# Table of Contents

## Chapter 1  General Provisions  1-1
- 101. Title  1-1
- 102. Authority  1-1
- 103. General Purpose  1-1
- 104. Applicability  1-2
- 105 Definitions  1-2
- 106. Exemptions and Exceptions  1-2
- 107. Relationship to Comprehensive Plan  1-3
- 108. Existing/Nonconforming Uses  1-3
- 109 Interpretation  1-6
- 110 Amendments or Changes to this Code  1-8
- 111 Severability  1-8
- 112 Inconsistency with other Ordinances  1-8
- 113 Disclaimer of Liability  1-8

## Chapter 2  Administrative Procedures  2-1
- 201. Purpose  2-1
- 202. Duties and Responsibilities – Board of County Commissioners  2-1
- 203. Duties and Responsibilities – Planning Commission  2-1
- 204. Planning Commission Membership  2-2
- 205. Planning Official  2-4
- 206. Due Process; Public Hearings  2-5
- 207. Quasi-Judicial Hearings  2-6
- 208. Hardship Relief  2-7
- 209. Appeals  2-9
- 210. Enforcement, Penalties, and Remedies  2-11
- 211. Continuance and Postponement of Hearings, Withdrawal and Denial of Applications  2-12

## Chapter 3  Zoning Administration  3-1
- 301. Title  3-1
- 302. Purpose  3-1
- 303. Scope  3-1
- 304. Relationship to Comprehensive Plan  3-1
- 305. Zoning Districts Established  3-2
- 306. Official Zoning Map  3-2
- 307. Procedure for Zone Changes  3-3
- 308. Comprehensive Plan Amendments  3-6
- 309. Liability  3-6
- 310. Uses Located in Overlay Zones  3-6

## Chapter 4  Residential Zones  4-1
- 401. Purpose  4-1
- 402. Residential Zones  4-1
- 403. Discouraged Activities  4-1
<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>SEASONAL/RESORT ZONES</td>
<td>5-1</td>
</tr>
<tr>
<td>501</td>
<td>Purpose</td>
<td>5-1</td>
</tr>
<tr>
<td>502</td>
<td>Seasonal/Resort Zones</td>
<td>5-1</td>
</tr>
<tr>
<td>503</td>
<td>SR-1 Seasonal/Resort-Residential</td>
<td>5-1</td>
</tr>
<tr>
<td>504</td>
<td>SR-1A Seasonal/Resort Mixed Use</td>
<td>5-2</td>
</tr>
<tr>
<td>505</td>
<td>SR-2 Seasonal/Resort-Commercial</td>
<td>5-2</td>
</tr>
<tr>
<td>506</td>
<td>Bulk Regulations</td>
<td>5-4</td>
</tr>
<tr>
<td>6</td>
<td>COMMERCIAL ZONES</td>
<td>6-1</td>
</tr>
<tr>
<td>601</td>
<td>Purpose</td>
<td>6-1</td>
</tr>
<tr>
<td>602</td>
<td>Commercial Zones</td>
<td>6-1</td>
</tr>
<tr>
<td>603</td>
<td>C-1 Neighborhood Commercial</td>
<td>6-1</td>
</tr>
<tr>
<td>604</td>
<td>C-2 Plaza Commercial</td>
<td>6-2</td>
</tr>
<tr>
<td>605</td>
<td>C-3 General Commercial</td>
<td>6-3</td>
</tr>
<tr>
<td>606</td>
<td>C-3A General Commercial Low Zones</td>
<td>6-5</td>
</tr>
<tr>
<td>607</td>
<td>C-4 Research and Design Zones</td>
<td>6-7</td>
</tr>
<tr>
<td>608</td>
<td>MLU Mixed Land Use Zones</td>
<td>6-8</td>
</tr>
<tr>
<td>609</td>
<td>Bulk Regulations</td>
<td>6-12</td>
</tr>
<tr>
<td>7</td>
<td>CONSERVATION ZONES</td>
<td>7-1</td>
</tr>
<tr>
<td>701</td>
<td>Purpose</td>
<td>7-1</td>
</tr>
<tr>
<td>702</td>
<td>Conservation Zones</td>
<td>7-1</td>
</tr>
<tr>
<td>703</td>
<td>CSVP Conservation Preservation Zone</td>
<td>7-1</td>
</tr>
<tr>
<td>704</td>
<td>CSVR Conservation Recreation Zone</td>
<td>7-1</td>
</tr>
<tr>
<td>705</td>
<td>CSVH Conservation Habitation Zone</td>
<td>7-2</td>
</tr>
<tr>
<td>706</td>
<td>Innovative Development Techniques</td>
<td>7-3</td>
</tr>
<tr>
<td>707</td>
<td>Special Regulations</td>
<td>7-4</td>
</tr>
<tr>
<td>708</td>
<td>Bulk Regulations</td>
<td>7-5</td>
</tr>
<tr>
<td>8</td>
<td>INDUSTRIAL ZONES</td>
<td>8-1</td>
</tr>
<tr>
<td>801</td>
<td>Purpose</td>
<td>8-1</td>
</tr>
<tr>
<td>802</td>
<td>Industrial Zones</td>
<td>8-1</td>
</tr>
<tr>
<td>803</td>
<td>IND-1 Light Industry Zones</td>
<td>8-1</td>
</tr>
<tr>
<td>804</td>
<td>IND-2 Industrial Zones</td>
<td>8-2</td>
</tr>
<tr>
<td>805</td>
<td>Special Performance Measures</td>
<td>8-3</td>
</tr>
<tr>
<td>806</td>
<td>Bulk Regulations</td>
<td>8-4</td>
</tr>
<tr>
<td>9</td>
<td>AGRICULTURE ZONES</td>
<td>9-1</td>
</tr>
<tr>
<td>901</td>
<td>Purpose</td>
<td>9-1</td>
</tr>
</tbody>
</table>
Bay County Land Development Regulations

