection of Nautilus Street and PCB Parkway. We have recommended that the Engineer of Record, Ron Rogers, approach the Planning Board to request a variance due to safety.

The current proposed location appears to be within 70 feet of Nautilus' street's intersection with PCB Parkway, between the close proximity with this intersection and the further development of Nautilus Commercial North of the Intersection and the soon completion of Bay Parkway Phase 2, this intersection will see a large increase in traffic. The Public Works Engineering staff does not feel that the current proposed location is safe or sustainable. We discussed this driveway access location with Phillip Kurth, P.E. who is doing the Access Management Plan for the City and is an expert in this field of Transportation Engineering. He did not feel that this was a safe location as well and recommended it be relocated off of one of the other streets. (Please see attached email)

Public Works Engineering Staff recommends that the driveway for both ingress and egress be located off of Seclusion Circle. (Please see attached PDF for quick sketch) Specifically midblock so that the alignment of headlights of egress will be pointed at the preexisting privacy fence rather than a window. I called Ron Rogers, the Engineer of Record, to discuss this location change and he said that he was good with this change as long as he had staff support.

Thank you,  
Wyatt

Wyatt Rothwell, E.I.  
Public Works Engineer I  
City of Panama City Beach  
116 S. Arnold Road  
Panama City Beach, FL. 32413  
(850) 233-5100, Ext. 2421 (Office)  
[www.pcbgov.com](http://www.pcbgov.com)



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addresses, or roads...







**CITY OF PANAMA CITY BEACH  
PUBLIC NOTICE OF VARIANCE REQUEST OR APPEAL**

The City of Panama City Beach Planning Board will consider the following request:

**APPLICANT(S):** Nissim Afuta

**ADDRESS/LOCATION:** 13951 PCB Parkway

The Variance/Appeal is being requested because: Accessibility hardship. (SEE ATTACHED NARATIVE)

**MEETING INFORMATION:**

Date: Wednesday, February 10, 2021

Time: 1:00 PM

Place: City Council Meeting Room  
17007 Panama City Beach Parkway  
Panama City Beach

**The applicant for this variance/appeal request is required by the City of Panama City Beach to send you this letter because, the tax rolls show you own property, in whole or in part, within 1 hundred (50) feet of the subject property.**

Any questions you may have regarding this request please contact someone at the City of Panama City Beach Building and Planning Department at 850-233-5100, ext. 2313.



January 15, 2021

City of Panama City Beach  
Building and Planning Department  
**Attention: Surrounding Property Owners**

RE: Request for Variance – Nautilus Street Retail Center (Parcel ID 33930-306-0000)

To Whom It May Concern:

Parcel ID 33930-306-0000 is surrounded on all four sides by the following four roads: US Highway 98, Nautilus Street, Seaclusion Drive & Seaclusion Circle. The strict application of the provisions of the LDC creates the necessity for variance at this location to preserve substantial property right and provide accessibility to the property. The Department of Transportation will not allow access from US Highway 98 due to the limited distance between Nautilus Street and Seaclusion Drive. Nautilus Street access is blocked by a median and would require a U-turn to access the property. Seaclusion Drive is classified as a Residential street, therefore, prohibiting commercial access. And, Seaclusion Circle (accessible via Nautilus Street or Seaclusion Circle) is also classified as a Residential Street, therefore, prohibiting commercial access.

The accessibility hardship encountered at this location has no financial bearing on the project, and we simply seek to establish governmentally approved access to the property through a request for variance. At the recommendation of Public Works Engineer, Wyatt Rothwell, contact was made with Kelly Jenkins, who provided feedback from city traffic management expert, Philip Kurth. Based upon Mr. Kurth's expert opinion and support from the Planning Department, we propose a Variance for access to the property from Seaclusion Circle. Although classified as Residential, Seaclusion Circle is not used to access any residential properties, and neither of the two adjacent residences are facing Seaclusion Circle. The proposed Variance is compatible with the essential character of the district and has minimal impact to the surrounding area; further, the development is frontal to the US Highway 98 corridor with like commercial developments at both neighboring major intersections.

