

**CITY OF PANAMA CITY BEACH  
PLANNING BOARD**

**MEETING DATE:** October 12, 2022  
**MEETING TIME:** 1:00 P. M.  
**PLACE:** City of Panama City Beach City Hall

**AGENDA**

- ITEM NO. 1** Call to Order and Roll Call
- ITEM NO. 2** Pledge of Allegiance – Mr. Register
- ITEM NO. 3** Approval of September 14, 2022, Planning Board Meeting Minutes
- ITEM NO. 4** Public Comments-Non-Agenda Items Limited to Three Minutes
- ITEM NO. 5** Kelly Street PUD Master Plan Modification. S & L Karian Properties is requesting approval to modify the approved Kelly Street PUD. The modifications will specifically be for the portion of the PUD on parcel 35351-090-030 and is approximately 14.47 acres.
- ITEM NO. 6** PCB Motors, LLC is requesting approval for a Small-Scale Plan Amendment and Rezoning Request for a Future Land Use Map change from Single Family Residential to Tourist and a Rezoning from R-1c (Single Family Residential) to CH (Commercial High Intensity). The subject parcel is located at Dogwood Street and Panama City Beach Parkway (parcel 34002-050-000). The request is made for approximately .165 acres of the subject parcel.
- ITEM NO. 7** The City of Panama City Beach is requesting approval for an Annexation Small-Scale Plan Amendment to Public Facilities (PF) from Bay County General Commercial (C-3) and Future Land Use Map change to Public Building & Grounds from

**Bay County General Commercial (GCOM) designation. The parcel is located at Alf Coleman Road (parcel 34034-010-001) and is approximately 3.21 acres.**

**ITEM NO. 8      Capital Improvement Schedule**

**ITEM NO. 9      LDC Chapter 7 Front Beach Overlay Edits**

**ITEM NO. 10     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 233-5100. 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

850-233-5100 ext. 2429

Fax: 850-233-5049

Email: [planningdivision@pcbfl.gov](mailto:planningdivision@pcbfl.gov)

## PUD MASTER PLAN OR MODIFICATION

LDC Section 4.02.05 & 10.02.05

Application Submittal Requirements: LDC Section 10.02.01

Property Owner(s) Name: S & L Karian Properties, LLC

Address: 101 Mattie Kelly Blvd.

City: Destin State: FL Zip 32541

Email: skarian341@gmail.com Telephone: \_\_\_\_\_ Cell: (850) 586-1100

Name of Acting Agent: John Henderson / Mike Burke

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

Application Submittal Requirements: LDC Section 10.02.02

Plan or Plat Preparer Name: Henderson Engineering & Consulting, LLC

Address: 27 Turquoise Beach Dr

City: Santa Rosa Beach State: FL Zip 32459

Email: admin@hendersoncivilengineering.com Telephone: (850) 660-1770 Cell: (850) 699-0951

Date of Preparation: \_\_\_\_\_ Date(s) of any modifications: \_\_\_\_\_

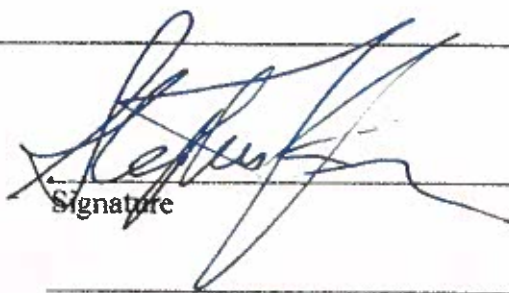
Legal Description: (Consistent with the Required Survey) -please attach to application

Survey (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 10 copies.

A vicinity map showing the location of the property and the Future Land Use Map designation for the property.

### APPLICANTS SIGNATURES:

Stephan Karian  
Print Name of Applicant

  
Signature

9/19/22  
Date

\_\_\_\_\_  
Print Name of Applicant

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Payment Fee: \$800.00 Application Type: PUD Mast Plan  / Modification  Date Collected: 9/22/2022



**Agent Affidavit / Special Power of Attorney**

STATE OF FLORIDA COUNTY OF BAY

KNOW ALL MEN BY THESE PRESENTS, that I Stephan Karian am presently the owner and/or leaseholder of Parcel ID#35351-090-030 and desiring to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do make, constitute and appoint John Henderson whose address is 27 Turquoise Beach Dr County of Walton State of Florida, my Attorney full power to act as my agent in the process of obtaining an Development Order pertaining to Phase 1 - Kelly Street PUD.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary tasks in the execution of aforesaid authorization with the same validity as I could effect if personally present. Any act or thing lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal representative, and assigns.

PROVIDED, however, that any and all transactions conducted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by the said attorney for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my said attorney and the designation "Attorney-in-Fact."

WITNESSES:

Signature: Mia Wolfe

Printed Name: Mia Wolfe

APPLICANT:

Signature: Stephan Karian

Printed Name: Stephan Karian

STATE OF Florida

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by:

Physical Presence

- OR -

Online Notarization

This 4 day of January, 2022, by Jasmine Knox as Notary Public for Stephan Karian.

Printed Name of Notary Public

Jasmine Knox

Signed Name of Notary Public

Jam Knox

Commission

Number: HHH187546

Expiration Date: 10/17/25

(SEAL)



JASMINE Y. KNOX  
Commission # HH 187546  
Expires October 17, 2025  
Bonded Three Budget Notary Services

**Agent Affidavit / Special Power of Attorney**

KNOW ALL MEN BY THESE PRESENTS, that I Stephan Karian am presently the owner and/or leaseholder of Parcel ID#35351-090-030 and desiring to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do make, constitute and appoint Mike Burke whose address is 16215 PCB Pkwy . County of Bay State of Florida, my Attorney full power to act as my agent in the process of obtaining an PUD Modification pertaining to Kelly Street PUD.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary tasks in the execution of aforesaid authorization with the same validity as I could effect if personally present. Any act or thing lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal representative, and assigns.

PROVIDED, however, that any and all transactions conducted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by the said attorney for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my said attorney and the designation "Attorney-in-Fact."

WITNESSES:

Signature: [Signature]  
Printed Name: Kay H Story

APPLICANT:  
Signature: [Signature]  
Printed Name: Stephan Karian

STATE OF Florida

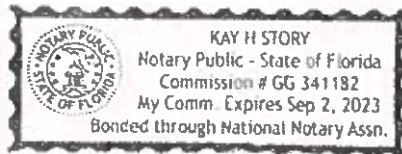
COUNTY OF Walton

The foregoing instrument was acknowledged before me by:

- Physical Presence
- OR -
- Online Notarization

This 22 day of Sept, 2022, by Stephan Karian as owner for Parcel ID # 35351-090-030

(SEAL)



Printed Name of Notary Public

Kay H Story

Signed Name of Notary Public

[Signature]

Commission Number: GG341182

Expiration Date: 09-02-23

# The Village at Sunnyside Beach PUD

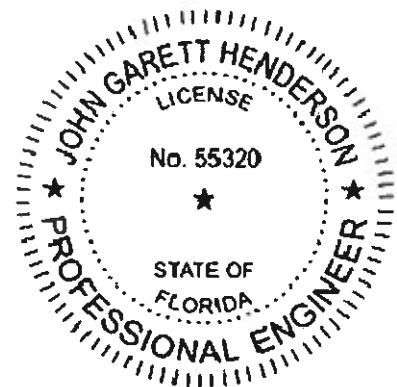
## A Modification of the Kelly Street PUD

September 20, 2022

Prepared for:

S & L Karian Properties, LLC  
101 Mattie Kelly Blvd.  
Destin, FL 32541

Prepared by:



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John G. Henderson, P.E.  
FL. PE No. 55320

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**PARCEL DATA:**

Parcel IDs: 35351-090-030, 35351-090-000, 35351-090-020  
Total Site Area 18.70 acres  
Future Land Use Mixed Use (MU)  
Zoning Planned Unit Development (PUD)  
Existing Use Vacant

Owner / Applicant S&L Karian Properties, LLC  
101 Mattie Kelly Blvd.  
Destin, FL 32541

Owner Terra Global Investments, LLC  
21761 Panama City Beach Pkwy.  
Panama City Beach, FL 32413

Owner Alabama Landmark Corp of FL  
109 Club Way  
Enterprise, AL 32541

Agent John Henderson  
27 Turquoise Beach Dr.  
Santa Rosa Beach, FL 36330

**NARRATIVE OVERVIEW**

The LaBorgata PUD was originally approved on this parcel in around 2006. Construction was initiated on the infrastructure, but was halted by the financial collapse of 2008. Much of the infrastructure was completed at that time. The project has remained stalled until now. The PUD was 18.70 acres total, which included a core area of 14.47 acres and 2 outparcels. The core area of the PUD was comprised of 165 multi-family residential dwelling units and 30,950 square feet of retail sales/service. The multi-family units were made up of 45 townhomes and 120 condominiums. The outparcels were specified as retail sales/service and will remain unchanged.

The core area of the PUD was modified in 2019. The name was changed to the Kelly Street PUD. The 2019 modification included 102 multi-family townhomes on 6.45 acres, 4.73 acres of retail sales/service and 3.28 acres of open space. The new PUD never materialized.

The applicant now requests to modify the 14.47 acres core area of the PUD again. The purpose of the modification is to permit single-family residential as the primary type of residential use; and to permit reconfiguration of buildings, stormwater structures and parking areas. The new PUD will have 67 single-family homes on 6.70 acres, 3.28 acres of open space, and 4.49 acres of retail sales/service with thirty (30) multi-family units above the commercial. The commercial portion of the site plan is conceptual. The building size and placement may change during the final design and marketing. The proposed modification will reduce the density, increase functionality, and provide a more compatible project.

## MIXTURE OF USES

The Kelly Street PUD incorporated 3 different land uses on 14.47 acres as follows:

- Multi-Family Residential – 6.45 acres (44.57%)
- Retail Sales/Service and Personal Service – 4.73 acres (32.71%)
- Open Space – 3.28 acres (22.68%)

The Village at Sunnyside Beach PUD incorporates 4 different land uses on 14.47 acres as follows:

- Single-Family Residential – 6.70 acres (46.30%)
  - The total area of only lots is 3.51 acres (24.26%)
- Open Space – 3.28 acres (22.67%)
- Retail Sales/Service and Personal Service – 4.49 acres (31.03%)
  - Multi-Family Residential – 30 multi-family residential units will be included above the Retail Sales/Service portion of the development.
- The single-family and multi-family residential land uses will allow transient residential rentals.

The distribution of land uses for the entire 18.70 acres PUD is as follows:

- Single-Family Residential – 6.70 acres (35.83%)
  - The total area of only lots is 3.51 acres (18.77%)
- Open Space – 3.28 acres (17.54%)
- Retail Sales/Service and Personal Service – 8.72 acres (46.63%)

## DESIGN STANDARDS

The following table represents a comparison between the residential design standards for The Village at Sunnyside Beach and the Kelly Street PUD.

	Proposed	Existing
	Village @ Sunnyside Beach	Kelly Street
Minimum Lot Area	2,100 sf	1,575 sf
Minimum Lot Width	32'	20'
Front	10' (28' to edge of road)	20' to the edge of road
Side	5'	0' int. / 7.5' ext.
Side (street)	5' (20' to the edge of road)	15'
Rear Interior	20'	20'
Rear (Next to Buffer)	5' (+ 25' buffer)	5' (+ 25' buffer)
Building Heights	35'	35'
Residential Density	10 du/ac	15.81 du/ac

## **PARKING**

Parking will exceed the requirements in section 4.05.00 of the LDC. The Village at Sunnyside Beach will provide three (3) spaces per single-family residence, and seven (7) oversized overflow spaces. Only two (2) spaces per residence and six (6) overflow spaces are required.

The retail sales/service portion will provide 3.33 spaces per 1,000 sf minimum. The multi-family units above the retail sales/service will have 1.7 spaces per unit minimum.

## **ROADWAY AND ACCESS STANDARDS**

The property already has three (3) connections to Panama City Beach Parkway, and one (1) connection to Kelly Street. Streets and sidewalks will connect the different uses, amenity area, and public rights of way. The proposed modification will include 2 more internal connections. Roads will be privately owned and maintained by the HOA.

## **PERIMETER BUFFER**

A 20' wide landscape buffer is required between multi-family residential and single family residential. The Kelly Street PUD provided a 25' wide landscape buffer along the southern property line between the proposed multi-family townhomes and the existing single-family neighborhood to the south.

A buffer is not required between the single-family residential portion of the PUD and the existing single-family residential homes to the south. However, based on the design standards requested, the south 25' buffer will be provided. The buffer will be landscaped with 1 large or medium tree per 20', and a 6' high privacy fence. The landscape buffer will be in common area which will be maintained by the Home Owners Association.

A 10' landscape buffer will also be provided along the frontage of Panama City Beach Parkway in phase 2. The buffer will be landscaped with one large or medium tree per 20' of frontage and a hedge.

## **PUBLIC BENEFIT**

In addition to the public benefits that were provided in the previous PUDs, this modification will provide additional benefits as follows:

- This modification provides better connectivity between the residential and commercial areas to improve functionality.
- This modification reduces the density in the residential portion from 15.81 dwelling units per acre to 10.00 dwelling units per acre, which enhances compatibility with the surrounding neighborhood.

- The impervious area is reduced in the residential portion, which results in increased landscaping and improved stormwater infiltration.
- This modification retains the landscape buffer between the single-family residential, and the existing neighborhood to the south to enhance compatibility.
- The modification incorporates an additional land use to increase diversity and functionality.
- The modification provides 17.5% open space, which is significantly more than the minimum requirement of 10%.

## **CONSTRUCTION SCHEDULE**

Construction of the residential portion is expected to begin by the end of 2022. Infrastructure should be completed by the end of 2023. Homes should be complete by the end of 2024. Phase 2 engineering should begin by the middle of 2023, with construction beginning sometime in 2024. Phase 2 construction should be complete by the end of 2026.



**LEGAL DESCRIPTION (AS PROVIDED)**

COMMENCE AT THE NORTHWEST CORNER OF LOT 234, RIVIERA BEACH FIRST ADDITION, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 9, PAGE 28, IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE S88°32'57"E ALONG THE NORTH LINE OF SAID RIVIERA BEACH FIRST ADDITION FOR 23.03 FEET TO THE POINT OF BEGINNING; THENCE N01°28'32"E ALONG THE EASTERLY EDGE OF MAINTAINED R/W OF KELLY STREET FOR 765.46 FEET TO THE SOUTHERLY R/W OF STATE ROAD NO. 30-A; THENCE S78°15'16"E ALONG SAID SOUTHERLY R/W LINE FOR 49.45 FEET TO A CURVE IN SAID R/W LINE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5664.60 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVED R/W LINE FOR AN ARC DISTANCE OF 1778.34 FEET, THE CHORD OF SAID ARC BEARING S69°17'23"E FOR 1771.05 FEET; THENCE S60°17'46"E ALONG SAID R/W LINE FOR 362.37 FEET TO THE NORTH LINE OF RIVIERA BEACH, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 8, PAGE 59, IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE N88°37'03"W ALONG SAID NORTH LINE FOR 768.08 FEET TO THE NORTHEAST CORNER OF SAID RIVIERA BEACH FIRST ADDITION; THENCE N88°32'57"W ALONG SAID NORTH LINE FOR 1272.04 FEET TO THE POINT OF BEGINNING.

**LESS AND EXCEPT #1:**

COMMENCE AT THE NORTHWEST CORNER OF LOT 234, RIVIERA BEACH FIRST ADDITION, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 9, PAGE 28, IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE S88°32'57"E ALONG THE NORTH LINE OF SAID RIVIERA BEACH FIRST ADDITION FOR 23.03 FEET TO THE POINT OF BEGINNING; THENCE N01°28'32"E ALONG THE EASTERLY EDGE OF MAINTAINED R/W OF KELLY STREET FOR 250.00 FEET; THENCE S88°32'57"E, 435.60 FEET; THENCE S01°28'32"W, 250.00 FEET TO THE NORTH LINE OF SAID RIVIERA BEACH FIRST ADDITION; THENCE N88°32'57"W ALONG SAID NORTH LINE FOR 435.60 FEET TO THE POINT OF BEGINNING.

**ALSO LESS AND EXCEPT #2**

COMMENCE AT THE NORTHWEST CORNER OF LOT 234, RIVIERA BEACH FIRST ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 28, OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE S88°32'57"E, ALONG THE NORTH LINE OF SAID RIVIERA BEACH FIRST ADDITION 23.03 FEET; THENCE N01°28'32"E ALONG THE EASTERLY EDGE OF THE MAINTAINED R/W OF KELLY STREET, 503.29 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N01°28'32"E ALONG SAID EASTERLY EDGE, 262.11 FEET TO THE SOUTHERLY R/W LINE OF PANAMA CITY PARKWAY (STATE ROAD 30) 200 FEET R/W; THENCE S78°17'04"E ALONG SAID R/W LINE, 49.45 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 451.49 FEET ALONG SAID SOUTHERLY R/W LINE AND ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 5664.60 FEET (CHORD BEARING AND DISTANCE: S76°00'04"E, 451.37 FEET); THENCE DEPARTING SAID R/W LINE, S16°18'43"W, 26.19 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY 29.29 FEET ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 100.00 FEET (CHORD BEARING AND DISTANCE: S24°42'15"W, 29.19 FEET) TO A POINT OF TANGENCY; THENCE S33°05'48"W, 215.78 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY 25.10 FEET ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 20.00 FEET (CHORD BEARING AND DISTANCE: S69°02'38"W, 23.48 FEET) TO A POINT OF TANGENCY; THENCE N75°00'32"W, 285.86 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY 24.92 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 100.00 FEET (CHORD BEARING AND DISTANCE: N82°08'55"W, 24.86 FEET) TO A POINT OF TANGENCY; THENCE N89°17'17"W, 13.25 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY 31.68 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 20.00 FEET (CHORD BEARING AND DISTANCE N43°54'23"W, 28.47

FEET) TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT #3

COMMENCE AT THE NORTHWEST CORNER OF LOT 234, RIVIERA BEACH FIRST ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 28, OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE S88°32'57"E ALONG THE NORTH LINE OF RIVIERA BEACH FIRST ADDITION, 23.03 FEET; THENCE N01°28'32"E ALONG THE EASTERLY EDGE OF THE MAINTAINED R/W OF KELLY STREET, 765.40 FEET TO THE SOUTHERLY R/W LINE OF PANAMA CITY BEACH PARKWAY (STATE ROAD 30) (200 FOOT R/W); THENCE S78°15'16"E ALONG SAID SOUTHERLY R/W LINE, 49.45 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 1647.36 FEET ALONG SAID R/W LINE AND ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 5664.60 FEET (CHORD BEARING AND DISTANCE: S69°57'15"E, 1641.56 FEET) TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHEASTERLY ALONG SAID R/W AND CURVE HAVING A RADIUS OF 5664.60 FEET A DISTANCE OF 130.91 FEET (CHORD BEARING AND DISTANCE S60°57'39"E, 130.90 FEET) TO A POINT OF TANGENCY; THENCE S60°17'52"E, ALONG SAID SOUTHERLY RJW LINE 361.93 FEET TO THE NORTH LINE OF RIVIERA BEACH AS RECORDED IN PLAT BOOK 8, PAGE 59, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE N88°37'14"W ALONG THE NORTH LINE QF SAID RIVIERA BEACH SUBDIVISION 559.48 FEET; THENCE N29°38'01 "E, 263.93 FEET TO THE POINT OF BEGINNING.

CONTAINS 630,139 SQUARE FEET OR 14.47 ACRES.

### **LEGAL DESCRIPTION (AS WRITTEN)**

A part of the North 1/2 of Section 4, Township 3 South, Range 17, West of Tallahassee Meridian, Bay County, Florida, lying north of Riviera Beach, Plat Book 8, Page 59 and north of Riviera Beach First Addition, Plat Book 9, Page 28, public records of Bay County, Florida and bounded on the east by Kelly Street, a public roadway and South of Panama City Beach Parkway, also a public roadway, described as:

Commence at the Northwest corner of Lot 234, Riviera Beach First Addition, Plat Book 8, Page 28; thence S.87°47'46"E. along north subdivision boundary line thereof a distance of 458.68 feet to the southeast corner of Kelly Street Pines as recorded in Plat Book 28, page 28, public records of Bay County, Florida, THE POINT OF BEGINNING; thence N.02°14'19"E. along east boundary thereof a distance of 250.10 feet to the northeast corner of Kelly Street Pines; thence along north line thereof N.87°44'10" W. a distance of 435.65 feet to the east right of way line of Kelly Street, a public right of way per O.R. Book 4103, page 464, public records of Bay County, Florida; thence N.02°15'27"E. along east right of way a distance of 253.28 feet to the intersection of the northerly right of way of roadway now or formerly known as Flip Side Drive, also the southwesterly-most corner of that parcel as described in O.R. Book 3606, page 839, public records of Bay County, Florida, said point being a point of curvature of a non-tangent curve concave northeasterly, having a radius of 20.00 feet and a central angle of 90°48'27"; thence along north right of way of Flip Side Drive and the arc of said curve an arc length of 31.70 feet; chord bearing S.43°08'59"E., chord distance 28.48 feet to point of tangency; thence S.88°23'02"E. for 13.21 feet to a point of curvature of a curve concave to the south, having a radius of 100.00 feet and a central angle of 14°17'29"; thence along the arc of said curve an arc distance of 24.94 feet (chord bearing S.81°23'34"E., chord 24.88 feet) to tangency; thence S.74°14'04"E. for 285.93 feet to a point of curvature of a curve concave to the northwest, having a radius of 20.00 feet and a central angle of 71°56'37"; thence along the arc of said curve an arc distance of 25.11 feet (chord bearing N.69°47'21"E., chord 23.50 feet) to tangency; thence along the westerly right of way of a roadway now or formerly known as Sun Kist Way, an approximate 55 feet wide right of way, N.33°53'38"E. for 215.75 feet to a point of curvature of a curve concave to the northwest, having a radius of 100.00 feet and a central angle of 16°21'13"; thence along the arc of said curve an arc distance of 28.54 feet (chord bearing N.25°35'06"E., chord 28.45 feet) to tangency; thence N.17°20'48"E. 26.97 feet to a point of intersection of the west right of way line of that roadway, Sun Kist Way, and the southerly right-way of Panama City Beach Parkway (200 feet public right-of-way), proceed along southerly right-of-way, being a curve concave to the southwest having a radius of 5664.62 feet and a central angle of 12°05'45"; thence along the arc of said curve an arc distance of 1195.88 feet (chord bearing S.66°52'40"E., chord 1193.66 feet) to the easterly right of way line of that roadway known as Flip Side Drive, an approximate 55 feet wide right of way; thence departing southerly right-of-way proceed S.30°25'22"W. for 264.19 feet to a point on the north line of Riviera Beach Subdivision according to the plat recorded in Plat Book 8, page 59, public records of Bay County, Florida; thence along said north line proceed N.87°45'34"W. for 208.09 feet to a point on the northwest corner of said Riviera Beach, said point also being the northeast corner of Riviera Beach First Addition, according to the plat recorded in Plat Book 9, page 28, public records of Bay County, Florida, thence following said north line of Riviera Beach First Addition proceed N.87°47'46"W. for 836.32 feet to the southeast corner of Kelly Street Pines subdivision, Plat Book 28, page 28, the point of beginning.

Contains 630,179 square feet or 14.47 acres.

### **ATTACHMENTS**

- 1- Parcel Map
- 2- Kelly Street PUD
- 3- The Village at Sunnyside Beach PUD
- 4- Zoning Map
- 5- Future Land Use Map
- 6- Fence Detail



# Bay County Property Appraiser - Dan Sowell, CFA

Main Office | 860 W. 11th St, Panama City, FL 32401 | 850-248-8401  
Beach Office | 301 Richard Jackson Blvd, Panama City Beach, FL 32407 | 850-248-8470



### Overview



### Legend

- Parcels
- 2022 Improved Sal
- 2022 Vacant Sales

?

<b>Parcel ID</b>	35351-090-030	<b>Owner</b>	S & L KARIAN PROPERTIES LLC	<b>Last 2 Sales</b>			
<b>Class Code</b>	VACANT COMMERCIAL			<b>Date</b>	<b>Price</b>	<b>Reason</b>	<b>Qual</b>
<b>Taxing District</b>	13		101 MATTIE M KELLY BLVD DESTIN, FL 32541	3/12/2021	\$5100000	QUAL/DEED EXAMINATION	Q
<b>Acres</b>	14.158	<b>Physical Address</b>	PC BCH PKWY	3/15/2019	\$2200000	QUAL/DEED EXAMINATION	Q
		<b>Just Value</b>	Value \$7942638			MLS	

(Note: Not to be used on legal documents)

Date created: 9/16/2022

Last Data Uploaded: 9/16/2022 1:09:05 PM

Developed by Schneider GEOSPATIAL





# Bay County Property Appraiser - Dan Sowell, CFA

Main Office | 860 W. 11th St, Panama City, FL 32401 | 850-248-8401

Beach Office | 301 Richard Jackson Blvd, Panama City Beach, FL 32407 | 850-248-8470



### Overview



### Legend

- Parcels
- 2022 Improved Sal
- 2022 Vacant Sales

?						
<b>Parcel ID</b>	35351-090-000	<b>Owner</b>	ALABAMA LANDMARK CORP	<b>Last 2 Sales</b>		
<b>Class Code</b>	VACANT		OF FL	<b>Date</b>	<b>Price</b>	<b>Reason</b>
	COMMERCIAL		TEHRANI, HT	2/20/2006	\$10200	QUAL/PHY PROP CHGD
<b>Taxing</b>	13		STEWART, JOE PAUL 109 CLUB	8/19/2004	\$4700000	N/A
<b>District</b>	PANAMA CITY		WAY	MLS <a href="#">707876</a>		
	BEACH	<b>Physical Address</b>	ENTERPRISE, AL 36330			
<b>Acres</b>	1.5	<b>Just Value</b>	P C BCH PKWY			
			Value \$841500			

(Note: Not to be used on legal documents)

Date created: 9/21/2022

Last Data Uploaded: 9/21/2022 1:27:08 PM

Developed by Schneider GEOSPATIAL





# Bay County Property Appraiser - Dan Sowell, CFA

Main Office | 860 W. 11th St, Panama City, FL 32401 | 850-248-8401

Beach Office | 301 Richard Jackson Blvd, Panama City Beach, FL 32407 | 850-248-8470



### Overview



### Legend

- Parcels
- 2022 Improved Sal
- 2022 Vacant Sales

?							
<b>Parcel ID</b>	35351-090-020	<b>Owner</b>	TERRA GLOBAL INVESTMENTS, LLC.	<b>Last 2 Sales</b>			
<b>Class Code</b>	VACANT		133 S. WATERSOUND PKWY	<b>Date</b>	<b>Price</b>	<b>Reason</b>	<b>Qual</b>
	COMMERCIAL		WATERSOUND, FL 32461	5/1/2014	\$375000	QUAL/DEED EXAMINATION	Q
<b>Taxing</b>	13		21761 PC BCH PKWY	8/8/2011	\$140000	UNQUAL/FEDERAL/STATE/LOCAL U	
<b>District</b>	PANAMA CITY BEACH	<b>Physical Address</b>				GOV	
<b>Acres</b>	2.68	<b>Just Value</b>	Value \$1503480				
	(Note: Not to be used on legal documents)						

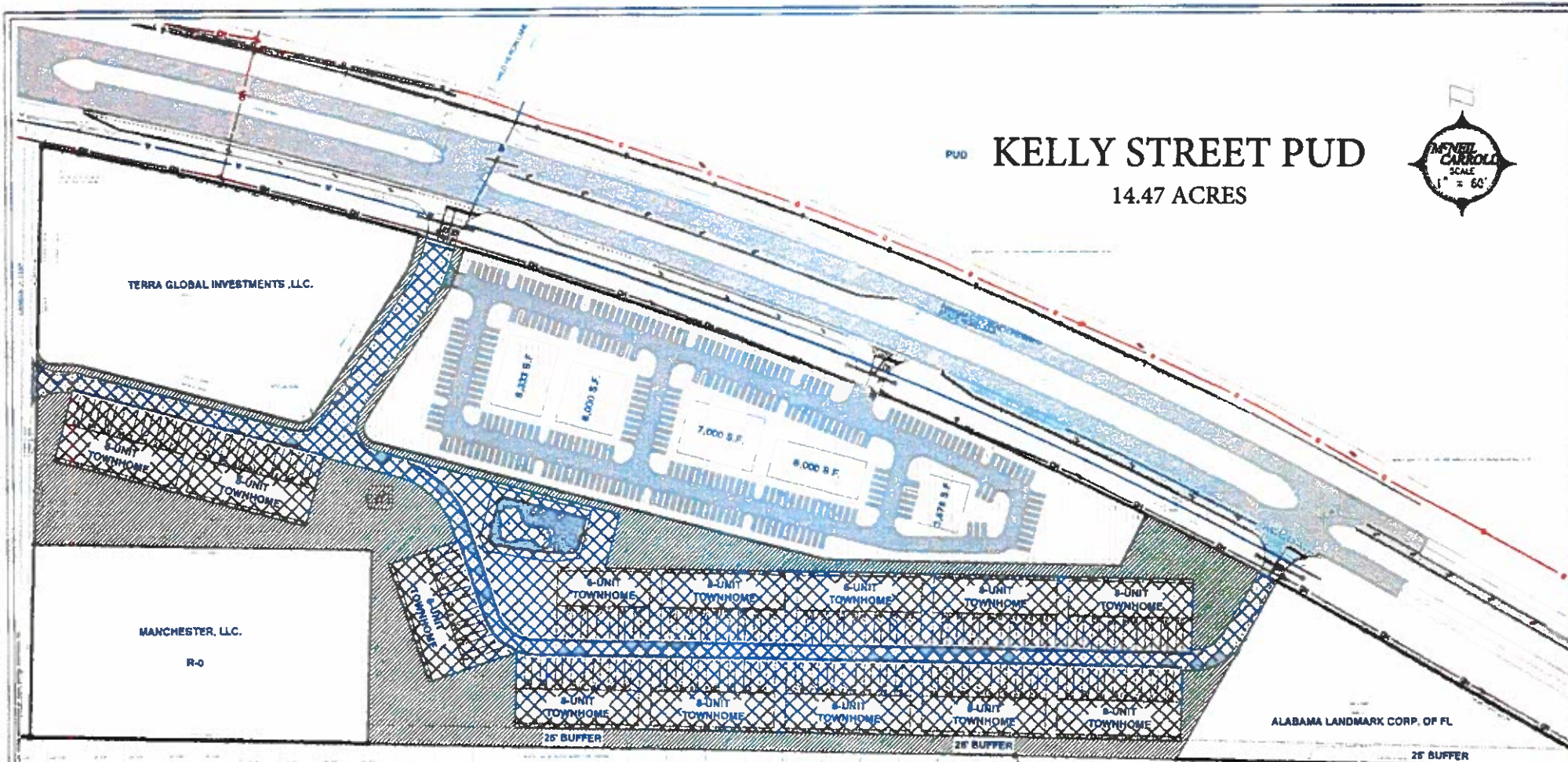
Date created: 9/21/2022

Last Data Uploaded: 9/21/2022 1:27:08 PM

Developed by Schneider GEOSPATIAL



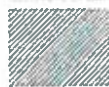
PUD **KELLY STREET PUD**  
14.47 ACRES



SITE AREA = 14.47 ACRES



RESIDENTIAL/MULTI-FAMILY = 6.46 ACRES - 44.6%



OPEN SPACE = 3.25 ACRES - 22.7%

RETAIL SALES/ SERVICE OR PERSONAL SERVICES = 4.73 ACRES - 32.7%

R-1 (B/C)

**PERMIT PURPOSES ONLY**

PUD EXHIBIT 01  
KELLY STREET PUD  
PANAMA CITY BEACH PARKWAY  
PANAMA CITY BEACH, FLORIDA

Scale:	AS SHOWN
Date:	10/24/2014
Drawn by:	...
Checked by:	...
Project No.:	...
Sheet No.:	...

