

ORDINANCE NO. 11-38

AN ORDINANCE PROVIDING FOR AUTHORITY AND PURPOSE;  
PROVIDING A SHORT TITLE; AMENDING CHAPTER 10, SPECIAL  
TREATMENT ZONES; IN THE BAY COUNTY LAND  
DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY;  
PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Part II, Florida Statutes requires local governments to adopt a comprehensive plan that shall be implemented by the adoption and enforcement of appropriate local land development regulations;

WHEREAS, the Bay County Comprehensive Plan provides that Bay County shall adopt and maintain land development regulations and a zoning code to implement the comprehensive plan;

WHEREAS, the Board of County Commissioners of Bay County, Florida (the “Board”), approved Ordinance No. 04-30, the Bay County Land Development Regulations;

WHEREAS, at the direction of the Board of County Commissioners to implement the comprehensive plan, Staff proposed an amendment to Chapter 10, to adopt compatibility review criteria, a Military Influence Overlay District, and other regulations recommended from the Bay County Naval Support Activity Panama City (NSAPC) Joint Land Use Study;

WHEREAS, the Bay County Planning Commission sitting as the Bay County Land Planning Agency conducted a public hearing on July 21, 2011, to hear and consider comments from the public on the proposed amendments to the Land Development Regulations and made recommendations to the Board;

WHEREAS, the Board conducted public hearings to consider the proposed amendments to the Land Development Regulations and considered comments from the public, Staff and the recommendations of the Planning Commission;

WHEREAS, pursuant to Section 125.66, Florida Statutes the Board conducted an initial public hearing on November 1, 2011, and a second public hearing on November 15, 2011, and found the proposed amendments to the Bay County Land Development Regulations desirable and necessary to fulfill the intent of the Board and to be consistent with the Bay County Comprehensive Plan;

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Bay County:

Section 1. AUTHORITY AND PURPOSE. This ordinance is adopted pursuant to the authority granted counties in Chapter 125, Florida Statutes and is enacted to provide for the health, safety and welfare of the citizens of Bay County, Florida and to implement the Bay County Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes.

Section 2. SHORT TITLE. This ordinance shall be known as “An Amendment to the Bay County Land Development Regulations, Chapter 10, Special Treatment Zones;”

Section 3. AMENDMENTS OF THE BAY COUNTY LAND DEVELOPMENT REGULATIONS AMENDING CHAPTER 10, SPECIAL TREATMENT ZONES.”

Amendments to the Bay County Land Development Regulations amending Chapter 10, Special Treatment Zones as set forth on Exhibit 1 are hereby adopted.

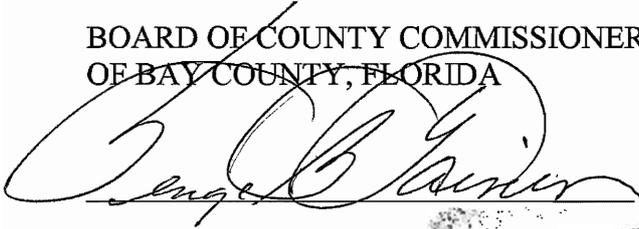
Section 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decisions shall not effect the validity of the remaining portions hereof. The Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared illegal, invalid, or unconstitutional, and all ordinances and parts or ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 5. EFFECTIVE DATE. This ordinance shall take effect as provided by law.

PASSED AND ADOPTED this 15th day of November 2011.

BOARD OF COUNTY COMMISSIONERS  
OF BAY COUNTY, FLORIDA

ATTEST:



George B. Gainer, Chairman

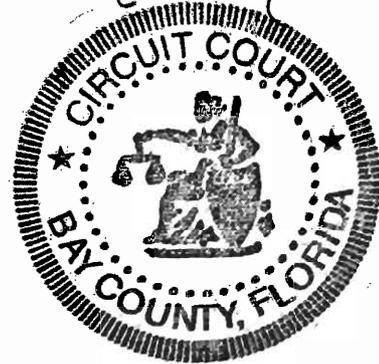


Clerk

Approved as to correctness and



County Attorney



**SECTION 1001. Purpose.** The purpose of this Chapter is to implement policies relating to Special Treatment Zone overlays described in the Comprehensive Plan. Special Treatment Zones are designated areas where special considerations and regulations may be applied, due to critical or unique physical, natural, economic or social circumstances and conditions.

**SECTION 1002. Special Treatment Zones.** Special Treatment Zones are hereby designated as follows.

1. Airfield Installation Compatibility Use Zones (AICUZ).
2. Coastal Planning Area.
3. Beaches Area.
4. Rural Communities.
5. Ecosystem Management Areas.
6. Bay Point Development of Regional Impact (DRI).
7. Deer Point Reservoir Protection Zone.
8. Panama City-Bay County International Airport

Special Treatment Zones (STZ's) are considered an "overlay zone" which is defined as a zoning district that encompasses one or more underlying zones and that imposes additional requirements above that required by the underlying zones. The boundaries and designated areas for each of these zones shall be as shown on Map 3.2 of the Comprehensive Plan as well as the maps included in this Chapter.

**SECTION 1003. Special Requirements and Standards.** The following special requirements and standards shall apply within the Special Treatment Zones identified in Section 1002.

**1. Air Installation Compatibility Use Zone (AICUZ).**

- a. Airfield Installation Compatibility Use Zones shall be the Clear Zones (CZ) and Accident Potential Zones (APZ) for Tyndall Air Force Base and the Panama City-Bay County International Airport.
- b. Tyndall Air Force Base (AFB). The AICUZ area for Tyndall AFB shall include the lands and waters described in the Tyndall AFB 1994 AICUZ Study. Development Restrictions described in that Study shall apply within the AICUZ area.

In addition, any applications for development over fifty feet in height to be located in T4S, R13W, Sections 22, 25, 26, 35 will be transmitted to Tyndall AFB for review and comment. Any development that would threaten the integrity and mission of Tyndall AFB shall be prohibited.

