



Agenda Item Request Form

ITEM: Second and final of two public hearings on Ordinance 3294, an ordinance amending Sec. 102-40, Conditional Use Permits, and Sec. 104-66, Gateway Overlay of the Unified Land Development Code (ULDC).

BACKGROUND INFORMATION: Ordinance No. 3294, as proposed, will amend Sec. 102-40, Conditional Use Permits, and Sec. 104-66, Gateway Overlay of the Unified Land Development Code (ULDC) by allowing for certain conditional uses in the Gateway Overlay (GO) District. The proposed amendment will allow several currently prohibited uses (i.e. bail bonds, pawn shops, bottle clubs, etc.) in the GO as conditional uses. The amendment provides for specific standards for conditional uses. This item was previously reviewed by the Planning Board on November 10, 2025. The Planning Board recommended approval unanimously. Staff concurs. The item was tabled at the November 18, 2025 City Commission meeting to their December 16, 2025 meeting. The ordinance proposes following uses to be subject to conditional use permitting:

- i. Any business commonly known as "check cashing," or any business which, as a material part of its services, provides future employment wages or other compensation (often known as "payday loans," or "payday advances");
- ii. Pawnshops, as defined by F.S. § 539.001(2);
- iii. Bail bond agencies, as defined by F.S. § 648.25(1);
- iv. Bottle clubs;
- v. Stand-alone car wash facilities (excluding the express and conveyorized, automated tunnel car washes);
- vi. Dispatch office and vehicle fleet parking, storage and maintenance;
- vii. Recreational vehicle (RV) sales, storage, repair; (except for projects approved by the city commission);
- viii. Vape shops/stores;
- ix. Window tinting;
- x. Formula-Based Businesses
- xi. Drive thrus
- xii. Bars and night clubs.
- xiii. Self-storage facilities.
- xiv. Gas stations/service stations
- xv. Pharmacies and dispensaries

A map showing the Gateway Overlay extending 200 ft. from the designated roadways is included for the City Commission's consideration. The following document(s) are enclosed:

- a) Ordinance No. 3294
- b) Staff Analysis, Report and Recommendation
- c) Gateway Overlay District Maps (200 and 400 ft. buffers)

DEPARTMENT HEAD RECOMMENDATION: The Director of Development Services recommends the City Commission conduct the second and final public hearing and approve the ordinance.

Budget Impact

Budgeted? Yes: No: How Much budgeted? N/A

If more, where do you suggest funds come from? N/A

Cost Center

Personnel \$ Click here to enter text.

Operating \$ Click here to enter text.

Capital \$ Click here to enter text.
 Revenue \$ Click here to enter text.

Requested By: Jiwuan Haley, Planning Manager, Development Services **Date:** 1/5/2026
Reviewed By: Michael Fuller, Director, Development Services **Date:** 1/5/2026

ORDINANCE NO. 3294

AN ORDINANCE OF THE CITY COMMISSION OF THE AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY, FLORIDA AMENDING CHAPTER 102, ADMINISTRATIVE PROCESSES, SECTION 102-40, CONDITIONAL USE PERMITS; CHAPTER 104, ZONING DISTRICTS, SECTION 104-66, GATEWAY OVERLAY (GO) (FORMERLY KNOWN AS THE TOURIST CORRIDOR OVERLAY); AND CHAPTER 116, DEFINITIONS OF THE UNIFIED LAND DEVELOPMENT CODE REGARDING PROHIBITED USES AND CONDITIONAL USES IN THE GATEWAY OVERLAY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Part II, Florida Statutes, requires local government to adopt, amend, and enforce land development regulations that are consistent with the local comprehensive plan; and

WHEREAS, the City Commission of the City of Panama City, Florida (the “City”) amended the Unified Land Development Code in 2019 by Ordinance No. 2675 establishing the Gateway Overlay District, formerly known as the Tourist Corridor Overlay; and

WHEREAS, the City desires to amend the Unified Land Development Code from time to time, including the Gateway Overlay District, for consistency with the comprehensive plan and other city policies and objectives; and

WHEREAS, the Planning Board, in its capacity as the Local Planning Agency, considered the amendment, found it consistent with the comprehensive plan, and recommended approval at a publicly notice hearing dated November 10, 2025; and

WHEREAS, the City Commission considered the amendment at publicly noticed hearings and first readings of the ordinance on November 18, 2025, December 16, 2025, and public hearing and second and final reading of the ordinance on January 13, 2026.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PANAMA CITY, FLORIDA:

SECTION 1. The below sections of the Unified Land Development Code be amended as follows:

(~~strikethrough~~ text is deleted; **underlined/bold** text is added)

...