The proposed structure for this development is for less than 3,000 SF single-story retail/office storefront, with significantly lower traffic demand than that of a fast-food establishment or other high-traffic commercial businesses. Granting of this Variance will minimize any ingress or egress hazards, as this development would be the only property accessible via Seaclusion Circle. Additionally, the two neighboring residential properties already have existing privacy fencing along Seaclusion Circle, and we are hoping to further minimize impact by proposing a significant 20' landscape buffer along the entirety of the Seaclusion Circle property line.

90 WRM Circle, Unit 5, Santa Rosa Beach, FL 32459  
Phone (850) 622-0932



We respectfully inform you of this request, and are happy to field any questions or concerns you may have regarding this proposed development.

Sincerely,



**Riley D. Palmer**

*President*

[riley@palmerpropertiesinc.com](mailto:riley@palmerpropertiesinc.com)

90 WRM Circle, Unit 5, Santa Rosa Beach, FL 32459  
Phone (850) 622-0932







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SOUTHERN  
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# ITEM NO. 6





# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Building and Planning / Charles Silky

2. MEETING DATE:

February 10, 2021

3. REQUESTED MOTION/ACTION:

It is requested that the Planning Board consider Section 12 (Definitions) and Section 13 (Public School Facility Element) of the Comprehensive Plan and make any needed revisions.

4. AGENDA

- PRESENTATION
- PUBLIC HEARING
- CONSENT
- REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES  NO  N/A   
 DETAILED BUDGET AMENDMENT ATTACHED YES  NO  N/A

6. IDENTIFY STRATEGIC PRIORITY

- Financial Health
- Economic Development
- Quality of Life
- Public Safety
- Transportation
- Attractive Community
- N/A

7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?

Attached are the draft Sections 12 and 13 of the City's adopted Comprehensive Plan. Section 12 is not meant to be an exhaustive list of definitions but just some that are necessary to provide clarity as they are used in some sections of the Plan. Section 13 is no longer required by the State however, Staff wishes to include a revised version to maintain an established procedure of communication with the School Board staff. Communication with the School Board enables them to plan for future school age populations and benefits the City by knowing the School Board will have plenty of time to create a financially feasible plan that accommodates the growth of the community.

## **SECTION 12**

### **DEFINITIONS**

**Section 12.1 Definitions:** The definitions found in Chapter 163, Part II, F.S. , ~~Rule 9J-5, F.A.C.~~, and Chapter 509.242, F.S. are hereby adopted by reference.

**Section 12.2:**

**Condominium:** A multiple family dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of state and local laws.

**Duplex (Two Family Duplex):** A detached building designed for or occupied exclusively by two (2) families only living independently of each other.

**Floor Area Ratio:** The gross floor area of all buildings or structures on a lot or parcel divided by the total lot area of the lot or parcel. Floor area ratio does not apply to those portions of structures dedicated to vehicular use.

**Hotel Apartment:** A building designed for or containing both apartments and individual hotel guest rooms under resident supervision (maintaining) an inner lobby through which all tenants must pass to gain access to apartment and hotel rooms.

**Impervious Surface Ratio:** Any surface or material which prevents the absorption of water into land, including buildings, structures, and pavement. Impervious surface includes pools.

**Multi-Family Dwelling:** A structure or group of structures on a parcel or building lot designed for occupancy by three (3) or more families living independently of each other and which individually or collectively comprise three (3) or more apartments.

**Single Family Dwelling:** A detached building designed for or occupied exclusively by one family as a housekeeping unit.

**Section 12.3:** The Land Development Code will contain any other specific definitions germane to any items within the Land Development Code.

## SECTION 13

### PUBLIC SCHOOL FACILITY ELEMENT

**GOAL:** Through coordination provide adequate educational public facilities to school-aged children in Panama City Beach based on district-wide consistent measures.