- c. Panama City-Bay County International Airport. Development restrictions within this STZ shall be governed by Chapter 333, F.S. and applicable Federal regulations.
2. **Coastal Planning Area.** The Coastal Planning Area Special Treatment Zone shall be the area shown in the Comprehensive Plan as "Coastal Planning Area," including the area shown as "Coastal High Hazard Area" (CHHA).
- a. Residential density in the Coastal Planning Area will be restricted to a maximum of 15 dwelling units per acre (15 du/acre) in areas where infrastructure can accommodate that level of development.
- b. Public subsidy of infrastructure for development in the CHHA shall be limited to the demand that will result from build-out at 15 du/acre. This policy shall not preclude private investment for infrastructure in the CHHA.
- c. High-risk developments such as nursing homes, convalescent centers, hospitals, mobile home parks, mobile home subdivision, or R/V parks shall not be located in the CHHA.
- d. The County shall not accept dedication of roads, water and sewer facilities, or other public facilities in the CHHA unless specifically provided for in an enforceable development agreement.
3. **Beach Area.** The Beaches Area Special Treatment Zone shall be the land and water area between the Walton County line and the western terminus of the Hathaway Bridge, and between the Intracoastal Waterway and the Gulf of Mexico. Within this zone the County will strive to coordinate ordinances and regulations with the City of Panama City Beach to the maximum extent practicable, and may impose special regulations as considered necessary.
4. **Rural Communities.** The following requirements and standards shall apply within the Rural Community Special Treatment Zones.
- a. **Uses Allowed:** Residential, public, civic, and commercial uses. Public uses include parks, playgrounds, green-way trails, outdoor recreation uses such as golf courses, campgrounds, riding arenas, and similar facilities. Civic uses include schools, religious buildings, libraries, post offices, meeting halls, club houses, recreational facilities, county buildings, and similar facilities.
- Commercial and industrial uses are limited to neighborhood-scale businesses, including professional offices, restaurants, retail stores

and services, lodging, warehousing, and industrial or commerce parks, provided that these non-residential uses are compatible in scale and intensity with the character of the surrounding residential areas. Planned and mixed use development shall be allowable within this overlay district.

- b. Density Allowed: Maximum of one (1) dwelling unit per three (3) gross acres, one (1) dwelling unit per acre adjacent to paved roads paved from further extremity to the nearest intersection.
- c. Intensity Allowed: The intensity of non-residential uses shall not exceed a floor area ratio of 50 percent (0.5 FAR).
- d. Mixture of Uses: Rural residential uses shall account for no more than sixty percent (60%) of the total land area. Civic and public uses shall account for no less than five percent (5%) of the total land area. Commercial and industrial uses shall account for no more than twenty percent (20%) of the total land area, except for commerce or industrial parks. Open space and agricultural uses shall account for no less than twenty-five percent (25%) of the total land area.
- e. Buffers: To ensure a compatible mix of uses, buffers shall be required between residential uses and non-residential uses. The County shall include in the Land Use Code additional standards for land coverage and building placement.
- f. Commercial Uses: Commercial and industrial uses shall not occupy more than twenty percent (20%) of any area designated as a rural community. Such use shall be limited to collector and arterial intersections, intersections of subdivision collectors and arterial or collector roads, and areas that are specifically designated and platted for neighborhood commercial uses. Commerce and industrial parks may be allowed on a case-by-case basis and shall not count toward the 20% mixture described in paragraph d.
- g. Monitoring: The provisions of this subsection shall be monitored to ensure compliance. To accomplish this, the following methods and means will be used.
  - i. The acreage for each Development Order issued shall be consecutively tallied and then compared to the overall acreage in each applicable Rural Community to ensure compliance with

specified percentages. This will occur each time a new Development Order is issued.

- ii. Clustering may be allowed to relocate development from environmentally sensitive areas or agriculture designated areas of a site to a residential designated area of the same site. Any such clustering shall be within the property lines of one discreet parcel and shall not be transferable between separate parcels as described by deed.
5. **Ecosystem Management Areas.** The requirements and standards for Ecosystem Management Area Special Treatment Zones shall be the same as those specified for Conservation/Habitation (CSVH), Conservation/Preservation (CSVP), and Conservation Recreation (CSVR) Zones in Sections 703, 704, and 705 and the appropriate sections of Chapter 19, as they may apply.
  6. **Bay Point Development of Regional Impact (DRI).** Development within the Bay Point DRI Special Treatment Zone shall be governed by the Bay Point Development Order (Bay County Resolution #1328 July 22, 1986), as amended, and as specified in Section 106 of this Code.
  7. **Deer Point Reservoir Protection Zone.** The requirements and standards for the Deer Point Reservoir Protection Zone are specified in Section 1906 of this Code.
  8. **Airport Special Treatment Zones.**
    - a. Overlay Zones in this section pertaining to the Panama City-Bay County International Airport are established to place limitations on the height of objects and structures and to prevent the creation of objects or structures hazardous to aeronautical operations or which could increase the risk to the public's health, safety or well-being in the event of an aviation accident or which would not be compatible with airport activities or which would otherwise impair the full utility and operating capacity of the Panama City-Bay County International Airport. The four specific zones created for the Panama City-Bay County International Airport are:
      - i. **Obstruction Height Zone.** Height limitations and sizes established to conform to the standards for determining obstructions to air navigation (Map 10-1).
      - ii. **Airport Noise Zone.** Created by outlining an area that generally encompasses the projected yearly averaged, 24-hour day/night average noise level (YDNL) contour of 55Ldn (Map 10-2).

- iii. Public Safety and Welfare. This zone is geographically depicted on Map 10-3.
- iv. Wildlife Attractant Hazard Zone. This zone is geographically represented as a 10,000 buffer around the Panama City-Bay County International Airport (Map 10-4).

b. Zone Standards

- i. Obstruction Height Zone. Zone height limitations and sizes established in this section to conform to the standards for determining obstructions to air navigation of 14 Code of Federal Regulations Part 77, ss 77.23. This zone applies to all of the land lying beneath the primary, approach, transitional, horizontal and conical surfaces as they apply to the Panama City-Bay County International Airport. (Map 10-1, Airport Height and Safety Zones)

For any object or structure with a top elevation in excess of an Obstruction Height Zone surface, as specified in this section, any permit or variance granted shall, as a specific condition, require the owner to mark and light the structure to indicate to aircraft pilots the presence of an obstruction to air navigation. Such marking and lighting shall conform to the specific standards established by Rule Chapter 14-60, Florida Department of Transportation and Federal Aviation Administration Advisory Circular 70/7460-1, as amended.