Table 102-1: Types of Applications and Entities Responsible for Recommendation and Final Decisions

Type of Application	Staff	TRC	Planning Board	City Commission
...				
Conditional Use Permit	R		D R	D
...				

Staff means the director and/or his/her staff

D = Final Decision Authority

R = Recommendation

* Except for those approved administratively by staff and the TRC, per chapter 110, section 110-42

...

Sec. 102-40. Conditional use permits.

Each zoning district may include designated conditional uses. A conditional use is a land use which may be appropriate in a designated zoning district but due to its nature, extent, performance, and possible external effects requires case-by-case review of its location, design, functions, impacts, and methods of operation before it can be deemed appropriate in the district and compatible with its surroundings.

- A. Applicability. A conditional use permit approved in accordance with this section is required before development or establishment of any use designated as a conditional use in any zoning district.
- B. A request for a conditional use permit shall be submitted to the planning **development services** department on forms the city provides. The request shall be subject to review and approval by the **City Commission following the recommendation of the** Planning Board. A request for conditional use permit may be considered at any regular or special meeting in accordance with section 102-45.
- C. Standard site plan and conditional use application items pursuant to section 102-30.E. shall be provided. When the proposed conditional use requires new improvements on the site or substantial changes to existing improvements, the applicable development approval, applicable building permit, and the conditional use permit must be issued before any work can be performed on the site or the conditional use established. However, should the applicant choose to obtain permits for improvements and conduct work in anticipation of issuance of a conditional use permit, the improvements are not allowed to be used for the proposed conditional use unless and until the conditional use permit has been issued. At the applicant's discretion, a development order application and conditional use permit application may be submitted concurrently.
- D. Conditional use permit review criteria; city action.
 1. The **City Commission** planning board shall hold its public hearing **following a hearing by the Planning Board** and, after consideration of the staff recommendation and public input, if any, may deny, approve or approve with conditions the request for the conditional use permit, based on its determination

that the applicant has demonstrated that the criteria in subsections (2) through (5) as applicable have been met. The City Commission may refer a conditional use permit application to the Board of Architects for review and recommendation prior to making a determination.

2. Except for community residences, recovery communities, and congregate living facilities, a conditional use permit shall only be granted if:
 - a. Reserved.
 - b. Reserved.
3. Conditional use permits for community residences shall be granted pursuant to the applicable standards in section 110-9.
4. Conditional use permits for recovery communities shall be granted pursuant to the applicable standards in section 110-10.
5. Conditional use permits for congregate living facilities shall be granted pursuant to the applicable standards in section 110-11.

6. Conditional use permits for conditional uses in the Gateway Overlay District shall be granted pursuant to the applicable standards in section 104-66.E.

- E. Conditions of approval and safeguards may be imposed in order to mitigate potential adverse impacts and to ensure that the intent and purpose of this ULDC is maintained. Violation of such conditions and safeguards shall be deemed a violation of this ULDC. Conditions of approval may address but are not limited to:
 1. Special setbacks, open spaces and buffer areas
 2. Fences and walls
 3. Parking facilities, including vehicular access and egress and the surfacing of parking areas and driveways
 4. Regulation of operating hours for activities affecting normal neighborhood schedules and functions
 5. Regulation of signs
 6. Street and highway dedication and improvements, including sidewalks, curbs and gutters
 7. Landscaping and maintenance of grounds
 8. Regulation of nuisance factors such as noise, vibrations, smoke, dust, odors, and glare

9. Liner buildings/structures and/or secondary uses

10. Such other conditions as will make possible the development of the proposed conditional use in an orderly and efficient manner and in general accord with all elements of the comprehensive plan, and the intent and purpose of this ULDC.

- F. Issuance, terms and validity of conditional use permit.
 1. Upon approval of a conditional use permit, the ~~planning~~ department shall within ten days of such approval send notification to the applicant and property owner advising him or her of the terms of the permit.
 2. Unless the ~~planning board~~ City Commission specifies otherwise, a conditional use permit shall automatically expire within one year of the approval date unless the use the conditional use permit authorizes has commenced operating and been diligently continued, or the permit holder has obtained an extension of this time period from the ~~planning board~~ City Commission as described in this section. In the event of an appeal or litigation, the term of the permit shall not begin to run until the decision is final.
 3. A conditional use permit shall run with the land until it expires or is revoked.