#### **GENERAL STRATEGY**

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The general strategy for implementation of this element is to:

**Objective 13.1:** The City shall implement and maintain mechanisms designed to closely coordinate with the School Board in order to provide consistency between the Panama City Beach Comprehensive Plan and Bay District Schools public school facilities programs, such as:

- A. Greater efficiency for the School Board and the City by the placement of schools to take advantage of existing and planned roads, water, sewer, parks, and drainage systems;
- B. Improved student access and safety by coordinating the construction of new and expanded schools with road and sidewalk construction programs;
- C. The location and design of schools with parks, ball fields, libraries, and other community facilities to take advantage of shared use opportunities; and,
- D. The expansion or rehabilitation of existing schools so as to support neighborhoods.
- E. The City and the School Board will coordinate annual updates to the capital improvement schedules and comprehensive plan updates and amendments for School Board facilities to address necessary projects that achieve and maintain adopted level of service.

**Policy 13.1.1:** The City shall include a representative of the school district, appointed by the School Board, as a nonvoting member of the local planning agency, as required by Section 163.3174, Florida Statutes.

**Policy 13.1.2:** The City shall coordinate with the School Board and all applicable municipalities regarding annual review of school enrollment projections, and procedures for annual update and review of school board and local government plans consistent with the Interlocal Agreement for Public School Facility Planning and Concurrency and the Intergovernmental Coordination Element as provided in the interlocal agreement.



**Objective 13.2:** Enhancement of Community Design - Support the School Board in its effort to provide for appropriate school facility locations.

**Policy 13.2.1:** The City of Panama City Beach will continue to coordinate with the School Board to assure that proposed public school facility sites are consistent with the land use categories and policies of the City Comprehensive Plan.

**Policy 13.2.2:** The City shall coordinate with the Bay District School Board to encourage the location of schools in proximity to or within residential areas, seek through joint ventures to meet recreation needs by the co-location of public facilities, such as parks, libraries, and community centers, with schools to the extent possible.

**Policy 13.2.3:** Consistent with Section 163.3177, Florida Statutes, the City will include sufficient allowable land use designations for schools approximate to residential development to meet the projected needs for schools.

**Policy 13.2.4:** The City and the School Board, in conjunction with the Bay County Transportation Planning Organization, will work to find opportunities to collaborate on transit and bus routes to better serve citizens and students.

**Objective 13.3:** Community Focal Points - Encourage school facilities to serve as community focal points.

**Policy 13.3.1:** New elementary schools should be located proximate to current and future residential areas to promote safety and walkability for children to schools and to the public for community use. Exceptions include those instances when the environmental characteristics of the land, including but not limited to flood zones, Coastal High Hazard Areas, or wetlands, prevent such location from occurring.

**Policy 13.3.2:** Locate and design schools in close proximity to existing or future parks, ball fields, libraries, and other community facilities to take advantage of shared use opportunities.

**Policy 13.3.3:** The City and School Board shall coordinate the location of shared-use and co-location of school sites and City facilities with similar facility needs, such as libraries, parks and recreation facilities, when the opportunity exists.

**Policy 13.3.4:** The City and School Board will continue to coordinate efforts to design and build new school facilities, and facility rehabilitation and expansions, to serve as emergency shelters as required by Section 163.3177, Florida Statutes. Panama City Beach will continue to fulfill the requirements of Section 1013.372, Florida Statutes, such that as appropriate new educational facilities will serve as public shelters for emergency management purposes and shall coordinate with the School Board regarding emergency preparedness issues and plans.

**Objective 13.4: Safe Ways to School - The City shall promote Safe Ways to Schools.**

**Policy 13.4.1:** All public schools shall provide parking, bicycle and pedestrian access consistent with Florida Statutes and the adopted Land Development Code.

**Policy 13.4.2:** The policy of the City is to reduce hazardous walking conditions, consistent with Florida's Safe Ways to School program and 1006.23, Florida Statutes.

**Policy 13.4.3:** New developments and redevelopment adjacent to school properties shall be required to provide a dedicated public access path paved to City specifications for pedestrian travel to existing and planned school sites.