Existing structures not in compliance at the effective date of this regulation shall be required to comply whenever the existing marking requires refurbishment, whenever the existing lighting requires replacement, or within three (3) years of the effective date of this code, whichever occurs first.

An area located beneath more than one of the described surfaces is considered to be only affected by the surface with the more restrictive height limitation. No manmade or natural object or structure shall exceed the elevations defined by the various surfaces hereby established and defined as follows:

- a. Primary Surface: A surface longitudinally centered on each runway, extending to each end of turf or sod runways or extending 200 feet beyond each end for paved runways. The width of the surface will be as specified for the most

precise approach existing or planned for either end of that runway as follows:

Runway 16-34 (Ultimate 16L-34R):	1,000 feet
Runway 3-21:	1,000 feet
Ultimate Runway 16R-34L:	1,000 feet

No object or structure shall be permitted within a primary surface that is not part of the landing and take-off facilities and is of a greater elevation AMSL height than the nearest point of the runway centerline.

- b. Approach Surface. A surface longitudinally centered on the extended runway centerline and extending outward from the end of the Primary Zone. The approach surface is designated for each runway based upon the type of approach available or planned for that runway end.

**Approach Surface Widths:** The inner edge of the approach surface is the same width as the Primary Surface. The outer width of the approach surface is prescribed for the most precise approach existing or planned for that runway and expanding uniformly outward to a width of:

Runway 16-34 (Ultimate 16L-34R)	16,000 feet
Runway 3-21:	16,000 feet
Ultimate Runway 16R-34L	16,000 feet

**Approach Surface Lengths:** The approach surface extends for a horizontal distance of:

Runway 16-34 (Ultimate 16L-34R):	50,000 feet
Runway 3-21:	50,000 feet
Ultimate Runway 16R-34L:	50,000 feet

**Approach Surface Heights:** No manmade or natural object or structure will be permitted within an approach surface, beginning at its intersection with the end of the Primary Surface, having a height greater than the runway end elevation, the height above the runway end elevation increasing with horizontal distance outward as follows:

Runway 16-34 (Ultimate 16L-34R): one (1) foot vertically for every fifty (50) feet horizontally for the first 10,000 feet increasing to one (1) foot vertically for every forty (40) feet horizontally for an additional 40,000 feet.

Runway 3-21: one (1) foot vertically for every fifty (50) feet horizontally for the first 10,000 feet increasing to one (1) foot vertically for every forty (40) feet horizontally for an additional 40,000 feet.

Ultimate Runway 16R-34L: one (1) foot vertically for every fifty (50) feet horizontally for the first 10,000 feet increasing to one (1) foot vertically for every forty (40) feet horizontally for an additional 40,000 feet.

- c. Horizontal Surface. A surface surrounding each public use airport with the outer boundary constructed by swinging arcs of specified radii from the center of each Primary Surface end for each airport runway then connecting adjacent arcs by tangents. The arc radii for each runway end will have the same arithmetic value and will be the highest value determined for either end of that runway. When a smaller arc is encompassed by the tangent connecting larger arcs, the smaller shall be disregarded in determining the surface boundary. The radius of each runway arc is:

Runway 16-34 (Ultimate 16L-34R)	10,000 feet
Runway 3-21	10,000 feet
Ultimate Runway 16R-34L	10,000 feet

Horizontal Surface Height: No object or structure will be permitted in the horizontal zone that has a height greater than 150 feet above the airport elevation.

- d. Conical Surface. An area extending outward from the periphery of the Horizontal Surface for a distance of 4,000 feet.

Conical Surface Height: No object or structure will be permitted in the conical surface that has a height greater than 150 feet above the airport elevation at its inner boundary with the permitted height increasing one (1) foot vertically for every twenty (20) feet of horizontal distance measured outward from the inner boundary to a height 350 feet above airport elevation at the outer boundary.

- e. Transitional Surface. A surface extending outward from the sides of each Primary Surface and Approach Surface connecting them to the Horizontal Surface and an area outward 5,000 feet horizontally or until intersection with the Conical Surface from the side of that portion of the Approach

Surface of a Precision Instrument Runway extending through and beyond the Conical Surface.

Transitional Surface Height: No manmade or natural object or structure will be permitted within the transitional surface which extends from the sides of the Primary Surfaces and the sides of Approach Surfaces at their adjoining boundary lines increasing at a rate of one (1) foot vertically for every seven (7) feet horizontally, with the horizontal distance measured at right angles to the runway centerline and extended runway centerline. For the portion of the approach surface extending beyond the limits of the Conical Surface, the transitional surface shall extend for a horizontal distance of 5,000 feet measured horizontally from the edge of the Approach Surface and at right angles to the runway centerline.

- ii. Airport Noise Zone. This zone is set forth in Map10-2.

Within the Airport Noise Zone, any sale of any property for residential use shall be accompanied in writing by the following notice:

**“NOTICE: The real property which is the subject of this sale is located within the Airport Noise Zone of the Panama City-Bay County International Airport. As a result, the residential use of the real property may be subject to objectionable noise levels that may affect your enjoyment of the real property.**

- iii. Public Safety and Welfare. For public safety and welfare, an Aircraft Overflight Zone shall be established. In addition, In-flight Visual or Electronic Interference shall be regulated within Bay County. These zones are geographically depicted on Map 10-3.

