

ORDINANCE NO. 1546

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE RELATED TO PUD MASTER PLANS; CLARIFYING THE STANDARDS FOR OPEN SPACE, TRAFFIC IMPACTS AND IDENTIFICATION OF ENVIRONMENTAL FEATURES; 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 4.02.05 of the Land Development Code of the City of Panama City Beach related to PUD District Standards is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

4.02.05 Planned Unit *Development* (PUD) District Standards

- A. A planned unit development (*PUD*) is a zoning district intended to provide for flexible site design. The purpose and intent of establishing the *PUD* district are to provide procedures and standards that encourage a mixture of *Uses* anywhere in the City that are functionally integrated and that encourage innovation and imagination in the planning, design and *Development* or *Redevelopment* of tracts of land under *Single Unified Ownership or Control*.
- B. A property owner has no legal right for approval of a Master Plan. Rather, the City shall approve a *PUD* Master Plan only when it has determined that the applicant has demonstrated, to the satisfaction of the City, that the *PUD* Master Plan provides a sufficient public benefit to justify allowing the property owner to deviate from otherwise applicable minimum requirements of the *LDC*.
- C. A *PUD* shall include at least one (1) *Residential Use* and one (1) non-residential *Use*. At least three (3) *Uses* shall be included in the *PUD*. Each *Use* shall comprise at least ten (10) percent of the total land area of the *PUD* and shall be selected from the following list. Acreage dedicated to *Streets*,

stormwater and other common spaces shall not be utilized in the calculation of the 10% percent lot minimum.

1. **Single Family Residential;**
2. **Multi-family Residential;**
3. **Retail Sales or Services** or **Personal Services;**
4. **Silviculture;**
5. **Public Uses;**
6. **Recreation** or **Open Space;** or
7. **Light Industry**, provided the Planning Board determines that the activity has a minimal impact and is subordinate in size and intensity to at least one (1) other land **Use** within the **PUD**.

D. Development of each **Use** in a **PUD** shall comply with the provisions for the most restrictive zoning district classification in which that **Use** is allowed unless the **City** approves deviations from the strict application of requirements of the applicable zoning district classifications. The **City** may approve such deviations when it determines that the **Development** protects the public interest and provides a public benefit. For purposes of this section, examples of a public benefit include, but are not limited to: dedication for parks and beach access; protection of environmentally sensitive resources; or the provision of extra **Open Space**, buffering and landscaping.

E. Deviations in design standards may be approved for the following:

1. **Lot** area and **Lot** dimensions, so long as the **Development** conforms to the maximum density and intensity established for the site. The maximum density and intensity of the site shall be that permitted by the underlying zoning district. The maximum density shall only be applicable to those areas designated as **Residential** on the approved Master Plan. Acreage designated as non-residential on the Master Plan may not be Used in the calculation of **Residential** density. The maximum intensity shall only be applicable to those areas designated as non-residential on the approved Master Plan. Acreage designated as **Residential** on the Master Plan may not be Used in the calculation of non-residential intensity. **Residential Uses** may be permitted by the Planning Board within non-residential areas (as shown on an approved Master Plan) subject to a limitation of the intensity standard of the underlying zoning district. Density shall not apply to **Residential Uses** within non-residential area as shown on the Master Plan.
2. Parking requirements. See section 4.05.00.
3. **Sign** standards for the area, number and size of signs may be modified subject to the approval of a master signage plan that establishes a coordinated signage program within the **PUD**.

4. Roadway and **Access** standards. All sites within a Planned Unit **Development** shall provide at least one vehicular **Access** and at least one pedestrian and bicycle **Access** to at least one other portion of the Planned Unit **Development**.
 5. **Setback** requirements, provided that a minimum **Setback** of twenty-five (25) feet shall be required when non-residential **Development**, **Multi-family Development** or **Townhomes** within the **PUD** is proposed to abut land zoned or Used for **Single Family Residential Development** outside of the **PUD**.
- F. A **PUD** district shall be established by **Rezoning** and simultaneous approval of a **PUD** Master Plan for the entire area **Rezoned**, both according to the procedures established in Chapter 10. In order to approve a **PUD** Master Plan or any revision thereto the Planning Board must determine that the following conditions (among others it deems appropriate) are met by the applicant:
1. The planned **Development** is consistent with the Comprehensive Plan;
 2. The planned **Development** is coordinated rather than an aggregation of individual and unrelated **Buildings** and **Uses**;
 3. The planned **Development** incorporates a compatible mix of **Residential** and **non-residential Uses**;
 4. The planned **Development** incorporates three **Uses** meeting the required minimum proportions;
 5. The applicant is providing sufficient public benefit to allow the applicant to deviate from the regulations for **Development** of the **Uses** in the city's base zoning districts; and
 6. All land included for purpose of **Rezoning** to a **PUD** zoning district encompasses at least 5 acres and is owned or under the control of the applicant.
 7. The planned **Development** is compatible with existing **Development** abutting the proposed **PUD** district as demonstrated by the following factors, considered from the point of view of the abutting **Development**:
 - (a) Existing **Development** patterns;
 - (b) Scale, mass, height and dimensions of existing **Buildings**;
 - (c) Total density and density transitions;
 - (d) Intensity, as measured by floor area ratio and transitions;
 - (e) Extent and location of parking, **Access** points and points of connectivity to surrounding neighborhoods;
 - (f) Amount, location and direction of outdoor lighting;

- (g) Extent and location of *Open Space*; including details of its useability, whether it is or will be landscaped and other sufficient information to determine the types of activities to occur and any value the space may have as a buffer; and
 - (h) The location of *Accessory Structures* such as dumpsters, recreational equipment, swimming pools or other structures likely to generate negative impacts such as noise, lights or odors;
 - (i) Sufficiency of *Setbacks* to mitigated potential nuisances; and
 - (j) Proximity and use of all areas that will be utilized for any purpose other than landscaping;
8. The planned *Development's* traffic impact is reasonably mitigated by calculation of the proportionate share transportation mitigation fee and careful planning of all *Access Connections* and other similar traffic improvements.
9. The applicant identifies the location of all flood zones, wetlands, protected habitats and other similar environmental features and how each is to be addressed in the planned *Development*.

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 8th day of April, 2021.


MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this 9th day of April, 2021.


MAYOR

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