4. Abandonment or discontinuance. A conditional use permit shall automatically expire if the authorized use is discontinued and not resumed within six months of its discontinuance unless the ~~planning board~~ City Commission grants an extension of this time period as described in this section. The permit holder must submit extension request prior to the end of this six month period.
5. Extension. The permit holder shall submit an extension request in writing that explains the circumstances necessitating the request and pay the required filing fee before the conditional use permit expiration date. The ~~planning board~~ City Commission may approve, approve with conditions or deny the request following a public hearing in accordance with section 102-45.
6. Modification and revocation. The ~~planning board~~ City Commission shall conduct a public hearing pursuant to section 102-45 to modify or revoke any conditional use permit. The city retains the right to review and modify any conditional use permit granted and approved hereunder for any violations of the conditions imposed on such permit, if it determines the permit was obtained in a fraudulent manner, or the use or related development constitutes a nuisance. The ~~planning~~ department shall notify via certified mail the person owning, operating and/or any other person having an interest in the property for which a revocation or modification has been proposed before the public hearing and after its conclusion.
7. When a conditional use permit request has been denied and any appeal or challenge has been exhausted, no substantially equivalent request for a conditional use permit shall be considered for a period of 12 months from the date the denial became final, unless the acting body at the time of the action waives this restriction.

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Sec. 104-66. Gateway Overlay (GO) (formerly known as the Tourist Corridor Overlay).

A. *Purpose.* The purpose of the Gateway Overlay (GO) is to promote the general health, safety and welfare of the community; to create a sense of place that is aesthetically appealing for those traveling through the city; to encourage innovative development projects that set standards for landscaping, community design and aesthetics; to establish consistent and harmonious design standards for public improvements and private property development along important gateway corridors so as to unify the distinctive visual quality of the corridor.

B. *District defined.* The Gateway Overlay (GO) district applies to non-residential land parcels of record within 400 feet of the roadway on each side of the road within the city along the following major roadways:

1. U.S. Highway 98/15th Street;
2. Harrison Avenue, from 15th Street (U.S. Highway 98) to the Panama City Marina;
3. Highway 368/23rd Street;
4. Business U.S. Highway 98;
5. Highway 390;
6. Highway 77;
7. U.S. Highway 231, from 23rd Street to 15th Street; and
8. 11th Street, from Lisenby Avenue to Beck Avenue

No certificate of occupancy regarding any building permit or development order shall be granted prior to assurance that the requirements of this chapter have been met.

C. *Design requirements.* Refer to chapter 105 for design requirements in the GO.

D. *Prohibited uses:*

1. The following uses are prohibited in the GO:
 - i. Sale and use of mobile/manufactured homes;
 - ii. Flea markets; bazaars, yard sales, or similar sales;
 - iii. Any business commonly known as "check cashing," or any business which, as a material part of its services, provides future employment wages or other compensation (often known as "payday loans," or "payday advances");
 - iv.iii. Dating services, escort services, valet services;
 - v. Pawnshops, as defined by F.S. § 539.001(2);
 - vi. Bail bond agencies, as defined by F.S. § 648.25(1);
 - vii. Palm readers, fortune tellers, tarot card readers, psychics, and similar businesses;
 - viii. Bottle clubs;
 - ix.v. Any business which, as a material part of its services, provides loans secured by vehicle titles (often known as "car-title loans");
 - x.vi. Impound yards; automobile wrecking; recycling yards; and similar uses;
 - xi.vii. Stand-alone car wash facilities (excluding the express and conveyorized, automated tunnel car washes);
 - xiii.viii. Mobile home parks;
 - xiv.ix. Heavy equipment sales, service, and storage;
 - xv.x. Self-service storage facilities;
 - xvi. Dispatch office and vehicle fleet parking, storage and maintenance;
 - xvii.xii. Labor pools;
 - xviii.xiii. Adult entertainment;
 - xix.xiv. Manufacturing of chemical products;
 - xx.xv. Contractor storage or salvage yard;
 - xxi.xvi. Towing service and
 - xxii. Window tinting.
- xvii. **Any use listed as a conditional use is otherwise prohibited unless and until approved for a conditional use permit.**

E. *Conditional uses:*

1. The following uses may be allowed as a conditional use in the GO in subject to the conditions in paragraph 2 of this section:

- i. Any business commonly known as "check cashing," or any business which, as a material part of its services, provides future employment wages or other compensation (often known as "payday loans," or "payday advances");
- ii. Pawnshops, as defined by F.S. § 539.001(2);
- iii. Bail bond agencies, as defined by F.S. § 648.25(1);
- iv. Bottle clubs;
- v. Stand-alone car wash facilities (excluding the express and conveyorized, automated tunnel car washes);
- vi. Dispatch office and vehicle fleet parking, storage and maintenance;