**Policy 13.4.4:** New developments and redevelopment adjacent to pedestrian facilities which connect to a school's pedestrian network shall be required to include within the development publicly accessible pedestrian facilities designed and constructed to City specifications which connect to the neighborhood's existing pedestrian network.

**Policy 13.4.5:** In order to ensure continuous pedestrian access to public schools, priority will be given to cases of hazardous walking conditions pursuant to Section 1006.23, Florida Statutes, and specific provisions for constructing such facilities will be included in the schedule of capital improvements adopted each fiscal year as financially feasible. It is the intention of this policy that the City of Panama City Beach and the School Board coordinate the development of their capital improvements programs to maximize the effectiveness of their limited financial resources in reducing hazardous walking conditions.

**Policy 13.4.6:** Coordinate with the TPO Long Range Transportation Plans to ensure funding for safe access to schools including: development of sidewalk inventories and list of priority projects coordinated with the School Board recommendations are addressed.

**Policy 13.4.7:** Coordinate with the School Board to continue to permit the shared-use and co-location of school sites and City facilities with similar facilities needs, according to the Interlocal Agreement for Public School Facility Planning and Concurrency for Panama City Beach, as it may be amended. Coordinate in the location, phasing, and design of future school sites to enhance the potential of schools as recreation areas.

**Objective 13.5: School Capacity and Concurrency - Coordinate petitions for changes to future land use, zoning, subdivision and site plans for residential development with adequate school capacity to ensure adequate school capacity is available to residential development consistent with adopted level of service standards for public school concurrency.**

**Policy 13.5.1:** The City and school board may utilize tiered level-of-service standards to allow time to achieve an adequate and desirable level of service as circumstances warrant.

**Policy 13.5.2:** School Concurrency shall apply on a districtwide basis so that a concurrency determination for a specific development will be based upon the availability of school capacity districtwide.

**Policy 13.5.3:** Consistent with the Interlocal Agreement, the City and the School Board agree to use common standards for school concurrency.

**Policy 13.5.4:** The level of service standards by type of school shall be as depicted in Table 13.1.

Table 13.1 Level of Service Standards	
Type of School	Level of Service
Elementary	100% of permanent FISH capacity
Middle	100% of permanent FISH capacity
High	100% of permanent FISH capacity

FISH - Florida Inventory of School Houses

**Policy 13.5.5:** The following student generation rates, as noted in Table 13.2, shall be utilized when determining school concurrency:

**Table 13.2 Student Generation Rate Per Unit Multipliers**

Single Family	0.1704
Mobile Homes	0.1618
Multi-Family	0.1508
Condominium	0.0070

**Policy 13.5.6:** The Department of Education permanent Florida Inventory of School Houses (FISH) capacity is adopted as the uniform methodology to determine the capacity of each school. Relocatables shall not be considered



permanent capacity.

**Policy 13.5.7:** School enrollment shall be based on the annual enrollment of each school based on actual counts reported to the Department of Education in October of each year.

**Policy 13.5.8:** The School Board and the City shall utilize the district-wide student population projections which are based on information produced by the demographic, revenue, and education estimating conferences pursuant to Section 216.136, Florida Statutes, as modified by the School Board, taking into consideration future land use map projections of housing units for future growth and development of residential units within each Concurrency Service Area. The City and School Board shall coordinate and base their plans on these projections, and shall consider the projected impacts of local development trends within the School Board's long range facilities needs over the 5, 10, and 20-year periods.

**Objective 13.6:** Monitoring and Evaluation - Continually monitor and evaluate the Public Schools Facilities Element in order to assure that best practices of the joint planning processes and procedures for coordination of planning and decision-making are being utilized.

**Policy 13.6.1:** The City and the Bay County School Board will coordinate during updates or amendments to this comprehensive plan and updates or amendments to the long-range plans for School Board facilities.

**Policy 13.6.2:** The City shall provide to the School Board the following information as available, to facilitate adequate monitoring of this Element:

- A. Geo-referenced building permit and certificate of occupancy data;
- B. Summary of actions on preliminary and final plats; and
- C. Summary of site development plan approvals for multi-family projects.