- a. Aircraft Overflight Zone. This zone is created underlying those recurring, fixed flight paths for aircraft taking off and landing at Panama City-Bay County International Airport. This Zone consists of the (ground) area underlying the Primary Zone, Approach Zone (limited to the inner 10,000 feet), and adjoining Transitional Zones described on Map 10-1. The following standards shall apply to all development in the Aircraft Overflight Zone:

1. The construction of a public or private educational facility, except for educational facilities established expressly for flight training, shall be prohibited within this zone or at either end of an existing or planned runway within an area which extends five (5) miles from each runway end in a direct line along the centerline of the runway, and which has a width which measures one-half the length of the runway and is centered on the extended runway centerline in accordance with Chapter 333, F.S.
  2. Any tree adjacent to the Panama City–Bay County International Airport which, due to violation of any height requirement of this Code, has become an obstruction to air navigation operations shall be removed or lowered. Any reasonable cost of removing or lowering any tree shall be borne by the proprietor of the airport.
- b. In-Flight Visual or Electronic Interference. The requirements shall apply to each permitted use within a 10,000 foot boundary of the airport site, and shall be reviewed on a case-by-case situation.
1. Lighting. All lights and illumination used in conjunction with streets, parking, signs or uses of land and structures shall be arranged and operated in such manner that is not misleading to or obscure pilots vision during critical take-off or landing stages of flight or be otherwise dangerous to aircraft occupants or flight operations at an airport covered in this Code.
  2. Energy Transmission. No use of high-energy beam devices is permitted where the energy transmission is not fully contained within a building or some type of absorbing or masking vessel.
  3. Visual Obscurations. Except for prescribed burns authorized or permitted by the Florida Division of Forestry, no operations from any type shall produce smoke, glare or other visual obscuration within three (3) statute miles of any usable runway at the Panama City–Bay County International Airport. For controlled burns within three (3) statute miles of any usable runway at the airport and where authorized or permitted by the Florida Division of Forestry, the name and phone number of the burn operator, and the location, duration, and other characteristics of the planned burn shall be submitted to

the executive director of the Panama City-Bay County International Airport no less than seven (7) days prior to the planned start of the burn. In accordance with 51-2.004(1)(c), F.A.C., no burns shall be conducted that would reduce visibilities associated with aircraft approaches at Panama City-Bay County International Airport.

4. Electronic Interference. No operations from any type of use shall produce electronic interference with navigation signals or radio communication between aircraft, the airport, or an air traffic control facility.
- iv. Wildlife Attractant Hazard Zone. Waste disposal and other facilities which store, handle, or process organic or any other material that foster or harbor the growth of insects, rodents, amphibians or other organisms will result in significant bird population. Certain uses are incompatible if located within 10,000 feet of any existing or planned runway of the Panama City-Bay County International Airport (PC-BCIA). This zone is geographically represented as a 10,000 buffer around the PC-BCIA (Map 10-4). With exception to dry retention stormwater management facilities, the following regulations shall apply within this zone.
  - a. With the exception of Construction and Demolition (C&D) landfills, landfills shall not be located within 10,000 feet of any existing or planned runway.
  - b. Stormwater management facilities may be permitted within 10,000 feet of any existing or planned runway provided that:
    1. Pond side slopes measure 2:1 and pond bank slopes measure a minimum of 4:1.
    2. Rip Rap, electrical fencing, and/or wire grid is placed around the perimeter of the ponds to keep birds out of the water where the depth is less than two (2) feet and to keep birds off the pond banks.
    3. Aquatic vegetation in ponds is eliminated and aquatic vegetation growth is prevented through a maintenance program.

9. The Naval Support Activity Panama City Military Influence Overlay District shall be established to ensure that the continually changing

missions of the local military installations are facilitated to the greatest extent possible. The County shall support the U.S. Navy in its operation of Naval Support Activity Panama City (NSAPC) so that the facilities remain viable and able to fulfill their missions. Three Military Influence Areas (MIA) shall also be established to encourage compatible land use patterns, protect the public health, safety and general welfare, and help prevent encroachment from incompatible development.

- a. The NSAPC Military Influence Overlay District (NSAPC MIOD) shall be the area located on Map 10.5. The NSAPC MIOD includes the following Military Influence Areas: The NSAPC Land Use and Anti Terrorism Force Protection Military Influence Area is depicted on Map 10.6. The NSAPC Land Use Water Interface Military Influence Area is depicted on Map 10.7. The NSAPC Frequency Military Influence Area is depicted on Map 10.8.
  
- b. In order to ensure that the County's long range land use plans are consistent with the operations of its military installations, the County shall create an ex-officio non-voting member position on its Local Planning Agency (aka Planning Commission) for each military installation in the County. The County shall notify the commanding officer (or their appointed representatives) of Naval Support Activity Panama City of any proposed Comprehensive Plan amendments (map or text), re-zoning applications, variances, conditional use permits, applications for development orders, and amendment to the Bay County Land Development Regulations which are proposed in or affect any area found to be in the NSAPC MIOD on Map 10.5. The County shall consider NSAPC's input and concerns during its review of such planning, regulatory and development proposals. The County shall also assess the compatibility of such planning, regulatory and development proposal as provided in the following criteria:
  - i. Whether such proposal is compatible with the findings of the Naval Support Activity Panama City Joint Land Use Study JLUS adopted in October 2009.
  - ii. Whether the military installation's mission will be adversely affected by the proposal.
  - iii. Whether such proposal creates any frequency interferences that are incompatible with the current mission of Naval Support Activity Panama City. To implement this provision, the County shall ensure that all existing and future commercial and industrial development located inside the NSAPC Frequency

- Military Influence Area (Map 10.8) shall register with the Planning and Zoning department. and specifically describe any frequency spectrum that is generated or emitted by the proposal.
- iv. Whether such proposal is compatible with the Naval Support Activity Panama City's water based activities. To implement this provision, the County shall ensure that all applications for development orders, including docks, piers, boat slips, boat launches, and marinas located within the unincorporated areas and within the NSAPC Land Use Water Interface Military Influence Area (Map 10.7) shall be submitted to the Bay County Planning and Zoning Department to review for compliance with this provision.
- v. Whether such proposal is compatible with the mission of the NSAPC based on the NSAPC Land Use and Anti Terrorism Force Protection Military Influence Area (Map 10.6).
- c. **Joint Review.** All development applications which, if approved, would affect the intensity, density, or use of land and/or would affect height of construction within the portion of the unincorporated area that lies within the established NSA-PC AT/FP MIA Zone shall be jointly reviewed by the Bay County Planning and Zoning Division and NSA-PC prior to final action.
- d. **Transfer of Development Rights.** The transfer of development rights program described in Chapter 6 will not be applicable to increase building heights over allowable standards prescribed in the NSA-PC Anti-Terrorism/Force Protection Military Influence Area (MIA) Zone.
- e. **Microwave Tower Corridors Sub-Area.** The Microwave Tower Corridors Sub-Area is established to prevent vertical obstructions and ensure non-interference with signal pathways, critical communication lines, and radar system sites. The Microwave Tower Corridors Sub-Area is geographically depicted on Map 10.6 and consists of the following three Microwave Tower Corridors: West Microwave Tower Corridor, Center Microwave Tower Corridor, and East Microwave Tower Corridor.
- i. **West and East Microwave Tower Corridors. Height limitation.** 230-foot height limitation for any building or structure, including chimneys; water, fire, radio, and television towers; smokestacks; flagpoles; and similar structures and their

necessary mechanical appurtenances, such as elevator shafts, and ventilation equipment.