CHAPTER 10  SPECIAL TREATMENT ZONES  10-1
1001. Purpose  10-1
1002. Special Treatment Zones  10-1
1003. Special Requirements and Standards  10-1

Map 10-1  Airport Obstruction Height Zone
Map 10-2  Airport Noise Zone
Map 10-3  Aircraft Overflight Zone
Map 10-4  Wildlife Attractant Hazard Zone

CHAPTER 11  PLANNED UNIT DEVELOPMENT  11-1
1101. Purpose and Intent  11-1
1102. Definitions  11-1
1103. Demonstration of Applicability  11-2
1104. Procedure for Approval  11-2
1105. Changes to Final Development Plan  11-5
1106. Effect of PUD Overlay District  11-6
1107. Amendments to Built Planned Unit Developments  11-6
1108. Area and Density Requirements  11-6
1109. Fees  11-6

CHAPTER 12  CONDITIONAL USES  12-1
1201. Purpose  12-1
1202. Applicability  12-1
1203. Permit Required  12-1
1204. Procedure  12-1
1205. Authorization  12-1
1206. Conditional Use Permit Review Criteria  12-2
1207. Expiration and Revocation  12-2
1208. Changes or Amendments  12-2

CHAPTER 13  SPECIAL USES  13-1
1301. Purpose  13-1
1302. Home Occupation; Home Office of Convenience  13-1
1303. Nightclubs  13-1
1304. Adult Uses (Reserved)  13-2
1305. Fences and Hedges  13-2
1306. Cannabis Dispensing Facility  13-3

CHAPTER 14  PUBLIC/INSTITUTIONAL ZONES  14-1
1401. Purpose  14-1
1402. Public/Institutional Zones  14-1
1403. P/I Public Institutional Zones 14-1
1404. Bulk Regulations 14-4