**Policy 13.6.3:** By January 31<sup>st</sup> of each year, the City shall provide the School Board with a report on growth and development trends within the City of Panama City Beach. The report shall include, to the extent available:

- A. The type, number, and location of residential units which have received development order approval;
- B. The identification of any development orders issued which contain a provision for school siting; and

- C. Any additional information related to number of residential dwelling building permits for the preceding year, future land use map amendments, and population projections.

# ITEM NO. 7





# CODE ENFORCEMENT

**January 2021**

December 22, 2020-January 25, 2021



# January Violation Status

Code	Description	Closed	Open	Total
5-7	Nuisance Dogs	1		1
7-9	Animals Prohibited on Beach	27		27
8-7	Building Maintenance		5	5
8-32 (A)	Building Permit Required	2	1	3
12-4	Garbage & Trash: Prohibited Practices	19	18	37
12-4 (5)	Wet Trash	1		1
12-5	Visible Dumpster		1	1
12-6	Litter	1	2	3
12-7	Requirement to Keep Property Free of Litter	3	5	8
14-2	Failure to Pay BTR 1%	2	2	4
14-28	Failure to Report BTR 1%		9	15
15-18, 15-17 (2)	Unlawful Storage of Junked Automobiles		1	1
15-18, 15-17 (3)	Abandoned Material: Detrimental Conditions	8	20	28
15-18, 15-17 (5)	Abandoned Material: Threat to Public Health/ Safety	2	13	15
15-18, 15-17 (6)	Grass/ Weeds Overgrowth	1	5	6
15-18, 15-17 (7)	Stockpiling Construction Material	1		1
19-152	ROW Permit Required		2	2

(Continued to next page)





# January Violation Status

Code	Description	Closed	Open	Total
22-47	Abandoned Vehicles	4	6	10
2.03.02, LDC	Unpermitted Use of Trailer and Mobile Homes/ Unpermitted Use of Land	1	2	3
2.04.01 (G)(2), LDC	Impervious Coverage		1	1
3.05.07, LDC	Obstruction of Drainageways		5	5
3.05.08, LDC	Uncontrolled Stormwater Runoff and Grading		3	3
3.05.11, LDC	Drainage and Stormwater Management Plan		1	1
3.05.22, LDC	Failure to Maintain or Control Stormwater		5	5
3.05.23 (D), LDC	Altered Existing Drainage System		2	2
4.02.04, LDC	Failure to Maintain Performance Standards Within Zoning District		2	2
4.08.01, LDC	Land Clearing Permit Required	1		1
5.02.03, LDC	Damaged Fence		8	8
5.02.04, LDC	Dumpster Screening Required		1	1
5.03.01, LDC	Temporary Uses and Structures		2	2
5.07.05, LDC	Sign Standards	1	2	3
10.01.02, LDC	Use of Land Without Development Order/ Building Permit	1	1	2
<b>Total</b>		<b>82</b>	<b>125</b>	<b>207</b>

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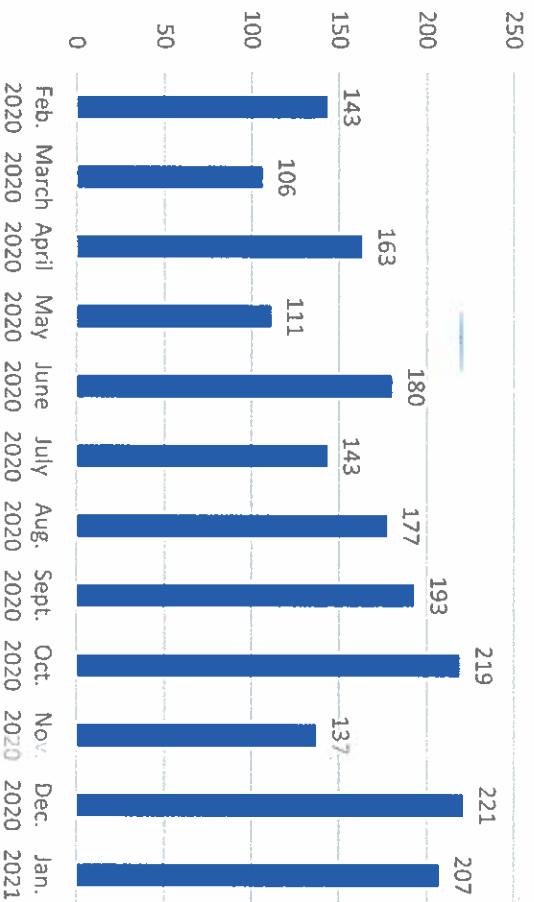




