

ORDINANCE NO. 1425

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE RELATED TO COMMERCIAL USE OF FRONT YARDS IN THE FRONT BEACH OVERLAY DISTRICT; PROVIDING THAT OUTDOOR DISPLAY AREAS SHALL BE LIMITED TO 40% OF THE BUILDING FRONTAGE; PROVIDING ACCOMMODATIONS FOR LARGE BUILDINGS AND BUILDINGS CONTAINING MULTIPLE BUSINESS ESTABLISHMENTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, many commercial businesses along Front Beach Road have outdoor display areas, and

WHEREAS, the Council finds that the size of outdoor display areas should be limited to balance the desire of the businesses to advertise their wares and the desire of the City to see the businesses in Front Beach Road tourist corridor operated in a neat and uncluttered manner.

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 5.04.06 of the Land Development Code of the City of Panama City Beach related to Supplemental Uses, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**5.04.06 Commercial Use of Front Yards.**

All or a portion of privately owned *Front Yards* may be used for dining areas or other commercial activities in the FBO districts subject to supplemental use approval and compliance with the following conditions:

- A.** The *Use* complies with applicable design requirements in the district;
- B.** The *Use* is limited to the hours of operations of the business in the principal structure, with all displays and stands being moved indoors nightly;
- C.** The *Use* will not interfere with pedestrian movement along public sidewalks;
- D.** The *Use* will not create a traffic hazard or interfere with transit service;
- E.** The *Use* will not interfere with the *Use*, enjoyment or operations of adjacent properties; ~~and~~
- F.** **An Outdoor display area shall be limited to 40% of Building Frontage of the Premises. Building Frontages of 200 linear feet or greater are permitted to have two display areas the sum of which will**

**not exceed the maximum percentage allowed for the Building Frontage. If a Building Frontage contains more than one establishment, each establishment will be calculated independently.**

**G.** The approval shall be valid for one year and shall automatically be renewed unless the City finds evidence of repeated or intentional failure to maintain one or more of the conditions of approval. If such evidence is presented, then the approval may only be extended following a hearing following submission of a credible plan to correct such failures and maintain compliance with such conditions.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Land Development Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 4. This Ordinance shall take effect immediately upon passage.

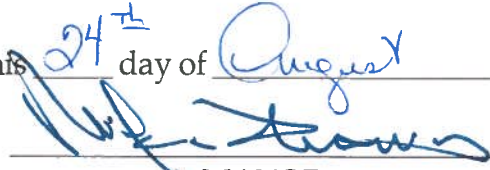
PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 24<sup>th</sup> day of August, 2017.

  
MAYOR

ATTEST:

  
CITY CLERK

EXAMINED AND APPROVED by me this 24<sup>th</sup> day of August, 2017.

  
MAYOR

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