- vii. Recreational vehicle (RV) sales, storage, repair;
(except for projects approved by the city commission);
- viii. Vape shops/stores;
- ix. Window tinting;
- x. Formula-Based Businesses
- xi. Drive thru
- xii. Bars and night clubs.
- xiii. Self-storage facilities.
- xiv. Gas stations/service stations
- xv. Pharmacies and dispensaries

2. A conditional use in the GO must obtain a conditional use permit which shall be approved only when it is found that the applicant has demonstrated by a preponderance of the evidence that all of the following standards are met:

- i. The conditional use shall not be located within 300 feet of an existing use that is the same or similar to the conditional use being sought.
- ii. The conditional use shall not be located within 100 feet of any other existing conditional use allowed by this section.
- iii. The conditional use shall be compatible with the adjacent land uses.
- iv. The conditional use shall limit signage to a single wall sign not to exceed 60 square feet in size. The conditional use shall be prohibited from constructing or utilizing freestanding ground and pylon signs.
- v. The conditional use complies with all GO design standards as provided in section 105-4.

EF. *Transit facilities:*

1. Developments greater than 100,000 square feet shall designate a minimum 100 square foot area on the site plan as a transit stop if requested by the Bayway Transit System.

FG. *Seasonal sales:*

1. Seasonal sales items shall not occupy any required parking spaces, parking lot aisles, or required landscaping buffers or areas.

Chapter 116, DEFINITIONS

Formula-based businesses. Retail sales establishments, restaurants, taverns, bars, or take-out food establishments that maintain a standardized array of services, merchandise, decor, business methods, architecture, layout, uniform, or similar features. These businesses are often required by contract, business model, or practice to maintain these standardized characteristics, and are typically associated with franchises or use a trademark, logo, service mark, or other mutually identifying name or symbol shared by 15 or more commercial businesses.

SECTION 2. All codes, ordinances and resolutions, or parts of codes, ordinances and resolutions or portions thereof of the City, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. The provisions of this ordinance shall become and be made part of the Unified Land Development Code of the City. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 5. This ordinance shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Panama City on the 16th day of December, 2025.

See Attached Signature Page

**CITY OF PANAMA CITY, FLORIDA
A Municipal Corporation,**

Allan Branch, Mayor

ATTEST:

Janette Smith, CPA, CMC, City Clerk-Treasurer

APPROVED AS TO FORM AND CORRECTNESS:

Nevin J. Zimmerman, City Attorney



Development Services Department Staff Report

Staff findings of consistency with the pertinent Florida Statutes, the Community Planning and Land Development Regulations (hereafter referred to as the LDRs) and the Comprehensive Plan (hereafter referred to as the Comp Plan) along with the staff recommendations are as follows:

Unified Land Development Code Text Amendment Sections 102-40 and 104-66, Gateway Overlay District Prohibited and Conditional Uses CPC-PLN-2026-0072

Staff Report Date	October 31, 2025
Planning Board Meeting Date	Public Hearing: November 10, 2025
City Commission Meeting Date(s)	First Public Hearing: November 18, 2025 tabled to December 15, 2025 Second and Final Public Hearing: January 13, 2026
Meeting Type	Public Hearing
Staff Information	J. Michael Fuller, Director, Development Services Department
Action Necessary	Yes
Staff Recommendation	APPROVE
Attachment (s) Included	Proposed Ordinance Amending the Unified Land Development Code

Application Summary:

Case Number	CPC-PLN-2026-0072
Application Type	Unified Land Development Code Text Amendment
Applicant	City of Panama City Development Services Department
Text Amendment Request	AMEND Chapter 102, Administrative Processes, Section 102-40, Conditional Use Permits; Chapter 104, Zoning Districts, Section 104-66, Gateway Overlay (GO) (Formerly Known as the Tourist Corridor Overlay); and Chapter 116 Definitions of the Unified Land Development Code Regarding Prohibited Uses and Conditional Uses in the Gateway Overlay District.

Department and Agency Comments:

Public Works	None.
Other Considerations	None.

Relevant Rules and Policies:

• Section 163.3202(2), Florida Statutes

(2) Local land development regulations shall contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan and shall at a minimum:

- (a) Regulate the subdivision of land.
- (b) Regulate the use of land and water for those land use categories included in the land use element and ensure the compatibility of adjacent uses and provide for open space.
- (c) Provide for protection of potable water wellfields.
- (d) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management.
- (e) Ensure the protection of environmentally sensitive lands designated in the comprehensive plan.
- (f) Regulate signage.
- (g) Provide that public facilities and services meet or exceed the standards established in the capital improvements element required by s. 163.3177 and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development. A local government may not issue a development order or permit that results in a reduction in the level of services for the affected public facilities below the level of services provided in the local government's comprehensive plan.
- (h) Ensure safe and convenient onsite traffic flow, considering needed vehicle parking.
- (i) Maintain the existing density of residential properties or recreational vehicle parks if the properties are intended for residential use and are located in the unincorporated areas that have sufficient infrastructure, as determined by a local governing authority, and are not located within a coastal high-hazard area under s. 163.3178.
- (j) Incorporate preexisting development orders identified pursuant to s. 163.3167(3).