**McNEIL CARROLL ENGINEERING, INC.**  
www.mcei.com

State of Florida  
Professional Seal  
Panama City Beach, Florida 32413  
Phone: 904-239-0000  
Fax: 904-239-0000

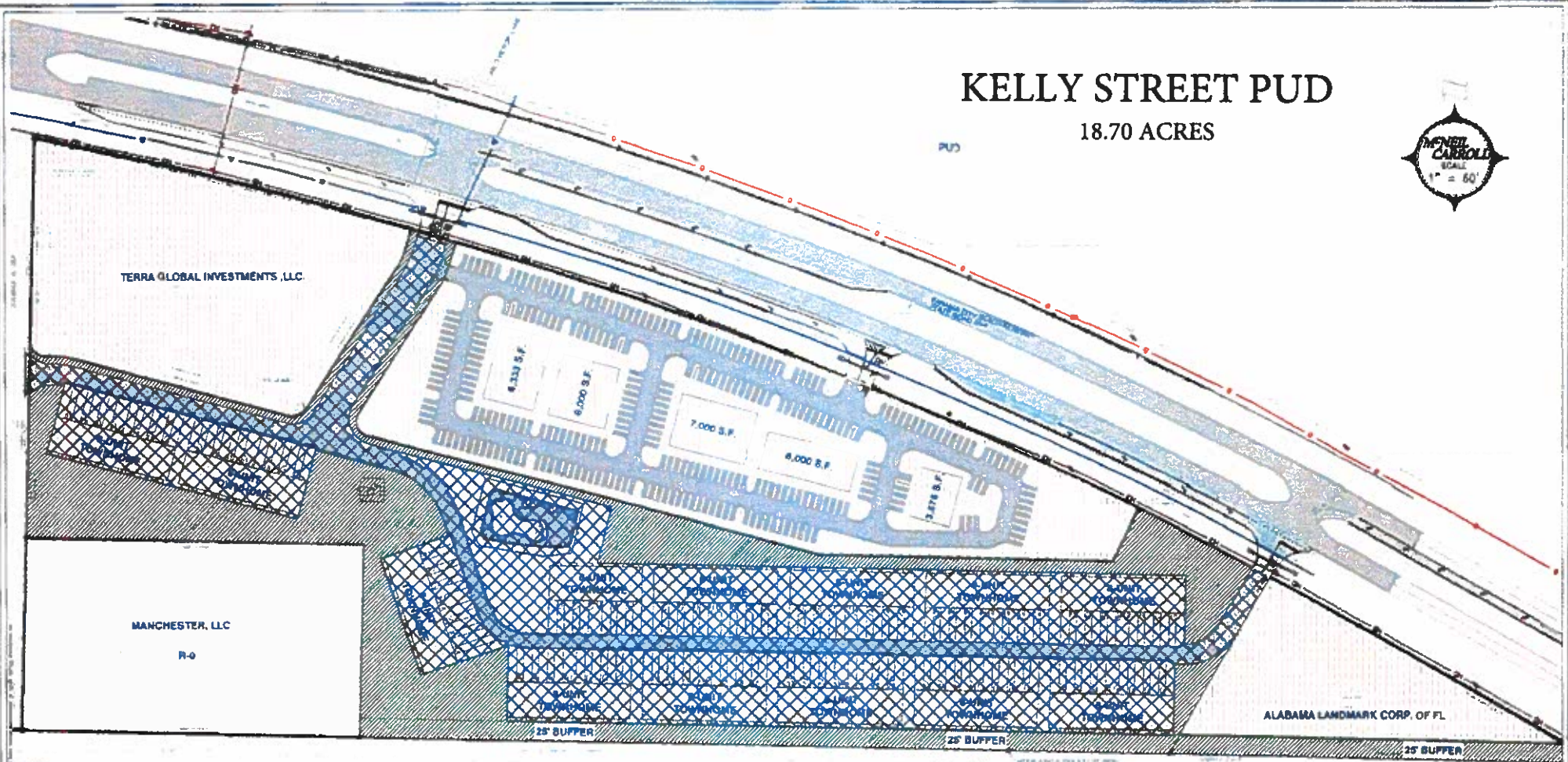


103  
KELLY STREET PUD



# KELLY STREET PUD

18.70 ACRES



TOTAL PUD SITE AREA = 18.70 ACRES



R-1 (BC)  
RESIDENTIAL/MULTI-FAMILY - 6.45 ACRES - 34.5%



RETAIL SALES/ SERVICE OR PERSONAL SERVICES - 8.64 ACRES - 46.3%

OPEN SPACE - 3.58 ACRES - 19.2%

## PERMIT PURPOSES ONLY

PUD EXHIBIT 02  
KELLY STREET PUD  
PANAMA CITY BEACH PARKWAY  
PANAMA CITY BEACH, FLORIDA

<p>DATE: _____</p> <p>SCALE: _____</p> <p>PROJECT: _____</p> <p>BY: _____</p> <p>CHECKED: _____</p> <p>DATE: _____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
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13.3 13.4 13.5 13.6 13.7 13.8 13.9 14.0 14.1 14.2 14.3 14.4 14.5 14.6 14.7 14.8 14.9 15.0 15.1 15.2 15.3 15.4 15.5 15.6 15.7 15.8 15.9 16.0 16.1 16.2 16.3 16.4 16.5 16.6 16.7 16.8 16.9 17.0 17.1 17.2 17.3 17.4 17.5 17.6 17.7 17.8 17.9 18.0 18.1 18.2 18.3 18.4 18.5 18.6 18.7 18.8 18.9 19.0 19.1 19.2 19.3 19.4 19.5 19.6 19.7 19.8 19.9 20.0

IENTS, LLC

5.300' W 10.500' N



REC / OPEN SPACE

ZONING

DENSITY - 67 UI

PARKING  
PARKING SPACES  
67 - HOMES  
OVERFLOW PARKING  
STANDARD PARKING  
OVERFLOW PARKING

BUILDING SETBACK  
FRONT: 20' REQ  
SIDE: 5' REQ  
REAR: 20' REQ  
REAR: 5' REQ  
REARS: 5' PRO  
30' PR

MAXIMUM RESIDENTS

COMMERCIAL PARCEL  
PHASE 2 CONCEPTUAL

GRASS MEDIAN

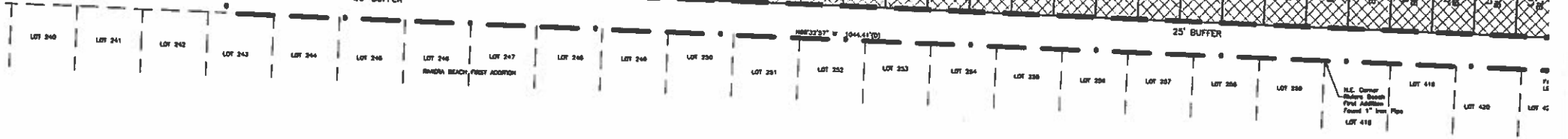
PANAMA CITY BEACH PARKWAY  
STATE ROAD 30-A

PHASE 1

25' BUFFER

25' BUFFER

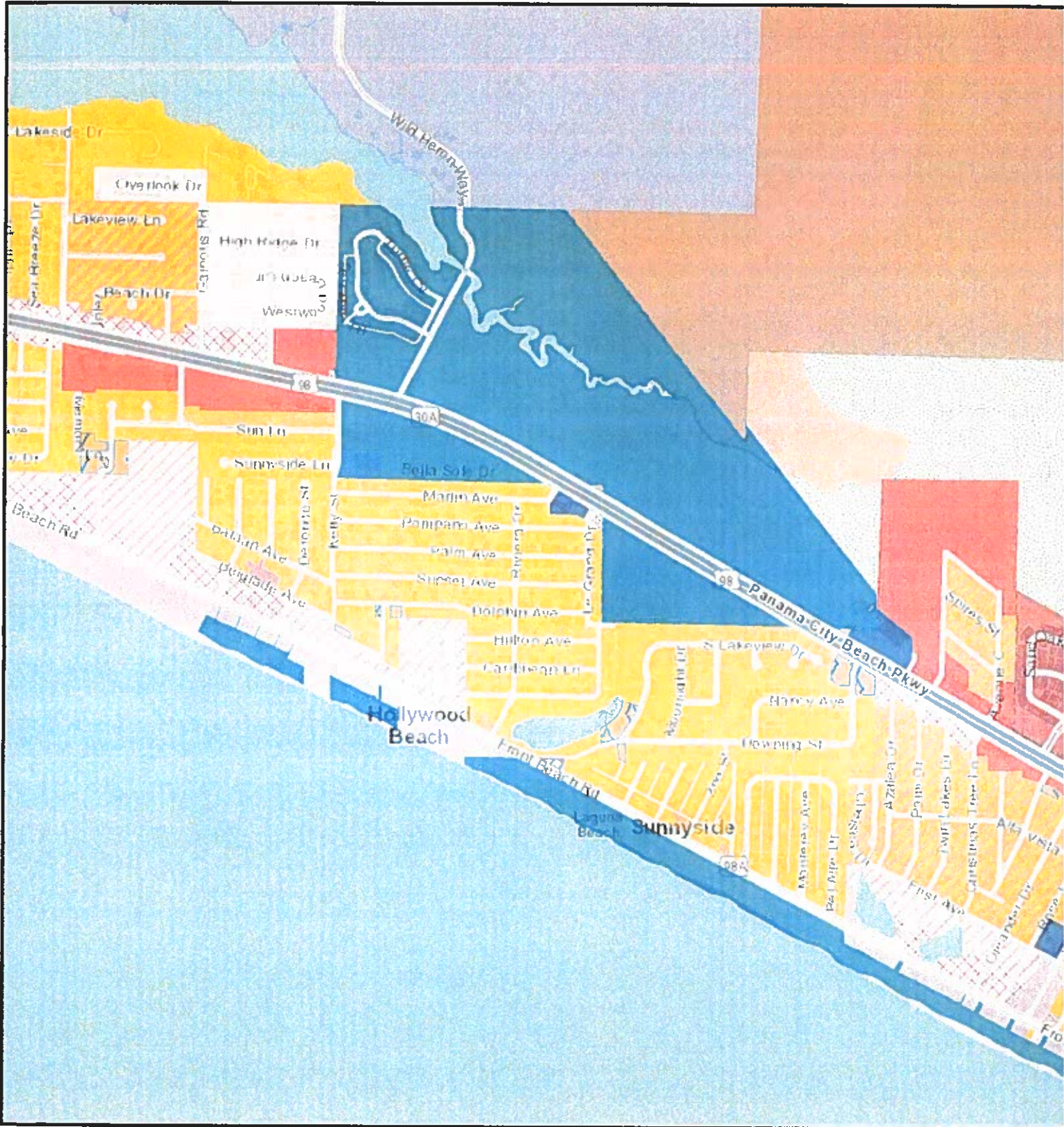
N89°22'31" W 1044.41(170)



N.E. Corner  
Shore Beach  
Final Addition  
Found 1" Iron Pipe  
LOT 418

60  
71  
61





## Web Map

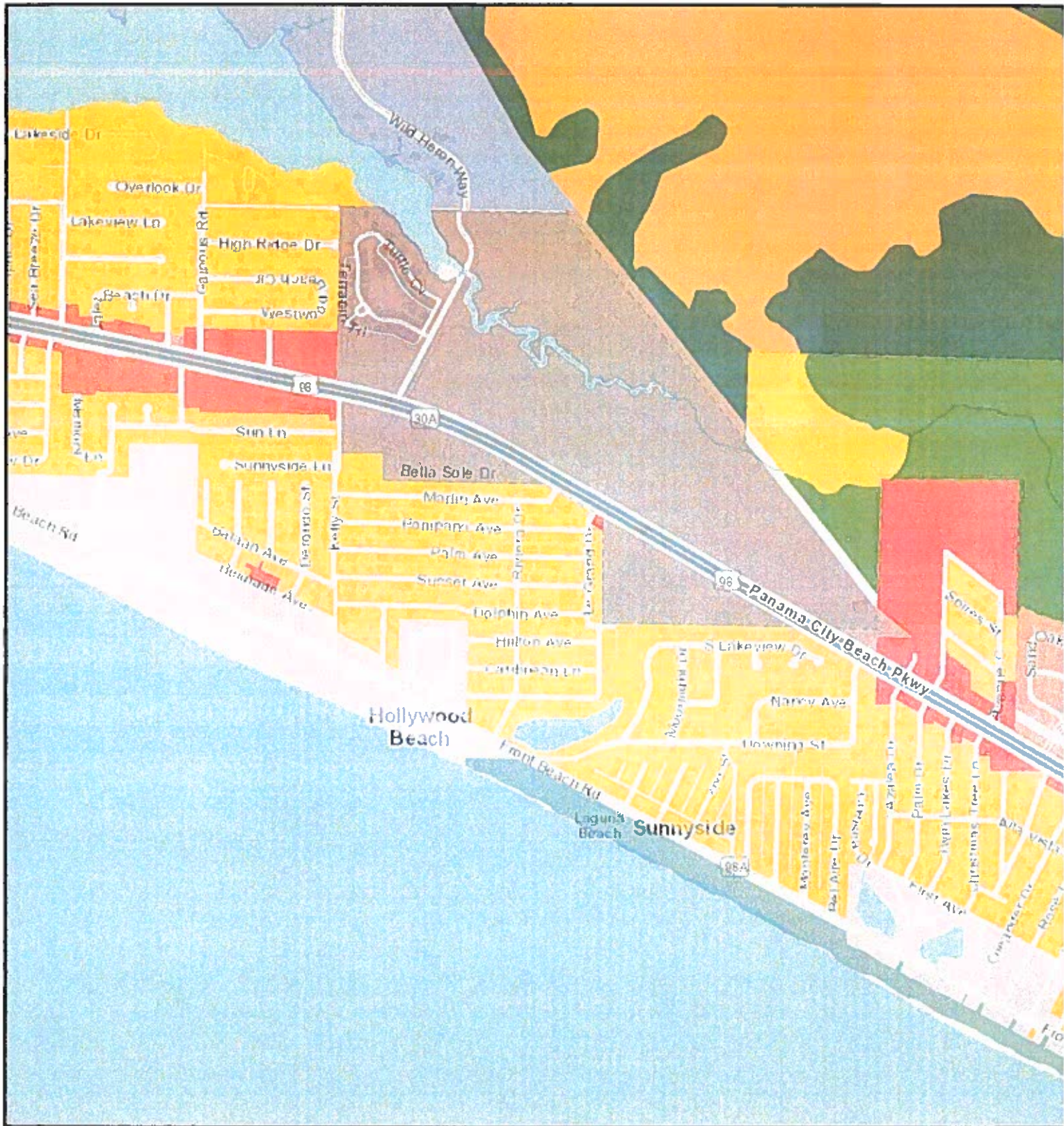


### zoning

- R-1 Single Family
- R-2 Duplex/Manufactured Housing
- R-3 Duplex/Triplex/Quadraplex
- R-4 Manufactured Housing/Mobile Home
- R-5 Multi-Family
- SR-1 Seasonal Resort Residential

- SR-1A Seasonal Resort Mixed Use
- SR-2 Seasonal Resort Commercial
- C-1 Neighborhood Commercial
- C-2 Plaza Commercial
- C-3 General Commercial
- CSVH Conservation Habitation
- CSVR Conservation Recreation
- AG-2 Agriculture/Timberland
- P/I Public/Institutional
- Commercial - High Intensity (CH)
- Conservation (C)
- Planned Unit Development (PUD)
- Residential - Zero Lot Line (RO)
- Single Family, Low Density (R-1a)

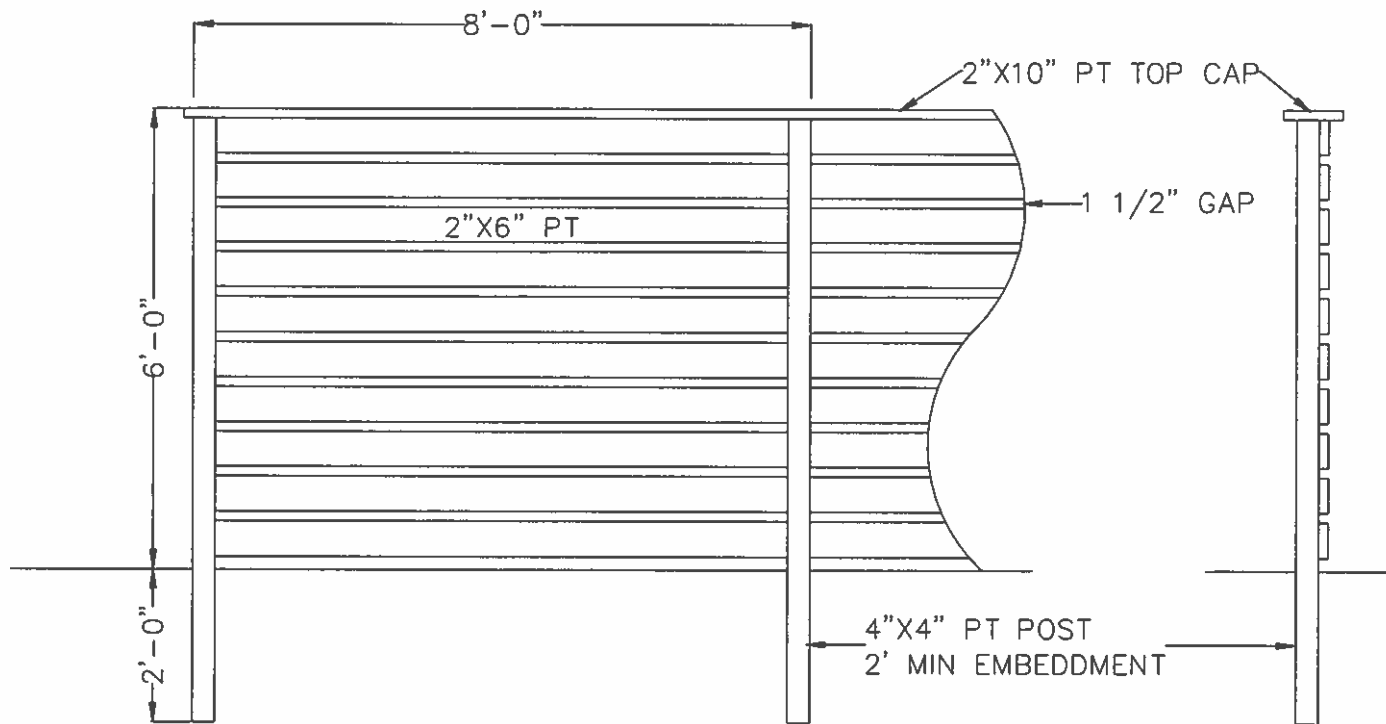




# Web Map



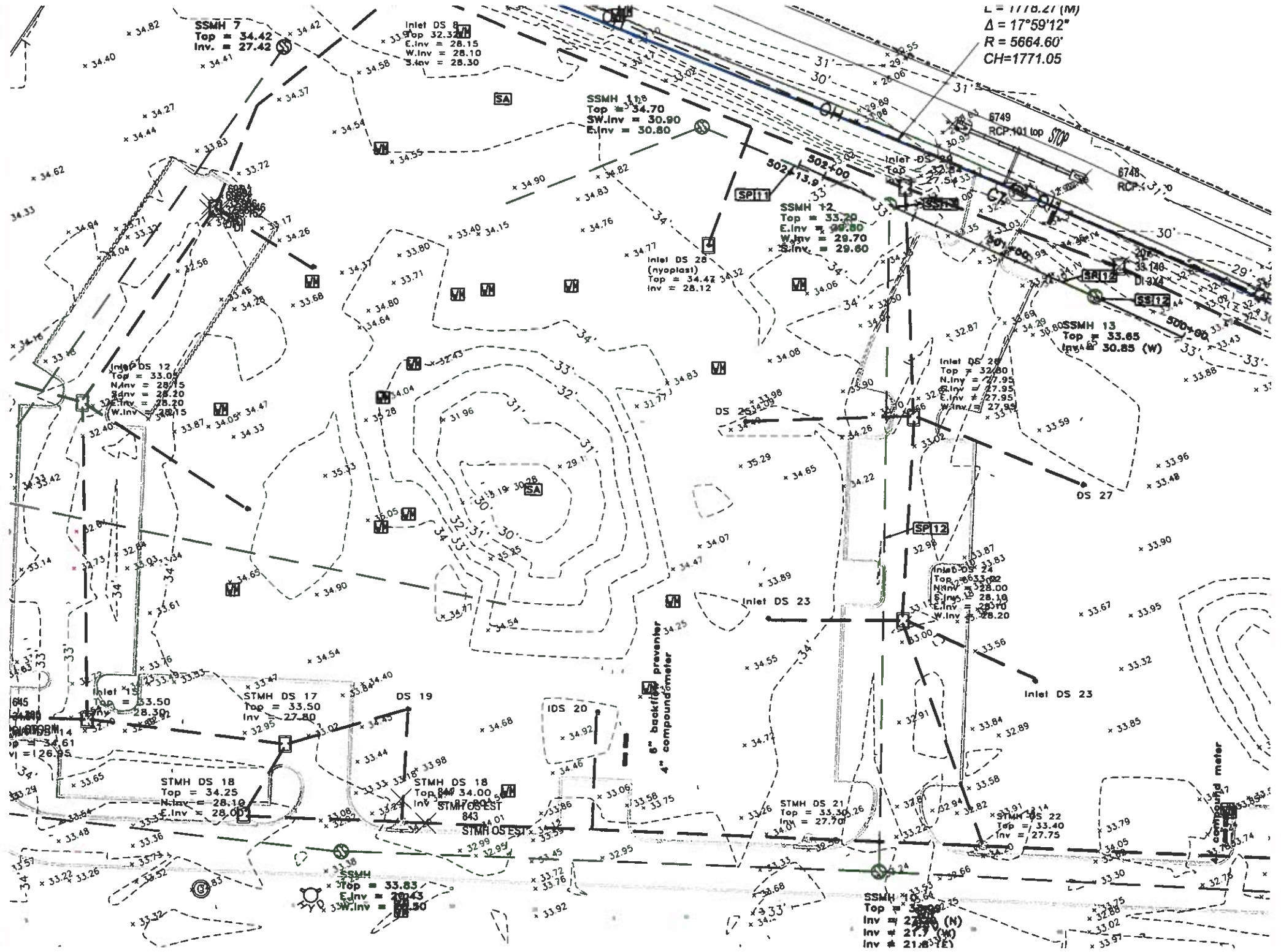
- |                              |  |                           |
|------------------------------|--|---------------------------|
| <b>futurelanduse</b>         | RES Residential                        | Single Family Residential |
| AGT Agriculture Timberland   | S/R Seasonal/Resort                    | Tourist District          |
| CSV Conservation             | VC Village Center Sector Plan          |                           |
| NCOM Neighborhood Commercial | LTC Long Term Conservation Sector Plan |                           |
| GCOM General Commercial      | Conservation                           |                           |
| REC Recreation               | Mixed Use                              |                           |



FENCE DETAIL



$L = 1110.21 (M)$   
 $\Delta = 17^{\circ}59'12''$   
 $R = 5664.60'$   
 $CH = 1771.05$





**CITY OF PANAMA CITY BEACH  
PUBLIC NOTICE OF  
PUD MASTER PLAN MODIFICATION**

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

**APPLICANT:** S & L Karian Properties, LLC - Kelly Street PUD

**ADDRESS/LOCATION:** Near Intersection of Panama City Beach Parkway and Kelly Street

Bay County Parcel Id # 35351-090-030

*The PUD MASTER PLAN MODIFICATION* is being requested because, to permit Single Family Residential  
which allows Transient Residential Rentals as the primary type of Residential Use; and to permit the reconfiguration of buildings,  
stormwater structures and parking areas. The modification will reduce the residential units from 102 Townhomes to 67 single  
family lots and allow 30 multifamily units to be included in the retail sales/service parcel that accesses Panama City Beach Parkway

**MEETING INFORMATION:**

**Date:** 10/12/2022

**Time:** 1:00 p.m.

**Place:** City Council Meeting Room  
17007 Panama City Beach Parkway  
Panama City Beach, FL 32413

The applicant for this 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 three hundred (300) feet of the subject property.

Any questions you may have regarding this request please contact the City of Panama City Beach Building and Planning Department at 850-233-5100, ext. 2429.

**NOTICE OF COMMUNITY MEETING  
PUD MASTERPLAN MODIFICATION**

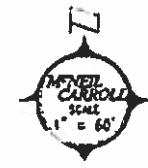
The Applicant, S&L Karian Properties, LLC, will hold a Community Meeting at 9:00 a.m., October 5, 2022, at Travelodge Beach by Wyndham Panama City Beach, 225 Shalimar Street, Panama City Beach, FL 32413.

The Applicant will have the modified PUD Masterplan for the Kelly Street PUD (Villages At Sunnyside) available. The purpose of the modification is to permit Single Family Residential which permits Transient Residential Rentals as the primary type of Residential Use; and to permit reconfiguration of buildings, stormwater structures and parking areas. The modification will reduce the number of residential units which are adjacent to the Kelly Street Neighborhood from 102 town houses to 67 single family residential lots; and, to modify the commercial area (retails sales/service) along Panama City Beach Parkway to include of a mix of commercial with 30 multi-family units above the commercial. Sketches of the current plan and the proposed modifications are included with this notice.

You are receiving this notice because the Applicant is required to send it to all property owners within 300 feet of the subject property.



CURRENT KELLY STREET PUD  
102 TOWNHOUSES & RETAIL SALES/SERVICE



COMMERCIAL ONLY

102 TOWNHOUSES

TERRA GLOBAL INVESTMENTS, LLC.

MANCHESTER, LLC.  
B-0



SITE AREA = 14.47 ACRES



RESIDENTIAL/MULTI-FAMILY = 6.46 ACRES - 44.8%



RETAIL, SALES/ SERVICE OR PERSONAL SERVICES = 4.73 ACRES - 31.7%



OPEN SPACE = 3.28 ACRES - 22.7%

IT PURPOSES ONLY

PUD EXHIBIT 01  
KELLY STREET PUD  
ANAMA CITY BEACH PARKWAY

McNEIL CARROLL ENGINEERING, INC.



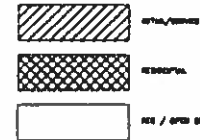
DATE	10/15/2011
BY	JAC
CHECKED	JK
DATE	10/15/2011
BY	JAC
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DATE	10/15/2011
BY	JAC
CHECKED	JK

10/15/2011

# VILLAGES AT SUNNYSIDE PROPOSED MODIFICATIONS

(67 SINGLE FAMILY RESIDENTIAL; COMMERCIAL WITH 30 MULTIFAMILY UNITS)

### LEGEND



### FUD LAND USE SUMMARY

PARCEL AREA	830,139 SF (19.47 AC)
RESIDENTIAL	291,882 SF (6.70 AC) = 48.82%
RETAIL/SERVICE	195,884 SF (4.49 AC) = 31.04%
OPEN SPACE	142,499 SF (3.28 AC) = 22.04%

### SITE DATA TABLE

FUTURE LAND USE	MIXED USE
ZONING	PUD (R-1C & CH)

DENSITY = 87 UNITS/6.70 AC = 13.00 DU/AC

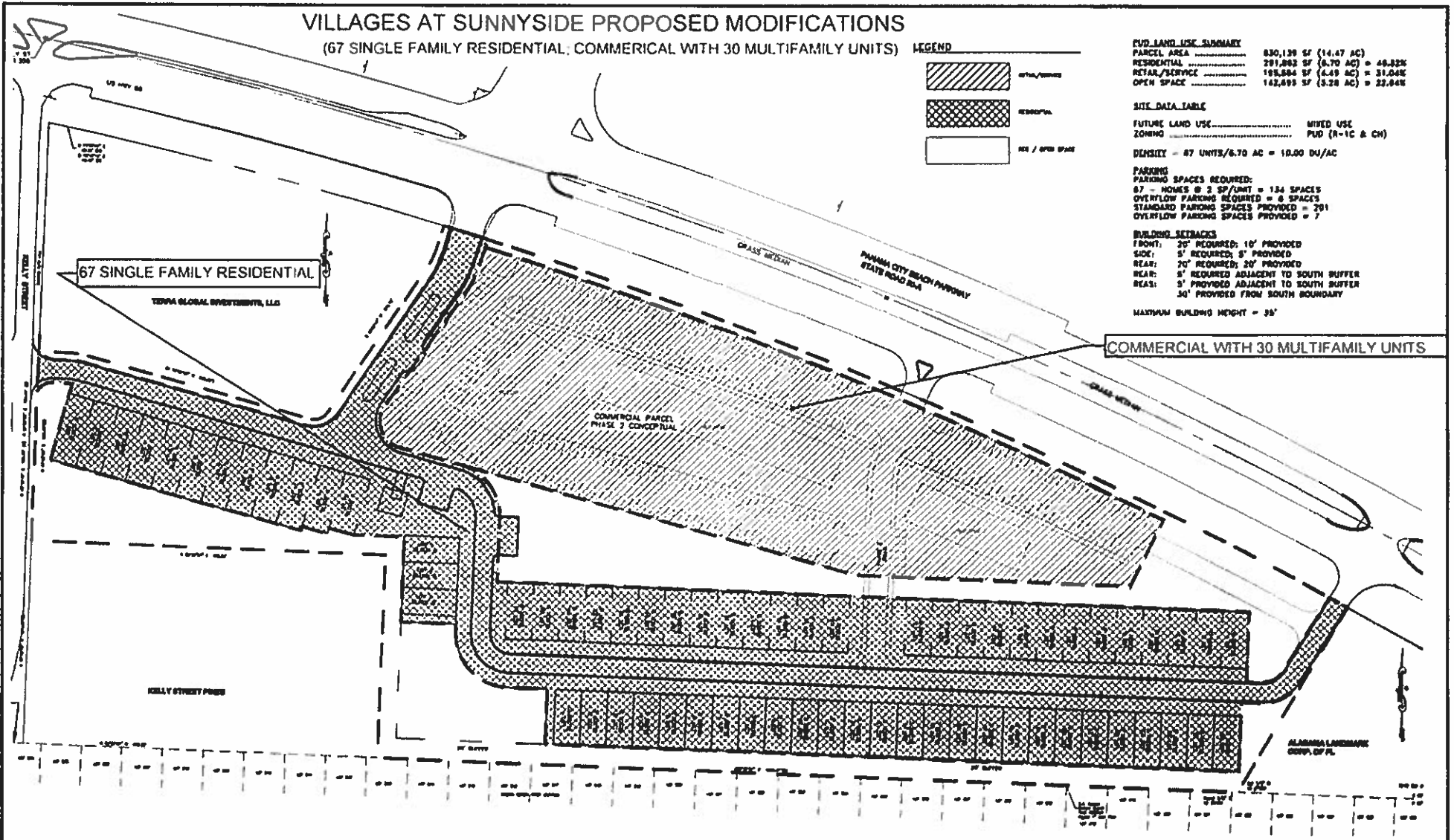
### PARKING

PARKING SPACES REQUIRED:  
 87 - HOMES @ 2 SP/UNIT = 174 SPACES  
 OVERFLOW PARKING REQUIRED = 6 SPACES  
 STANDARD PARKING SPACES PROVIDED = 201  
 OVERFLOW PARKING SPACES PROVIDED = 7

### BUILDING SETBACKS

FRONT: 30' REQUIRED; 10' PROVIDED  
 SIDE: 5' REQUIRED; 8' PROVIDED  
 REAR: 20' REQUIRED; 20' PROVIDED  
 REAR: 5' REQUIRED ADJACENT TO SOUTH BUFFER  
 REAR: 30' PROVIDED FROM SOUTH BOUNDARY

MAXIMUM BUILDING HEIGHT = 35'



OWNER:  
 S&L KARIAN PROPERTIES, LLC  
 101 MATTIE KELLY BLVD.  
 DESTIN, FL 32541

## THE VILLAGE AT SUNNYSIDE BEACH





## **THE VILLAGE AT SUNNYSIDE BEACH PUD**

### **A.K.A. KELLY STREET PUD**

#### **REVISIONS TO THE APPROVED MASTER PLAN/FINAL DEVELOPMENT PLAN**

##### **I. Request:**

The applicants are requesting to revise the PUD, specifically the 14.47-acre center parcel of the overall 18.7-acre PUD. The proposed changes include a reduction from a potential of 102 townhomes (5.45 units per acre) to 67 single family dwellings to be located along the southern property boundary and 30 multi-family dwellings above commercial units. The requested changes involve the reconfiguration of buildings, stormwater structures and parking areas. Additionally, the proposed modification includes requesting that all dwellings be available for short-term rental.