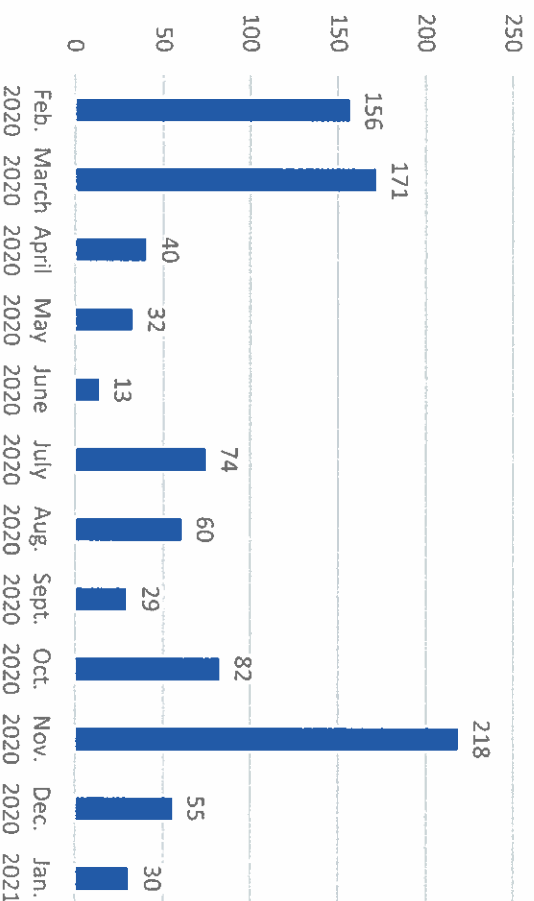
# Violation Summary

In January 2020, 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 Division issued 207 violations.

Total Violations



ROW Sign Violations





# Fees Collected: Citations & Liens

Citation Date	Violation	Citation/ Abatement Fees	Amount Paid	Officer	Budget Fund
12/17/2020	Failure to Pay BTR 1%	\$200.00	\$200.00	JM	GF
12/17/2020	Failure to Pay BTR 1%	\$200.00	\$200.00	JM	GF
12/8/2020	Litter	\$250.00	\$250.00	LS	GF
6/26/2020	Odor Drifting Beyond Property Line	\$500.00	\$508.30	LS	CRA
9/24/2020	Grass/ Weeds Overgrowth	\$100.00	\$100.00	JM	GF
8/13/2020	Trash	\$250.00	**\$200.00	JM	CRA
12/30/2020	Litter	\$250.00	\$250.00	LS	GF
1/8/2021	Litter	\$250.00	\$250.00	LS	GF
8/13/2020	Trash	\$250.00	**\$50.00	JM	CRA
3/18/2020	Damaged Fence	\$100.00	\$2,055.60	JM	GF
1/20/2021	Dog on Beach	\$50.00	\$50.00	LS	GF-BCH
12/30/2020	Damaged Fence	\$100.00	\$100.00	JM	GF
<b>Totals</b>		<b>\$2,500.00</b>	<b>\$4,213.90</b>		

(Includes fees collected for all citations and liens December 22, 2020- January 25, 2021.)

\*Mitigation

\*\* Partial Payment

**ITEM NO. 8**

**Discussion Only**