

**ORDINANCE NO. 1622**

**AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE; ESTABLISHING SUPPLEMENTAL STANDARDS FOR APARTMENTS LOCATED ON LESS THAN 3 ACRES; PERMITTING APARTMENTS LOCATED ON MORE THAN 3 ACRES AS A CONDITIONAL USE IN R-3, CM AND CH ZONING DISTRICTS AND SETTING THE CONDITIONS FOR SUCH DEVELOPMENT; AMENDING THE TABLE OF USES; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

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

SECTION 1: From and after the effective date of this ordinance, Section 1.07.02 of the City's Land Development Code related to Definitions, is amended to read as follows (new text **bold and underlined**, delete text ~~struckthrough~~):

**1.07.02 Definitions**

**Apartment – Any building or portion thereof used to provide two (2) or more separate dwelling units which may share means of ingress/egress and other essential facilities and which are commonly renter-occupied rather than owner-occupied.**

SECTION 2: From and after the effective date of this ordinance, Table 2.03.02 of the City's Land Development Code related to Land Uses in Base Zoning Districts, is amended to read as follows (new text **bold and underlined**, delete text ~~struckthrough~~):

**2.03.02 Land Uses**

Land Uses	AR	R-1a	R-1b	R-1c	R-1cT	RO	RTH	R-2	R-3	CL	CM	CH	M1	C	R	PF
<b><u>Apartments more than 3 acres</u></b>									<del>C</del> <b><u>5.0</u></b> <del>6.0</del> <b><u>Z</u></b>			<del>C</del> <b><u>5.0</u></b> <del>6.0</del> <b><u>Z</u></b>				
<b><u>Apartments less than 3 acres, Duplexes, Triplexes, Quadplexes,</u></b>							P	S 5.0 4.0 9	S 5.0 4.0 9	S 5.0 4.0 9	S 5.0 4.0 9	S 5.0 4.0 9				

SECTION 2: From and after the effective date of this ordinance, Section 5.04.09 of the City's Land Development Code related to Supplemental Standards for Specific Uses, is amended to read as follows (new text **bold and underlined**, delete text ~~struck through~~):

**5.04.09 Apartments less than 3 acres, Duplex, Triplex, Quadplex Buildings**

- A. Apartments less than 3 acres, Duplex, triplex and quadplex *Buildings* are allowable in the R-2, R-3, CL, CM and CH zoning districts, subject to the standards of those zoning districts and the standards in this section. The minimum Lot area shall be 3,000 square feet per *Dwelling Unit*.**
- B. The minimum Lot width, Setbacks and maximum density shall comply with applicable zoning district standards. (Ord. #1364, 11/12/15)**
- C. The maximum Lot coverage shall be forty (40) percent.**
- D. The maximum Building Height shall be thirty-five (35) feet.**

SECTION 3: From and after the effective date of this ordinance, Section 5.06.07 relating to the conditions for Apartments located on 3 or more acres is created to read:

**5.06.07 Reserved Apartments – 3 or more acres**

- A. Any development of Apartments located on 3 or more acres (an "Apartment Development") may be allowed in R-3 and CH zoning districts subject to conditional use approval and compliance with the following conditions:**
- B. The buffer that is otherwise required shall be increased by 30% for building heights of 35 feet or less and increased by 50% for building heights more than 35 feet. The buffer shall be bordered by a Vegetative Fence consisting of at least one (1) large or medium tree for each fifteen (15) linear feet of buffer. All hedges shall be planted with no more than a six (6) inch spacing between the edges of each plant.**
- C. The property shall be enclosed by masonry or composite privacy fencing at least eight (8) feet in height along all property lines abutting a Single-Family Residential use.**
- D. Apartments on 3 or more acres may include the following Accessory Uses"**
- 1. Building management office.**
  - 2. Restaurant, deli, coffee shop or newsstands in development of 100 or more Dwelling Units.**
    - (a) Shall be integrated into one of the Apartment Buildings. The Use shall not be freestanding.**

**(b) The Accessory Use shall not occupy more than five (5) percent of the ground floor area of the Apartment Development.**

**(c) No more than (1) exterior wall-mounted sign shall be permitted to identify the Accessory Use.**

**(d) The hours of operations shall be limited to 6:00 a.m. to 9:00 p.m.**

**(e) Drive-Through or drive-up facilities shall be prohibited.**

### **3. Parks and Recreation Facilities**

**(a) Shall be located a minimum of one hundred-fifty (150) feet from parcels Zoned or Used for Single-Family Residential.**

**(b) Pools, recreational centers, and active outdoor play areas shall be fully screened through the Use of Decorative Fencing or vegetation.**

**E. Solid Waste Locations within the Apartment Development shall be one hundred (100) feet from any property Zoned or Used for Single-Family Residential.**

**F. All lighting on the development shall be downlit. Any building height over thirty-five (35) feet requires an approved lighting plan for building architecture or balconies facing parcels Zoned or Used for Single-Family Residential. Turtle Lighting is required for the third story and higher when located within 300 feet of the sandy beach.**

**G. Transient Residential Rentals are prohibited in developments that are located within one hundred (100) feet from parcels Zoned or Used for Single-Family Residential.**

**H. For Apartment Developments with one hundred-fifty (150) or more Dwelling Units, two (2) Access points shall be required. The primary entrance to the Apartment Development shall not be located on a Street that provides primary Access to Single Family residences unless such Street is classified as a collector or arterial.**

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

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

SECTION 6. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 22<sup>nd</sup> day of June, 2023.

**CITY OF PANAMA CITY BEACH**

By:   
Mark Sheldon, Mayor

**ATTEST:**

  
Lynne Fasone, City Clerk

EXAMINED AND APPROVED by me this 22<sup>nd</sup> day of June, 2023.

  
Mark Sheldon, Mayor

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