##### **Land Development Standards:**

**LDC Section 4.02.05.G Revisions to a PUD Master Plan:** *Revisions to an approved PUD Master Plan shall be made in accordance with section 10.15.00 of this LDC. A substantial deviation may be approved only if the PUD Master Plan, as revised, could be approved as an original master plan. Notice of the application shall be mailed to each owners of property within the PUD as known by reference to the most recent, final ad valorem tax roll prepared by the Bay County Property Appraiser, unless such owner has signed or consented in writing to the application. Notwithstanding the requirements of Section 10.15.00, a substantial deviation may be approved without consent of all the owners of property within the PUD where:*

- 1. All owners of the property to which the revisions will apply sign the application;*
- 2. The previously approved PUD Master Plan does not authorize a transfer of densities or intensities between the property to which the revisions will apply and*

*any different parcel or property within the PUD, unless all the then current owners of that different parcel or property consent to the application; and*

*3. The applicant demonstrates that the revision will not materially and adversely affect (i) the permitted Use or enjoyment of any parcel or property within the PUD to which the revisions will not apply, or (ii) the investment backed expectations of a reasonable man for that property.*

**Staff findings:**

- Notice of the application was mailed to each property owner within the PUD.
- All the owners of the property to which the revisions will apply have signed the application package.
- The revision does not transfer densities or intensities between parcels within the PUD.
- The revision will not materially or adversely affect the permitted Use, enjoyment or value of any parcel or property ***within*** the PUD.

**LDC Section 10.15.00 Procedures and requirements to amend a PUD:**

*10.15.01 an amendment to a Local Development Order may constitute either a non-substantial or a substantial deviation.*

LDC 10.15.02.B The following changes to a PUD are considered a substantial deviation:

- 1. Any increase in the number of Dwelling Units on the site;*
- 2. A change in the Use of the site or Building as specified in the Local Development Order;*
- 3. Any reconfiguration of locations for Buildings, structures, parking areas, landscaped areas or stormwater control structures;*
- 4. Any relocation or reconfiguration of Driveways or other vehicular Access;*
- 5. Any change involving damage or destruction of natural resources including, but not limited to, Protected Trees, wetlands and shoreline buffers;*
- 6. Any changes involving additional acreage or an increase in the dimensions or property boundaries of the site;*
- 7. Any increase of 1,000 square feet or more of gross floor area or impervious area;*



8. *Any increase in structure height of more than five (5) feet;*
9. *Any increase in the number of stories;*
10. *Any change in the phasing schedule, which affects the timing or the amount of improvements or the satisfaction of specific conditions;*
11. *Any reduction in Yards, Setbacks or Open Space of more than five (5) percent;*
12. *A change to any condition that was included in the Local Development Order;*  
*or*
13. *Any change that affects the compatibility of the proposed project.*

**Staff findings:**

- The applicant is requesting changes involving #3 and #13. Therefore, the request is considered a substantial deviation under LDC 10.15.04.
- 10.15.04 *Substantial Deviations, All proposed changes to a Local Development Order other than those listed as non-substantial deviations shall be considered substantial deviations. Any substantial deviation from an approved Local Development Order will necessitate a formal amendment of such order. All such amendments shall be reviewed and processed in the same manner and procedure as was used to approve the original Development.*
- Because the request is considered a substantial deviation, the request is required to go before the Planning Board for consideration.

**STAFF RECOMMENDATION:**

The proposed changes to reduce the density, construct single family dwellings rather than townhomes and to add multi-family units above commercial units all improve the PUD Master Plan. The request to allow for short-term rentals will increase the potential for nuisances to occur to the single family dwellings located along Marlin Avenue. Short term rentals often generate more noise and trash and have different hours of activity than do long-term residents. Staff does not recommend the approval of this portion of the requests.

**The Village at Sunnyside Beach PUD**  
**A.K.A. Kelly Street PUD**  
**Request for PUD Master Plan Modification**



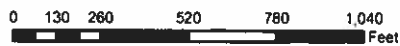
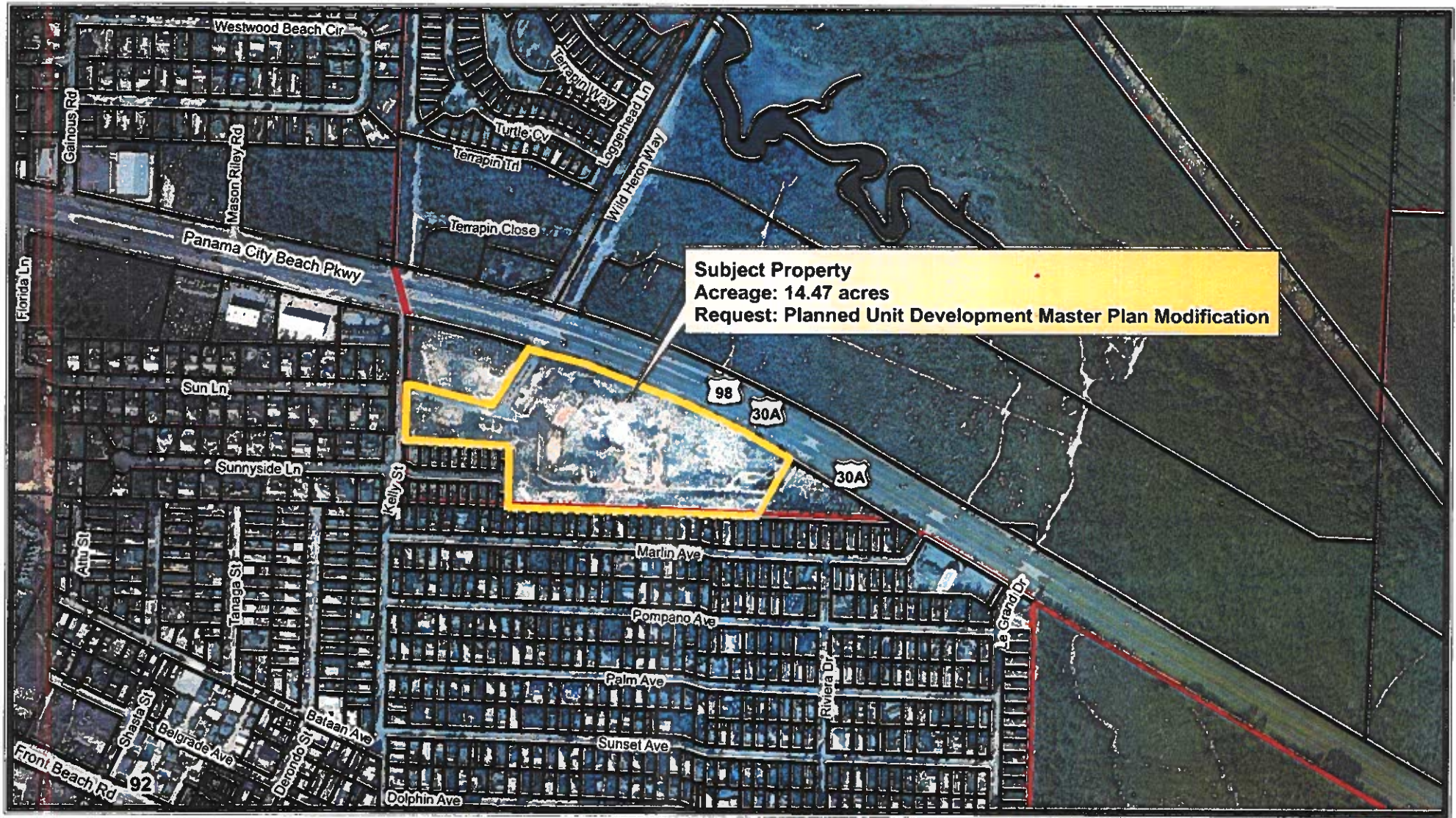
0 130 260 520 780 1,040 Feet



Prepared by The  
City of Panama City Beach  
Planning Department



**The Village at Sunnyside Beach PUD**  
**A.K.A. Kelly Street PUD**  
**Request for PUD Master Plan Modification**



Prepared by The  
City of Panama City Beach  
Planning Department

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# PUBLIC COMMENTS ON ITEM NO. 5



## Melissa Deese

---

**From:** David Howard <david@pcbeachproperties.com>  
**Sent:** Tuesday, September 27, 2022 8:56 PM  
**To:** Melissa Deese  
**Subject:** RE: PUD and PLAT revision request for parcel 35351-090-030

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from david@pcbeachproperties.com. [Learn why this is important](#)

**[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.

Dear Planning Board Members,

I'm writing to you in protest of the proposed request to modify the current PUD and Plat for parcel 35351-090-030 located at Kelly Street and US Hwy 98. I live at 21905 Sunnyside Lane which is adjacent to this parcel. I both own and manage vacation homes in this area. This gives me firsthand experience as to what problems this proposed development will cause our community. I oppose their request for the following reasons.

1. The current owner acquired this property under the approved PUD which includes 107 townhouses including a commercial plaza located in the center of the parcel. This design was very specific in that it would only be accessed via 98 and it would not add to our current traffic congestion and safety issues on Kelly Street. It would also provide additionally needed primary homes to our community. The developer has now devised a plan for a Transient Rental Community, brought it to market and it has been sold in its entirety (100%) to investors as VACATION RENTALS. All done knowing that it was not permissible under the current PUD. This is very deceptive and was obviously done prior to any approval from your Board or the City of PCB.
2. We all are aware of the parking challenges across the beach specific to Short Term Vacation Rental Homes. This proposed development under their proposed plat revision will create a major parking problem. Under PCB Occupancy Load requirement limits this development does not have half of the needed parking to support what it will demand.

Their Occupancy Examples:

Plan D : 5 bedroom 2,644 sq ft = 17 occupants @ 26 homes = 442 persons  
Plan C : 4 bedroom 2,380 sq ft = 15 occupants @ 26 homes = 390 persons  
Plan B : 4 bedroom 2,224 sq ft = 14 occupants @ 3 homes = 28 persons  
Plan A : 3 bedroom 1,840 sq ft = 12 occupants @ 12 homes = 144 persons

Homes that accommodate this type of occupancy capacity have been proven to appeal to families who share vacations. Meaning blended families who all travel separately and most always have teenage and young adult children who travel in their own vehicles which are typically large Trucks and SUV's.

Parking Needs Example:

**Plan – D**, A home with a 17-person occupancy is usually occupied by two or more adult families requiring a minimum of 4 – 5 parking spaces. Add visiting friends and then you will need upward of 2 additional spaces

**Plan – C**, A home with a 15-person occupancy is usually occupied by two or more adult families requiring a minimum of 4 – 5 parking spaces. Add visiting friends and then you will need upward of 2 additional spaces

**Plan – B**, A home with a 14-person occupancy is usually occupied by two or more adult families requiring a minimum of 3 – 4 parking spaces. Add visiting friends and then you will need upward of 2 additional spaces

**Plan – A**, A home with a 12-person occupancy is usually occupied by two or more adult families requiring a minimum of 3 – 4 parking spaces. Add visiting friends and then you will need upward of 2 additional spaces

This plan cannot accommodate the parking requirements for what they have marketed, sold, and are now presenting to you after the fact. This will cause seriously unsafe overflow parking out onto and down Kelly Street. This area is a primary occupancy community with children and pedestrians walking down the streets, and it's already overloaded with passthrough traffic going to and from the beach.

Their plan calls for only 3 parking spaces per home for a total of 201 spaces. This does not consider any parking accommodations for golf carts that most rental homes now provide. My conservative estimation for parking needs is more than 295 parking spots for what they have marketed to their investors.

3. The Developer has pitched this under the pretense that his modification will be better for the community due to his reduction of homes from the current approved PUD. This is very deceptive. Yes, on the surface as proposed the number is reduced in his first phase. What is not being mentioned is the 30 additional homes he plans to build as part of his second phase.

This developer and builder have been a part of similar developments in Walton County. They now have serious parking issues that the community has been left to deal with after the fact. This attempt to bring that same type of development to PCB is because it's no longer easy to gain approval for such in Walton County. Please do not allow their same problems to plague PCB. This is our home and it's your chance to say NO to their request! I ask that you reject their request and require them to adhere to the PUD and PLAT already approved.

--

**David Patrick Howard PA, RSPS**  
*Brokerage Owner & Realtor*

**Panama City Beach Properties, Inc**  
*Customize your Home Search Online*  
[www.PCBeachProperties.com](http://www.PCBeachProperties.com)  
direct 850-696-7282 (call or text)  
21905 Sunnyside Lane  
Panama City Beach, Florida 32413

**WARNING**

*Be advised that Email hacking and fraud are on the rise to fraudulently misdirect funds. Please contact your Title Service Provider and/or closing attorney directly to confirm the validity of any wire instructions that you've received. We are not responsible for any wires sent by you to an incorrect bank account.* The information in this electronic mail message is confidential information intended only for use by the individual or entity named. If the reader of this message is not the intended recipient, any dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify me by telephone at (850) 696-7282 or by reply by email and delete this message.

## Melissa Deese

---

**From:** Best, Mike <Mike.Best@amentum.com>  
**Sent:** Wednesday, September 28, 2022 6:50 AM  
**To:** Melissa Deese  
**Subject:** Building at 98 & Kelly

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from mike.best@amentum.com. [Learn why this is important](#)

**[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.

Please do not change the building plans at 98 & Kelly. Keep traffic and people to regular subdivision levels.

Thanks, Mike Best, 8173041558  
21525 Sunset Ave, PCB, full time resident

Get [Outlook for iOS](#)

# ITEM NO. 6



**CITY OF PANAMA CITY BEACH**  
**Building and Planning Department**  
**116 S. Arnold Road, Panama City Beach, FL 32413**  
**850-233-5100 ext. 2429 Fax: 850-233-5049**  
**Email: [planningdivision@pcbfl.gov](mailto:planningdivision@pcbfl.gov)**

**REQUEST FOR REZONING**  
**LDC Section 10.02.10**

**Application Submittal Requirements: LDC Section 10.02.01**

Property Owner(s) Name: PCB Motors, LLC, Anatoly Bezhaev  
Address: 8321 PANAMA CITY BEACH PKWY  
City: PANAMA CITY BEACH State: FL Zip 32407  
Email: tolik3003@icloud.com Telephone: \_\_\_\_\_ Cell: 850-888-3888  
Name of Acting Agent: Scot Rutherford, SCR & Associates  
Statement acknowledged before a notary public authorizing the representative to act on behalf of the property owner regarding the application and associated procedures. Attached to the application.

Parcel # of Property for Rezoning: 34002-050-000  
Address/ Location of Property for Rezoning: Panama City Beach Pkwy & Dogwood St.  
Present Zoning Designation CH & R1c Requested Zoning Designation CH

**Application Submittal Requirements: LDC Section 10.02.02**

Plan or Plat Preparer Name: SCR & Associates  
Address: 3445 Hwy 389  
City: Panama City State: FL Zip 32424  
Email: scot@scr.us.com Telephone: 850-265-6979 Cell: \_\_\_\_\_  
 Date of Preparation: 8/31/2022  
 Date(s) of any modifications: 9/2/21-Combined Parcel 34164-010-000  
 Legal Description: (Consistent with the Required Survey) -please attach to application  
 Survey (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 10 copies.  
 A vicinity map showing the location of the property.  
 Future Land Use Map designation for the property.  
Deed Restrictions or Private Covenants apply to this property:  /Yes (please attach copy)  No

Payment Fee: <input type="checkbox"/> Rezoning \$900 <input checked="" type="checkbox"/> Small Scale Amendment \$1,500 <input type="checkbox"/> Large Scale Amendment \$2,100	Date Collected: <u>9/14/2022</u> <i>MD</i>
--	---

# PROPERTY OWNER LETTER OF AUTHORIZATION

## Parcel

Parcel Identification No: 34002-050-000

Address: PC BCH PKWY  
PANAMA CITY BEACH 32407

Sec-Twn-Rng: 22-3S-16W

Parcel Owner's Name: PCB Motors LLC  
Anatoly Bezhaev

## Agent

Agent's Name: Scot C. Rutherford, PE  
Agent's Title: Vice President, SCR & Associates NWFL, Inc.  
Agent's Address: PO Box 958, Lynn Haven, Fl. 32444  
Agent's Phone No. 850-265-6979

## Owner

- I. We have elected to authorize the Agent listed above to act on our behalf in all matters related to property rezoning, Development Order Application, and all other permit submittals to all local, state and federal agencies for the parcel identified above, the said parcel being owned by undersigned and listed above. The agent has full permission to negotiate, compromise, settle and otherwise deal with all matters through your office to the same extent, as would the undersigned.
- II. Having delegated the above authority, we accept full responsibility for any action taken within the scope of Agent's authority as set forth above. We understand that any plans, reports or applications will be reviewed and corrections will be made accordingly, if necessary.
- III. This Authorization is effective until the agencies have issued all necessary authorizations. (These authorizations may be revoked prior to the indicated term by a certified letter signed by the owner; a partner, a trustee, a corporate officer or other authorized person. Such revocation shall become effective when received by agencies.)
- IV. **I hereby certify that:** I am the property owner of record or an appointed representative of said property owner, and am authorized to execute this document.

Owner's Phone No: (850) 888-3888

Owner's Address:

208 Wiregrass Ln

Panama City Beach, Fl.

32407

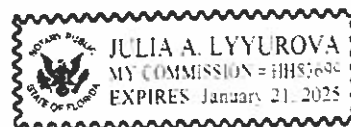
Anatoly Bezhaev  
Owner Signature                      Owner Name

08/30/2022  
Date

The foregoing Authorization is acknowledged before me this 30<sup>th</sup> day of August, 20 22  
By Anatoly Bezhaev, who is personally known to me, or who produced \_\_\_\_\_  
\_\_\_\_\_ as identification.

[Signature]  
Signature of Notary Public

State of Florida



NOTARY SEAL

The procedure for review of application is found in Sections 10.02.00 and 10.17.00 of the LDC.

Additional plans, documents, and reports as deemed necessary by the City Manager. Information required for the specific type of application, as specified in sections 10.02.03 through 10.02.07 as applicable. All site plans and plats shall be drawn to a scale approved by the City Manager.

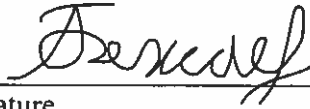
**APPLICANTS SIGNATURES:**

**Anatoly Bezhaev**

\_\_\_\_\_  
Print Name of Applicant

**08/30/22**

Date: \_\_\_\_\_



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name of Applicant

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_



**REQUEST FOR REZONING**  
**LDC Section 10.02.10**

**APPLICANTS SIGNATURES:**

**Anatoly Bezhaev**

Print Name of Applicant

A handwritten signature in black ink, appearing to read "Bezhaev", written over a horizontal line.

Signature

Date: **08/30/22**

Print Name of Applicant

Signature

Date:



PARCEL 1:

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, LYING SOUTH OF STATE ROAD 30A IN SECTION 22, TOWNSHIP 3 SOUTH, RANGE 16 WEST, BAY COUNTY, FLORIDA. LESS AND EXCEPT ALL ROAD RIGHT OF WAYS.

LESS AND EXCEPT THE PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 1504, PAGE 781, BOOK 905, PAGE 1362, AND OFFICIAL RECORDS BOOK 908, PAGE 1163, OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

PARCEL 2:

BEGINNING AT A POINT WHICH IS 1328.1 FEET EAST OF THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 16 WEST; THENCE EAST 120 FEET; THENCE SOUTH 60 FEET; THENCE WEST 120 FEET; THENCE NORTH 60 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS:

BEGIN AT THE NORTHWEST CORNER OF LOT 1, BAHAMA HEIGHTS, AS PER PLAT RECORDED IN PLAT BOOK 8, PAGE 97 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA. THENCE NORTH 02°07'16" EAST, ALONG THE EAST RIGHT OF WAY LINE OF DOGWOOD AVENUE (HAVING A 50 FT. RIGHT OF WAY) FOR A DISTANCE OF 202.57 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 30-A (HAVING A 200 FT. RIGHT OF WAY), WHICH IS A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 3,887.73 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE FOR AN ARC DISTANCE OF 250.86 FEET, SAID ARC HAVING A CHORD OF 250.82 FEET, BEARING SOUTH 70°53'28" EAST TO THE WEST RIGHT OF WAY LINE OF EVERGREEN AVENUE (HAVING A 50 FT. RIGHT OF WAY); THENCE SOUTH 02°06'39" WEST, ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 68.71 FEET TO THE NORTHEAST CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 888, PAGE 41 OF SAID PUBLIC RECORDS; THENCE ALONG THE BOUNDARY OF SAID PARCEL FOR THE FOLLOWING TWO COURSES: NORTH 87°59'56" WEST, FOR A DISTANCE OF 119.80 FEET; SOUTH 02°07'20" WEST, FOR A DISTANCE OF 60.21 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 87°56'11" WEST, ALONG THE NORTH BOUNDARY LINE OF SAID LOT 1, FOR A DISTANCE OF 120.08 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN AND BEING A PORTION OF SECTIONS 22 AND 27, TOWNSHIP 3 SOUTH, RANGE 16 WEST, BAY COUNTY, FLORIDA. CONTAINING 0.7395 ACRES, MORE OR LESS.



# FLUM



- |                          |                           |
|--------------------------|---------------------------|
| Parcels                  | Multi Family Residential  |
| futurelanduse            | Recreation                |
| AG Agriculture           | Single Family Residential |
| GCOM General Commercial  | Tourist District          |
| P/I Public/Institutional |                           |





Parcels

## Vicinity Map







**CITY OF PANAMA CITY BEACH  
PUBLIC NOTICE OF  
SMALL SCALE AMENDMENT AND  
REZONING REQUEST**

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

**APPLICANT:** Anatoly Bezhaev

**ADDRESS/LOCATION:** PCB Parkway and Dogwood Street (Parcel ID# 34002-050-000)

This is being requested because, the property currently has two zonings. CH (Commercial High Intensity)

along Panama City Beach Parkway and R-1c (Single Family Residential) on Dogwood Street.

Rezoning Request for R-1c (Single Family Residential) to CH (Commercial High Intensity) for future build of a

used car lot along Panama City Beach Parkway

**MEETING INFORMATION:**

**Date:** 10-12-2022

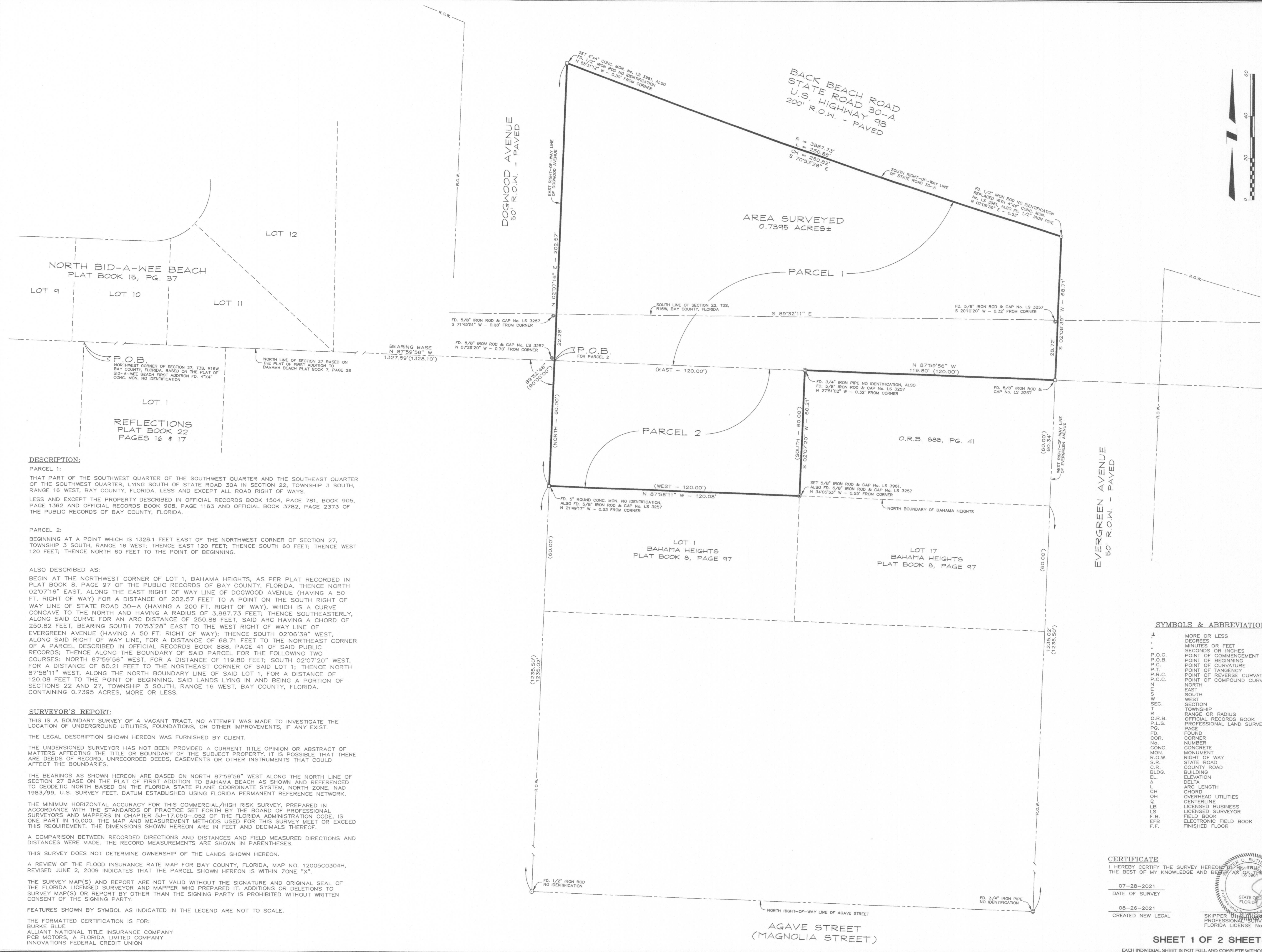
**Time:** 1:00 PM

**Place:** City Council Meeting Room  
17007 Panama City Beach Parkway  
Panama City Beach, FL 32413

**The applicant for this rezoning 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 three hundred (300) 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. 2429.





**DESCRIPTION:**  
**PARCEL 1:**  
 THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, LYING SOUTH OF STATE ROAD 30A IN SECTION 22, TOWNSHIP 3 SOUTH, RANGE 16 WEST, BAY COUNTY, FLORIDA. LESS AND EXCEPT ALL ROAD RIGHT OF WAYS.  
 LESS AND EXCEPT THE PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 1504, PAGE 781, BOOK 905, PAGE 1362 AND OFFICIAL RECORDS BOOK 908, PAGE 1163 AND OFFICIAL BOOK 3782, PAGE 2373 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

**PARCEL 2:**  
 BEGINNING AT A POINT WHICH IS 1328.1 FEET EAST OF THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 16 WEST; THENCE EAST 120 FEET; THENCE SOUTH 60 FEET; THENCE WEST 120 FEET; THENCE NORTH 60 FEET TO THE POINT OF BEGINNING.

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**SURVEYOR'S REPORT:**  
 THIS IS A BOUNDARY SURVEY OF A VACANT TRACT. NO ATTEMPT WAS MADE TO INVESTIGATE THE LOCATION OF UNDERGROUND UTILITIES, FOUNDATIONS, OR OTHER IMPROVEMENTS, IF ANY EXIST.  
 THE LEGAL DESCRIPTION SHOWN HEREON WAS FURNISHED BY CLIENT.  
 THE UNDERSIGNED SURVEYOR HAS NOT BEEN PROVIDED A CURRENT TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING THE TITLE OR BOUNDARY OF THE SUBJECT PROPERTY. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS THAT COULD AFFECT THE BOUNDARIES.  
 THE BEARINGS AS SHOWN HEREON ARE BASED ON NORTH 87°59'56" WEST ALONG THE NORTH LINE OF SECTION 27 BASE ON THE PLAT OF FIRST ADDITION TO BAHAMA BEACH AS SHOWN AND REFERENCED TO GEODETIC NORTH BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 1983/99, U.S. SURVEY FEET. DATUM ESTABLISHED USING FLORIDA PERMANENT REFERENCE NETWORK.  
 THE MINIMUM HORIZONTAL ACCURACY FOR THIS COMMERCIAL/HIGH RISK SURVEY, PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 54-17.050-052 OF THE FLORIDA ADMINISTRATION CODE, IS ONE PART IN 10,000. THE MAP AND MEASUREMENT METHODS USED FOR THIS SURVEY MEET OR EXCEED THIS REQUIREMENT. THE DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.  
 A COMPARISON BETWEEN RECORDED DIRECTIONS AND DISTANCES AND FIELD MEASURED DIRECTIONS AND DISTANCES WERE MADE. THE RECORD MEASUREMENTS ARE SHOWN IN PARENTHESES.  
 THIS SURVEY DOES NOT DETERMINE OWNERSHIP OF THE LANDS SHOWN HEREON.  
 A REVIEW OF THE FLOOD INSURANCE RATE MAP FOR BAY COUNTY, FLORIDA, MAP NO. 12005C0304H, REVISED JUNE 2, 2009 INDICATES THAT THE PARCEL SHOWN HEREON IS WITHIN ZONE "X".  
 THE SURVEY MAP(S) AND REPORT ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER WHO PREPARED IT. ADDITIONS OR DELETIONS TO SURVEY MAP(S) OR REPORT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.  
 FEATURES SHOWN BY SYMBOL AS INDICATED IN THE LEGEND ARE NOT TO SCALE.  
 THE FORMATTED CERTIFICATION IS FOR:  
 BURKE BLUE  
 ALLIANT NATIONAL TITLE INSURANCE COMPANY  
 PCB MOTORS, A FLORIDA LIMITED COMPANY  
 INNOVATIONS FEDERAL CREDIT UNION

**SYMBOLS & ABBREVIATIONS**

#	MORE OR LESS
°	DEGREES
'	MINUTES OR FEET
"	SECONDS OR INCHES
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
P.C.	POINT OF CURVATURE
P.T.	POINT OF TANGENCY
P.R.C.	POINT OF REVERSE CURVATURE
P.C.C.	POINT OF COMPOUND CURVATURE
N	NORTH
E	EAST
S	SOUTH
W	WEST
SEC.	SECTION
T	TOWNSHIP
R	RANGE OR RADIUS
O.R.B.	OFFICIAL RECORDS BOOK
P.L.S.	PROFESSIONAL LAND SURVEYOR
PG.	PAGE
FD.	FOUND
COR.	CORNER
No.	NUMBER
CONC.	CONCRETE
MON.	MONUMENT
R.O.W.	RIGHT OF WAY
S.R.	STATE ROAD
C.R.	COUNTY ROAD
BLDG.	BUILDING
ELEV.	ELEVATION
Δ	DELTA
CH	ARC LENGTH
OH	OVERHEAD UTILITIES
CE	CENTERLINE
LB	LICENSED BUSINESS
LS	LICENSED SURVEYOR
F.B.	FIELD BOOK
EFB	ELECTRONIC FIELD BOOK
F.F.	FINISHED FLOOR

**CERTIFICATE**  
 I HEREBY CERTIFY THE SURVEY HEREON WAS ACCURATELY AND CORRECTLY MADE TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THE DATE SURVEYED.