- ii. **Center Microwave Tower Corridor. Height limitation.** Any new building or structure, including chimneys; water, fire, radio and television towers; smokestacks; flagpoles; and similar structures and their necessary mechanical appurtenances, such as elevator shafts, and ventilation equipment that exceeds a height of 30 feet will be required to submit detail site plans. The detail site plan must show the location and height of all proposed building or structure exceeding 30 feet in height and undergo additional review prior to the granting of any development approval. The detail site plan review will be conducted jointly with the Bay County Planning and Zoning Division and NSA-PC to determine if the placement of any proposed building or structure within the Corridor will have negative signal interference. If a determination is made during the joint review that the proposed placement of the building or structure would result in signal interference the proposed site plan will be required to be modified and re-submitted for review.
  
- f. **Line of Sight Security Zones Sub-Area.** The Line of Sight Security Zones Sub-Area is established to prevent direct line-of-sight into the NSA-PC military installation. The following three Security Zones have been created surrounding the installation and represent height restrictions that correspond to the heights at which line-of-sight is considered a threat to national security. This Sub-Area is geographically depicted on Map 10.9 and consists of the following three Security Zones: (i) 60' Security Zone, (ii) 160' Security Zone, and (iii) 230' Security Zone.
  - i. **60-foot Security Zone.**
    - (a) **Height.** 60-foot building height limitation shall be applied within this Security Zone as identified on Map 10.9.
    - (b) **Intensity.** To offset the development restriction within the R-5, C-3, and C-4 zoning districts caused by the 60-foot building height limitation, the following increase in development intensity shall be granted only to parcels located within the R-5, C-3, and C-4 zoning districts located within the 60 foot security zone:

<u>Floor Area Ratio</u>	<u>300 %</u>
<u>Impervious Surface Ratio</u>	<u>85 %</u>

(c) **Buffering plan.** A buffering plan shall be required for all new development or redevelopment on parcels located immediately adjacent to the military installation and share a common boundary. Prior to the Development Review Process, the buffering plan shall be jointly reviewed by the Bay County Planning and Zoning Division and NSA-PC.

The buffering plan shall consist of visual screening through fences and/or walls that serve several functions including land use buffering and noise attenuation, privacy, and security. These structures shall be designed to provide a unifying element and to be aesthetically pleasing. The exact design, height, and location shall be determined during the processing of site-specific development plans. Earth berms shall not be allowed as part of the buffering plan.

(d) **Outdoor balconies and roof decks.** Development on parcels located immediately adjacent to the NSA-PC military installation shall not be permitted to have outdoor balconies or roof decks that face directly upon the military installation.

ii. **160-foot Security Zone.**

(a) **Height limitation.** 160-foot building height limitation shall be applied within this Security Zone as identified on Map 10.9.

(b) **Intensity.** To offset the development restriction within the R-5, C-3, and C-4 zoning districts caused by the 160-foot building height limitation, the following increase in development intensity shall be granted only to parcels located within the R-5, C-3, and C-4 zoning districts located within the 160 foot security zone:

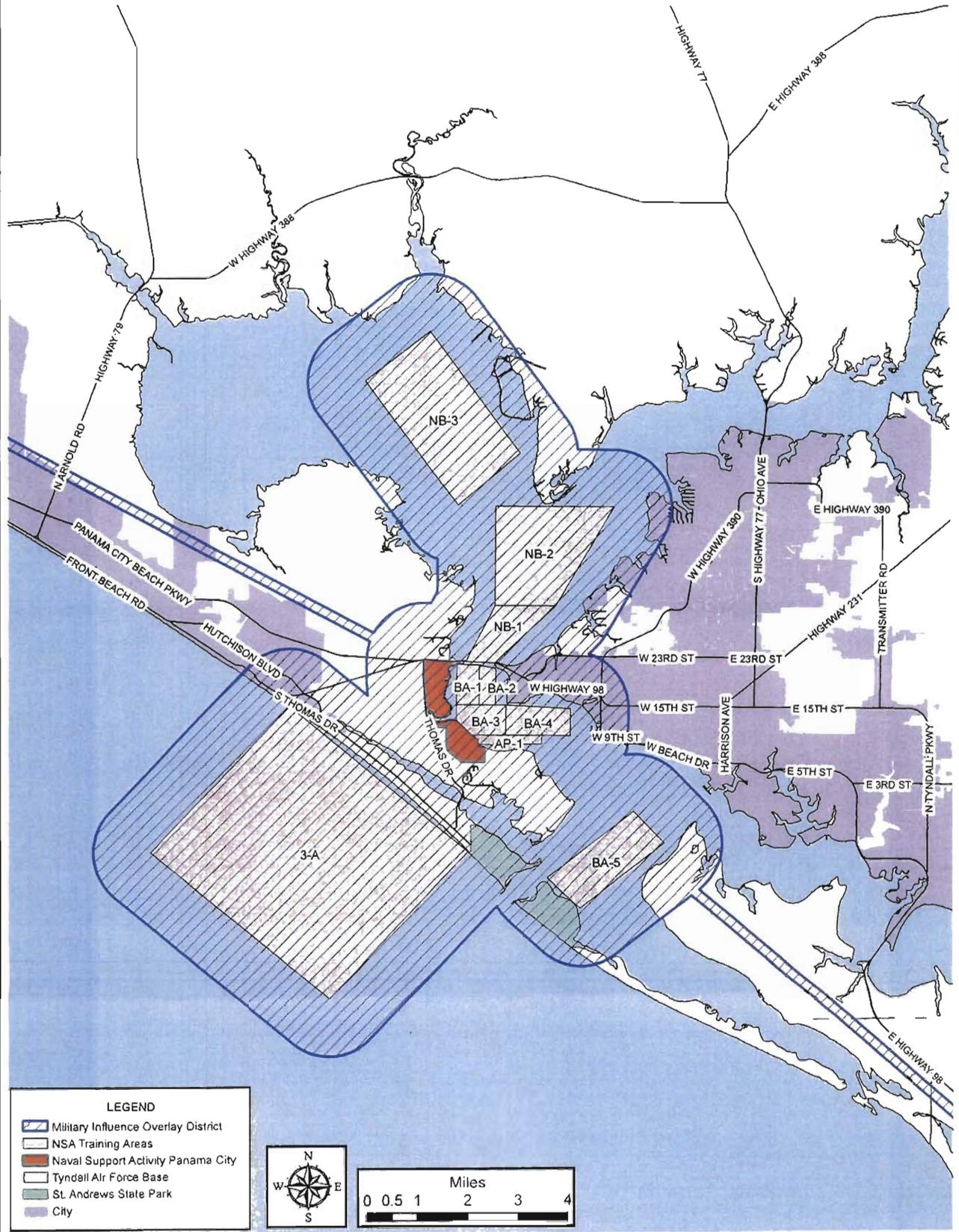
<u>Floor Area Ratio</u>	<u>250 %</u>
<u>Impervious Surface Ratio</u>	<u>80 %</u>