CHAPTER 15  AIRPORT/INDUSTRIAL ZONES 15-1
1501. Purpose 15-1
1502. Airport/Industrial Zones 15-1
1503. Special Regulations 15-2
1504. Conditional Uses Within or Variances to this Regulation 15-3
1505. Bulk Regulations 15-4

CHAPTER 16  BAY-WALTON SECTOR PLAN ZONES 16-1
1601. Purpose, Applicability, and Conflicts 16-1
1602. Bay-Walton Sector Plan Zones 16-1
1603. REC Regional Employment Center 16-1
1604. BC Business Center 16-3
1605. WBC West Bay Center 16-4
1606. VC Village Center 16-6
1607. LIR Low Impact Residential 16-8
1608. AT Agriculture/Timberland 16-9
1609. WBP West Bay Preservation Area 16-10
1610. LTC Long-Term Conservation Area 16-11
1611. ROS Recreation/Open Space 16-12
1612. TC Town Center 16-13
1613. Development Standards 16-14
1614. Development Review Process 16-14
1615. Right of Way Typical Sections 16-15
   Bay-Walton Sector Plan Bulk Regulations 16-19

CHAPTER 17  DEVELOPMENT CODE ADMINISTRATION 17-1
1701. Purpose 17-1
1702. Development Order Required 17-1
1703. Exemptions and Exceptions 17-2
1704. General Guidelines for Issuing Development Order 17-2
1705. Responsibility for Compliance 17-3
1706. Term 17-3
1707. Strict Adherence to Development Order 17-3
1708. Right-of-Entry 17-4
1709. Relationship to Building Construction Permits; Certificates of Occupancy 17-4
1710. Development Agreement 17-4
1711. Permits from Other Agencies 17-4

CHAPTER 18  DEVELOPMENT REVIEW 18-1
1801. Purpose 18-1
1802. Pre-application Review 18-1
1803. Development Review Procedures 18-1
## Bay County Land Development Regulations

1804. Streamlined Permitting for Development Projects 18-4
1805. Required Application and Site Plan Information 18-6
1806. Inspection and Disposition 18-11
1807. Certificate of Acceptance 18-12

### CHAPTER 19  ENVIRONMENTAL STANDARDS 19-1
1901. Purpose 19-1
1902. Other Regulations 19-1
1903. Significant Natural Resources 19-1
1904. Environmental Standards 19-1
1905. Ecosystem Management Areas 19-4
1906. Deer Point Reservoir Protection Zone 19-5
1907. Habitat Conservation Areas 19-8
1908. Sand Hills Lakes 19-8
1909. Wetlands 19-9
1910. Potable Water Sources 19-11
1911. Tree Protection 19-12
1912. Outstanding Florida Waters (OFW) 19-16
1913. Deep Point Watershed 19-17
1914. Clustering 19-17
1915. Environmental Impact Analysis 19-18
1916. Protection of Natural Resources 19-18
1917. Turtle Lighting (ORD 02-07) 19-20

### CHAPTER 20  CONCURRENCY 20-1
2001. Purpose 20-1
2002. Certificate of Concurrency Required 20-1
2003. Adopted Levels of Service 20-1
2004. Initial Determination of Concurrency 20-1
2005. Burden of Proof 20-1
2006. De Minimus Exemptions 20-2
2009. Minimum Requirements for Certificate of Concurrency 20-7
2010. Expiration of Certificate of Concurrency 20-12
2011. Exceptions to Concurrency Requirements 20-12
2013. Monitoring 20-13
2014. Assurances 20-15
2015. Appeals 20-15

### CHAPTER 21  MOBILE HOME PARKS 21-1
2101. Purpose 21-1
2102. Permit Required 21-1
2103 Development and Operation Standards 21-1
CHAPTER 22  RECREATIONAL VEHICLE PARKS  22-1
2201. Purpose  22-1
2202. Permit Required  22-1
2203. General Requirements  22-1
2204. Allowable Uses  22-2
2205. Site Design Requirements  22-2