07-28-2021  
 DATE OF SURVEY

08-26-2021  
 CREATED NEW LEGAL

SKIPPER BURKE BLUE, P.L.S.  
 PROFESSIONAL SURVEYOR & MAPPER  
 FLORIDA LICENSE No. LS 3961





## **DATA AND ANALYSIS**

### **I. APPLICANT:**

**II. PROJECT LOCATION:** 102 Dogwood Street, Parcel ID# 34164-010-000. The applicant purchased the adjoining parcel on Panama City Beach Parkway and had the subject property combined with the Parkway Property. The Dogwood Street parcel now has a Parcel I.D. Number of 34002-050-000. The Dogwood Street Parcel is approximately 0.21 acres in size (8,935 square feet).

**III. REQUEST:** This request is for a Small-Scale Plan Amendment and Rezoning. The applicant is requesting a Future Land Use Map change from Single Family Residential Future Land Use designation to Tourist and a Rezoning from R-1CT (single family residential, high density manufactured homes) to CH (Commercial – High Intensity) for the subject parcel.

**IV. REASON FOR REQUEST:** The applicant is proposing to develop the site into an automotive sales center. However, if the Plan Amendment and Rezoning are approved, the site can be used for any use allowed within the CH zoning district.

### **VI. SITE EVALUATION:**

#### **A. IMPACT ON PUBLIC FACILITIES:**

##### **1. Transportation Facilities:**

The adjacent section of Panama City Beach Parkway is currently over capacity but the 6-laning improvements have been funded for construction by the FDOT. Development of this parcel will likely require the applicant to make a fair share contribution to address roadway capacity for Clara Avenue and Nautilus Street.

2. Sewer:

The City's wastewater treatment plant 1 (WWTP No. 1) provides Advanced Wastewater Treatment (AWT) quality effluent, with an accompanying wetlands effluent discharge system in a 2,900-acre facility containing 2,000 acres of receiving wetlands. Currently, the operating permit allows 14 MGD maximum monthly average (10 MGD annual average) treatment and 14 MGD maximum monthly average disposal capacity. Monthly average plant flows for January 1, 2021 through December 31, 2021 ranged from 5.326 MGD to 10.34 MGD with an annual average of 7.725 MGD for CY 2021. The City's reclaimed water system referenced in the Potable Water section below has been in operation since 2006 and provided average flows between 1.36 MGD and 4.10 MGD of irrigation water per month during CY 2021, depending on the time of year and demands, to residential and commercial areas of the City or an annual average rate of 2.71 MGD per month.

The wastewater system has been growing at a faster rate than the water system since a significant portion of the City utility service area had municipal water service, but no sewer service for many years. The City has systematically constructed sewer collection systems in older neighborhoods, with eight being completed since 2003. Based on previous historic growth rates of wastewater generation, it is anticipated that there will be a 4% yearly growth in wastewater generation within the City's service area (from the Hathaway Bridge to the West Bay Bridge to the Phillips Inlet Bridge). Accordingly, the City has planned for facilities to be upgraded to coincide with the increased demand. A site for a second wastewater treatment facility has been purchased and preliminary planning for development has begun. Once completed, the second facility will provide additional capacity and will be interconnected with the existing system for enhanced reliability and load sharing.

3. Potable Water:

The City has a franchise from Bay County authorizing the City to provide water and sewer service to the incorporated City limits and unincorporated Bay County west of St Andrew Bay, and south of West Bay and the contiguous Intracoastal Waterway. It was originally granted in 1973 and has been amended several times in the past, with the most recent being titled the *First Amendment to Second Amended and Restated Franchise*, approved in 2012. The City utility system also purchases 100% of its potable water from Bay County via contract. The contract was initially entered into in 1992 and has been revised several times in the past, with the most recent being titled the *2002 Amendment To 1999 Amended And Restated Water Service Contract*. The term of the agreement is through 2042 and states that 26.4 million gallons per day (MGD) was available to the City in 2021.

with best efforts by the County to be able to provide increasing amounts each year up and is currently 30.9 million gallons per day (MGD).

The City receives the treated County water via two subaqueous transmission mains located near the Hathaway and State Road 79 bridges crossing St. Andrew Bay and West Bay. Water is stored in ground level tanks and re-pumped on demand to meet the City's water needs. The City's current available pumping and transmission capacity is approximately 37.8 MGD. The Contract with the County has been designed to increase capacity by approximately 4% per year in order to continue to have capacity available for growth. Additionally, the City has two (2) - 7 million gallon storage tanks at its West Bay storage and pumping facility, and 2, 4 and 5 million gallon storage tanks at its McElvey Road storage and pumping facility near the St. Andrew Bay delivery point, which gives the City an additional 25 million gallons of working reserve for peak hour and fire flow demands.

Bay County and the City had begun negotiations on an updated water contract in late 2010. However, the parties could not come to agreement and negotiations terminated several months later, with the current contract remaining in effect. County staff has informally indicated a desire to reopen negotiations, though no action was taken in 2016. No substantive changes are expected in the short term.

It is conservatively estimated the average citizen consumes 125 gallons per day for planning purposes. Daily water demand for January 1, 2021 through December 31, 2021 were comparable with 2020, ranging from 9.183 million gallons per day (MGD) to 17.58 MGD on a monthly average, with an annual average of 13.49 MGD. The maximum single-day demand was 19.75 MGD which occurred over Memorial Day holiday weekend in May 2021 which is 14% higher than the peak day over the 2020 Memorial Day weekend.

The County's projected available capacity to supply potable water to the City in 2020 is 30.90 MGD, leaving an excess monthly average capacity ranging from 13.32 MGD to 21.72 MGD with an annual average excess of 17.41 MGD. The excess on the single-day maximum was 12.00 MGD.

The City has also implemented a reclaimed water utility system making highly-treated effluent from the wastewater system available for irrigation to new subdivisions and commercial developments. With the implementation of this reclaimed water system, it is estimated that the 2% of total potable water consumption previously used by similar developments will be replaced by reclaimed water in these new subdivisions.



**B. SITE SUITABILITY:**

1. Wetlands: According to information supplied by Bay County GIS there are no wetlands located on the subject site.
2. Plant and Wildlife Resources: Information regarding natural resources is based on information from the Florida Natural Areas Inventory "FNAI", which is a non-profit organization administered by The Florida State University. This group is involved in gathering, interpreting, and disseminating information critical to the conservation of Florida's biological diversity.

According to information supplied by FNAI, there are no threatened or endangered species located on the subject site.

3. Flood Zones:

According to information supplied by FEMA, the site is located in Flood Zone X, which is defined as an area determined to be located outside of the 100 and 500-year floodplains.

**C. COMPATABILITY WITH SURROUNDING LAND USES:**

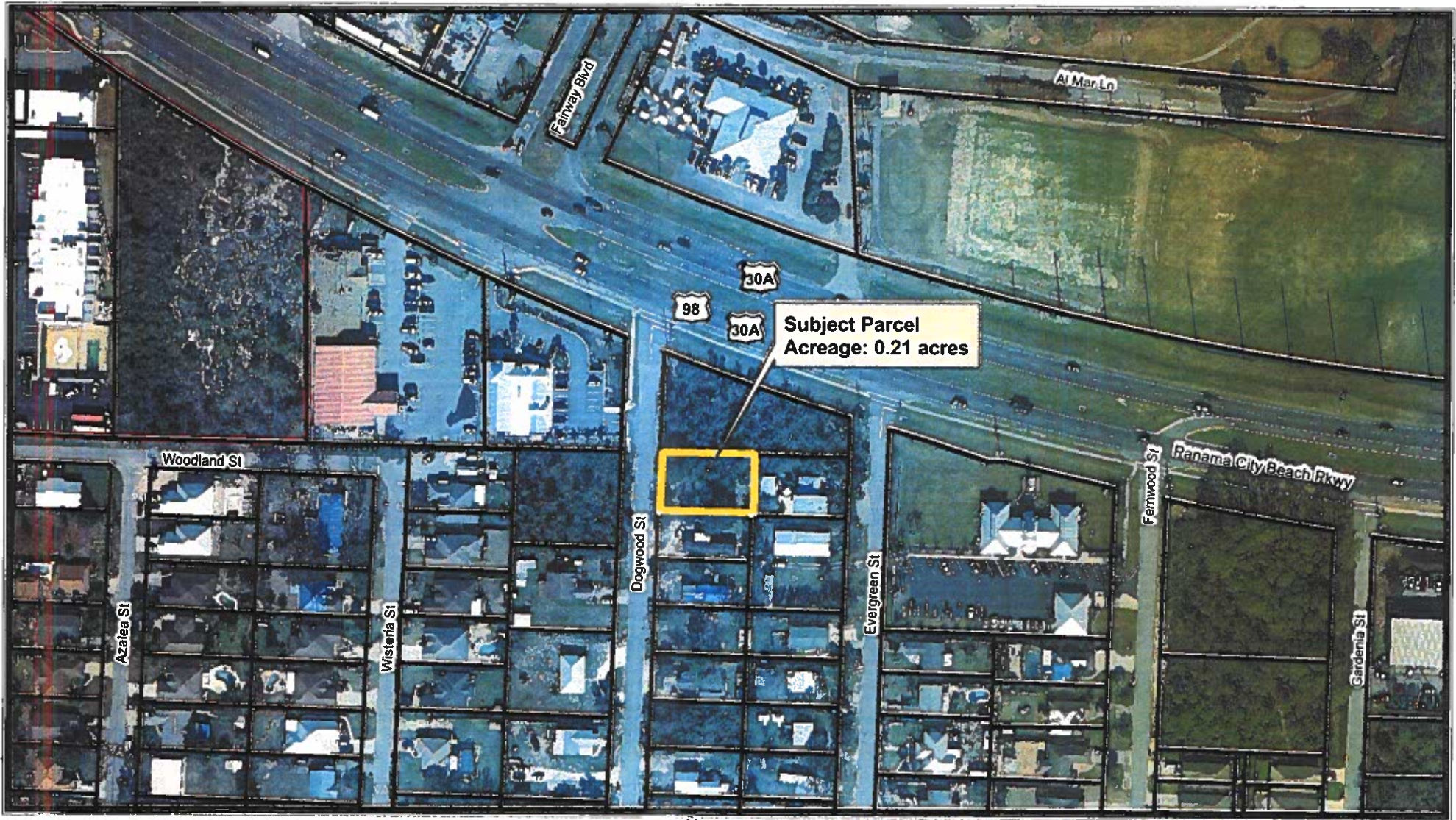
Compatibility is generally defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Rezoning the subject property from Single Family Residential to Commercial – High Intensity will encroach into the existing residential neighborhood and create a high probability of increased nuisances to the surrounding properties from noise, lighting, traffic and incompatible hours of operation.

**CONCLUSION:**

The subject property is abutted on three sides by single family residential zoning. There is not enough land area available to provide a buffer sufficient to mitigate the probable nuisances from a commercial property. Staff recommends denial of the requests.

**102 Dogwood Street Aerial**



**Subject Parcel  
Acreage: 0.21 acres**

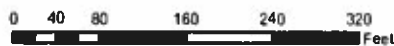
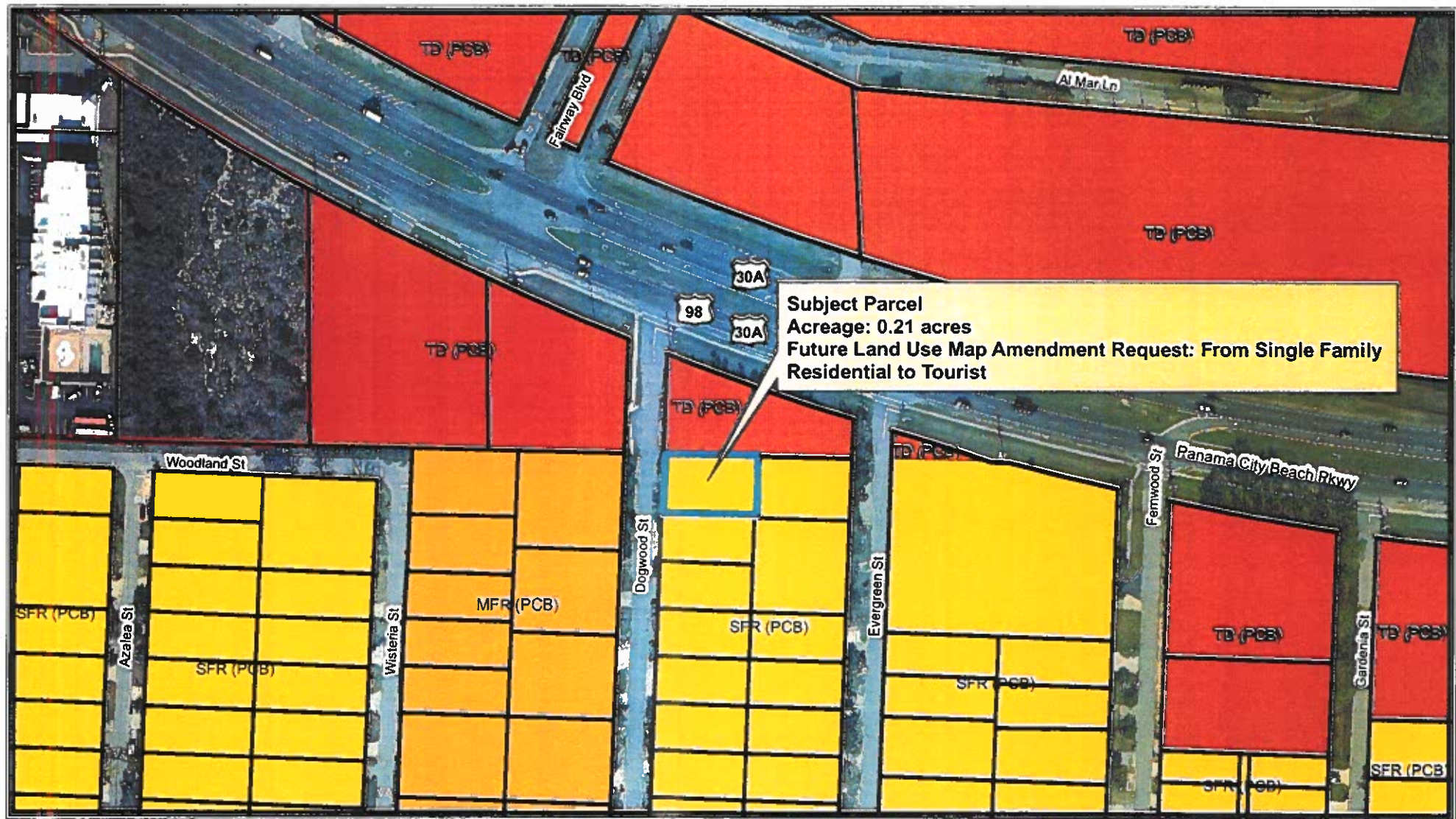
0 40 80 160 240 320 Feet



Prepared by The  
City of Panama City Beach  
Planning Department



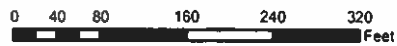
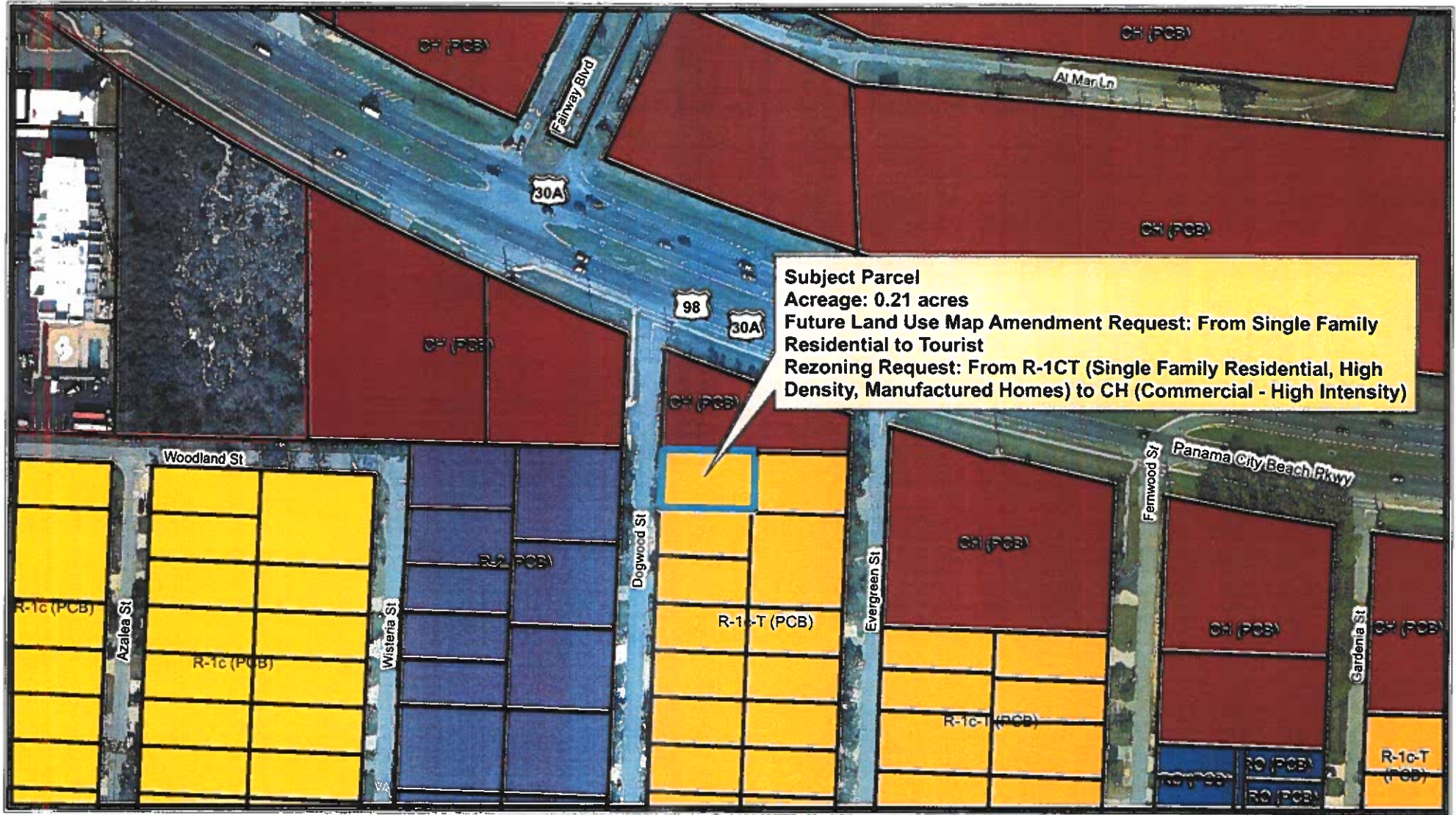
**102 Dogwood Street**  
**Future Land Use Map Amendment Request**



Prepared by The  
City of Panama City Beach  
Planning Department



**102 Dogwood Street**  
**Rezoning Request**



Prepared by The  
City of Panama City Beach  
Planning Department



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# PUBLIC COMMENTS ON ITEM NO. 6

William & Susan Gay  
102 Evergreen St.  
PCBch., Fla. 32407

To Our Planning, Building & Re-Zoning Members,

Concerning PCB Parkway and Dogwood St. ( Parcel ID# 34002-050-000) I am writing you today as the homeowners at 102 Evergreen St. for over 45 years. We are AGAINST the re-zoning of the Dogwood residential property to become commercial and for its use as a "used car lot". We have been experiencing water run-off onto our property from Dogwood St. AND the Waterside Chiropractors large ditch for some time now. When it fills with flooding rains it spills onto Evergreen St. and up into our front and side yard along with the waters from Dogwoods run-off with nowhere to drain.... from both streets converging to our property. The property NEXT to the residential on Dogwood St. has experienced flooding issues also from their streets run-off. Stripping that property of all vegetation for a cement parking lot could be catastrophic for further flooding issues.

As if that wasn't reason enough for both of us neighbors to be against the re-zoning, we can't imagine a USED CAR LOT with a garage for doing repairs, producing obnoxious fumes and noise to be an appealing replacement for the natural beauty of the property which contains a 30 year old Magnolia tree and several lovely Palms. Has Mr. Bezhaev even considered how a used car lot would affect our properties values???? Does he even care at all? Those of you on the Re-zoning board have to admit you'd be upset too if YOU were in our positions. Please consider our homes and properties as if it was YOUR OWN PROPERTY and please turn this re-zoning proposal DOWN.

Sincerely

A handwritten signature in cursive script that reads "Sue & Bill Gay". The signature is written in black ink and is positioned below the typed name "Sue & Bill Gay".

---

# ITEM NO. 7



**CITY OF PANAMA CITY BEACH**  
**Building and Planning Department**  
**116 S. Arnold Road, Panama City Beach, FL 32413**  
**850-233-5100 ext. 2429 Fax: 850-233-5049**  
**Email: [planningdivision@pcbfl.gov](mailto:planningdivision@pcbfl.gov)**

**PETITION FOR ANNEXATION & ZONING**  
**LDC Section 10.02.09**

**Application Submittal Requirements: LDC Section 10.02.01**

Property Owner(s) Name: City of Panama City Beach

Address: 17007 Panama City Beach Parkway

City: Panama City Beach State: FL Zip 32413

Email: drew.whitman@pcbfl.gov Telephone: (850)233-5100 Cell: \_\_\_\_\_

Name of Acting Agent: Andrea Chester (andrea.chester@pcbfl.gov)

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

Parcel # of Property for Rezoning: 34034-010-001

Address/ Location of Property for Rezoning: Alf Coleman Road

Present Zoning Designation General Commercial (C-3) Requested Zoning Designation Public Facilities (PF)

**Application Submittal Requirements: LDC Section 10.02.02**

Plan or Plat Preparer Name: Snelgrove Surveying & Mapping, Inc

Address: 2840 Jefferson Street

City: Marianna State: FL Zip 32448

Email: snelgrove@snelgrovesurveying.com Telephone: (850)526-3991 Cell: \_\_\_\_\_

- REQUIREMENTS**
1. The applicant shall submit an analysis of the annexation criteria set forth in Chapter 171, Florida Statutes.
  2. Petition of Annexation signed by all owners of the property proposed to be annexed. Petition must be witnessed and notarized.
  3. Title evidence demonstrating that the Petition of Voluntary Annexation bears the signatures of all owners of the property proposed to be annexed.
  4. A boundary survey of the property proposed to be annexed. (10 Copies)
  5. A complete legal description of the property proposed to be annexed.
  6. An excerpt of the City's Official Zoning Map, with the property proposed to be annexed depicted.
  7. Stormwater acknowledgement consent.

Payment Fee: Zoning: \$800 / Small Scale Amendment: \$1,500 / Large Scale Amendment: \$2,100

Date Collected: 9/22/2032 - *Internal transfer of funds*





**PETITION FOR ANNEXATION,  
SMALL SCALE AMENDMENT &  
ZONING DESIGNATION REQUEST**  
LDC Section 10.02.10

**APPLICANTS SIGNATURES:**

DREW R. WHITMAN  
Print Name of Applicant

*[Signature]*  
Signature

Date: 09-22-2022

\_\_\_\_\_  
Print Name of Applicant

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

**FEES:**

Zoning: \$800.00 \_\_\_\_\_

Small Scale Amendment: \$1,500.00  Includes the zoning fee.

Large Scale Amendment: \$2,100.00 \_\_\_\_\_ Includes the zoning fee.

Date Collected: 9/22/2022 *internal transfer of funds*



# PETITION OF ANNEXATION

This Petition is presented under the provisions of Section 171.044 Florida Statutes for the purpose of requesting that the real property described below be annexed to the City of Panama City Beach:

(SEE ATTACHED EXHIBIT "A")

The property described above is contiguous to the municipal boundaries of the City of Panama City Beach. The property is owned in its entirety by:

City of Panama City Beach

which, by his/her execution of this Petition, consents to this proposed annexation. Dated this 22<sup>nd</sup> day of September, 2022.

Signed, sealed and delivered in the presence of:

Harry White

WITNESS

BY: [Signature]

Lynne Fasone

WITNESS

BY: \_\_\_\_\_

WITNESS

WITNESS

STATE OF FLORIDA  
COUNTY OF BAY

The a foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of September, 2022, by Drew Whitman, City Manager

- who is personally known to me.
- who produced \_\_\_\_\_ as identification.

Lynne Fasone  
Signature of Notary Public

[Seal]  Lynne Fasone  
Notary Public  
State of Florida  
Comm# HH096235  
Expires 2/22/2025



## ACKNOWLEDGMENT AND CONSENT

The City of Panama City Beach ("Owner") represents unto the City of Panama City Beach, Florida, (i) that it owns all of the property described below, (ii) that the property is or should be assessed in its name upon the latest ad valorem tax rolls of Bay County, Florida, and (iii) that it has requested that the property be annexed into the City of Panama City Beach, to wit,

SEE ATTACHED LEGAL DESCRIPTION

FURTHER, Owner consents and agrees that, upon annexation into the City, Owner's Property will be subject to all of the same non ad valorem assessments, including recurring assessments, as have been previously levied or will be levied on other similarly situated/benefited property in the City and waives notice and opportunity of hearing upon the levy of such previous assessments against Owner's property being annexed.

This consent is authorized by and is given pursuant to Section 197.3632(4)(a) Florida Statutes in order to preclude a public hearing necessitated solely by the annexation of Owner's property.

DATED THIS 22<sup>nd</sup> DAY OF September, 2022.

WITNESSES

*Henry J. White*

*Lynne Fasone*

OWNER

Name: *DREW R. WHITMAN*

By: *D-R White*

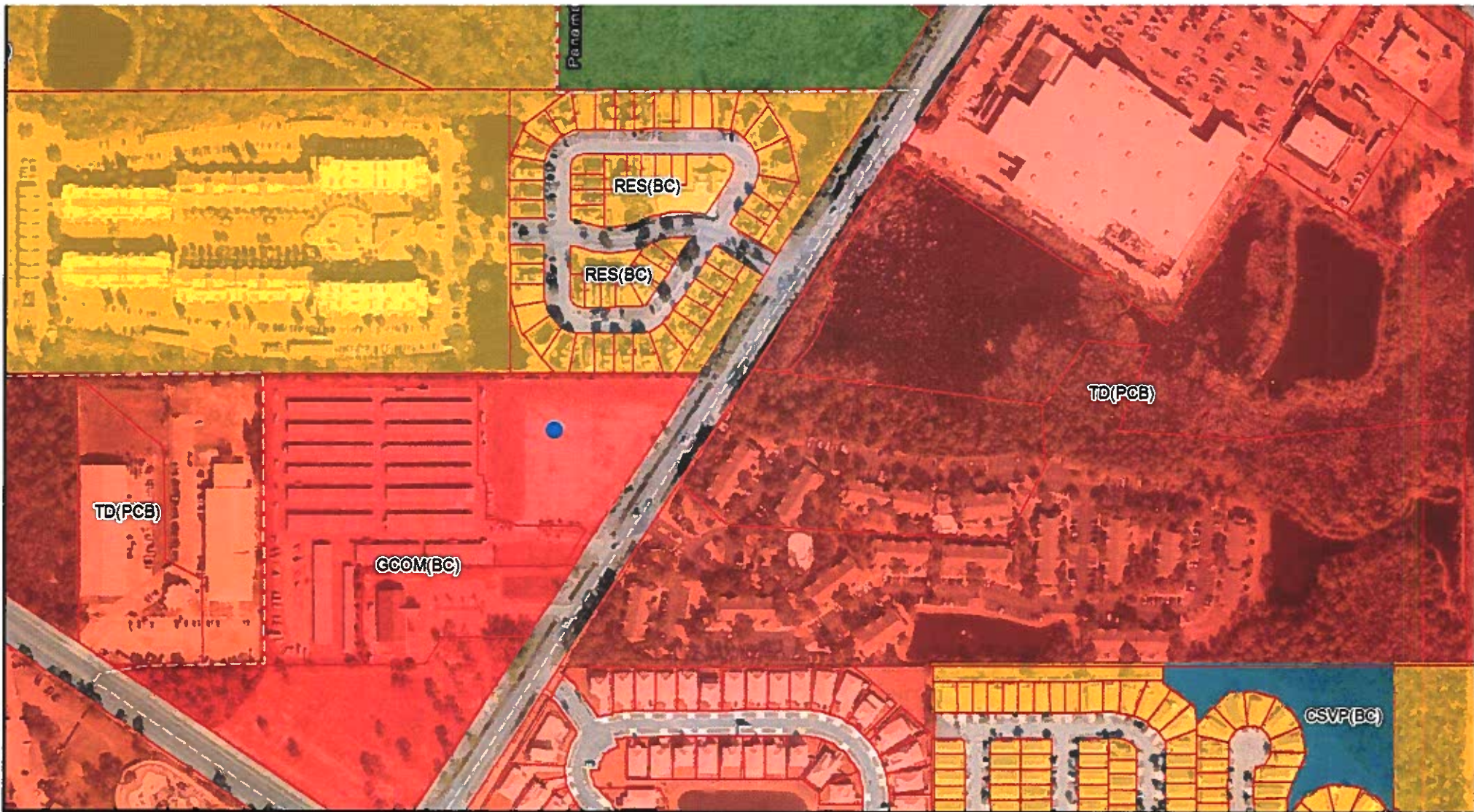
It's: *CITY MANAGER*



## LEGAL DESCRIPTION

34034-010-000

COMMENCE AT AN EXISTING CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 16 WEST, BAY COUNTY, FLORIDA AND RUN SOUTH 89 DEGREES 36 MINUTES 45 SECONDS EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID SECTION 26, 392.69 FEET TO A POINT IN THE CENTERLINE OF ALF COLEMAN ROAD. THENCE RUN NORTH 33 DEGREES 40 MINUTES 52 SECONDS EAST, ALONG SAID CENTERLINE, 1027.73 FEET TO A POINT, THENCE DEPARTING SAID CENTERLINE RUN NORTH 55 DEGREES 38 MINUTES 42 SECONDS WEST 40.0 FEET TO AN IRON ROD MARKING THE INTERSECTION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID ALF COLEMAN ROAD WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF HUTCHISON BOULEVARD (MIDDLE BEACH ROAD), THENCE RUN NORTH 33 DEGREES 40 MINUTES 52 SECONDS EAST, ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF ALF COLEMAN ROAD, 796.28 FEET TO A CONCRETE MONUMENT FOR THE POINT OF BEGINNING, THENCE DEPARTING SAID NORTHWESTERLY RIGHT OF WAY LINE AND FROM SAID POINT OF BEGINNING RUN NORTH 89 DEGREES 33 MINUTES 28 SECONDS WEST 23.91 FEET TO AN IRON ROD, THENCE RUN NORTH 33 DEGREES 40 MINUTES 52 SECONDS EAST 95.78 FEET TO AN IRON ROD, THENCE RUN NORTH 61 DEGREES 21 ,MINUTES 06 SECONDS WEST 22.68 FEET TO AN IRON ROD, THENCE RUN NORTH 89 DEGREES 12 MINUTES 38 SECONDS WEST 144.85 FEET TO AN IRON ROD, THENCE RUN NORTH 53 DEGREES 27 MINUTES 08 SECONDS WEST 25.47 FEET TO AN IRON ROD, THENCE RUN NORTH 89 DEGREES 40 MINUTES 32 SECONDS WEST 45.52 FEET TO AN IRON ROD, THENCE RUN NORTH 00 DEGREES 29 MINUTES 53 SECONDS EAST 83.74 FEET TO AN IRON ROD, THENCE RUN NORTH 88 DEGREES 48 MINUTES 59 SECONDS WEST 8.22 FEET TO AN IRON ROD, THENCE RUN NORTH 00 DEGREES 54 MINUTES 30 SECONDS EAST 17.14 FEET TO AN IRON ROD, THENCE RUN NORTH 89 DEGREES 30 MINUTES 37 SECONDS WEST 12.03 FEET TO AN IRON ROD, THENCE RUN NORTH 00 DEGREES 27 MINUTES 15 SECONDS EAST 233.49 FEET TO AN IRON ROD, THENCE RUN SOUTH 89 DEGREES 36 MINUTES 01 SECONDS EAST 511.66 FEET TO A CONCRETE MONUMENT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID ALF COLEMAN ROAD, THENCE RUN SOUTH 33 DEGREES 40 MINUTES 52 SECONDS WEST, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, 527.85 FEET TO THE POINT OF BEGINNING.



