

ORDINANCE NO. 1333

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE RELATED TO ACCESSORY USES AND STRUCTURES; PROVIDING THAT SWIMMING POOLS MAY BE ENCLOSED WITH SCREENING IF THE ENCLOSURE MEETS THE SETBACK REQUIRED FOR AN ACCESSORY STRUCTURE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

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 5.02.08 of the City's Land Development Code, related to Swimming Pools is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Chapter 5. Standards for Special Situations
5.02.00 ACCESSORY USES AND STRUCTURES

5.02.08 Swimming Pools

A. Swimming pools shall:

1. Be located only in *Side* or *Rear Yards*, or within or under the principal structure;
2. Be completely surrounded with a wall or fence not less than four (4) feet in height and sufficient to prohibit unrestrained admittance to the pool area; and

B. Where a swimming pool is attached to the *Dwelling*, the pool enclosure shall be considered a part of the *Principal Structure* and shall comply with all site design and *Building* location requirements for the zoning district.

C. The nearest opening into an unenclosed swimming pool shall be located no closer than five (5) feet from any side or rear *Lot Line*.

D. ~~Only swimming pools located in compliance with the *Setback* requirements established for the *Principal Building* shall be eligible to be enclosed.~~ **Swimming pools may be enclosed with screening if the proposed enclosure meets the *Setback* requirements established for *Accessory***

Buildings, notwithstanding that such enclosures may encroach into landscape buffer areas or Setbacks established for the Principal Structure.

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 All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.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 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 12th day of November, 2015.


MAYOR

ATTEST:


CITY CLERK

EXAMINED AND APPROVED by me this 12th day of November, 2015.


MAYOR

Published in the PC News Herald on the 30th day of October, 2015.

Posted on pcbgov.com on the 13th day of November, 2015.