CHAPTER 23  SITE PREPARATION  23-1
2301. Purpose  23-1
2302. Land Clearing  23-1
2303. Adequate Grading  23-2
2304. Fill Material  23-3
2305. Excavation  23-4
2306. Mining Activities  23-6
2307. Landfills  23-7

CHAPTER 24  DRAINAGE AND STORMWATER MANAGEMENT  24-1
2401. Purpose  24-1
2402. Applicable State Requirements  24-1
2403. Applicable Federal Requirements  24-1
2404. Exemptions  24-1
2405. Obstruction of Drainage-Ways  24-2
2406. Uncontrolled Stormwater Runoff  24-2
2407 Drainage and Stormwater Management Plan  24-2
2408 Drainage and Stormwater Management Plan Adherence, Dedication and Maintenance  24-6
2409. Connection Permit  24-7
2410. Illicit Discharge  24-7

CHAPTER 25  PARKING AND ON-SITE CIRCULATION  25-1
2501. Purpose  25-1
2502. Off-Street Parking Required  25-1
2503. Exemptions  25-1
2504. Change in Use  25-1
2505. Parking Space Requirements  25-1
2506. Joint Use and Off-Site Facilities  25-4
2507. Design Standards  25-4
2508. Bicycle Parking Requirements  25-6
2509. Parking Structures  25-7
2510. Landscaping  25-8
2511. On-Site Circulation  25-8
2512. Parking Area Connectivity  25-9
2513. Alternate Methods and Materials  25-10

CHAPTER 26  ROADWAYS AND DRIVEWAYS  26-1
2601. Purpose  26-1
2602. State Highway System  
2603. County Road System  
2604. Functional Classifications  
2605. Minimum County Standards  
2606. General Requirements  
2607. Access Control  
2608. Right-of-Way  
2609. Private Driveways and Roadways  
2610. Right-of-Way Permits  
2611. Right-of-Way Abandonment  
2612. Sidewalks and Bikeways  
2613. Site Distance at Intersections and Driveways  
2614. Pedestrian Ways and Crosswalks

**CHAPTER 27**  UTILITIES  
2701. Purpose  
2702. Required Utilities  
2703. Responsibility for Utilities  
2704. Utility Ownership and Easement Rights  
2705. Guidelines and Standards  
2706. Permits Required  
2707. Water and Sewer Connections  
2708. Regulation of Public and Private Sewers  
2709. Sewer Construction and Connection  
2710. Communications Towers

**CHAPTER 28**  LANDSCAPING AND BUFFERS  
2801. Purpose and Intent  
2802. Applicability  
2803. Landscaping Plan Required  
2804. Required Landscaping  
2805. Landscaping Materials  
2806. Maintenance of Landscaped Areas  
2807. Shoreline Consideration  
2808. Buffers

**CHAPTER 29**  SUBDIVISIONS  
2901. Purpose  
2902. Applicability  
2903. Pre-Application Review  
2904. Subdivision Approval  
2905. On-Site Improvement Standards for Residential Subdivisions  
2906. Off-Site Improvements  
2907. Environmental Protection  
2908. Maintenance of Improvements  
2909. Site Clearing  
2910. Development of Floodplains
2911. Commercial Subdivisions 29-13
2912 Disclosure Required for Privately Maintained Subdivisions 29-14
2913. Restrictive Covenants and Deed Restrictions 29-14
2914. Relationship to S.H.I.P. Programs 29-14
2915. Plat Approval 29-14
2916. Plat Vacation and Right-of-Way 29-16
2917. Replat 29-20

CHAPTER 30 SIGNS 30-1
3001. Purpose 30-1
3002. General Provisions 30-1
3003. Exemptions 30-1
3004. Prohibited Signs 30-5
3005. General Sign Standards 30-7
3006. Off-Premises Sign Standards 30-8
3007. On-Premises Sign Standards 30-11
3008. Permits and Prohibited Work 30-15
3009. Existing Signs 30-17
3010. Enforcement 30-18
3011. Appeals 30-19