# FUTURE LAND USE MAP



**pointLayer**

● Override 1

Parcels

**futurelanduse**

■ CSVP Conservation Preservation

■ GCOM General Commercial

■ RES Residential

■ Conservation

■ Tourist District





pointLayer

- Override 1
- Parcels

# VICINITY MAP









**CITY OF PANAMA CITY BEACH PUBLIC NOTICE OF  
ANNEXATION, SMALL SCALE AMENDMENT  
AND ZONING DESIGNATION REQUEST**

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

**APPLICANT:** City of Panama City Beach

**ADDRESS/LOCATION:** Alf Coleman Road (Parcel: 34034-010-001)

This is being requested because, the City of Panama City Beach intends to use the subject property to construct  
public facilities that include a new fire station and will service areas within the City of Panama City Beach.

**MEETING INFORMATION:**

**Date:** October 12, 2022

**Time:** 1:00 p.m.

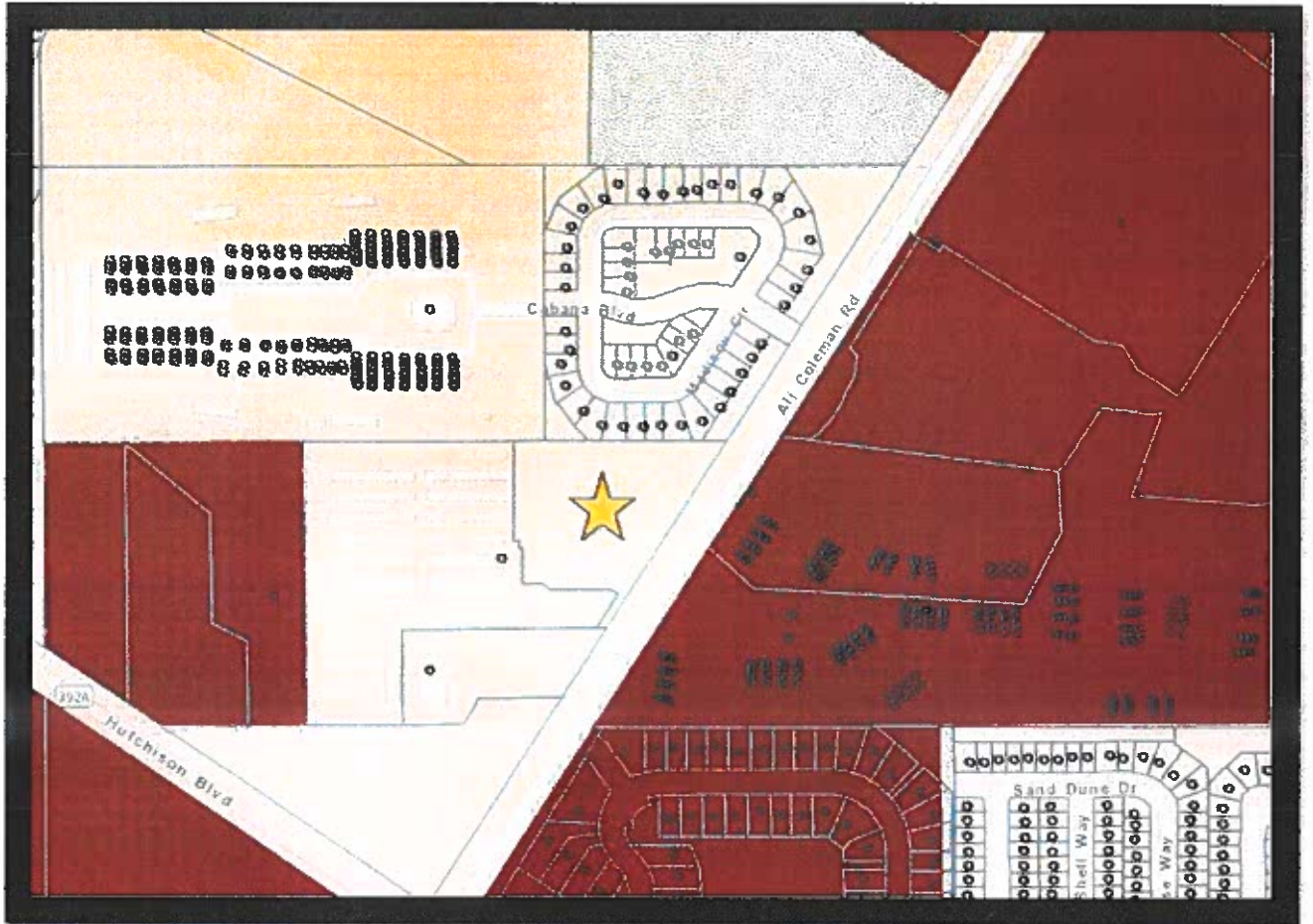
**Place: City Council Meeting Room  
17007 Panama City Beach Parkway  
Panama City Beach, FL 32413**

**The applicant for this 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 three hundred (300) 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. 2429.

# Alf Coleman Road

Parcel: 34034-010-001







City of  
**Panama City Beach**

**DATA AND ANALYSIS**

- I. **APPLICANT:** City of Panama City Beach
- II. **PROPERTY LOCATION:** Parcel ID# 34034-010-001, located on the west side of Alf Coleman Road.
- III. **REQUEST:** The request is for an Annexation, Small-Scale Plan Amendment, and a Zoning Designation for approximately 3.21 acres to be assigned a Future Land Use Designation of Public Buildings and Grounds and a Zoning Designation of Public Facilities (PF). The site currently has a County Future Land Use Designation of General Commercial (GCOM) and a Zoning Designation General Commercial (C-3).
- IV. **REASON FOR REQUEST:** The purpose of the request is the City intends to construct a new fire station at this location that will serve the city and beaches areas.
- V. **ANNEXATION REQUIREMENTS:**

**Florida Statutes Chapter 171. Annexation and Contraction.** The goal of annexations is the efficient provision of urban services to urban places. Annexations are governed by the provisions of Florida's Municipal Annexation and Contraction Act which does the following:

- (1) Ensures sound urban development and accommodation to growth;
- (2) Establishes uniform legislative standards throughout the state for the adjustment of municipal boundaries;
- (3) Ensures the efficient provision of urban services to areas that become urban in character; and,
- (4) Ensures that areas are not annexed unless municipal services can be provided to those areas.

**Florida Statutes 171.043 Character of the area to be annexed.** A municipal governing body may propose to annex an area only if it meets the general standards of subsection (1) and the requirements of either subsection (2) or subsection (3).

- (1) The total area to be annexed must be contiguous to the municipality's boundaries at the time the annexation proceeding is begun and reasonably compact, and no part of the area shall be included within the boundary of another incorporated municipality.

The purpose of this subsection is to permit municipal governing bodies to extend corporate limits to include all nearby areas developed for urban purposes and, where necessary, to include areas which at the time of annexation are not yet developed for urban purposes whose future probable

use is urban and which constitute necessary land connections between the municipality and areas developed for urban purposes or between two or more areas developed for urban purposes.

**CONTIGUOUS AND COMPACT:** For an Annexation to be consistent with Florida Statutes, Chapter 171, it must be contiguous and reasonably compact. A parcel is contiguous if a substantial part of a boundary touches the municipality. The definition of “contiguous” in F.S. Chapter 171.031 (11), means that a substantial part of a boundary of the territory sought to be annexed by a municipality is coterminous with a part of the boundary of the municipality. The separation of the territory sought to be annexed from the annexing municipality by a right-of-way for a highway or road running parallel with and between the territory sought to be annexed shall not prevent annexation. A definition of “compactness” in F.S. Chapter 171.031 (12), means a concentration piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns.

**STAFF COMMENTS:** Staff has reviewed the request and determines that it meets the criteria under F.S. Chapter 171. The owner/applicant of the property has petitioned for the request and executed the necessary documentation according to F.S. Chapter 171. Staff has determined the proposed annexation request is contiguous; the subject site runs parallel to the existing City limits on the eastern boundary, and it does not create an enclave pocket or finger.

The City plans to construct a fire station and associated uses on this lot and wishes for it to be in the city limits.

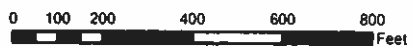
**CONCLUSION:**

Planning staff supports the Annexation, Small Scale-Amendment and Zoning request.

# Annexation Request for New Fire Station



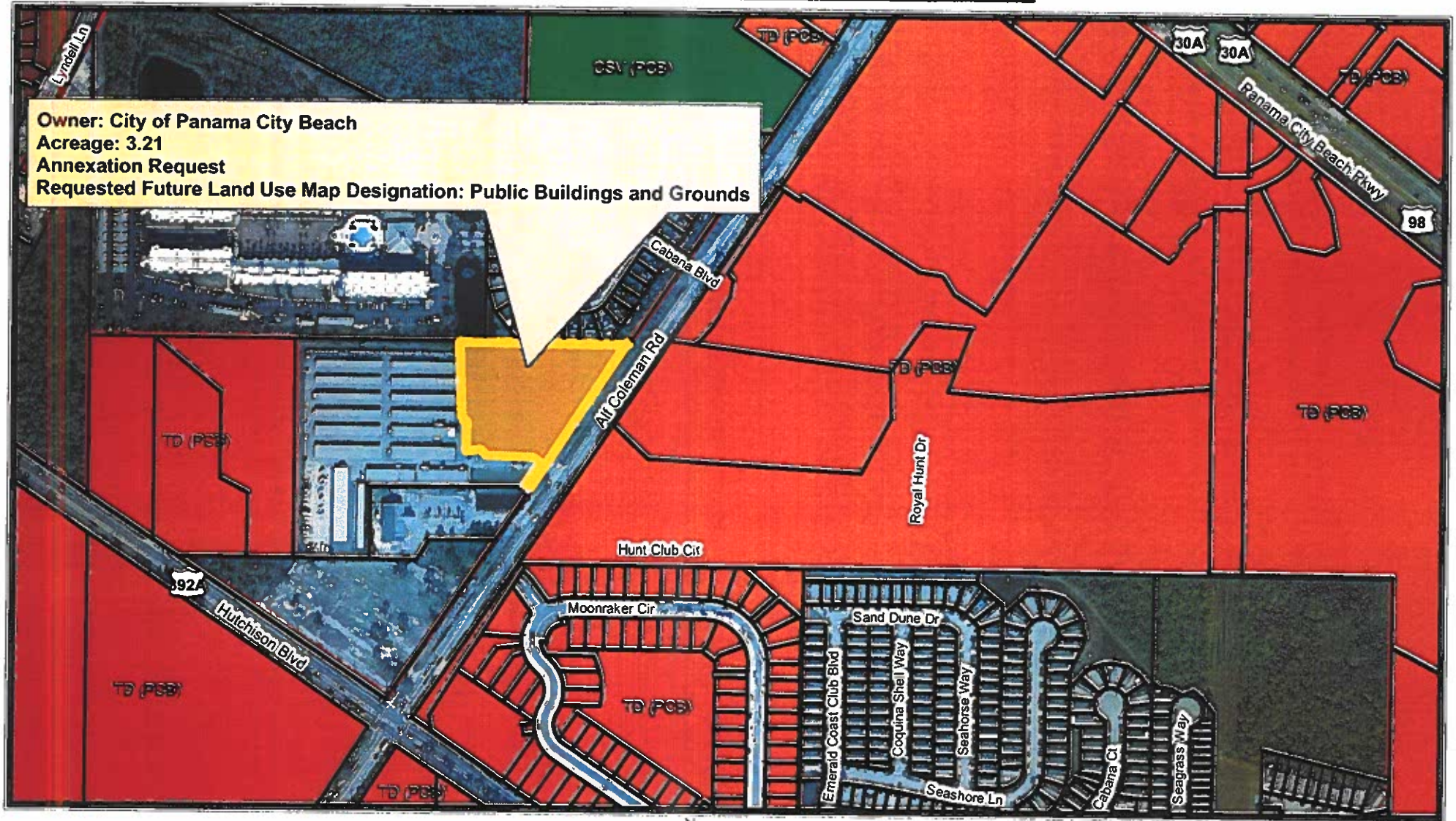
**Owner: City of Panama City Beach**  
**Acreage: 3.21**  
**Annexation Request**



Prepared by The  
City of Panama City Beach  
Planning Department



## Future Land Use Map Request for New Fire Station



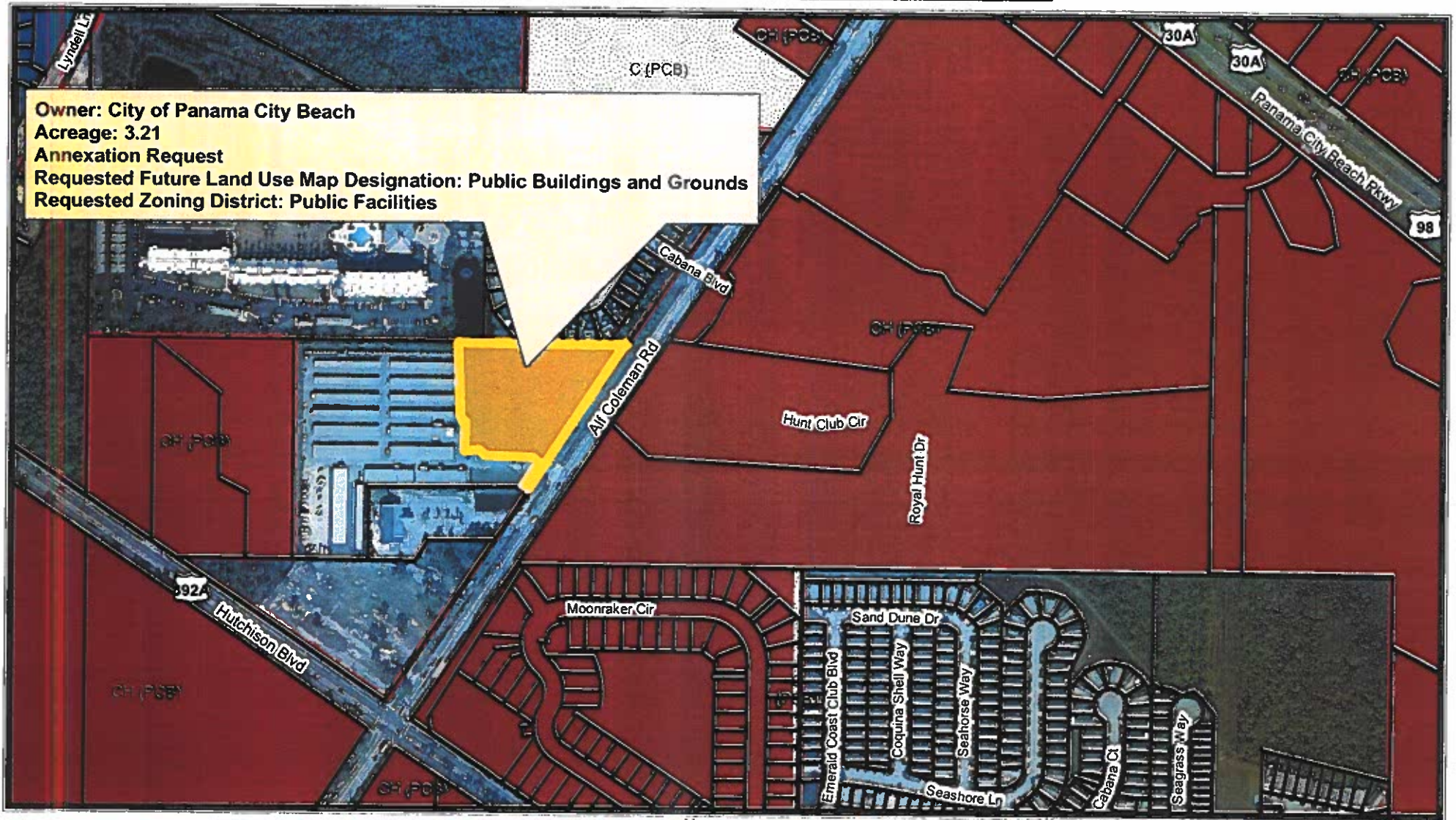
0 100 200 400 600 800 Feet



Prepared by The  
City of Panama City Beach  
Planning Department



## Zoning Map Designation Request for New Fire Station



0 100 200 400 600 800  
Feet



Prepared by The  
City of Panama City Beach  
Planning Department





# Bay County Property Appraiser - Dan Sowell, CFA

Main Office | 860 W. 11th St, Panama City, FL 32401 | 850-248-8401

Beach Office | 301 Richard Jackson Blvd, Panama City Beach, FL 32407 | 850-248-8470



### Overview



### Legend

- Parcels
- 2022 Improved Sales
- 2022 Vacant Sales

?						
<b>Parcel ID</b>	34034-010-001	<b>Owner</b>	CITY OF PANAMA CITY BEACH	<b>Last 2 Sales</b>		
<b>Class Code</b>	CITY VACANT		110 SARNOLD RD	<b>Date</b>	<b>Price</b>	<b>Reason</b>
<b>Taxing</b>	56		PANAMA CITY BEACH, FL 32413-	11/14/2007	0	UNQUAL/CORRECTIVE/QCD,TD U
<b>District</b>	PANAMA CITY BEACH	<b>Physical Address</b>	2140	n/a	0	n/a
<b>Acres</b>	3.21	<b>Just Value</b>	323 ALF COLEMAN RD	MLS		n/a
			Value \$453460			

(Note: Not to be used on legal documents)

Date created: 9/15/2022  
Last Data Uploaded: 9/15/2022 1:06:40 PM





# ITEM NO. 8

### CAPITAL IMPROVEMENTS SCHEDULE

	Funding Source	Current Status	Total Cost	Spent Year to Date	22-23	23-24	24-25	25-26	Beyond 26-27
<b>Traffic Circulation</b>									
1.) <b>Clarence Avenue</b> <ul style="list-style-type: none"> <li>Road widening with sidewalks</li> <li>Improve various street surfaces and shoulders</li> </ul>	Gas Tax	On Hold							
2.) <b>Alf Coleman Road (phase I &amp; II)</b> <ul style="list-style-type: none"> <li>4 lane widening</li> <li>pedestrian/bicycle improvements</li> <li>landscaping</li> <li>streetscaping</li> <li><i>(needed to meet future demand)</i></li> </ul>	<ul style="list-style-type: none"> <li>FBR-CRA</li> <li>HMGP Grant</li> <li>FDOT Grant</li> </ul>		\$34,440,000	\$181,000	\$2,307,000	\$2,727,000	\$20,000	\$0	\$29,205,000
3.) <b>N. Thomas Drive</b> <ul style="list-style-type: none"> <li>4 lane widening</li> <li>pedestrian/bicycle improvements</li> <li>landscaping</li> <li>streetscaping</li> <li><i>(needed to meet future demand)</i></li> </ul>	FBR-CRA		\$40,931,000	\$990,000					\$39,941,000
4.) <b>Hill Road</b> <ul style="list-style-type: none"> <li>4 lane widening</li> <li>pedestrian/ bicycle improvements</li> <li>landscaping</li> <li>streetscaping</li> <li><i>(needed to meet future demand)</i></li> </ul>	FBR-CRA		\$17,632,000	\$167,000					\$17,465,000
5.) <b>Powell Adams Road</b> <ul style="list-style-type: none"> <li>4 lane widening</li> <li>pedestrian/ bicycle improvements</li> <li>landscaping</li> <li>streetscaping</li> <li><i>(needed to meet future demand)</i></li> </ul>	<ul style="list-style-type: none"> <li>FBR-CRA</li> <li>Prop. Share</li> </ul>	Seg. I Completed	\$3,000,000						
		Seg. II	\$7,560,000	\$500,000	\$4,530,000	\$2,530,000			
6.) <b>S. Thomas Drive</b> <ul style="list-style-type: none"> <li>public transit</li> <li>pedestrian/ bicycle improvements</li> <li>landscaping</li> <li>streetscaping</li> <li><i>(needed to meet future demand)</i></li> </ul>	FBR-CRA	Construction Completed in 2013	\$14,230,000						

### CAPITAL IMPROVEMENTS SCHEDULE

	Funding Source	Current Status	Total Cost	Spent Year to Date	22-23	23-24	24-25	25-26	Beyond 26-27
7.) <b>Clara Avenue</b> <ul style="list-style-type: none"> <li>• 4 lane widening</li> <li>• pedestrian/ bicycle improvements</li> <li>• landscaping</li> <li>• streetscaping</li> </ul> <i>(needed to meet future demand)</i>	FBR-CRA		\$22,524,000	\$123,000					\$22,401,000
8.) <b>Front Beach Road Segment 1 (S. Thomas Dr. to N. Thomas Dr.)</b> <ul style="list-style-type: none"> <li>• public transit system</li> <li>• pedestrian/ bicycle improvements</li> <li>• landscaping</li> <li>• streetscaping</li> </ul> <i>(needed to meet future demand)</i>	<ul style="list-style-type: none"> <li>• FBR-CRA</li> <li>• Part of S. Thomas Dr. project (See project #6)</li> </ul>	Construction Completed in 2013	\$11,130,000						
9.) <b>Front Beach Road Segment 2 (R. Jackson Blvd. to S. Thomas)</b> <ul style="list-style-type: none"> <li>• public transit system</li> <li>• ped/bic. Improvements</li> <li>• landscaping</li> <li>• streetscaping</li> </ul> <i>(needed to meet future demand)</i>	FBR-CRA	Complete	\$17,435,000	\$17,435,000					
10.) <b>Front Beach Road Segment 3 (State Road 79 to Lullwater Dr.)</b> <ul style="list-style-type: none"> <li>• public transit system</li> <li>• pedestrian/ bicycle improvements</li> <li>• landscaping</li> <li>• streetscaping</li> </ul> <i>(needed to meet future demand)</i>	<ul style="list-style-type: none"> <li>• FBR-CRA</li> <li>• FDOT</li> <li>• Prop. Share</li> </ul>	<ul style="list-style-type: none"> <li>• Design</li> <li>• Construction</li> <li>• Utilities</li> <li>• CE&amp;I and Post Design</li> </ul>	\$35,380,000	\$16,125,000	\$14,445,000	\$4,810,000			
11.) <b>S. Arnold Road (SR 79)</b> <ul style="list-style-type: none"> <li>• 4 lane widening</li> <li>• pedestrian/ bicycle improvements</li> <li>• landscaping</li> <li>• streetscaping</li> </ul> <i>(needed to meet future demand)</i>	<ul style="list-style-type: none"> <li>• FBR-CRA</li> <li>• TRIP funding</li> <li>• FDOT</li> <li>• FDOT 5-Year Work Program</li> </ul>	SR 79 has been combined with FBR Seg. 3 - see above		\$1,712,000					



### CAPITAL IMPROVEMENTS SCHEDULE

	Funding Source	Current Status	Total Cost	Spent Year to Date	22-23	23-24	24-25	25-26	Beyond 26-27
12.) <b>Front Beach Road Segment 4.1 (Lullwater Dr. to Hills Rd.)</b> <ul style="list-style-type: none"> <li>• public transit system</li> <li>• pedestrian/ bicycle improvements</li> <li>• landscaping</li> <li>• streetscaping</li> </ul> <i>(needed to meet future demand)</i>	<ul style="list-style-type: none"> <li>• FBR-CRA</li> <li>• HMGP Grant</li> </ul>	<ul style="list-style-type: none"> <li>• Design Right of Way</li> <li>• Construction</li> </ul>	\$34,576,000	\$2,053,000	\$14,209,000	\$14,309,000	\$4,005,000		
13.) <b>Front Beach Road Segment 4.2 (Hill Rd. to Hutchison Blvd.)</b> <ul style="list-style-type: none"> <li>• public transit system</li> <li>• pedestrian/ bicycle improvements</li> <li>• landscaping</li> <li>• streetscaping</li> </ul> <i>(needed to meet future demand)</i>	<ul style="list-style-type: none"> <li>• FBR-CRA</li> <li>• HMGP Grant</li> </ul>	<ul style="list-style-type: none"> <li>• Design Right of Way</li> <li>• Construction</li> </ul>	\$32,650,000	\$787,000	\$5,699,000	\$17,159,000	\$9,005,000		
14.) <b>Front Beach Road Segment 4.3 (Hutchison Blvd. to R. Jackson Blvd)</b> <ul style="list-style-type: none"> <li>• public transit system</li> <li>• pedestrian/ bicycle improvements</li> <li>• landscaping</li> <li>• streetscaping</li> </ul> <i>(needed to meet future demand)</i>	<ul style="list-style-type: none"> <li>• FBR-CRA</li> <li>• HMGP Grant</li> </ul>	<ul style="list-style-type: none"> <li>• Design Right of Way</li> <li>• Construction</li> </ul>	\$35,323,000	\$483,000	\$10,526,000	\$12,254,000	\$12,060,000		
15.) <b>Cobb Road</b> <ul style="list-style-type: none"> <li>• pedestrian/ bicycle improvements</li> <li>• landscaping</li> <li>• streetscaping</li> </ul>	FBR-CRA	No Activity to Date	\$12,639,000						\$12,639,000
16.) <b>Nautilus Street</b> <ul style="list-style-type: none"> <li>• landscaping</li> <li>• streetscaping</li> </ul>	FBR-CRA		\$24,219,000	\$12,000					\$24,207,000
17.) <b>North Thomas Drive (Parking Lot)</b>	<ul style="list-style-type: none"> <li>• FBR-CRA</li> <li>• Prop. Share</li> </ul>	Parking Lot Stabilized		\$5,250,000					
18.) <b>Multimodal Center West</b>	FBR-CRA	No Activity to Date							
19.) <b>Phillip Griffiths Parkway Phase III (Clara to Chip Seal)</b>	<ul style="list-style-type: none"> <li>• FDOT 5-Year Work Program</li> <li>• PD&amp;E w/ Bay Co</li> </ul>	<ul style="list-style-type: none"> <li>• New Road Construction</li> <li>• Bay County approved to negotiate PD&amp;E</li> </ul>							

### CAPITAL IMPROVEMENTS SCHEDULE

	Funding Source	Current Status	Total Cost	Spent Year to Date	22-23	23-24	24-25	25-26	Beyond 26-27
20.) <b>PCB Parkway</b> (Mandy Lane to Nautilus St.) 217838-3	<ul style="list-style-type: none"> <li>• FDOT 5-Year Work Program</li> <li>• FDOT FY23</li> </ul>	<ul style="list-style-type: none"> <li>• Add Lanes &amp; Reconstruct</li> <li>• Engineering</li> <li>• ROW</li> <li>• Construction</li> <li>• Environmental</li> <li>• Letting May 2023</li> </ul>			\$58,399,636			Ongoing	
21.) <b>PCB Parkway</b> (Walton Co. Line to SR 79) 437179-2	<ul style="list-style-type: none"> <li>• FDOT 5-Year Work Program</li> <li>• FDOT FY23</li> </ul>	<ul style="list-style-type: none"> <li>• Preliminary Design</li> <li>• PD&amp;E Study</li> <li>• Activities April 2020-2023~ 2.1M total</li> </ul>			\$72,442			Ongoing	
22.) <b>West Bay Parkway</b> (Walton County to SR 79) 424464-1	FDOT 5-Year Work Program	<ul style="list-style-type: none"> <li>• Preliminary Design</li> <li>• PD&amp;E Study</li> <li>• Not in current 5 yr program</li> <li>• PD&amp;E completed</li> </ul>						Ongoing	
23.) <b>PCB Parkway</b> (Nautilus to R. Jackson) 217838-4	<ul style="list-style-type: none"> <li>• FDOT 5-Year Work Program</li> <li>• FDOT FY23</li> </ul>	<ul style="list-style-type: none"> <li>• Add Lanes &amp; Reconstruct</li> <li>• Engr/ RW/ Constr/ Environ</li> <li>• Letting May 2023</li> </ul>			\$49,191,906				
24.) <b>PCB Parkway</b> (R. Jackson to Hathaway) 217838-5	<ul style="list-style-type: none"> <li>• FDOT 5-Year Work Program</li> <li>• FDOT FY23</li> </ul>	<ul style="list-style-type: none"> <li>• Add Lanes &amp; Reconstruct</li> <li>• Engr/RW only</li> <li>• 2027 CEI advertise</li> </ul>			\$26,292,049				
25.) <b>Middle Beach Road Sidewalk</b> (Front Beach Rd to Clara) 444220-1	FDOT 5-Year Work Program	Engr/Construction Feb 2023			\$185,474				
<b>Recreation &amp; Open Space</b>									
26.) <b>Multi Use Path/ Trail</b> (from east side of Trieste subdivision to Breakfast Point subdivision)	<ul style="list-style-type: none"> <li>• City Matching Funds (\$250,000)</li> <li>• Sun Trail Grant (\$904,716)</li> </ul>	<ul style="list-style-type: none"> <li>• Design Complete</li> <li>• Bid Opening 9/1/2022 for Construction</li> </ul>			\$1,000,000				

### CAPITAL IMPROVEMENTS SCHEDULE

	Funding Source	Current Status	Total Cost	Spent Year to Date	22-23	23-24	24-25	25-26	Beyond 26-27
27.) <b>Multi Use Path</b> (from Walton Co. to Heather Dr. along PCB PKWY- Part of Resurfacing and Intersection Improvements) 437759-1	• FDOT 5-Year Work Program • FDOT FY23	• Construction • 5/26/2021 Letting Date • Awarded Anderson Columbia 566 days • NTP 7/28/2021 • Began Work 9/13/2021			\$29,601				
<b>Schools</b>									
28.) See Note #2 at end of report.	School Board								
<b>Potable Water, Wastewater &amp; Reuse</b>									
<b>Potable Water</b>									
29.) <b>Bid-A-Wee Water Main Replacements</b>	Utility	\$1,615,280 Balance to Finish							
30.) <b>System Extensions &amp; Loops</b>	Utility	\$2,501,250 Balance to Finish			\$550,000	\$500,000	\$500,000	\$500,000	
31.) <b>Bay Parkway to Nautilus Water Main</b>	Utility	\$280,000 Balance to Finish							
32.) <b>West End Storage Tank &amp; Pump Station</b>	Utility		\$7,330,000		\$250,000	\$3,500,000	\$3,630,000		
33.) <b>West End Transmission Main</b>	Utility		\$9,975,000			\$125,000	\$450,000	\$475,000	
34.) <b>City Portion of Bay County WTP Expansion &amp; Upgrades</b>	Utility		\$21,500,000					\$4,900,000	\$12,300,000
<b>Wastewater &amp; Reuse</b>									
35.) <b>New Wastewater Treatment Plant</b> 4 MGD Phase 1	Utility		\$63,235,000			\$2,646,000	\$30,294,500	\$30,294,500	
36.) <b>Utilities Admin &amp; Support Building</b>					\$1,777,000	\$1,183,127			
37.) <b>Lift Station #73 Cobb Road</b> Replacement	Utility	\$2,686,119 Balance to Finish			\$750,000	\$1,836,119			
38.) <b>SR 79 Reclaimed Transmission Main</b>	Utility	\$2,886,000 Balance to Finish				\$800,000	\$2,086,000		
39.) <b>Lift Station #4 Driftwood</b> Replacement	Utility	\$3,752,436 Balance to Finish			\$2,122,436				
40.) <b>Water/ Reclaimed</b> System extentions/ loops	Utility	\$1,380,000 Balance to Finish				\$350,000	\$350,000	\$680,000	
41.) <b>New WWTP Site to Griffin Blvd Connection</b>	Utility		\$2,016,000		\$64,800	\$1,008,000	\$943,200		
42.) <b>New WWTP 2 Influent Transmission Main</b>	Utility		\$2,011,500		\$309,150	\$1,702,350			



### CAPITAL IMPROVEMENTS SCHEDULE

	Funding Source	Current Status	Total Cost	Spent Year to Date	22-23	23-24	24-25	25-26	Beyond 26-27
43.) New WWTP 2 Reclaim Transmission Main	Utility		\$3,301,800		\$508,800	\$2,793,000			
<b>Stormwater Improvements</b>									
44.) Stormwater Improvements	<ul style="list-style-type: none"> <li>Stormwater Utility Assessments</li> <li>\$21,000,000 Grant</li> </ul>				\$6,280,000	\$21,840,000	\$7,644,000	\$980,000	\$2,350,000
<b>Prop. Share Projects</b>									
1.) US 98 Int. w/ Hill Rd. & US 98 Int. w/ Clara Avenue <i>(needed to meet future demand)</i>	Seahaven Prop. Share	\$300,000 based on trip trippers							
2.) US 98- Hill Rd. 6-laning <i>(needed to meet future demand)</i>	Seahaven Prop. Share	\$1,350,000 (trip triggers)							
3.) US 98- Clara Ave. 6-laning <i>(needed to meet future demand)</i>	Seahaven Prop. Share	\$1,350,000 (trip triggers)							
4.) PD&E for US 98 from SR 79 to Thomas Drive flyover <i>(needed to meet future demand)</i>	Seahaven Prop. Share	\$2,000,000 (trip triggers)							
5.) ITS for US 98 from Phillips Inlet to Thomas Dr. flyover <i>(needed to meet future demand)</i>	Seahaven Prop. Share	\$1,000,000 (trip triggers)							
6.) Hill Rd. Improvements <i>(needed to meet future demand)</i>	Seahaven Prop. Share	\$938,766 (trip triggers)							
<b>Notes</b>									
1.) The City of Panama City Beach hereby adopts by reference the most current 5-year Schedule of Improvements as adopted by the FDOT, District 3 and the Bay County TPO.									
2.) The City of Panama City Beach hereby adopts by reference the Bay County School District's most current Work Plan.									
3.) The FBR-CRA is funded with tax increment payments from Bay County. The amount of tax increment expected for FY 22/23 is approximately \$15,872,900.									
4.) The City of Panama City Beach will coordinate with the most current Water Supply Plan as formally adopted by the Northwest Florida Water Management District.									

