

ORDINANCE NO. 1646

AN ORDINANCE REZONING FROM SINGLE FAMILY RESIDENTIAL (R-IB) TO COMMERCIAL LOW INTENSITY (CL) THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF PANAMA CITY BEACH, FLORIDA, CONTAINING APPROXIMATELY 0.203 ACRES; LOCATED AT 206 NORTH ARNOLD ROAD, PARCEL ID 32920-000-000, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; SCRIVENER'S ERRORS; LIBERAL INTERPRETATION; MODIFICATIONS; CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sara Bonakdar, the owner of real property designated herein, has initiated this ordinance by filing a petition praying that said real property, being more particularly described below, be rezoned from single family residential (R-1b) to commercial low intensity (CL); and

WHEREAS, this ordinance changes only the zoning map designations of the real property described herein; and

WHEREAS, the Panama City Beach Planning Board reviewed the land use request, conducted a public hearing on April 16, 2024, and recommended denial by a vote of 4-3; and

WHEREAS, after consideration of evidence adduced in properly advertised public hearings conducted on May 23, 2024, and [REDACTED], the City found the requested change to be consistent with the currently applicable Comprehensive Growth Development Plan and reasonable to accomplish a legitimate public purpose.

NOW THEREFORE, BE IT ENACTED BY THE CITY OF PANAMA CITY BEACH, FLORIDA:

SECTION 1. The following described parcel of real property situate within the municipal limits of the City of Panama City Beach, Florida, is rezoned from single family residential (R-1b) to commercial medium intensity (CL), to wit,

Lot 1, Block E, Gulf Highlands, according to the Plat thereof, recorded in Plat Book 8, Page 79, of the Public Records of Bay County, Florida.

and the City's Zoning Map is amended accordingly.

SECTION 2. CONFLICT WITH OTHER ORDINANCES OR CODES. All Ordinances or parts of Ordinances of the Code of Ordinances of Panama City Beach, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY. If any provision of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction, the other provisions of this ordinance shall remain in full force and effect.

SECTION 4. SCRIVENER'S ERRORS. It is the intention of the City, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Panama City Beach, Florida, and to that end, the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section" or "article" or other appropriate designation. Additionally, corrections of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Attorney without public hearing, by filing a corrected or recodified copy with the City Clerk.

SECTION 5. ORDINANCE TO BE LIBERALLY CONSTRUED. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 6. MODIFICATIONS. It is the intent of the City that the provisions of this ordinance may be modified as a result of considerations that may arise during a public hearing. Such modifications shall be incorporated into the final version of the ordinance adopted by the City.

SECTION 7. CODIFICATION. 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 Code of Ordinances, 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 8. EFFECTIVE DATE. This Ordinance shall take effect as provided by law.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this ____ day of _____ 2024.

CITY OF PANAMA CITY BEACH

By: _____
Stuart Tetterer, Mayor

ATTEST:

Lynne Fasone, City Clerk

Denied / Failed at 05/23/2024 Council Meeting