(c) **Outdoor balconies and roof decks.** Development on parcels located in the 160' Security Zone shall not be permitted to have outdoor balconies or roof decks that face directly upon the military installation.

iii. **230-foot Security Zone.**

- (a) Height limitation. 230-foot building height limitation shall be applied within this Security Zone as identified on Map 10.9.
- (b) Outdoor balconies and roof decks. Development on parcels located in the 230' Security Zone shall not be permitted to have outdoor balconies or roof decks that face directly upon the military installation.
- g. Policy 3.4.9(2) or any other provision of the Bay County Comprehensive Plan shall not be construed to limit the ability of the U.S. Navy to request a review of land use amendments, re-zonings, variances, conditional use permit applications, or development proposals when such proposals may, in the opinion of the U.S. Navy, present a potential conflict in land use compatibility.

# MILITARY INFLUENCE OVERLAY DISTRICT MAP

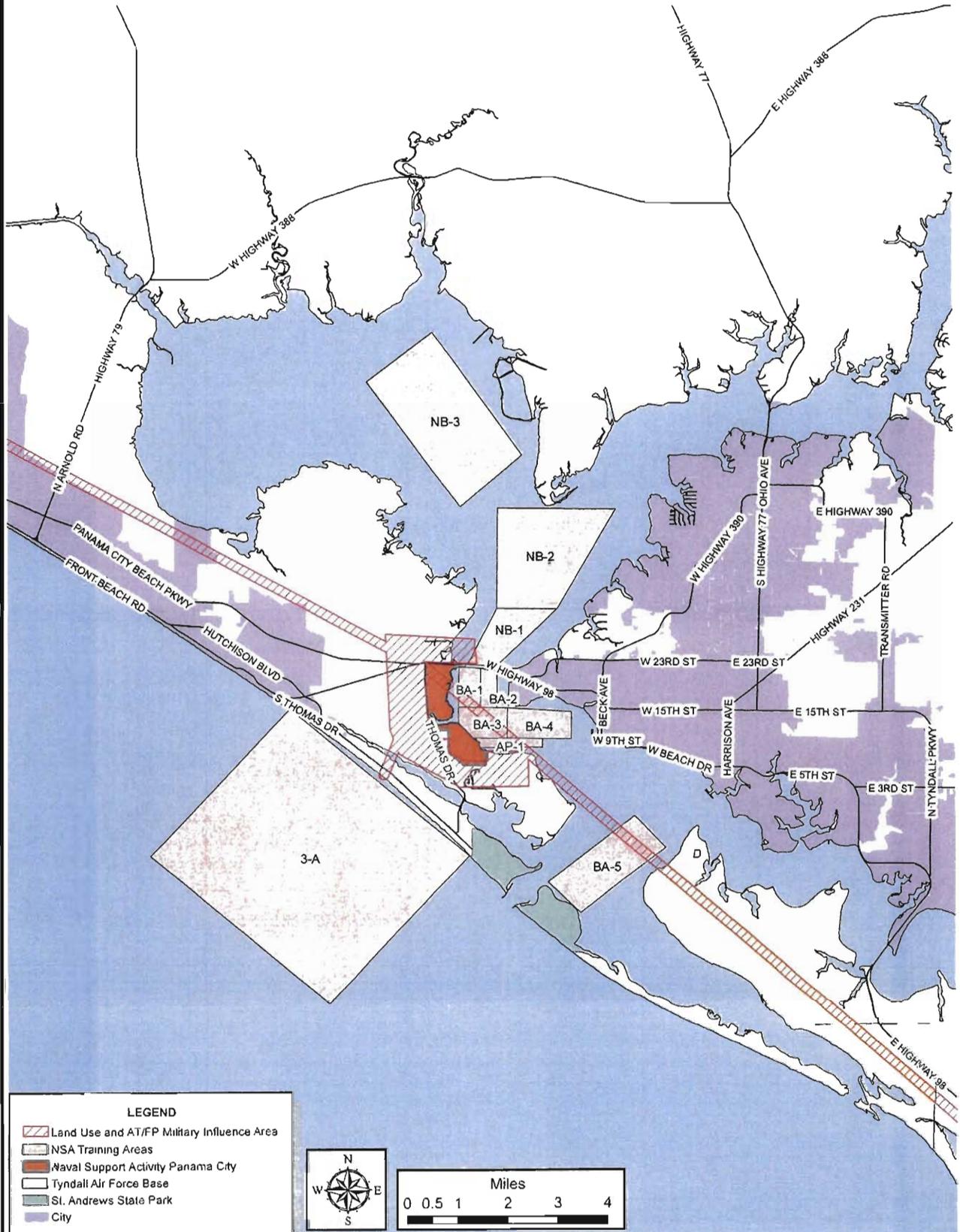


**MAP 10.5**      **MILITARY INFLUENCE OVERLAY DISTRICT MAP**

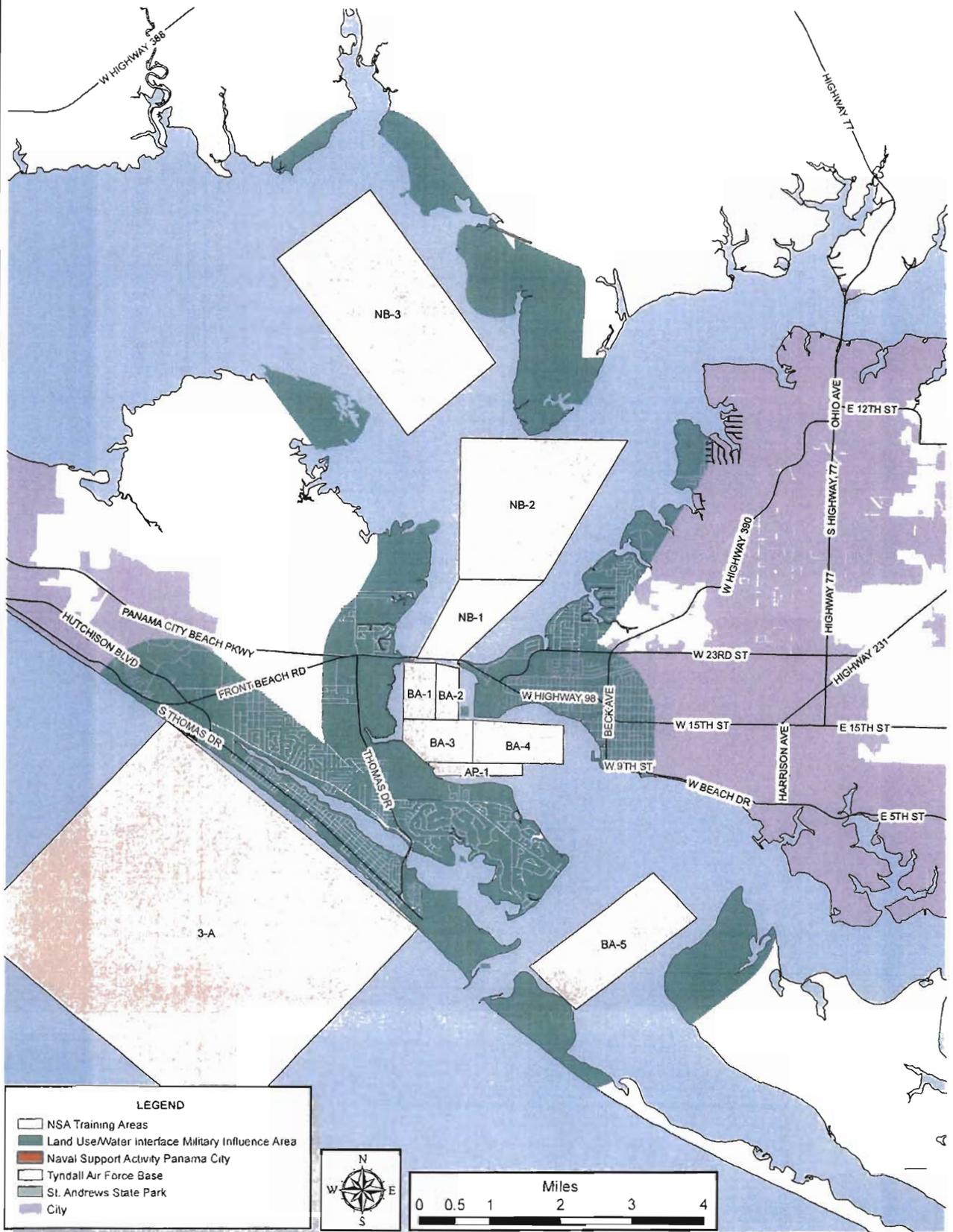
DATE: JULY 2011  
 SOURCE: Bay County Planning and Zoning Division