# ITEM NO. 9

## Chapter 7.

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### 7.02.03 Front Beach Road Overlay Districts

#### CONTENTS (7.02.03)

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#### A. Purpose

This section creates four (4) overlay districts that are applicable along Front Beach Road, South Thomas Drive and Arnold Road south of Panama City Parkway (Back Beach Road) and are intended to:

1. Enhance the quality of life for residents;
2. Achieve greater compatibility between different *Land Uses*, particularly between established neighborhoods and intensive tourist-based *Development*;



7. Special Overlay Districts  
Front Beach Overlay – A. Purpose

3. Foster greater mobility by increasing the convenience of walking, biking and using transit;
4. Maintain allowable *Uses* in underlying zoning districts except when those *Uses* would interfere with the purposes of the district (e.g., *Drive-Through* windows);
5. Allow increased intensities in tourist-based areas when design objectives are met;
6. Achieve a higher quality of design that is vibrant, sustainable and that attracts visitors and provides long-term economic and fiscal benefits to the *City* and its residents; and
7. Use existing review and approval processes unless applicants seek deviations from the standards established in this section.

**B. Applicability:**

1. All of the standards in this section apply to *New Development* or *Redevelopment*.
2. The standards of this section do not apply to:
  - (a) Continuation of a permitted *Use* within an existing structure or parcel;
  - (b) Changes of *Use* within existing structures or parcels that do not require increased parking;
  - (c) Normal repair and maintenance of existing structures that do not increase its size or parking demand; and
  - (d) Continuation of a *Non-Conforming* situation in accordance with section 9.02.00 of this *LDC*.
3. Modifications to existing *Non-Conforming* structures or *Uses* may be authorized in accordance with section 9.02.02 provided that expansions increase conformance by reducing excess front *Building Setbacks* and front *Yard* parking. In lieu of the standard established in section 9.02.02C, an expansion, enlargement or modification that otherwise meets the standards in section 9.02.02C is considered de minimis even if it materially increases pedestrian traffic to or from the Subject Site.

(Ord. #1410, 4/13/17)

**C. Overlay Districts Established**

To carry out the purposes and intent of this subsection, the following Overlay Districts are established as shown on the corresponding areas of the Official *Zoning Map*:

7. Special Overlay Districts  
Front Beach Overlay – B. Applicability

1. **FBO-1** – the intent of this district is to establish appropriate standards for low intensity, predominantly *Residential* areas with relatively low *Building Heights*.
2. **FBO-2** – the intent of this district is to establish appropriate standards for transitional areas between high-rise tourist-based *Development* and abutting *Single Family Residential* districts. These areas have relatively low *Building Heights* in proximity to *Single Family Residential* districts and FBO-1 districts, but allow for greater heights as distance increases.
3. **FBO-3** – the intent of this district is to establish appropriate standards for areas where high-rise tourist *Development* is allowed on the north side of Front Beach Road and the north side of South Thomas Drive.
4. **FBO-4** – the intent of this district is to establish appropriate standards for areas where high-rise tourist *Development* is allowed on the south side of Front Beach Road and the south side of South Thomas Drive.

(Ord. #1446, 2/22/18)

**D. Authorized Land Uses**

Authorized *Land Uses* within the FBO-1, FBO-2, FBO-3 and FBO-4 districts shall conform with the permitted, *Accessory* or conditional *Uses* allowed by the underlying zoning district except as provided in this section.

1. The following *Uses* shall only be permitted via a *Conditional Use* approval in conformance with section 10.02.14 of this *LDC*.
  - (a) *Drive-in or Drive-Through Facilities* may be authorized subject to the conditions established in section 5.06.14.
  - (b) Outdoor display and outdoor operations may be authorized subject to the conditions established in section 5.06.15.
2. The following *Uses* are not allowable in the area lying south of a continuation of the centerline of Front Beach Road (Scenic Highway 98) through South Thomas Drive and Thomas Drive, regardless of the zoning district designation and *Land Use* assignment:
  - (a) Repair shops (light repair, small equipment repair);
  - (b) Repair shops (large equipment, appliances);
  - (c) Service Stations;
  - (d) *Vehicle* sales, rental or service; and
  - (e) Zoos.

7. Special Overlay Districts  
Front Beach Overlay – D. Authorized Land Uses

3. Pursuant to the Comprehensive Plan-Future Land Use Element, the following **Uses** shall not be located within the Coastal High Hazard Overlay District:

- (a) Hospitals;
- (b) **Nursing Homes** or convalescent homes;
- (c) Institutional facilities and **Licensed Facilities** housing persons with limited mobility; and
- (d) Permanent **Dwelling Units** in excess of local emergency management capacity.

(Ord. #1254, 11/14/13; Ord. #1413, 5/25/17; Ord. #1492, 7/11/19)

**E. Density/Intensity**

Maximum density of **Residential Dwelling Units** as measured in **Dwelling Units** per acre and maximum intensity for non-residential **Development** as measured by **Floor Area Ratio** shall be determined by the standards of the underlying zoning district except as modified herein. Maximum densities may not be achievable on sites abutting **Single Family Residential** districts or due to other site constraints. Where maximum densities are not achievable, the **City** has no obligation to provide density or intensity bonuses or deviate from any standards to provide the maximum density or intensity. Density or height bonuses provided herein are intended to promote better **Building** and site designs that will achieve the purposes of these districts.  
(Ord. #1446, 2/22/18)

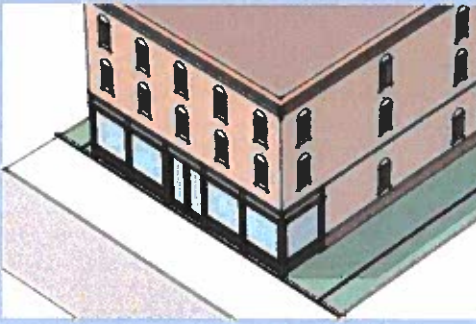
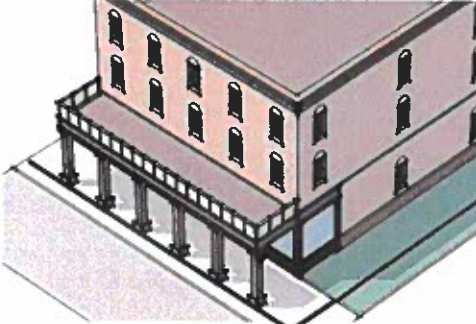
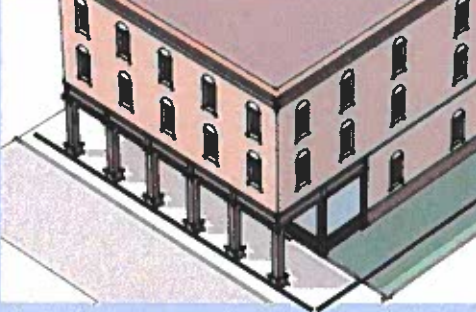
**F. Building Fronts and Setbacks**

1. **Setback in Certain Areas.** For **Lots** in subdivisions platted prior to January 1, 2015, that are located in R-1 or R-2 districts on the north side of Front Beach Road, the setbacks of the underlying zoning districts also shall apply to all **Development and Redevelopment**. The setbacks for underlying zoning districts also shall apply to all **Development and Redevelopment of a Parcel** lying in whole or in part along Panama City Beach Parkway.
2. **Building Front Types Defined.** Table 7.02.03.A defines the **Building** front types permitted in FBO districts. All applications for **Development** within an FBO district shall assign each **Building** a specific **Building** front type and each **Building** shall be designed in accordance with the standards that apply to that **Building** front type, as established in this section. In addition to the building fronts established in this section, section 7.02.03L establishes standards allowing the establishment of buildings with porte cochere fronts in the FBO-4 district.

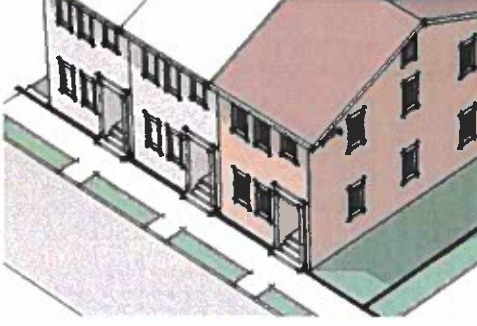
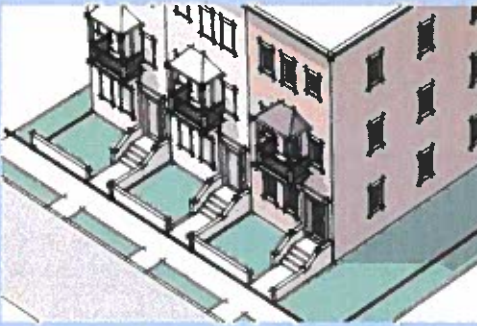



7. Special Overlay Districts  
 Front Beach Overlay – G. Front Yards

Table 7.02.03.A: *Building Front Definitions*

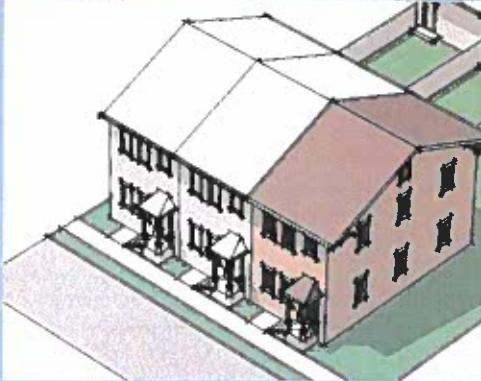
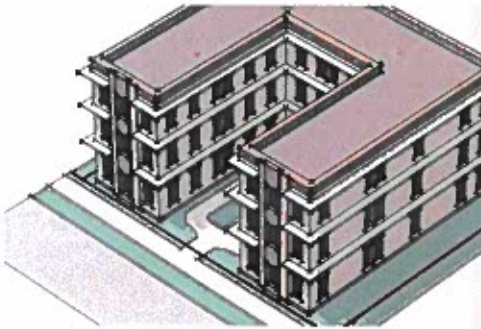
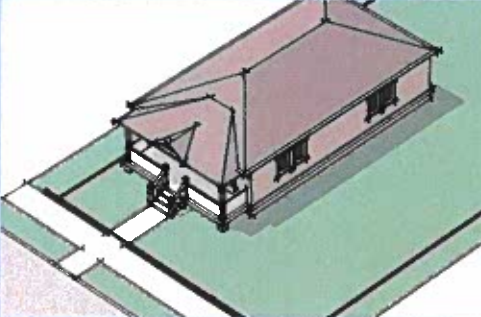
Group	Definition	Illustration
A	<p><b>Storefront.</b> A storefront is a <i>Building</i> front with the <i>façade</i> at or near the back of the sidewalk with the <i>Building</i> entrance at sidewalk grade. This <i>Building</i> front is conventional for retail, office, accommodations and mixed <i>Use Buildings</i>. It has substantial <i>Glazing</i> on the sidewalk level and an awning that may overlap the sidewalk.</p> <p><b>Allowed in the FBO-2, FBO-3 and FBO-4 districts.</b></p>	
A	<p><b>Gallery.</b> A gallery is a <i>Building</i> front with an attached cantilevered balcony or a lightweight colonnade overlapping the portion of a sidewalk located outside the public right-of-way. This <i>Building</i> front is conventional for retail, office, accommodations and mixed <i>Use Buildings</i>.</p> <p><b>Allowed in the FBO-2, FBO-3 and FBO-4 districts.</b></p>	
A	<p><b>Arcade.</b> An arcade is a <i>Building</i> front where the <i>façade</i> is a colonnade that overlaps the portion of the sidewalk located outside the public right-of-way. This <i>Building</i> front is conventional for retail, with other <i>Uses</i> in the occupied space above the colonnade.</p> <p><b>Allowed in the FBO-2, FBO-3 and FBO-4 districts.</b></p>	

7. Special Overlay Districts  
 Front Beach Overlay – G. Front Yards

Group	Definition	Illustration
A	<p><b>Doorway.</b> A doorway is a <b>Building</b> front with the façade aligned with the back of the sidewalk and the entry door flush with the façade or recessed into the façade. This type is similar to storefront <b>Frontages</b>, except that they are primarily used for <b>Residential</b> entries.</p> <p><b>Allowed in the FBO-2, FBO-3 and FBO-4 districts.</b></p>	
B	<p><b>Dooryard.</b> A dooryard is a <b>Building</b> front with the façade set back from the <b>Frontage</b> line behind an at-grade courtyard. This type buffers <b>Residential</b> and accommodations <b>Uses</b> from sidewalks and removes the private <b>Yard</b> from public encroachment. The dooryard is suitable to conversion for outdoor dining.</p> <p><b>Allowed in the FBO-1, FBO-2, and FBO-3 and FBO-4 districts.</b></p>	
B	<p><b>Terrace/Light Court.</b> A terrace/light court is a <b>Building</b> front with the façade set back from the <b>Frontage</b> line by an elevated terrace or light court. The court can potentially <b>Access</b> an additional unit or commercial space below <b>Street</b> grade. This type removes the private <b>Yard</b> from public encroachment. The terrace or light court may be suitable to conversion for outdoor dining.</p> <p><b>Allowed in the FBO-1, FBO-2, and FBO-3 and FBO-4 districts.</b></p>	

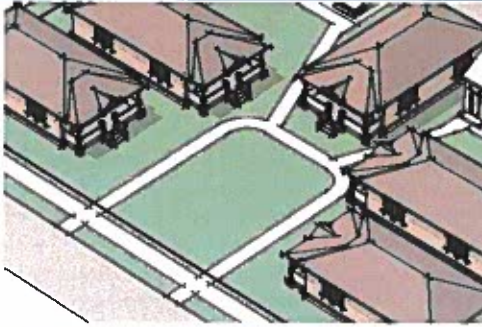


7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

Group	Definition	Illustration
C	<p><b>Stoop.</b> A stoop is a <b>Building front</b> with the <b>Facade</b> near the sidewalk and the front entry stairs connect to the sidewalk. The <b>Ground Story</b> is elevated to provide privacy for <b>Residential Uses</b>. The stoop <b>Frontage</b> is primarily for <b>Residential Uses</b> in short <b>Setback</b> situations.</p> <p>Allowed in the FBO-2 and FBO-3 and FBO-4 districts.</p>	
C	<p><b>Forecourt.</b> A forecourt is a <b>Building front</b> with a portion of the <b>façade</b> close to the <b>Frontage</b> line and the central portion is set back. The forecourt created may be suitable for vehicular <b>Drop-Offs</b>. This type should be interspersed with other <b>Frontage</b> types. Forecourts are appropriate locations for large shade trees. This <b>Building front</b> is used for <b>Residential</b> and non-residential uses.</p> <p>Allowed in the FBO-2, FBO-3 and FBO-4 districts.</p>	
C	<p><b>Lawn.</b> A lawn is a <b>Building front</b> with the <b>façade</b> is set back from the front <b>Lot Line</b>. Attached porches may be permitted to encroach into front <b>Yards</b> and an open fence at the <b>Frontage</b> line is optional. This <b>Building front</b> is used for <b>Residential</b> and non-residential uses.</p> <p>Allowed in the FBO-1, FBO-2, FBO-3, and FBO-4 districts.</p> <p>(Ord. #1429, 10/26/17)</p>	



7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

Group	Definition	Illustration
C	<p><b>Common Lawn.</b> A common lawn is a <b>Building</b> front with a group of <b>Buildings</b> sharing a common lawn that opens to the <b>Street</b>. This <b>Building</b> front is used for <b>Residential</b> and non-residential uses.</p> <p>Allowed in the FBO-1 district.</p>	

3. **Allowed Frontage Types.** **Building** front types are only allowed in the FBO where an "A" is shown in Table 7.02.03.B for the corresponding **Building** front and FBO district. An applicant may select any **Building** front type that is allowed in the applicable zoning district. Table 7.02.03.B assigns each of the **Building** front types to a group. **Setback** standards for each of the groups of **Building** front types are listed in the following paragraphs 3, 4, 5, and 56.

Table 7.02.03.B: Allowed **Building** Fronts by Overlay District

		Building Fronts								
Groups		A			B			C		
Districts	Storefront	Gallery	Arcade	Doorway	Dooryard	Terrace / Light Court	Stoop	Forecourt	Lawn	Common Lawn
FBO-1					A	A			A	A
FBO-2	A	A	A	A	A	A	A	A	A	
FBO-3	A	A	A	A	A	A	A	A	A	
FBO-4	A	A	A	A	A	A	A	A	A	

\*Steps shall be allowed where necessary to comply with FEMA standards.

(Ord. #1429, 10/26/17)

**Commented [ML1]:** The dooryard, terrace/light court and lawn fronts aren't likely to be developed in the FBO-4 district due land values and parking limitations

7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

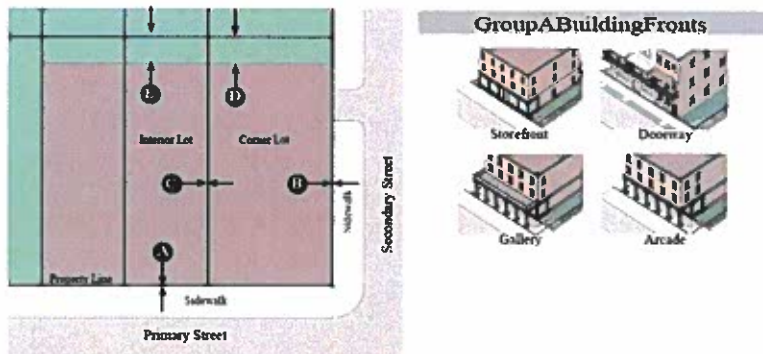
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4. Group "A" Building Front Standards.

- (a) **Building Setbacks for Building Fronts** listed under Group A in Table 7.02.03.B shall comply with the **Setback** requirements established in Table 7.02.03.C.
- (b) **Setbacks for Stories** one through four (1-4) are the minimum or maximum **Setbacks** in feet for the applicable side of the **Building** for each of the first four **Stories**. **Setbacks for Stories** five and above (5+) are the minimum **Setbacks** in feet for **Stories** above the fourth floor.
- (c) On the south side of Front Beach Road and South Thomas Drive, the minimum side **Setbacks** apply to all portions of the **Building** for the first four (4) stories and the side **Setbacks** for the portions of **Buildings** taller than four (4) stories apply only to the portions of the **Buildings** that are above the fourth **Story**.
- (d) For purposes of the FBO district regulations, the primary **Street** shall be Front Beach Road, South Thomas Drive or Arnold Road. Where a structure or parcel does not abut one of these **Streets**, the primary **Street** shall be the **Street** with the highest order functional classification.
- (e) Setbacks for yards facing **Parcels** within an FBO district that abut parcels in an R-1 district that is not within an FBO district shall comply with the **Setback** requirement for the underlying district unless the FBO district requires a greater **Setback**.

(Ord. # 1292, 10-10-13)

Table 7.02.03.C: Group A Setbacks



Notes:

- A – Front Setback
- B – Exterior Lot Side Setback
- C – Interior Lot Side Setback
- D – Exterior Lot Rear Setback
- E – Interior Lot Rear Setback

7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

**Table 7.02.03.C Setbacks for Group A Building Front Types (In feet)**

Dimension	Setback	FBO-1	FBO-2	FBO-3	FBO-4
A	Front Setback (feet)	Stories 1 – 4	Minimum and Maximum: the greater of 47' from CL or 5' from PL		
		Stories 5 +	Minimum: the greater of 62' from CL or 20' from PL		
B	Exterior Lot Side Setback (feet)	Stories 1 – 4	5' maximum	5' maximum	5' maximum
		Stories 5 +	20' minimum	20' minimum	20' minimum
C	Interior Lot Side Setback (feet)	Stories 1 – 3	0' minimum	0' minimum	10' minimum
		Stories 1-3 South of Front Beach or South Thomas	10' minimum	NA	10' minimum
		Story 4	0' minimum	0' minimum	10' minimum
		Story 4 South of Front Beach or South Thomas	15' minimum	NA	15' minimum
		Stories 5 +	10' minimum	10' minimum	20' minimum
		Stories 5 + South of Front Beach or South Thomas	20' minimum	NA	20' minimum
D	Rear Setback (feet)	All Stories –	FDEP or 25' min. if no FDEP	25 minimum	FDEP or 25' min. if no FDEP line is established

Notes:

- 1: At least 80% of the **Building Facade** shall be located at the **Front Setback** line for storefront, arcade, gallery & doorway, except as authorized for a porte cochere (see section 7.02.03L).
- 2: For **Buildings** located on **Corner Lots**, at least the first 30 feet of the **Building facade** closest to the corner, shall be located at the **Setback** line, except as authorized for a porte cochere (see section 7.02.03L). **Lobby Building Front Type is exempt from this standard.**
- 4: CL = centerline of Front Beach Road; PL = Property line
5. All **Setbacks** are measured from the Property line (or CL) to the **Building Facade**.
6. Refer to section 7.02.03G for **Front Yard** standards for areas between the **Building facade** and the front property line.
7. NA – not applicable

**Commented [ML2]:** The lobby front was an option considered before we decided to address portes cochere separately



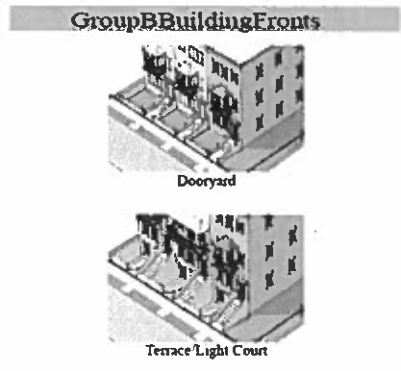
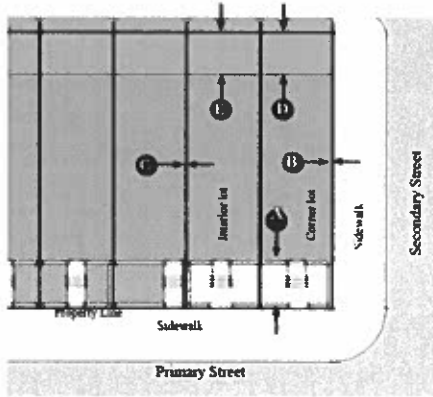
7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

5. Group "B" *Building* Front Standards.

- (a) **Building Setbacks for Building** Fronts listed under Group B in Table 7.02.03.B shall comply with the setback requirements established in Table 7.02.03.D.
- (b) **Setbacks for Stories** one through four (1-4) are the minimum or maximum **Setbacks** in feet for the applicable side of the **Building** for each of the first four (4) **Stories**. **Setbacks for Stories** five (5) and above are the minimum **Setbacks** in feet for **Stories** above the fourth floor.
- (c) On the south side of Front Beach Road and South Thomas Drive, the minimum side **Setbacks** apply to all portions of the **Building** for the first four (4) stories and the side **Setbacks** for the portions of **Buildings** taller than four (4) stories apply only to the portions of the **Buildings** that are above the fourth **Story**.
- (d) For purposes of the FBO district regulations, the primary **Street** shall be Front Beach Road, South Thomas Drive or Arnold Road. Where a structure or parcel does not abut one of these **Streets**, the primary **Street** shall be the **Street** with the highest order functional classification.
- (e) Setbacks for yards facing **Parcels** within an FBO district that abut parcels in an R-1 district that is not within an FBO district shall comply with the **Setback** requirement for the underlying district unless the FBO district requires a greater **Setback**.
- (e)(f) Parking for group "B" buildings is generally provided to the rear, off-site and/or through on-street parking.

7. Special Overlay Districts  
 Front Beach Overlay – G. Front Yards

Table 7.02.03.D: Group B Setbacks



- Notes:
- A – Front Setback
  - B – Exterior Lot Side Setback
  - C – Interior Lot Side Setback
  - D – Exterior Lot Rear Setback
  - E – Interior Lot Rear Setback

7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

**Table 7.02.03.D Setbacks for Group B Building Front Types (in feet)**

Dimension	Setback	FBO-1	FBO-2	FBO-3	FBO-4	
A	Front Setback Along Front Beach Road, South Thomas Drive or Arnold Road (feet)	Stories 1 – 4	min: the greater of 52' from CL; or 10' from PL max: the greater of 72' from CL; or 30' from PL	Minimum: the greater of 50' from CL or 8' from the PL. maximum: the greater of 62' from CL or 20' from the PL		
		Stories 5 +		Minimum: the greater of 62 from CL or 8 from the PL		
	Front Setback Along Other Streets (feet)	Stories 1 – 4	10' minimum 30' maximum	8' minimum 20' maximum	8' minimum 20' maximum	
		Stories 5 +		20' minimum	20' minimum	
B	Exterior Lot Side Setback (feet)	Stories 1 – 4	5' minimum	5' maximum	5' maximum	
		Stories 5 +		20 minimum	20 minimum	
C	Interior Lot Side Setback (feet)	Story 1	0' minimum	0' minimum	0' maximum	N/A
		1 Story building south of Front Beach or South Thomas	5' minimum	5' minimum	NA	
		Story 2	5' minimum	0' minimum	0' minimum	
		2 Story building south of Front Beach or South Thomas	7.5' minimum	7.5' minimum	NA	
		Story 3	10' minimum	0' minimum	0' minimum	
		3 Story building south of Front Beach or South Thomas	10' minimum	10' minimum	NA	
		Story 4	10' minimum	0' minimum	0' minimum	
		4 Story building south of Front Beach or South Thomas	15' minimum	15' minimum	NA	
		Stories 5+	NA	0' minimum	10' minimum	
		Stories 5 + south of Front Beach or South Thomas		20' minimum	NA	
D	Rear Setback (feet)	All Stories	5 minimum	FDEP or 25' min. if no FDEP	25' minimum	

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**Notes:**

- 1: At least 80% of the **Building Facade** shall be located at the front **Setback** line, except as authorized for a porte cochere (see section 7.02.03.).
- 2: For **Buildings** located on **Corner Lots**, at least the first 30 feet of the **Building Facade**, as measured from the front **Building** corner, shall be located at the **Setback** line.
- 3: CL = centerline of Front Beach Road; PL = Property line
4. All **Setbacks** are measured from the Property line (or CL) to the **Building Facade**.
5. NA = Not Applicable
6. Refer to section 7.02.03G for **Front Yard** standards for portions of the **Building Setback** from the property line.



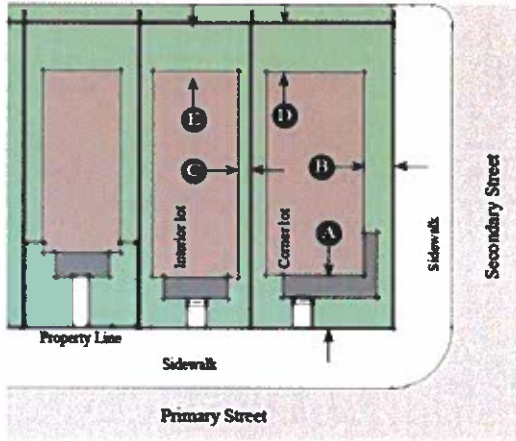
7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

6. Group "C" *Building* Front Standards.

- (a) **Building Setbacks** for **Building** Fronts listed under Group C in Table 7.02.03.B shall comply with the setback requirements established in Table 7.02.03.E, except that front **Setbacks** on Front Beach Road, S. Thomas Drive and Thomas Drive may be up to 25 feet if the development consists of two or more residential dwellings and the area is improved with an access driveway serving all dwellings.  
(Ord. #1429, 10/26/17)
- (b) **Setbacks** for **Stories** one through four (1-4) are the minimum or maximum **Setbacks** in feet for the applicable side of the **Building** for each of the first four **Stories**. **Setbacks** for **Stories** five and above (5+) are the minimum **Setbacks** in feet for **Stories** above the fourth floor.
- (c) On the south side of Front Beach Road and South Thomas Drive, the minimum side **Setbacks** apply to all portions of the **Building** for the first four (4) stories and the side **Setbacks** for the portions of **Buildings** taller than four (4) stories apply only to the portions of the **Buildings** that are above the fourth **Story**.
- (d) For purposes of the Front Beach Overlay district regulations, the primary Street shall be Front Beach Road, South Thomas Drive or Arnold Road. Where a structure or parcel does not abut one of these Streets, the primary Street shall be the Street with the highest order functional classification.
- (e) Setbacks for yards facing Parcels within an FBO district that abut parcels in an R-1 district that is not within an FBO district shall comply with the Setback requirement for the underlying district unless the FBO district requires a greater **Setback**.

