

ORDINANCE NO. 1369

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE TO PERMIT SHORT TERM RENTALS OF SINGLE FAMILY DWELLINGS ON PARCELS LOCATED SOUTH OF FRONT BEACH ROAD IN R-1C ZONING DISTRICTS, SUBJECT TO SUPPLEMENTAL STANDARDS APPLICABLE TO TRANSIENT RENTALS ELSEWHERE IN THE CITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, short term rentals have historically occurred in two Gulf-front areas zoned as R-1C (Single Family Residential) and encompassing 44 lots; and

WHEREAS, several of the owners and representatives of owners of homes in these areas have recently petitioned the City to permit short-term rentals on Gulf front lots zoned R-1C; and

WHEREAS, the Planning Board considered the request on September 14, 2015 and recommended approval.

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

SECTION 1. From and after the effective date of this ordinance, Section 4.02.04 of the Land Development Code of the City of Panama City Beach related to Performance Standards for Zoning Districts, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

4.02.04 Performance Standards for Zoning Districts

The performances standards set forth in this section apply to all zoning districts unless otherwise stated.

...

I. Additional Standards for Residential Districts

I. Outdoor storage is not permitted for any items not designed for outside ***Use*** such as automobile parts and tires, ***Building*** materials without a valid and active ***Building Permit***, interior furniture and other similar items.

2. In **Single Family** zoning districts, it shall be unlawful for any person to occupy, solicit or permit another to occupy a **Single Family Dwelling** which does not contain a minimum of two hundred (200) square feet of habitable space, as defined in the building code, for each actual, intended and solicited occupant thereof. For purposes of this section, living space does not include unheated areas, bathrooms, closets, halls, storage or utility space and similar areas not used for living, sleeping, eating or cooking.

3. Each motor **Vehicle** parked for longer than six (6) hours between any part of the **Dwelling** structure and the right-of-way, including those **Vehicles** parked in the right-of-way contiguous to the **Dwelling Lot** shall be presumed to represent a separate occupant of the **Dwelling**, which presumption may be rebutted by clear and convincing evidence.

4. **Single Family Dwellings** in **Single Family** zoning districts may be rented provided:

(a) the lease period shall be for a minimum of six (6) months and shall be formalized in a written agreement to be made available for **City** inspection upon request or in lieu of an agreement, the owner may provide a memorandum executed by all parties to the lease acknowledging the lease term for the subject **Dwelling**;

(b) continuous and regular garbage service is provided to the **Dwelling** for the duration of the rental, as evidenced by a bill or receipt from an active account with a local trash hauling company in the name of the owner or local agent or representative; and,

(c) the owner notifies the **City** of the name, telephone number and physical address of a local agent or representative located in within 125 miles of the **Dwelling**.

(d) Single Family Dwellings located south of Front Beach Road in R-IC zoning districts shall be governed by and subject to the supplemental standards set forth in Section 5.04.33.

SECTION 2. From and after the effective date of this ordinance, Section 5.04.33 of the Land Development Code of the City of Panama City Beach related to Supplemental Standards for Transient Residential Rentals, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

5.04.33 Transient Residential Rentals

A. Transient **Residential** rentals are allowable in the R-2, R-3, R-TH, CL, CM and CH zoning districts, **and on parcels in R-IC zoning districts located south of Front Beach Road,** subject to the standards of these zoning districts and the standards of this section.

B. Transient **Residential** rentals shall include units rented or leased for periods of:

1. A minimum of one (1) week in the R-TH district,
2. A minimum of three (3) days in the **R-IC**, R-2 and R-3 districts; and
3. Any time period in the CL, CM and CH districts.

C. Signs shall not be posted on **Residential** rental units or the property where **Residential** rental units are located.

D. All parking shall be off-**Street** parking.

E. The **Dwelling Unit** shall in all respects be consistent with the **Residential** structures in the neighborhood and be consistent with the **Residential** character of the neighborhood. Determination of consistency shall be based on the design of the structure; the amount and location of off-**Street** parking; the location, size and design of the **Driveway**; **Building** orientation; landscaping; number, size and location of **Accessory Structures**;

and the size and location of swimming pools or other outdoor **Recreation** facilities and equipment.

SECTION 3. From and after the effective date of this ordinance, Table 2.03.02 of the Land Development Code of the City of Panama City Beach related to Land Uses in Zoning Districts, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Table 2.03.02: Land Uses in Base Zoning Districts

Land Uses	AR	R-1a	R-1b	R-1c	R-1cT	RO	RTH	R-2	R-3	CL	CM	CH	MI	C	R	PF
<i>Transient Residential Rentals</i>				<u>S 5.04. 33</u>			<u>S 5.04. 33</u>	<u>S 5.04. 33</u>	<u>S 5.04. 33</u>	P	P	P				

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

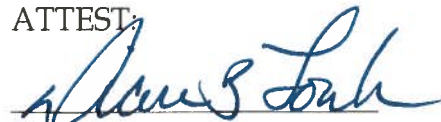
SECTION 5. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Land Development Code, and unless a contrary ordinance is adopted within ninety (90) days following 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 10th day of December, 2015.


MAYOR

ATTEST:


CITY CLERK

EXAMINED AND APPROVED by me this 10th day of December, 2015.


MAYOR

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Posted on pcbgov.com on the 11th day of December, 2015.