## BAY COUNTY LAND DEVELOPMENT REGULATIONS

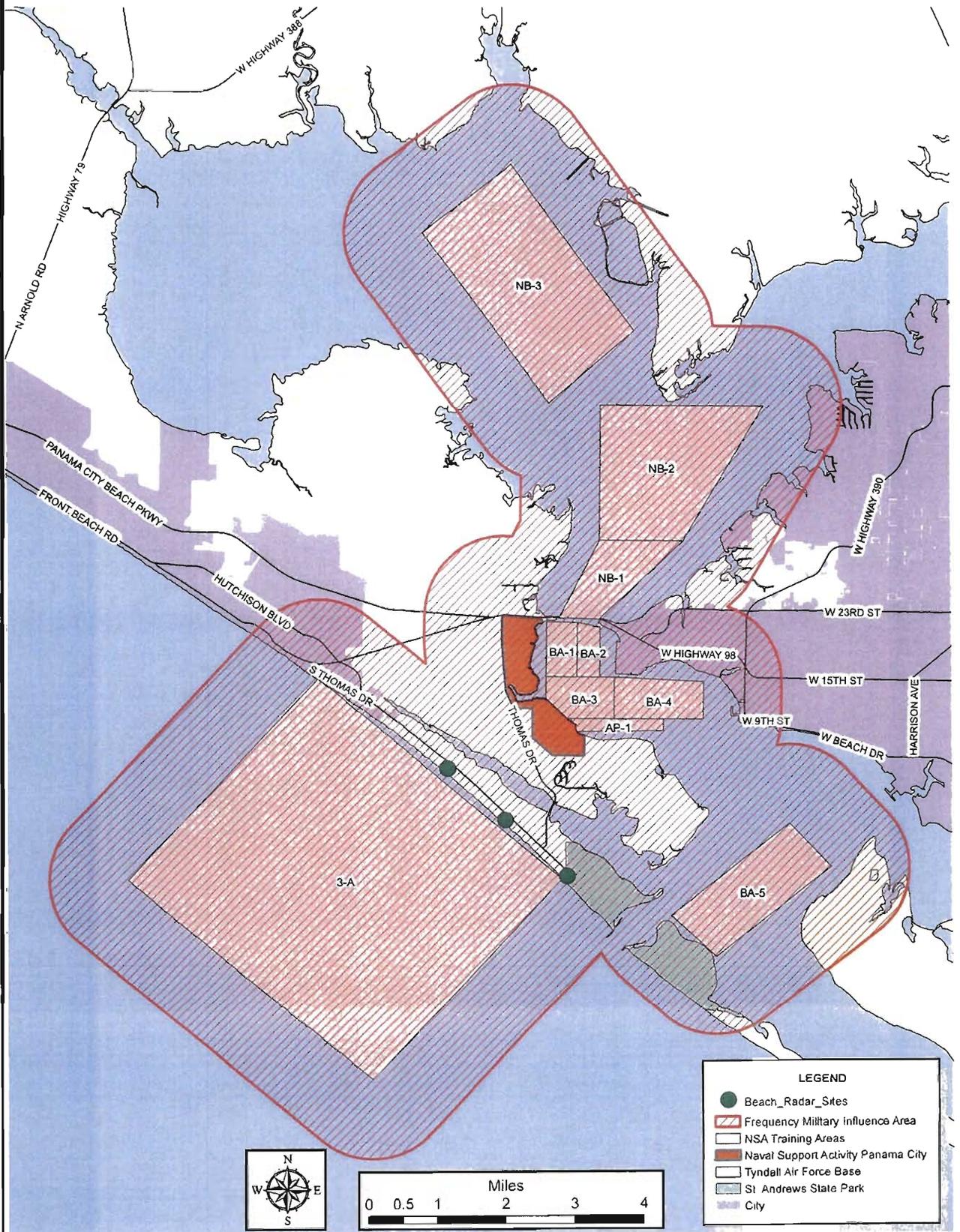
# LAND USE AND AT/FP MILITARY INFLUENCE AREA MAP



# LAND USE/WATER INTERFACE MILITARY INFLUENCE AREA MAP

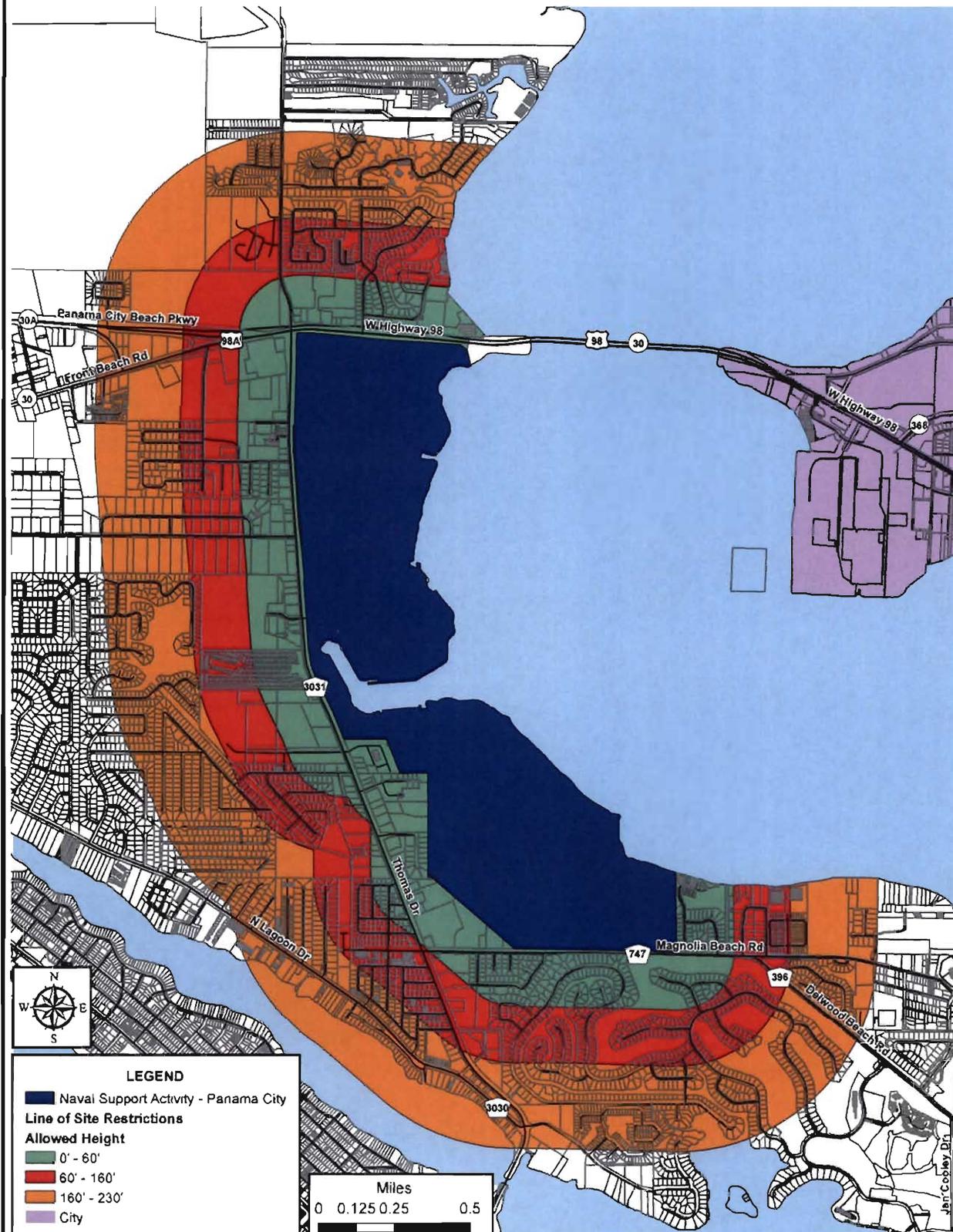


# FREQUENCY MILITARY INFLUENCE AREA MAP



MAP 10.9

# LINE OF SIGHT SECURITY ZONES SUB AREA MAP



MAP 10.9

LINE OF SIGHT SECURITY  
ZONES SUB AREA MAP

DATE: JULY 2011

SOURCE: Bay County Planning and Zoning Division

## BAY COUNTY LAND DEVELOPMENT REGULATIONS