7. Special Overlay Districts  
 Front Beach Overlay – G. Front Yards

Table 7.02.03.E: Group C Setbacks



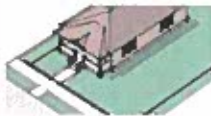
**Group C Building Fronts**



Stoop



Forecourt



Lawn



Common Lawn

Notes:

- A – Front Setback
- B – Exterior Lot Side Setback
- C – Interior Lot Side Setback
- D – Exterior Lot Rear Setback
- E – Interior Lot Rear Setback

7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

**Table 7.02.03.E Setbacks for Group C Building Front Types (in feet)**

Dimension	Setback	FBO-1	FBO-2	FBO-3	FBO-4	
A	Front Setback Along Front Beach Road (feet)	Stories 1 – 4	minimum: the greater of 52' from CL; or 10' from PL maximum: the greater of 67' from CL; or 25' from PL	minimum: the greater of 47' from CL or 5' from PL maximum: the greater of 50' from CL or 8' from PL	minimum: the greater of 47' from CL or 5' from PL maximum: the greater of 50' from CL or 8' from PL	
		Stories 5 +		minimum: the greater of 62' from CL or 20' from PL		
	Front Setback Along Other Streets (feet)	Stories 1 – 4	10' minimum 25' maximum	3' minimum 8' maximum	0' minimum 8' maximum	0' minimum 8' maximum
		Stories 5 +		20' minimum	20' minimum	20' minimum
B	Exterior Lot Side Setback (feet)	Stories 1 – 4	5' minimum	0' minimum- 5' maximum	0' minimum- 5' maximum	0' minimum- 5' maximum
		Stories 5 +		20' minimum	20' minimum	20' minimum
C	Interior Lot Side Setback (feet)	Story 1-2 Story	5' minimum	0' minimum	0' minimum	10' minimum
		1 Story building south of Front Beach or South Thomas		5' minimum	5' minimum	NA
		2 Story building south of Front Beach or South Thomas	7.5' minimum	7.5' minimum	NA	10' minimum
		Story 3	10' minimum	0' minimum	0' maximum	0' minimum
		3 Story building south of Front Beach or South Thomas	10' minimum	10' minimum	NA	15' minimum
		Story 4	10' minimum	0' minimum	0' minimum	0' minimum
		4 Story building south of Front Beach or South Thomas	15' minimum	15' minimum	NA	15' minimum
		Stories 5 +	NA	0' minimum	0' minimum	0' minimum
		Stories 5 + South of Front Beach or South Thomas		20' minimum	NA	20' minimum
D	Rear Setback (feet)	All Stories	5' minimum	FDEP or 25' min. if no FDEP	25' minimum	FDEP or 25' min. if no FDEP

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**Notes:**

- 1: At least 80% of the **Building Facade** shall be located at the front **Setback** line, except as authorized for a porte cochere (see section 7.02.03L).
- 2: At least 50% of the **Building Facade** shall be located at the front **Setback** line for the Forecourt, Lawn and Common Lawn.
- 3: CL = centerline of Front Beach Road; PL = Property line
4. All **Setbacks** are measured from the Property line (or CL) to the **Building Facade**.
5. Refer to section 7.02.03G for **Front Yard** standards for portions of the **Building Setback** from the property line.
6. NA = not applicable



7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

(Ord. #1254, 11/14/13; Ord. # 1329, 1-8-15; Ord. #1340, 4/9/15)

**G. Front Yards Along Front Beach Road, Arnold Road and South Thomas Drive**

1. **Purpose.** Except where a porte cochere type *Drop-Off* is established pursuant to section 7.02.03L, an applicant may establish a single *Front Yard* no wider at any point than twenty (20) percent of the width of the front of the *Building* that establishes the rear line of the *Front Yard*, provided that the applicant can demonstrate that such a *Front Yard* will accomplish each and every of the following things and that all of the requirements of this section 7.02.03G will be met.
  - (a) Improve the visual quality and character of the *Street*;
  - (b) Promote pedestrian traffic and the use of public transit;
  - (c) Are readily accessible and ADA/State of Florida compliant if used for Tourist Accommodations or non-residential purposes;
  - (d) Enhance access between outdoor and indoor spaces; and
  - (e) Enhance public safety and security, while promoting more effective use of the public realm.
2. **Types of *Front Yard* Improvements and Locations.**
  - (a) Applicants are encouraged to provide *Front Yards* that include widened sidewalks, galleries, arcades, courtyards and other places for customers and the public to gather.
  - (b) Where provided, *Front Yards* shall include the minimum combination of the items listed in Table 7.02.03.F as set forth in Table 7.02.03.G, provided that the item is specifically allowed in the applicable portion of the *Setback* area, as indicated by the letter "A" in the exhibit. If not allowed, the item is prohibited. Table 7.02.03.F also establishes the group letter applicable to *Front Yard* items that corresponds with the group letters in Table 7.02.03.G. Table 7.02.03.G establishes the number and general location of authorized items that must be established within each *Front Yard*. *Front Yards* also may be used for *Building Access* improvements and *Driveways* in accordance with section 7.02.03L. In addition to the items listed below, the City may approve the installation of decorative bike racks, planter pots and pedestrian furniture.

7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

Table 7.02.03.F: Items Authorized in Front Yards

Group #	Front Yard Items	Location	Distance from Back of Sidewalk (in feet)			
			$d \leq 5$	$5 \leq d < 15$	$15 \leq d < 25$	$d \geq 25$
1	Patio Paving/Hardscape	Behind the back edge of the sidewalk	A	A	A	A
	Groundcover		A	A	A	A
2	Lawn	Along Building Facade		A	A	A
	Hedge			A	A	A
	Clustered Ornamentals: Flowering trees, palms	At the front property line or along the back edge of a sidewalk outside of the right-of-way		A	A	A
	Planting Beds: Shrubs, seasonal plantings		A	A	A	A
3	Palms planted on 25 feet centers	At the front property line or along the back edge of a sidewalk outside of the right-of-way	A	A	A	A
	Trees planted on 50 feet centers		A	A	A	A
	Decorative Fence 42 inch maximum height (see Section 7.02.03G.3(d))		A	A	A	A
	Masonry Wall with Hedge					A
	Masonry Wall with clustered ornamentals or groundcover		A	A	A	

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Notes:

- 1: d = distance measured in feet
  - 2: A = allowed item
  - 3: < = is less than
  - 4: ≤ = is less than or equal to
  - 5: ≥ = is greater than or equal to
- (Ord. # 1334, 12-26-14)

7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

Table 7.02.03.G: Minimum Number of Items Required in Front Yards

Distance from Back of Sidewalk (feet)	Group 1	Group 2	Group 3
$d \leq 5$	1	0	0
$5 \leq d < 15$	0	2	0
$15 \leq d < 25$	0	3	0
$d \geq 25$	0	3	1

Notes:

- 1: d = distance measured in feet
- 2: < = is less than
- 3: ≤ = is less than or equal to
- 4: ≥ = is greater than or equal to

3. **Design Standards.** To achieve the purposes of this section, **Front Yards** shall be designed so that they are visible, avoid clutter, incorporate high quality, durable materials that are comparable in quality and complementary in design to public improvements provided or planned for the Front Beach Road corridor. In addition to complying with other district requirements, **Front Yards** and **Facades for Multi-Family, Mixed Use** or nonresidential **Uses** shall meet the following design standards:
- (a) Flooring and surfaces shall be constructed of durable, non-slip materials that complement sidewalk paving. Changes in colors shall be used to highlight steps.
  - (b) The shape and design (including landscaping) of the space shall provide visibility of the entire space from the sidewalk.
  - (c) Lighting shall be adequate to illuminate the entire space, but lighting sources shall be hooded or directed so that they are not visible to pedestrians on the sidewalk.
  - (d) Except as provided in this paragraph, fencing is prohibited. **Front Yards** may be enclosed by decorative walls, posts with decorative ropes or chains or other decorative enclosures approved by the City Manager, provided that the enclosure is not taller than thirty (30) inches. **Decorative Fencing** that is not higher than forty-two (42) inches may be authorized pursuant to a supplemental use permit to enclose commercial **Use of Front Yards**.
  - (e) At least fifty (50) percent of the wall surface between two (2) and seven (7) feet above the **Average Grade** of the **Front Yard** shall be glazed and shall have a minimum transparency of seventy (70) percent.
  - (f) Other than furniture for dining areas and outdoor displays subject to supplemental use approval, **Front Yard** improvements shall be limited

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7. Special Overlay Districts  
Front Beach Overlay – G. Front Yards

to seating, decorative waste receptacles, fountains, water features and landscaping.

(g) Standards for *Single Family Residential Uses* are generally set forth in section 4.02.00.

4. **Maintenance.** The ultimate owner of the *Front Yard* shall be responsible for raising all monies required for operations, maintenance or physical improvements in the *Front Yard* through annual dues, special assessments or other arrangements approved by the *City*. A copy of binding covenants or other arrangement providing for ongoing maintenance shall be recorded and a copy shall be provided to the *City*. In the event that the association or any successor organization shall fail to maintain the *Front Yard* in reasonable order and condition in accordance with the *Development plan*, the *City* may serve written notice upon the owner of record, setting forth the manner in which the owner of record has failed to maintain the *Front Yard* in reasonable condition. Failure to adequately maintain *Front Yards* in reasonable order and condition constitutes a violation of this section. The *City* is hereby authorized to give notice to the owner or occupant, as the case may be, of any violation, directing the owner to remedy the same within twenty (20) days. If a homeowner's association assumes ownership, its by-laws shall provide as follows:

- (a) The homeowners' association shall be authorized under its bylaws to place liens on the property of residents who fall delinquent in payment of such dues or assessments.
- (b) Should any bill or bills for maintenance of *Front Yards* by the *City* be unpaid by November 1 of each year, a late fee of fifteen percent (15%) shall be added to such bills and a lien shall be filed against the *Premises* in the same manner as other municipal claims.
- (c) **Commercial Use of Front Yards.** All or a portion of privately-owned *Front Yards* in commercial zoning districts (CL, CM, and CH districts) may be used for dining areas or other commercial activities, subject to approval of a supplemental compliance with Standards for Specific Uses as provided in section 5.04.06 (Commercial Use of Front Yards).

(Ord. #1254, 11/14/13; Ord. # 1340, 4/9/15; Ord. #1335, 2/26/15; Ord. #1366, 11/12/15)

H. **Building Height and Podium Standards**

- 1. Table 7.02.03.H establishes the minimum and maximum *Heights* for *Buildings* in each of the FBO districts in terms of feet.
- 2. Table 7.02.03.I establishes standards for upper *Stories* that are built on top of the *Building* podium or base *Stories*, which are defined in terms of maximum feet (*Stories*). Illustrations following the exhibit are conceptual

7. Special Overlay Districts

Front Beach Overlay – H. Building Height and Podium Standards only and are not intended to mandate the position of upper *Stories* on the podium, provided, however that in the FBO-3 and FBO-4 districts, the side *Setbacks* shall be increased by at least fifteen (15) feet above the lesser height of one hundred twenty (120) feet or ten (10) Stories.

3. In a FBO-2 or FBO-3 district, *Buildings* thirty-five (35) feet tall or taller shall be set back from an FBO-1 or *Single Family Residential* district at least one hundred (100) feet. Starting at a distance of one hundred (100) feet from the applicable district boundary, *Building Height* may be increased to forty-five (45) feet. Beyond two hundred (200) feet, *Building Height* in an FBO-3 district may be increased from forty-five (45) feet by one (1) foot for every one (1) foot increase in *Setback*. See Figure 7.02.03.A.
4. In the FBO-1 district, *Buildings* may extend an additional ten (10) feet beyond the total height allowed in this section provided that the portion of the *Building* exceeding the total height includes a tower room only. Tower rooms are restricted to a maximum of one hundred (100) square feet in area, excluding stairwells.
5. In the FBO-1 district, the width of the building above the second *Story* shall be not be greater than seventy-five (75) percent of the width of the *Ground Story*. Width of each *Story* shall be measured at the widest part of the applicable *Story* parallel to the shoreline of the Gulf of Mexico. The provisions of this paragraph and Table 7.02.03.I shall not apply to lots that are narrower than fifty-five (55) feet, as measured perpendicular to the lot's primary frontage road.

(Ord. #1426, 11/9/17; Ord. #1446, 2/22/18; Ord. #1515, 2-13-20)

Table 7.02.03.H: Minimum and Maximum *Building Heights* (in feet)

	FBO-1	FBO-2	FBO-3	FBO-4
Minimum	12	14	14	14
Maximum	35	45	75	150

Notes:

- 1: *Height* shall be measured in accordance with section 4.02.02.
- 2: The maximum height may be limited in the FBO-2 or FBO-3 district by the provisions of section 7.02.03H.3.

7. Special Overlay Districts

Front Beach Overlay – H. Building Height and Podium Standards

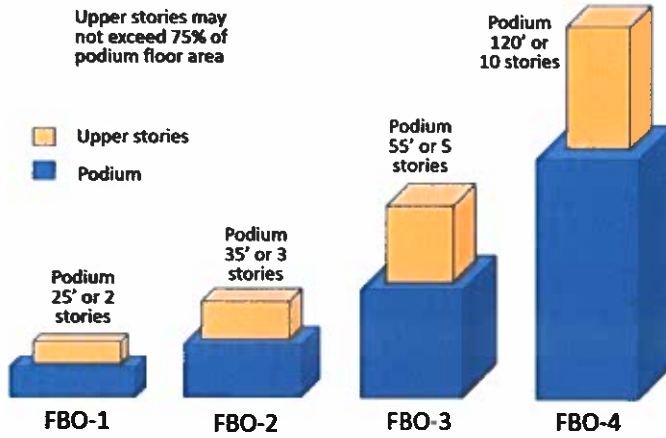
Table 7.02.03.I: Podium Standards

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Zone	Building Can Occupy No More Than 75% of the Ground Floor Building Footprint Above the Lesser of:
FBO-1	25 feet or 2 <i>Stories</i>
FBO-2	35 feet or three <i>Stories</i>
FBO-3	55 feet or 5 <i>Stories</i>
FBO-4	120 feet or 10 <i>Stories</i>

(Ord. #1254, 11/14/13; Ord. # 1340, 4/9/15; Ord. #1475, 12/13/18; Ord. #1515, 2-13-20)

Podium and Upper Story Illustrations

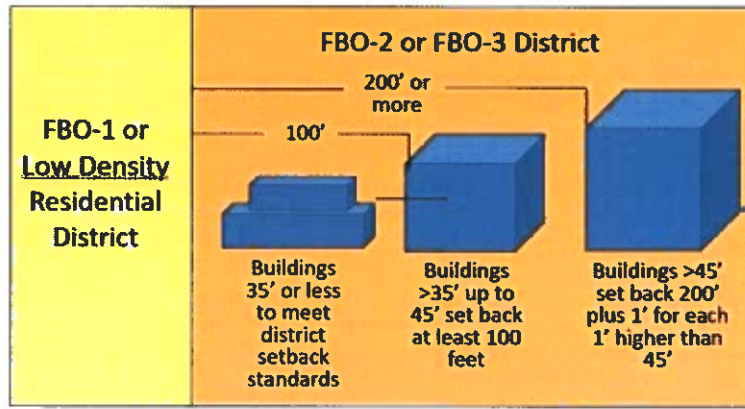




7. Special Overlay Districts

Front Beach Overlay – I. General Parking Requirements

Figure 7.02.03.A: Setbacks for Buildings Taller Than 35 Feet



I. General Parking Requirements

All *Uses* shall provide on-site and overflow parking as required in section 4.05.00 and the *City's* Beach access parking mitigation requirements, except as modified by sections 7.02.03I and 7.02.03J. Parking shall be landscaped as required in section 4.06.04. The *City* finds that adequate parking is important for the economic success of commercial corridors. At the same time, excessive parking degrades the corridor's urban design and impedes the *City's* objectives for walkability and multi-modal transportation alternatives. Accommodating required parking on many properties will be challenging due to small *Lot* sizes and the higher cost of structured parking. Dispersing parking off-site in a way that serves multiple properties provides a more efficient, cost-effective and sustainable way to serve the **FBO** districts' parking needs. For these reasons, the Front Beach overlay districts require that a certain percentage of parking be provided on-site, provide incentives for the *Use* of shared parking and establish a process to enable applicants to enter into parking partnerships that provide public benefits that offset the need to strictly comply with public parking policy.

(Ord. #1254, 11/14/13)

1. **Minimum Parking Requirements.** All *Uses* shall provide **Parking Spaces** as required in section 4.05.02 (Parking), except where parking is shared as provided in section 7.02.03I.5 (Shared Parking) or where the developer participates in a parking partnership as provided in section 7.02.03I.6 (Parking Partnerships) of this section.
2. **Minimum On-site Parking.** Table 7.02.03.J establishes the minimum percentage of total parking requirements that must be provided on the same *Parcel* as the *Use* it serves, or if the *Use* is non-*Residential* on a contiguous *Parcel* or on a *Parcel* that is on the opposite side of a *Street*. For

7. Special Overlay Districts

Front Beach Overlay – I. General Parking Requirements

purposes of this requirement, parking will be determined to be on the opposite side of the **Street** if at least one-fourth of the **Parking Lot** or structure is included within an area that is directly opposite the **Building** or **Use** for which the parking is required. The remaining parking may be provided on-site, or provided off-site in accordance with paragraph 3 of this section, or by parking partnership in accordance with paragraph 6 of this section. For **Uses** not listed, the **City Manager** shall determine the percentage of parking required on-site by determining which **Use** in the table is most similar to the proposed **Use**.

(Ord. #1405, 3/9/17)

Table 7.02.03.J: Minimum On-Site Parking Requirements

Uses	Minimum Percentage of Required <i>Parking Spaces</i> Required On-Site
<b>Residential</b>	100%
Retail/Restaurant	70%
Office	80%
Lodging	90%
Entertainment	70%
Conference Centers	70%
<b>Mixed Uses</b>	90%

3. **Location.** Parking, other than spaces provided on-site in accordance with paragraph 2 of this section, shall be provided in any combination of the following locations approved by the **City Manager**:
  - (a) On another **Lot** or **Parcel** within five hundred (500) feet of the proposed **Development**, as measured along the closest dedicated right-of-way or pedestrian way from the front **Building** entry to the nearest point of the off-site **Parking Lot** or structure; or
  - (b) On another **Lot** or **Parcel** more than five hundred (500) feet but less than three-quarters of a mile from the proposed **Development**, as measured along the closest dedicated right-of-way or pedestrian way from the front **Building** entry to the nearest point of the off-site **Parking Lot** or structure. Both the **Development** and the off-site parking facilities must be located within one hundred (100) feet of an existing transit facility. A “transit facility” includes a bus or tram shelter or multi-modal facility. The transit facility is “existing” if it is currently in existence, is under construction or is funded within the first two (2) years of the transit provider’s Capital Improvements Program. If a **Development** relies on this section and the transit stop is closed through no fault of the property owner the owner can continue to rely on the parking.

7. Special Overlay Districts

Front Beach Overlay – I. General Parking Requirements

- (c) Within the public right-of-way along *Local Streets* interior to a subdivision as approved by the *City*. No on-*Street* parking shall be allowed on Front Beach Road, South Thomas Drive or Arnold Road.
  - (d) In a public *Parking Lot* through a parking partnership as provided in section 7.02.03I.6, below. One (1) space will be counted toward the minimum parking requirement for every public *Parking Space* for which the applicant provides via a parking partnership.
4. All off-site parking areas shall meet the following requirements:
- (a) The off-site parking areas shall be connected to the *Use* they serve by a pedestrian connection meeting the requirements of sections 4.05.03 and 4.05.04, as applicable.
  - (b) The owner of the off-site parking area shall enter into a written agreement with the applicant that reserves the necessary spaces for the proposed *Development*.
  - (c) The owner of the off-site parking area shall enter into a written agreement with the *City* that the off-site *Parking Spaces* shall not be disposed of except in conjunction with the sale of the *Building* ~~with that~~ the parking area serves and that the off-site *Parking Spaces* will be reserved and maintained so long as they are required. The owner shall bear the expense of recording the agreement and shall agree that the agreement shall bind all heirs, successors and assigns.
5. **Shared Parking.** When a *Parcel*, a single project or a block within a single project contains a mix of *Uses*, the minimum parking requirement for the block may be reduced by up to the percentages shown in Table 7.02.03.K. When an applicant proposes a mix of three (3) or more *Uses*, the *City Manager* shall consider the two dominant *Uses* and any supplemental studies provided by the applicant when determining the maximum percentage reduction for shared parking. For purposes of this section, *Parcels* under separate ownership shall be considered a single project if permanent cross *Access* and the right to use shared parking is provided between parking areas on all abutting *Lots*.



7. Special Overlay Districts

Front Beach Overlay – I. General Parking Requirements

Table 7.02.03.K: Shared Parking Requirements

Uses	Maximum Percentage Reduction of Total Required Parking Spaces
<b>Residential &amp; Office</b>	25%
<b>Residential &amp; Retail/Restaurant</b>	10%
<b>Office &amp; Retail/Restaurant</b>	25%
<b>Lodging &amp; Residential</b>	10%
<b>Lodging &amp; Office</b>	20%
<b>Lodging &amp; Retail/Restaurant</b>	10%

6. **Parking Partnerships.** The Planning Board may approve, at the time of *New Development*, *Redevelopment* or *Change of Use*, the provision of a parking arrangement that does not strictly comply with standards for on-site or shared parking. The ability to *Use* a parking partnership is not a right, but may be approved as a condition by the Planning Board provided that such arrangement:

- (a) Is provided to the Board as evidence that the detriment resulting from the deviation from public policy is offset by the benefit of the parking provided by the arrangement;
- (b) Does not unreasonably burden vacant lands or existing *Development* which is not undergoing *New Development*, *Redevelopment* or *Change of Use*;
- (c) Provides for parking to be available concurrently with the issuance of a *Certificate of Occupancy* for the *Use* or *Uses* requiring the parking; and
- (d) Does not bar the subsequent lawful imposition of any assessment.

(Ord. #1254, 11/14/13)

7. **Bicycle Parking.** Bicycle parking shall comply with the provisions of section 4.05.06 and shall be located so that the bicycle parking is within one hundred (100) feet of a public entry to the *Building* or *Use* it serves and that it does not interfere with pedestrian movement.

(Ord. # 1252, 12-13-12)

8. **Motorcycle/scooter parking, reduction**

- (a) Motorcycle and scooter parking may substitute for required *Parking Spaces* for non-residential *Uses*. Existing parking may be converted to take advantage of this provision.
- (b) Motorcycle and scooter parking may substitute for up to five (5) automobile spaces or five (5) percent of the required *Parking Spaces*, whichever is less. For every four (4) motorcycle *Parking Spaces*

7. Special Overlay Districts

Front Beach Overlay – J. Surface Parking Standards

provided, the automobile parking requirement may be reduced by one (1) space.

(c) Motorcycle and scooter **Parking Spaces** shall measure at least four (4) feet in width by eight (8) feet in length.

(d) Motorcycle and scooter **Parking Spaces** shall be identified or designated through the **Use** of signage or pavement markings.

9. Beach Parking

No **New Development, Redevelopment or Change of Use** of any **Premises** located in whole or in part within an FBO district shall be permitted unless there is paid to the **City** an amount equal to six thousand five hundred (\$6,500) for each fifty (50) linear feet or part thereof, of such **Parcel** which for all practical purposes is adjacent to the waters or the sand beach of the Gulf of Mexico.

J. Surface Parking Standards

1. Surface parking shall comply with the standards in sections 4.05.00 and 4.06.00, except as otherwise provided herein.
2. Surface parking areas located on-site shall be located in the rear **Yard** or in a **Side Yard** location provided that the **Side Yard** width does not exceed 100 feet or fifty (50) percent of the width of the **Lot or Parcel**, whichever is less. On gulf-front lots in FBO-4, on-site surface parking areas may be located in a **Front or Side Yard** provided that a decorative wall or hedge not exceeding forty-two (42) inches in height, is installed along the front property line.

(Ord #1437, 11/9/17)

3. As shown in Figure 7.02-03.B-E, surface or garage parking for **Single Family Residential** lots along Front Beach Road shall be accessed from a side **Street**, rear **Street** or **Alley**, if available. Where side or rear **Access** is not available, garages and **Parking Spaces** shall be located behind the front of the **Building** in accordance with the figures.
4. Parking for lots with direct access to Front Beach Road, South Thomas Drive or Arnold Road shall be designed to enable drivers to enter and leave the lots in a forward gear. Figure 7.02-03.E shows sample **Driveway** configurations that enable compliance with this provision.

7. Special Overlay Districts  
Front Beach Overlay – J. Surface Parking Standards

~~Figure 7.02.03.B: Illustration of Front-Loaded Parking Condition~~

~~Figure 7.02.03.C: Illustration of Rear-Loaded Parking Condition~~

~~Figure 7.02.03.D: Parking Garage Design with Building in Front~~

~~Figure 7.02.03.E: Additional Residential Parking Options~~

(Ord. #1254, 11/14/13)

**K. Parking Structures**

Except as provided in this subsection, all *Parking Structures* shall meet the requirements of section 4.05.00.

1. **Location.** *Parking Structures* shall be located behind *Buildings* in the interior of blocks. *Parking Structures* that abut Front Beach Road, South Thomas Road or Arnold Streets shall provide a lining of retail, office or *Residential Uses*, or window displays at the *Street* level along the entire *Street Frontage*. These *Uses* shall include permitted *Frontages* as required by the applicable FBO district. *Parking Structures* are not allowed in the FBO-1 overlay district.
2. **Ground Floor Building Design.** *Parking Structures* shall have commercial *Uses* or window displays along the ground floor and shall be at least two stories in height. Vehicle entrances from the sides of Buildings facing a primary Street to the parking garage shall not be authorized unless the City Manager finds that there are no practical alternatives. However, one (1) ADA/State of Florida compliant pedestrian entrance to the *Parking Structure* may be located along each block. For purposes of the illustrations in this section, the primary *Street* shall be Front Beach Road, South Thomas Drive or Arnold Road. Figures 7.02.03.B through F illustrate many of the requirements of this section 7.02.03.K.

(a) When the *Parking Structure* includes a commercial *Use* lining the *Building* on the *Street* level, the retail or commercial liner shall provide a usable depth of no less than ten (10) feet. At least seventy-five (75) percent of the ground floor wall area between two (2) Feet and seven (7) feet shall be *Glazed* and shall have a minimum transparency of seventy (70) percent. Figure 7.02.03.F through J illustrate these conditions.

(b) When the *Parking Structure* includes window displays lining the *Building* on the *Street* level, window displays shall provide a usable

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7. Special Overlay Districts

Front Beach Overlay – K. Parking Structures

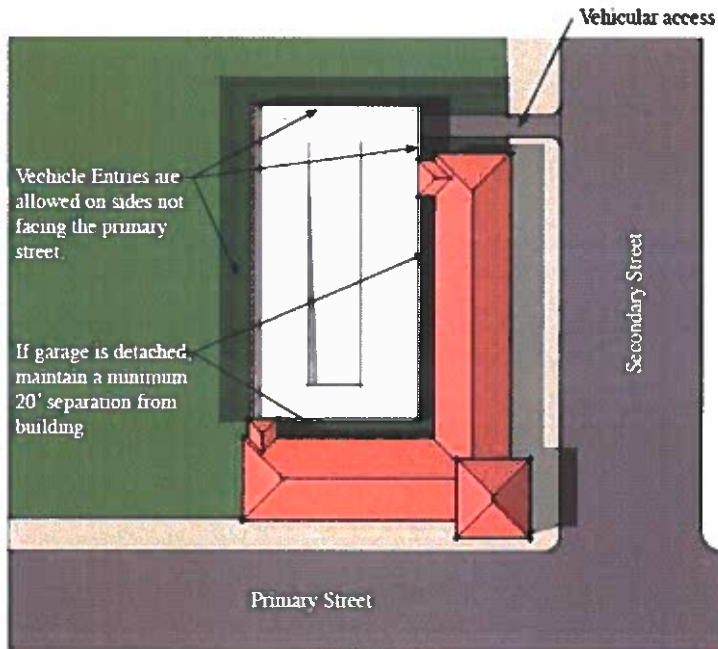
depth of no less than three (3) feet. Blinds, curtains or glass with greater opacity may be used in display windows without active displays. At least fifty (50) percent of the ground floor wall area between two (2) feet and seven (7) feet shall be *Glazed* and shall have a minimum transparency of seventy (70) percent.

(c) *Parking Structures* that provide a lining of retail or commercial *Uses* at the *Street* level shall be classified according to the requirements of section 7.02.03K, and meet the applicable regulations.

(a)

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Figure 7.02.03.FB: Parking Garage Design with Building in Front

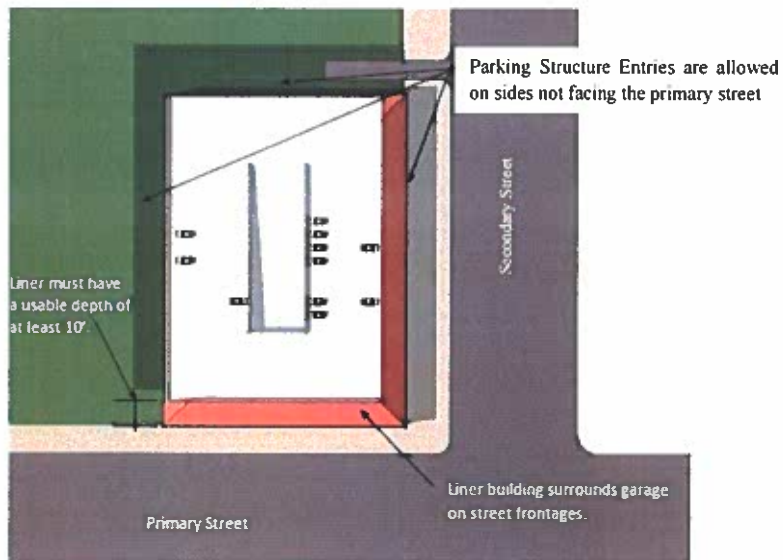


7. Special Overlay Districts  
Front Beach Overlay – K. Parking Structures

Figure 7.02.03.GC: Building Design, Building in Front of Parking Garage



Figure 7.02.03.MD: Parking Garage Design with Liner Building



7. Special Overlay Districts  
Front Beach Overlay – K. Parking Structures

Figure 7.02.03.IE: Building Design, Liner Building

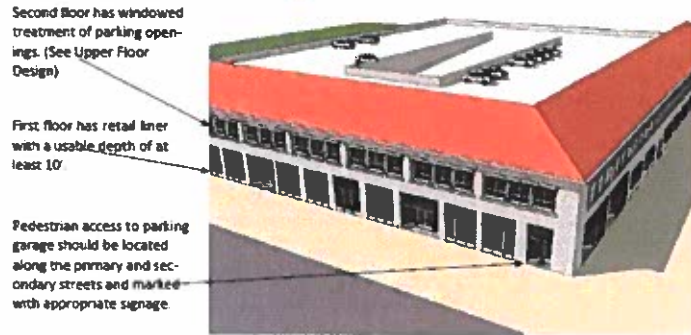
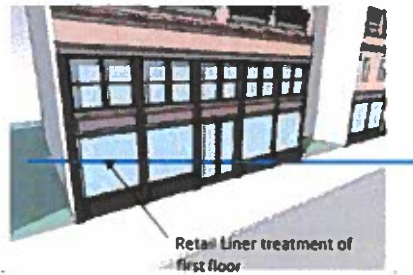


Figure 7.02.03.I: Ground-Floor Design, Liner Building



(b) When the **Parking Structure** includes window displays lining the **Building** on the **Street** level, window displays shall provide a usable depth of no less than three feet. Blinds, curtains or glass with greater opacity may be used in display windows without active displays. At least fifty (50) percent of the ground-floor wall area between two (2) feet and seven (7) feet shall be **Glazed** and shall have a minimum transparency of seventy (70) percent. Figure 7.02.03.K and L illustrate these conditions.