- **Comprehensive Plan Goals, Objectives and Policies**

Future Land Use Element:

Goal 1A: Establish a defined pattern of land use intended to guide the provision of public facilities and provide predictability in managing development

Objective 1.4: The City has adopted Land Development Regulations which contain specific provisions for implementation of this Plan. Such regulations will contain innovative land use management provisions such as for mixed use areas and planned unit developments.

Policy 1.4.1: The City will administer land development regulations for implementation of the Comprehensive Plan. At minimum, these regulations will:

- (b) Regulate the use of land and water consistent with this Element and ensure the compatibility of adjacent land uses through provision of or reference to specific and detailed requirements which will include, but not be limited to, maintenance of an official land use map, maintenance of land use districts and allowable uses including accessory land uses, maintenance of environmental protection and development standards, creation of measures to reduce the potential for nuisances caused by incompatible land uses, provisions for the elimination of non-conforming uses, and other such relevant requirements.

- **Unified Land Development Code Regulations**

Sec. 102-40. Conditional use permits.

Each zoning district may include designated conditional uses. A conditional use is a land use which may be appropriate in a designated zoning district but due to its nature, extent, performance, and possible external effects requires case-by-case review of its location, design, functions, impacts, and methods of operation before it can be deemed appropriate in the district and compatible with its surroundings.

- A. Applicability. A conditional use permit approved in accordance with this section is required before development or establishment of any use designated as a conditional use in any zoning district.
- B. A request for a conditional use permit shall be submitted to the planning department on forms the city provides. The request shall be subject to review and approval by the planning board. A request for conditional use permit may be considered at any regular or special meeting in accordance with section 102-45.
- C. Standard site plan and conditional use application items pursuant to section 102-30.E. shall be provided. When the proposed conditional use requires new improvements on the site or substantial changes to existing improvements, the applicable development approval, applicable building permit, and the conditional use permit must be issued before any work can be performed on the site or the conditional use established. However, should the applicant choose to obtain permits for improvements and conduct work in anticipation of issuance of a conditional use permit, the improvements are not allowed to be used for the proposed conditional use unless and until the conditional use permit has been issued. At the applicant's discretion, a development order application and conditional use permit application may be submitted concurrently.
- D. Conditional use permit review criteria; city action.
 - 1. The planning board shall hold its public hearing and, after consideration of the staff recommendation and public input, if any, may deny, approve or approve with conditions the request for the conditional use permit, based on its determination that the applicant has demonstrated that the criteria in subsections (2) through (5) as applicable have been met.

2. Except for community residences, recovery communities, and congregate living facilities, a conditional use permit shall only be granted if:

- a. Reserved.
- b. Reserved.

3. Conditional use permits for community residences shall be granted pursuant to the applicable standards in section 110-9.

4. Conditional use permits for recovery communities shall be granted pursuant to the applicable standards in section 110-10.

5. Conditional use permits for congregate living facilities shall be granted pursuant to the applicable standards in section 110-11.

E. Conditions of approval and safeguards may be imposed in order to mitigate potential adverse impacts and to ensure that the intent and purpose of this ULDC is maintained. Violation of such conditions and safeguards shall be deemed a violation of this ULDC. Conditions of approval may address but are not limited to:

1. Special setbacks, open spaces and buffer areas

2. Fences and walls

3. Parking facilities, including vehicular access and egress and the surfacing of parking areas and driveways

4. Regulation of operating hours for activities affecting normal neighborhood schedules and functions

5. Regulation of signs

6. Street and highway dedication and improvements, including sidewalks, curbs and gutters

7. Landscaping and maintenance of grounds

8. Regulation of nuisance factors such as noise, vibrations, smoke, dust, odors, and glare

9. Such other conditions as will make possible the development of the proposed conditional use in an orderly and efficient manner and in general accord with all elements of the comprehensive plan, and the intent and purpose of this ULDC.

F. Issuance, terms and validity of conditional use permit.

1. Upon approval of a conditional use permit, the planning department shall within ten days of such approval send notification to the applicant and property owner advising him or her of the terms of the permit.