7. Special Overlay Districts  
Front Beach Overlay – K. Parking Structures

Figure 7.02.03.KF: Building Design, Window Display

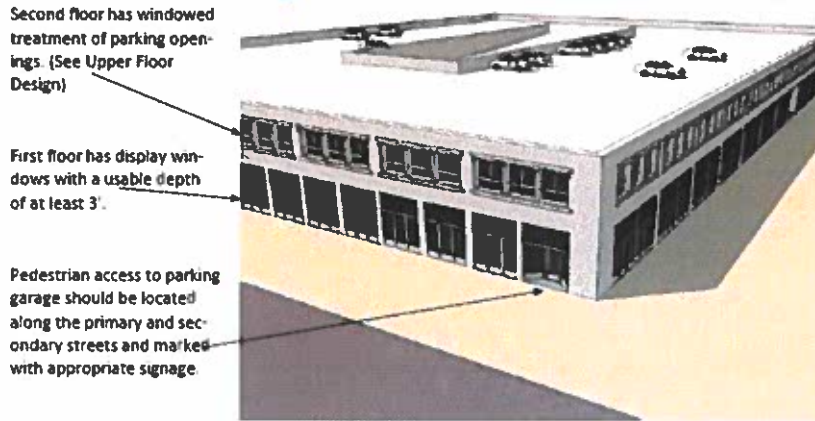
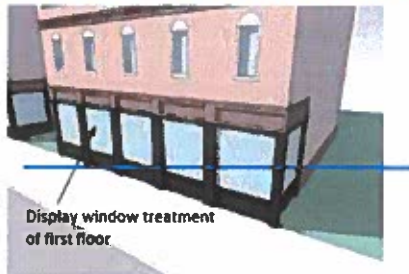


Figure 7.02.03.L: Ground Floor Design, Display Windows



~~(e)(e) Parking Structures that provide a lining of retail or commercial uses at the street level shall be classified according to the requirements of section 7.02.03K and meet the applicable regulations.~~

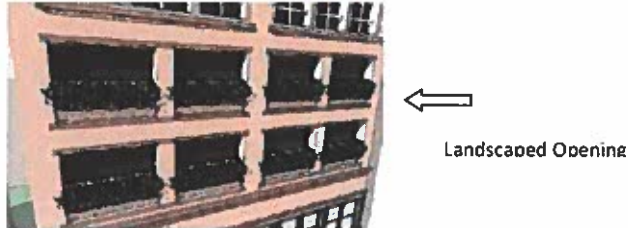
Field Code Changed

3. **Upper Story Design.** No less than sixty (60) percent of the upper *Stories* of any *Parking Garage* wall facing a public right-of-way shall consist of exposed openings. The opening shall be designed with one or more of the following treatments, shown below:

- (a) **Landscaped opening.** Planter boxes shall be installed within or in front of the openings. Planter boxes shall be maintained with live plants. A lattice with a maximum of fifty (50) percent opacity may be installed to cover the opening. Figure 7.02.03.M-G illustrates this treatment.

7. Special Overlay Districts  
Front Beach Overlay – K. Parking Structures

Figure 7.02.03.MG: Landscaped Opening



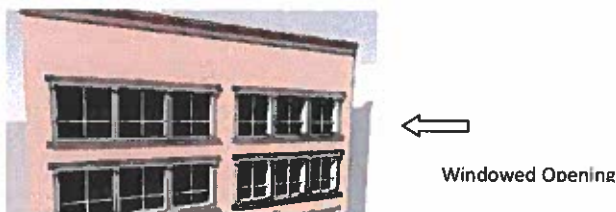
(b) Fenced opening. A rail shall be installed across the opening to give the appearance of a balcony. Figure 7.02.03.NH illustrates this treatment.

Figure 7.02.03.NH: Fenced Opening



(c) Windowed opening. The openings shall be framed and mullions added to give the appearance of large windows. Figure 7.02.03.OI illustrates this treatment.

Figure 7.02.03.OI: Windowed Opening



4. **Building design and materials.** *Parking Structures* shall comply with the **Building design** and **Building material** requirements of the applicable overlay district.

(Ord. # 1340, 4/9/15)

**L. Drop-Offs**

Land Development Code

5-25-22

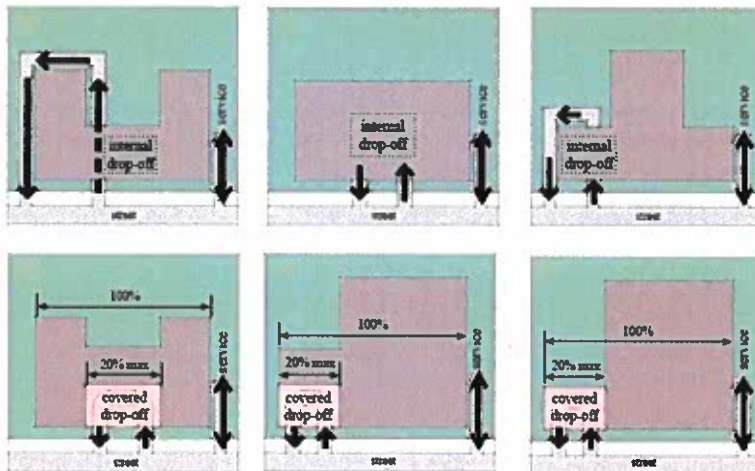
33

7. Special Overlay Districts  
Front Beach Overlay – L. Drop-Offs

**Driveways and Drop-offs** not associated with a long-term parking area shall comply with the following standards and may use any of the applicable designs shown in Figure 7.02.03.PJ:

1. All **Drop-offs** shall be limited to one-way traffic.
2. While **Drop-offs** may be separated by a distance of twenty (20) feet or more, the combined width of internal **Drop-Off** openings may not exceed twenty (20) percent of **Building** width. Internal **Drop-Off** areas are defined as being covered by additional **Story(s)** of the **Building**.
3. Service bays are not allowed on the front of **Buildings** facing Front Beach Road, South Thomas Drive or Arnold Road. They may be internal to the **Building**.

Figure 7.02.03.PJ: Drives and Drop-Off Design Alternatives



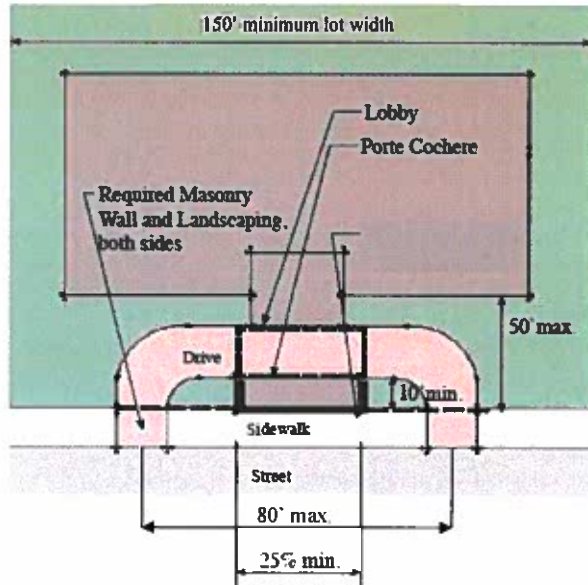
4. Covered **Drop-Off** areas or portes cochere may be established in the FBO-4 district in accordance with this paragraph and Figure 7.02.03.QK:
  - (a) The minimum parcel width shall be one hundred fifty (150) feet;
  - (b) The maximum distance between the centerlines of **Driveways** providing access to and from the porte cochere shall not exceed eighty (80) feet measured at the curb;
  - (c) The covered **Drop-Off** areas shall not exceed twenty-five (25) percent the total width of the **Building** they front. Covered **Drop-Off** areas are



7. Special Overlay Districts  
Front Beach Overlay – L. Drop-Offs

defined as being covered by a *Roof* or balcony and not having any additional *Stories* above their footprint.

Figure 7.02.03.QK: Porte Cochere Design



**M. Pedestrian Crosswalks and Crossovers**

Crossovers shall comply with the standards established in section 4.05.04.

**N. Building Design Standards**

1. *Building Materials.*

- (a) In the FBO-1 and FBO-2 districts, no more than two (2) materials shall be visible on any exterior façade, not including windows, doors, foundation walls, columns, chimneys, soffits and trim. If two wall materials are used, heavier-weighted materials shall be located below lighter-weighted materials, as defined in Table 7.02.03.L and separated by a horizontal joint. Vertical changes in material shall not occur within two (2) feet of an exterior corner. When possible, vertical changes in materials shall occur at interior corners (see Figure 7.02.03.R). Allowed materials include wood, stone, brick, stucco, architectural block (split faced), and cementitious materials.

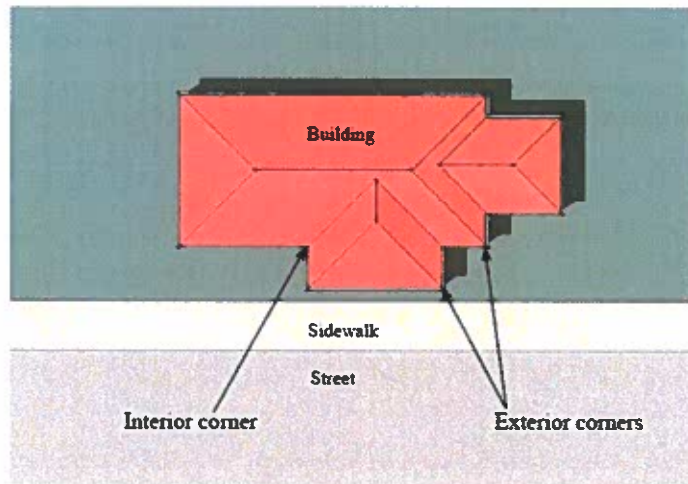
7. Special Overlay Districts  
 Front Beach Overlay – N. Building Design Standards

Table 7.02.03.L: Exterior Materials by Weight

Heavy weight materials	Medium weight materials	Light weight materials
Brick	Stucco	Horizontal siding
Stone		Vertical siding
		Shingle siding

(b) **Building** exteriors in the FBO-3 and FBO-4 districts shall be clad in masonry materials only. Masonry materials include stone, brick or stucco. Cementitious materials that mimic wood lap siding are not an approved masonry material for any building that is more than three (3) stories in **Height**. No more than two materials shall be visible on any exterior façade, not including windows, doors, foundation walls, soffit, columns and trim. If two wall materials are used, heavier-weighted materials shall be located below lighter-weighted materials, as defined in Table 7.02.03.L and separated by a horizontal joint. Changes in material along a horizontal plane shall not occur within two (2) feet of an exterior corner. When possible, these horizontal changes in materials shall occur at interior corners. (see Figure 7.02.03.RL)

Figure 7.02.03.RL: Interior and Exterior Corners

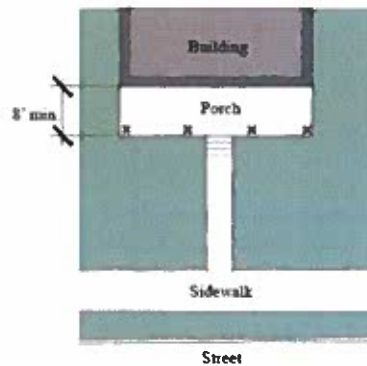


2. Front Porches and Stoops. (See Figure 7.02.03.S-M and Figure 7.02.03.FN)

7. Special Overlay Districts  
Front Beach Overlay – N. Building Design Standards

- (a) Porches and stoops shall be raised a minimum of thirty (30) inches above the grade of the sidewalk.
- (b) Front porches shall be a minimum of eight (8) feet deep. Porch beams shall be visible. Porch column width shall match the width of the porch beams. To the greatest practical extent, columns and piers should be evenly spaced.
- (c) Handicapped ramps used in conjunction with a front porch or stoop shall be constructed of masonry, concrete, pressure treated lumber or composite lumber, and shall not be located on a *Street*-facing side of the porch.

Figure 7.02.03.5M: Porches

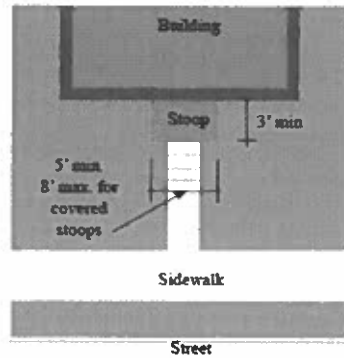


- 3. Stoops and covered stoops shall be constructed of stone, brick, concrete, pressure treated materials, ~~and~~ composite materials, or a combination thereof, and shall be a minimum of three (3) feet deep and a minimum of five (5) feet wide. A covered stoop greater than eight (8) feet wide shall be considered a porch.
- 4. Covered stoops shall have a visible means of support for the *Roof* consisting of beams and columns, piers or brackets. Columns and piers shall have the same width and spacing requirements as columns and piers for porches. Stoops and covered stoops shall be accessed by stairs.



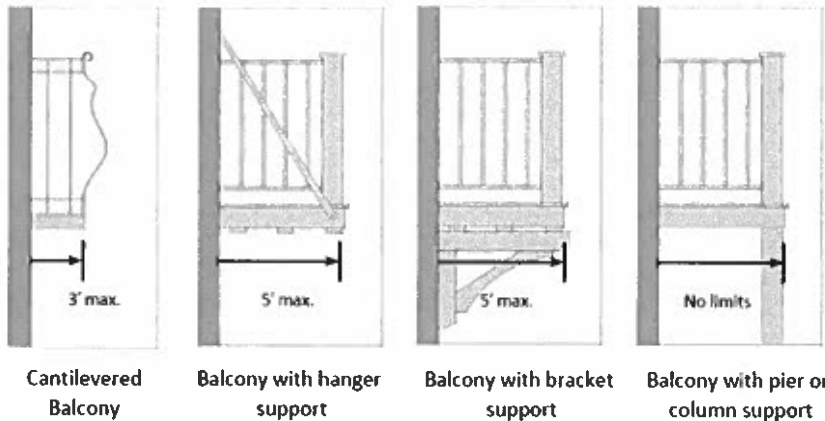
7. Special Overlay Districts  
 Front Beach Overlay – N. Building Design Standards

Figure 7.02.03.ṦN: Stoops



5. **Balconies.** Balconies facing adjacent to and facing the sandy shore of the beach shall extend no further than three (3) feet beyond the **Building** wall without the *use* of brackets, hangers, piers or columns. Balconies extending from three (3) to five (5) feet from the **Building** wall shall incorporate the use of brackets, hangers, columns or piers as a visible means of support. A balcony extending beyond five (5) feet from the **Building** wall shall use walls, columns or piers as a visible means of support. (see Figure 7.02.03.ṦQ)

Figure 7.02.03.ṦQ: Balconies



6. **Mechanical Unit Location.** Mechanical equipment shall not be located at the front of a **Building**. Mechanical equipment shall be located in areas that are screened from the public streetscape or public **Access** ways by the sides

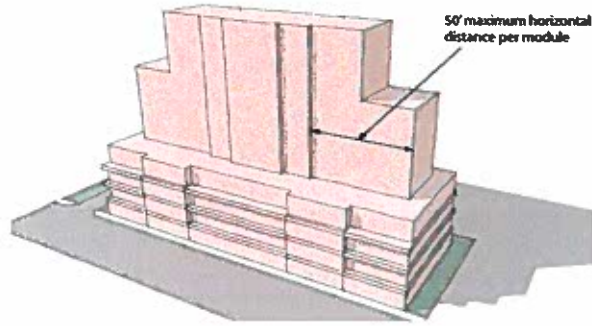
7. Special Overlay Districts  
Front Beach Overlay – P. Large Site Development

and rears of **Buildings** or within mechanical areas inside the **Buildings**.  
**Roof**-top mechanical equipment shall be screened by a wall that is equal to the height of the equipment being screened.

7. **Utilities.** On-site utilities shall be screened or incorporated into building insets to the greatest practical extent.
8. **Modulation.** In the FBO-3 and FBO-4 districts, recesses and projections shall be used to create shadow lines to break up the massing of all **Buildings** taller than four (4) **Stories** that have more than seventy-five (75) feet of **Frontage** along Front Beach Road and South Thomas Drive for all **Stories** above the fourth **Story**. The minimum depth of modulation shall be two (2) feet. The minimum horizontal width shall be five (5) feet and the maximum horizontal width per module shall be fifty (50) feet. (see Figure 7.02.03.WP)
9. **Recognizable Top.** In the FBO-3 and FBO-4 districts, a recognizable "top" is required consisting of (but not limited to) (a) Cornice treatments; (b) roof overhangs with brackets; (c) stepped parapets; (d) richly textured materials (e.g. tile or masonry treatments); (e) differently colored materials (colored "stripes" are not acceptable as the only treatment); or (f) other non-habitable space that is under a pitched roof and above the top floor ceiling shall not be counted towards building height.
10. **Recognizable Base.** In the FBO-3 and FBO-4 districts, a recognizable "base" is required at ground level consisting of (but not limited to): (a) protruding walls; (b) richly textured materials (e.g., tile or masonry treatments); (c) special materials such as ceramic tile, granite and marble; (d) contrasting colored materials mullions, and/or panels.
11. **Entryways.** Enhanced landscaping, landscape planters or wing walls, structural or vegetative shading features and benches or other seating components shall be incorporated into entryways.
12. **Lighting.** Architectural lighting highlighting building columns, ~~C~~ cornices or other distinguishing architectural features shall be ~~required~~ required along the front façade of buildings. Designs shall not interfere with turtle nesting season protections.

7. Special Overlay Districts  
Front Beach Overlay – P. Large Site Development

Figure 7.02.03.VP: Modulation



(Ord. # 1340, 4/9/15; Ord. # 1475, 12/13/18)

**O. Reserved**

**P. Large Site *Development***

1. Purpose. This subsection establishes standards for the *Development* of large sites located in one or more FBO districts to encourage *Development* that achieves the following objectives:
  - (a) Improving connectivity between adjacent *Developments* and reducing reliance on Front Beach Road to carry all east-west traffic;
  - (b) Accommodating parking on internal *Local Streets*;
  - (c) Supporting bicycling, walking and transit *Use*;
  - (d) Minimizing traffic speeds;
  - (e) Maintaining a sense of enclosure along the *Streets*;
  - (f) Ensuring compatibility through design and gradual transitions in height and *Development* intensity;

7. Special Overlay Districts  
Front Beach Overlay – Q. FBO District Development Procedures

- (g) Promoting a compatible mix of *Uses* that results in greater internal trip capture; and
  - (h) Providing a variety of common areas and outdoor spaces within the *Development*.
2. **Applicability.** This section 7.02.03P applies to any *Parcel* or combination of contiguous *Parcels* under *Common Ownership or Control* that encompass five (5) or more acres.
  3. **Procedures for Large Site Development.** Applications for large site *Development* shall follow the procedures in section 7.02.03Q.1(b).
  4. **Street Types and Specifications.** Front Beach Road, South Thomas Drive and Arnold Road *Street* design shall be consistent with the standards established by the CRA in the Front Beach Road Streetscape Design Guidelines Manual. Internal *Streets* on *Parcels* abutting Front Beach Road shall be designed and constructed to connect to adjacent properties unless the *City* finds that the benefits of improved traffic flow, emergency *Access* and public safety are outweighed by resulting environmental damage or neighborhood disruption. Internal *Streets* shall comply with section 4.04.04.
  5. **On-Street Parking.** *Parking Spaces* shall be provided on *Streets* that are internal to large developments.

**Q. FBO District Development Procedures**

1. **Approvals Required.** (see Table 7.02.03.M)
  - (a) Applications for *Development* approval within the FBO districts are processed in accordance with Chapter 10 of the *LDC*, except as modified by this subsection.
  - (b) A Large Site Development (see section 7.02.03P) requires approval of a Master Plan that follows the Type V (Master Plan) review procedures established in Chapter 10.
  - (c) A *Plat* cannot be approved by the City Council until the Master Plan has been approved by the Planning Board through the Type V approval process. All *Plats* shall be consistent with the Master Plan.
  - (d) All other *Development* requires Type 1 approval.



7. Special Overlay Districts  
Front Beach Overlay – Q. FBO District Development Procedures

**Table 7.02.03.M: Summary of Approval Requirements**

Development Category	Type I Process	Type II Process	Type V Process	Type VI Process
<b>Large Site Development or Conditional Use, no Subdivision</b>	✓		✓	
<b>Large Site Development or Conditional Use, with Subdivision</b>	✓	✓	✓	
<b>All other Uses or Development</b>	✓			
<b>Variance requests</b>				✓

2. **Concept Plan.** This section does not require detailed engineering or *Site Plan* drawings as a prerequisite to approval required by the Planning Board. An applicant may provide a concept plan showing the general types and locations of proposed *Development* and *Street* layouts (such as a bubble plan) before submitting a formal Type I, II or V application. The *Building* and Planning Department and the Engineering Department may submit informal comments on the Concept Plan. However, any comments relating to the Concept Plan are for the applicant's convenience and do not have any binding effect on subsequent approvals.
  
3. **Master Plan.** Master Plan approval is subject to section 10.10.00 of the *LDC*, except as provided below:
  - (a) The provisions of section 10.10.01E and section 10.10.02C.2 do not apply to the approval of a Master Plan in the FBO Districts and alternative procedures and standards are provided below.
  - (b) A property owner has the burden of proof to demonstrate that the Master Plan complies with the FBO district standards.
  - (c) In lieu of section 10.10.02C.2, the applicant shall demonstrate:
    - (1) For a Large Site *Development*, that the proposed *Development* conforms to the standards established in section Chapter 7 in addition to all applicable requirements of this subsection; or
    - (2) For a *Conditional Use* other than a Large Site *Development*, that the proposed *Development* conforms to all applicable requirements of this subsection and the conditions established in section 5.06.00.
  
4. **Changes to Master Plans.** Changes to master plans may be authorized subject to the provisions of section 10.15.00.

7. Special Overlay Districts  
Front Beach Overlay – Q. FBO District Development Procedures

5. Final Development Plan. After final approval of a Master Plan, the applicant shall submit a final development plan for Type I Review (see section 10.15.00). An approved final development plan is required before issuance of a **Building Permit**.

(Ord. #1254, 11/14/13)

6. Modification of FBO Standards

- (a) Intent. The **City** desires to maintain the design integrity and functionality of the FBO district, while providing flexibility and the ability to provide quality **Development** on the relatively small **Lots** that characterize the Front Beach Road corridor.

- (b) Categories of Standards. Table 7.02.03.N establishes three (3) categories of standards:

- (1) **Not Modifiable**. Those regulations that cannot be modified or varied are considered essential to the concept of reducing the number and length of automobile trips and to achieve the purposes of the FBO districts.

- (2) **Administrative Modifications**. Those regulations that can be modified by: (1) the **Building** and Planning Department if only a Type I approval is required or (2) by the agency with final approval authority if a Class II or Class V approval is required. The approving agency can modify any standard listed as subject to an administrative modification in Table 7.02.03.N by up to 10%, subject to the standards set out below. Any modification that exceeds this threshold requires a **Variance**. In order for an application for an administrative modification to be approved or approved with conditions, the approving agency must make a positive finding, based on the evidence submitted, for each of the following:

- i. The modification is needed due to the physical shape, configuration or topographical condition of the **Lot** and
- ii. The modification is compatible with adjacent and nearby **Development** that conforms to the FBO district standards and
- iii. The modification will not alter the essential character of the district or have a detrimental effect on the community health, safety or welfare.

- (3) Those that can only be varied by the Planning Board through a Type VI process (see section 10.11.00).

- i. The applicant must demonstrate that the requested **Variance** meets the standards established in section 9.03.03 and must proffer an alternative condition that meets the purpose and intent of the FBO standards to the extent possible.

7. Special Overlay Districts  
Front Beach Overlay – Q. FBO District Development Procedures

- ii. If a standard is listed below in Table 7.02.03.N, ~~below~~ as not modifiable or subject to an administrative modification, the standard is not subject to a **Variance**.
- iii. For Large Site Developments subject to Section 7.02.03P, modifications authorized through ministerial or variance procedures by Table 7.02.03N shall be considered and may be granted in conjunction with the Type V consideration of a Master Plan in accordance with sections 10.02.05G and 10.04.06.

(Ord. # 1443, 2/8/18)

7. Special Overlay Districts  
 Front Beach Overlay – Q. FBO District Development Procedures

Table 7.02.03.N: Standards

Standard	Reference (subsection of 7.02.03)	Not Modifiable	Ministerial Modification	Variance
<b>Front Yards</b>	G		✓	
Minimum Parking Requirements	I		✓	
Shared Parking	I	✓		
Parking Location	I			✓
Parking Lot Landscaping	I		✓	
Parking Lot Design	I		✓	
Parking Mitigation	I	✓		
Parking Structure Location	K	✓		
Parking Structure Building Fronts	K	✓		
Parking Structure Building Materials	K	✓		
Parking Structures - Other Design Requirements	K			✓
Location of Frontage Types	F			✓
Front Setbacks (minimum)	F			✓
Front Setbacks (maximum)	F			✓
Side Setbacks (minimum)	F		✓	
Side Setbacks (maximum)	F			✓
Rear Setbacks (minimum)	F		✓	
Rear Setbacks (maximum)	F		✓	
Gallery Setback (maximum)	F		✓	
Build-to ratio (80% Building Facade shall be located at the front setback line for first 4 Stories)	F		✓	
Tower Rooms	F		✓	
Height in feet (maximum) and Building Stepbacks	H	✓		
Podium Design	H		✓	
Driveways / Garages	J			✓
Building Materials	N			✓
Modulation	N		✓	
Mechanical Unit Locations / Design	N		✓	
Porches / Balconies	N			✓
Drop-offs	L		✓	

(Ord. # 1340, 4/9/15; Ord. #1475, 12/13/18)



# ITEM NO. 10



# *CODE ENFORCEMENT*

**September 2022 Report**

(August 16 - September 15)



# CODE ENFORCEMENT

Data extracted from Code Enforcement records from August 16<sup>th</sup> to September 15<sup>th</sup>.

- **95 cases opened**
- **25 citations issued**
  - **17 upland properties**
  - **8 sandy beach**
- **\$1,275 in fines collected**
- **\$3,850 in fines not collected**

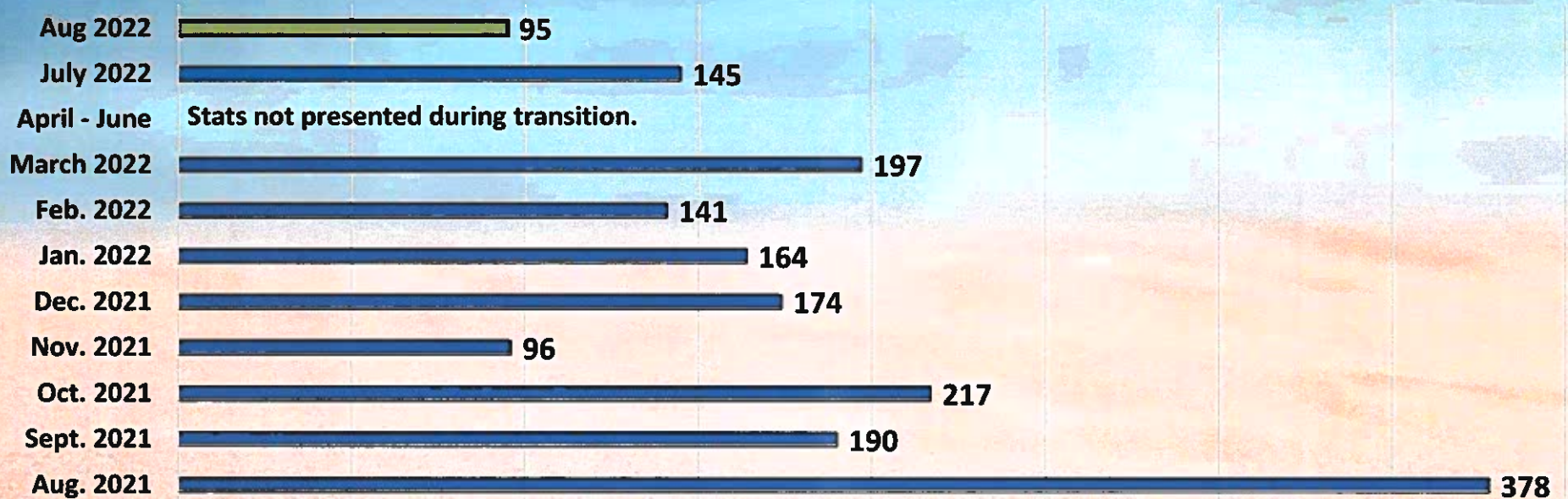
August 16 - September 15





# CODE ENFORCEMENT

## Total cases



 Only cases opened during this time period.

 Open & closed cases during this time period, which may include cases opened in previous months.

August 16 - September 15





# CODE ENFORCEMENT

## *General Enforcement* *(most common violations)*

Code	Description	Opened	Citations
CODE 15-18, 15-17(6)	Excessive Grass or Vegetation	22	5
CODE 15-18, 15-17 (3)	Detrimental Conditions	14	8
CODE 12-6	Littering (Locations with litter on ground)	13	1
CODE 14-2 / 14-6	Payment of Business Tax Required	6	0
CODE 12-7	Litter Scenic Corridor	5	0
CODE 12-2	Duty to Furnish Receptacles	4	1

August 16 - September 15





# CODE ENFORCEMENT

## *General Enforcement* *(most common violations)*

Code	Description	Opened	Citations
CODE 8-75 (a)	Work Without a Permit	4	0
CODE 5.02.03	Fence in need of repair	2	1
LDC 5.07.05	Unpermitted Signs/Flags not in R.O.W.	2	0
CODE 15-18, 15-17(2)	Unlawful Storage of Junked Automobiles	1	0
LDC 4.02.04	Short Term Rental	1	1
LDC 5.02.08(A2)	Failure to Secure Pool	0	0
LDC 4.08.01	Prohibited or Unpermitted Land Clearing	0	0
CODE 22-19	Towing Vehicles from Private Property	0	0

August 16 - September 15





# CODE ENFORCEMENT

## *Beach Enforcement*

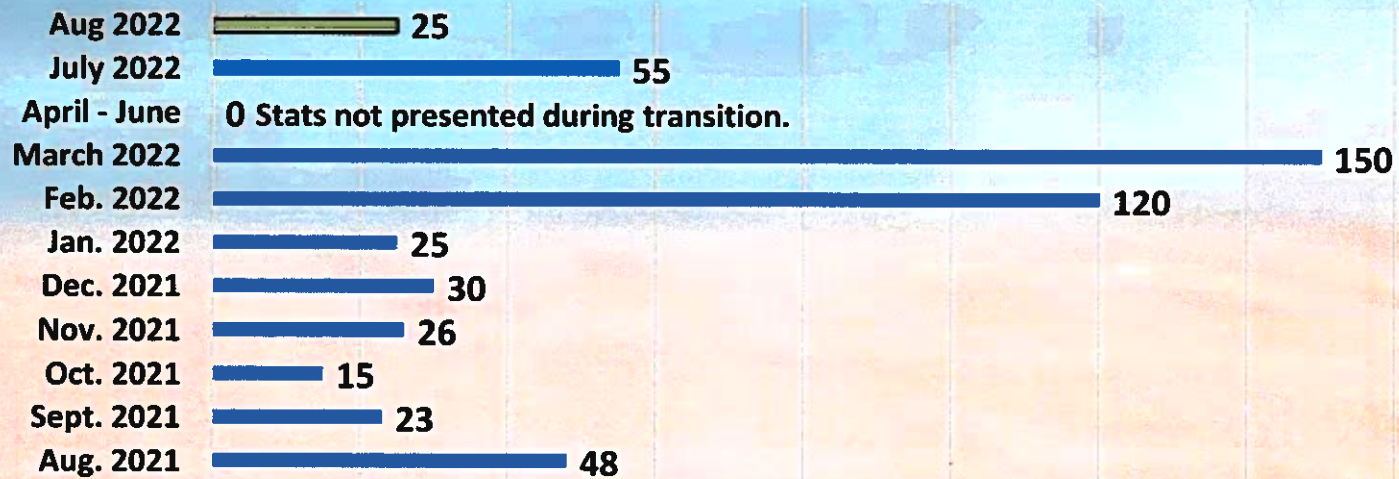
Code	Description	Opened	Citations
CODE 7-9	Animals Prohibited on Beach	5	4
CODE 7-101	Driving on the Beach	3	3
CODE 7-11 (a)(6)	Fire – permit holder not on site	1	1
CODE 7-2	Glass Prohibited on Beach	0	0

August 16 - September 15



# CODE ENFORCEMENT

## *ROW signs - removed*



August 16 - September 15





# CODE ENFORCEMENT

*We are serving the public better by:*

- Evaluating turtle friendly lighting. (follow-up inspections)
- Evaluating the Code Enforcement process from beginning to end.
- Addressing visible receptacles on scenic corridors.
- Correcting real estate signage in city ROW.
- Began reviewing Chapter 7.
- Joined efforts with the Beach Police on three (3) vacant locations.
- Working with Animal Control.

August 16 - September 15



# CODE ENFORCEMENT

*Going above and beyond.*

- ✓ Assisted in the rescue of an injured pelican on the beach.
- ✓ Assisted an injured bicyclist on the beach.

August 16 - September 15





# CODE ENFORCEMENT

*Questions?*

*Concerns?*

*Complaints?*

August 16 - September 15