2. Unless the planning board specifies otherwise, a conditional use permit shall automatically expire within one year of the approval date unless the use the conditional use permit authorizes has commenced operating and been diligently continued, or the permit holder has obtained an extension of this time period from the planning board as described in this section. In the event of an appeal or litigation, the term of the permit shall not begin to run until the decision is final.

3. A conditional use permit shall run with the land until it expires or is revoked.

4. Abandonment or discontinuance. A conditional use permit shall automatically expire if the authorized use is discontinued and not resumed within six months of its discontinuance unless the planning board grants an extension of this time period as described in this section. The permit holder must submit extension request prior to the end of this six month period.

5. Extension. The permit holder shall submit an extension request in writing that explains the circumstances necessitating the request and pay the required filing fee before the conditional use permit expiration date. The planning board may approve, approve with conditions or deny the request following a public hearing in accordance with section 102-45.

6. Modification and revocation. The planning board shall conduct a public hearing pursuant to section 102-45 to modify or revoke any conditional use permit. The city retains the right to review and modify any conditional use permit granted and approved hereunder for any violations of the conditions imposed on such permit, if it determines the permit was obtained in a fraudulent manner, or the use or related development constitutes a nuisance. The planning department shall notify via certified mail the person owning, operating and/or any other person having an interest in the property for which a revocation or modification has been proposed before the public hearing and after its conclusion.

7. When a conditional use permit request has been denied and any appeal or challenge has been exhausted, no substantially equivalent request for a conditional use permit shall be considered for a period of 12 months from the date the denial became final, unless the acting body at the time of the action waives this restriction.

(Ord. No. 3142, § 1, 4-11-2023)

Sec. 104-66. Gateway Overlay (GO) (formerly known as the Tourist Corridor Overlay).

A. Purpose. The purpose of the Gateway Overlay (GO) is to promote the general health, safety and welfare of the community; to create a sense of place that is aesthetically appealing for those traveling through the city; to

encourage innovative development projects that set standards for landscaping, community design and aesthetics; to establish consistent and harmonious design standards for public improvements and private property development along important gateway corridors so as to unify the distinctive visual quality of the corridor.

B. District defined. The Gateway Overlay (GO) district applies to non-residential land parcels of record within 400 feet of the roadway on each side of the road within the city along the following major roadways:

1. U.S. Highway 98/15th Street;
2. Harrison Avenue, from 15th Street (U.S. Highway 98) to the Panama City Marina;
3. Highway 368/23rd Street;
4. Business U.S. Highway 98;
5. Highway 390;
6. Highway 77;
7. U.S. Highway 231, from 23rd Street to 15th Street; and
8. 11th Street, from Lisenby Avenue to Beck Avenue

No certificate of occupancy regarding any building permit or development order shall be granted prior to assurance that the requirements of this chapter have been met.

C. Design requirements. Refer to chapter 105 for design requirements in the GO.

D. Prohibited uses:

1. The following uses are prohibited in the GO:
 - i. Sale and use of mobile/manufactured homes;
 - ii. Flea markets; bazaars, yard sales, or similar sales;
 - iii. Any business commonly known as "check cashing," or any business which, as a material part of its services, provides future employment wages or other compensation (often known as "payday loans," or "payday advances");
 - iv. Dating services, escort services, valet services;
 - v. Pawnshops, as defined by F.S. § 539.001(2);
 - vi. Bail bond agencies, as defined by F.S. § 648.25(1);
 - vii. Palm readers, fortune tellers, tarot card readers, psychics, and similar businesses;
 - viii. Bottle clubs;
 - ix. Any business which, as a material part of its services, provides loans secured by vehicle titles (often known as "car-title loans");
 - x. Impound yards; automobile wrecking; recycling yards; and similar uses;
 - xi. Recreational vehicle (RV) sales, storage, repair (except for projects approved by the city commission);
 - xii. Stand-alone car wash facilities (excluding the express and conveyorized, automated tunnel car washes);
 - xiii. Mobile home parks;
 - xiv. Heavy equipment sales, service, and storage;
 - xv. Self-service storage facilities;
 - xvi. Dispatch office and vehicle fleet parking, storage and maintenance;
 - xvii. Labor pools;
 - xviii. Adult entertainment;
 - xix. Manufacturing of chemical products;
 - xx. Contractor storage or salvage yard;
 - xxi. Towing service and
 - xxii. Window tinting.

E. Transit facilities:

1. Developments greater than 100,000 square feet shall designate a minimum 100 square foot area on the site plan as a transit stop if requested by the Bayway Transit System.

F. Seasonal sales:

1. Seasonal sales items shall not occupy any required parking spaces, parking lot aisles, or required landscaping buffers or areas.

(Ord. No. 2675, § 1(Exh. A), 3-12-2019; Ord. No. 3016, § 1(Exh. A), 8-24-2021; Ord. No. 3171, § 1, 9-26-2023)

Staff Findings

Staff is requesting an amendment to section Sec. 102-40 and Sec. 104-66 and Chapter 116 of the Unified Land Development Code (ULDC) of the City of Panama City. The amendment will provide for certain conditional uses in the Gateway Overlay (GO) District. The proposed amendment will require the following uses obtain a conditional use permit:

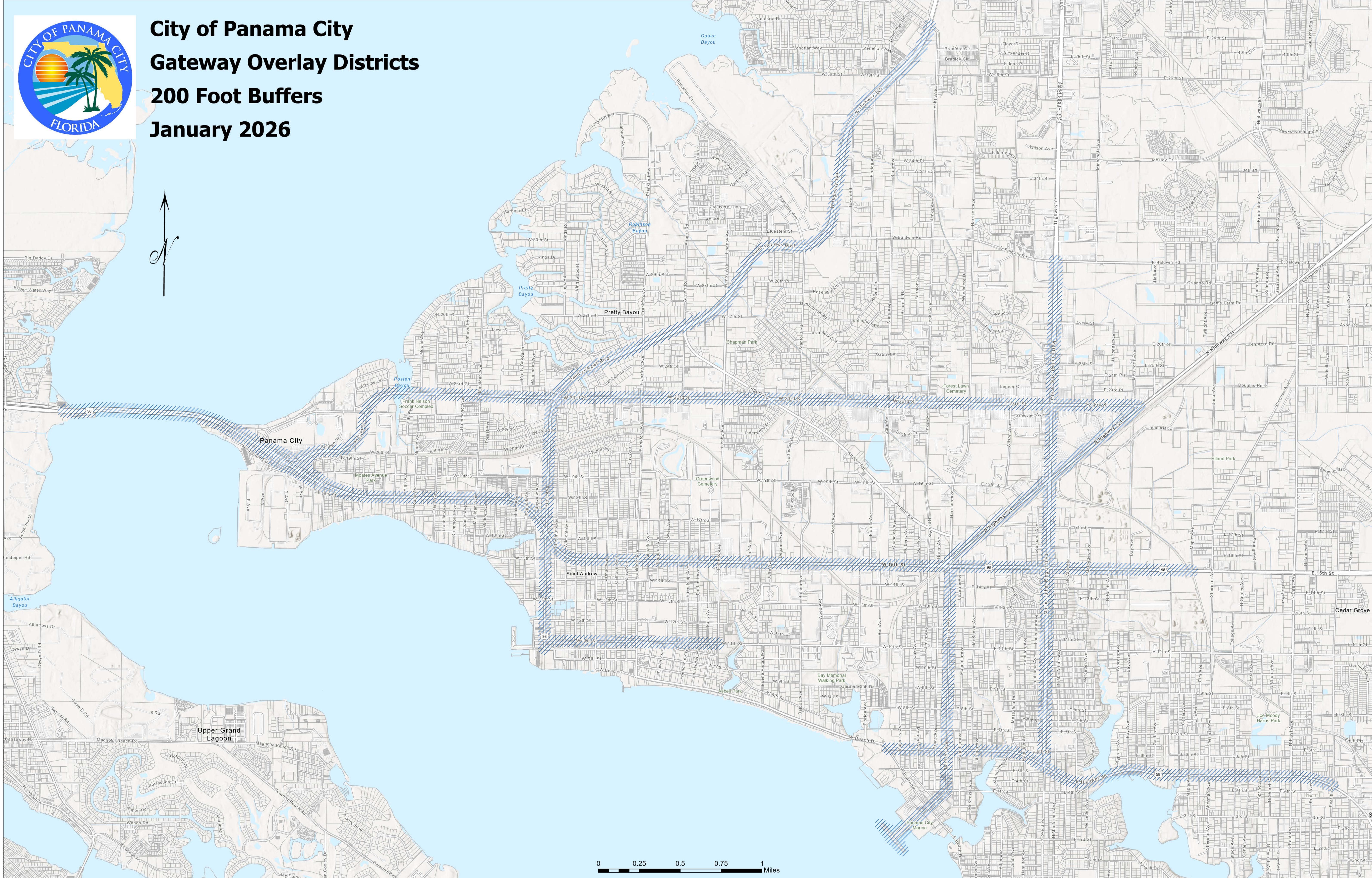
- a) Recreational vehicle (RV) sales, storage, repair;
- b) Vape shops/stores;
- b) Formula based businesses;
- c) Drive-thrus;
- d) Bars and night clubs;
- e) Gas Stations;
- f) Pharmacies and dispensaries

The amendment would potentially allow several currently prohibited uses (i.e. bail bonds, pawn shops, bottle clubs, etc.) to be allowed in the GO upon approval of a conditional use permit. The amendment provides specific standards for conditional uses. See attached Ordinance No. 3294.

Staff recommends the City of Panama City Planning Board transmit a recommendation of approval to the City Commission, and the City Commission approve the text amendment request.

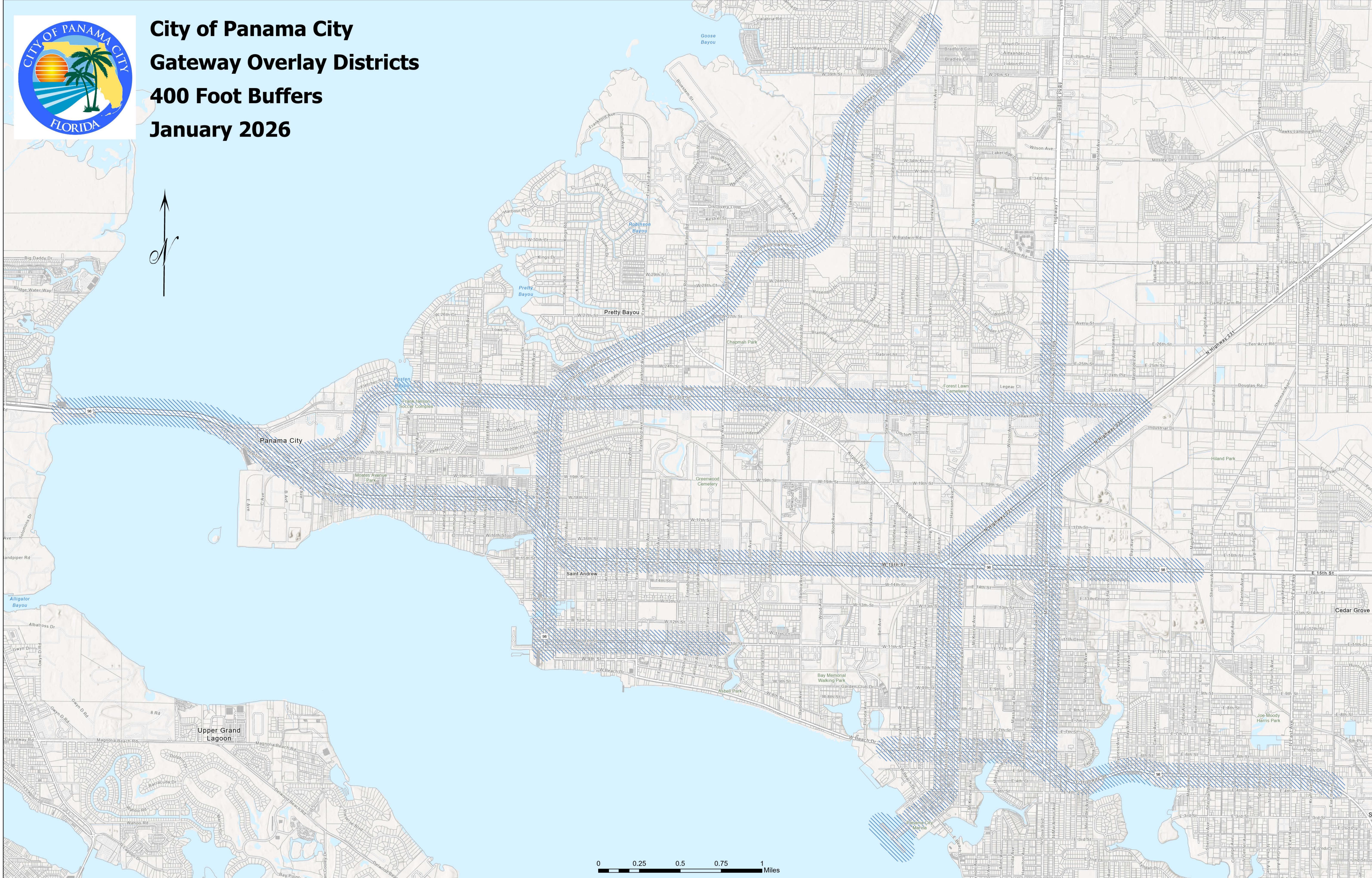


City of Panama City Gateway Overlay Districts 200 Foot Buffers January 2026





City of Panama City Gateway Overlay Districts 400 Foot Buffers January 2026





City of Panama City

Gateway Overlay Districts

200 & 400 Foot Buffers

January 2026