CHAPTER 31 TOURIST CORRIDORS 31-1
3101. Purpose 31-1
3102. Applicability 31-1
3103. Exterior Walls of Metal Buildings 31-1
3104. Underground Utilities and Landscaping of Utilities 31-2
3105. Sidewalks 31-2
3106. Waste and Recycling Containers 31-3
3107. Construction Sites Cleanliness, Construction Safety, and Hours of Construction Activity 31-4
3108. Screening of Construction Sites 31-5
3109. Construction Vehicles, Delivery Vehicles, and Worker Vehicles 31-6
3110. Outdoor Use of Amplifiers 31-7

CHAPTER 32 TRANSFERABLE DEVELOPMENT RIGHTS 32-1
3201. Purpose 32-1
3202. Applicability 32-1
3203. Definitions 32-1
3204. TDR Sending Sites 32-2
3205. TDR Receiving Sites 32-2
3206. Calculation of Residential Density Development Rights for TDR Sending Sites 32-2
3207. Calculation of Residential Density Development Rights for TDR Receiving Sites 32-3
3208. Calculation of Intensity Development Rights for TDR Sending Sites 32-3
3209. Calculation of Intensity Development Rights for TDR
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receiving Sites</td>
<td>32-4</td>
</tr>
<tr>
<td>3210. Application to Transfer Development Rights</td>
<td>32-4</td>
</tr>
<tr>
<td>3211. Administrative Review and Approval of the Application to</td>
<td>32-6</td>
</tr>
<tr>
<td>Transfer Development Rights</td>
<td></td>
</tr>
<tr>
<td>3212. Recording</td>
<td>32-7</td>
</tr>
<tr>
<td>3213. Monitoring</td>
<td>32-8</td>
</tr>
<tr>
<td>3214. Development of TDR Sending Sites</td>
<td>32-9</td>
</tr>
<tr>
<td>3215. Development of TDR Receiving Sites</td>
<td>32-9</td>
</tr>
<tr>
<td><strong>CHAPTER 33 PROPORTIONATE SHARE MITIGATION</strong></td>
<td>33-1</td>
</tr>
<tr>
<td>3301. Purpose</td>
<td>33-1</td>
</tr>
<tr>
<td>3302. Applicability</td>
<td>33-1</td>
</tr>
<tr>
<td>3303. Exclusions</td>
<td>33-1</td>
</tr>
<tr>
<td>3304. Minimum Requirements for Proportionate Fair-Share Mitigation</td>
<td>33-1</td>
</tr>
<tr>
<td>3305. Intergovernmental Coordination</td>
<td>33-3</td>
</tr>
<tr>
<td>3306. Application Process</td>
<td>33-3</td>
</tr>
<tr>
<td>3307. Methodology for Determining Proportionate Fair-Share Mitigation</td>
<td>33-4</td>
</tr>
<tr>
<td>3308. Certificate of Concurrency for Proportionate Fair-Share Mitigation</td>
<td>33-6</td>
</tr>
<tr>
<td>3309. Appropriation of Fair-Share Revenues</td>
<td>33-8</td>
</tr>
<tr>
<td>3310. Impact Fee Credit for Proportionate Fair-Share Mitigation</td>
<td>33-8</td>
</tr>
<tr>
<td><strong>CHAPTER 34 BEACHES SPECIAL TREATMENT ZONE</strong></td>
<td>34-1</td>
</tr>
<tr>
<td>3401. Purpose</td>
<td>34-1</td>
</tr>
<tr>
<td>3402. Definitions</td>
<td>34-1</td>
</tr>
<tr>
<td>3403. Minimum architectural, site development, and aesthetic standards</td>
<td>34-1</td>
</tr>
<tr>
<td>3404. Existing Mobile Homes</td>
<td>34-4</td>
</tr>
<tr>
<td>3405. Exceptions</td>
<td>34-4</td>
</tr>
<tr>
<td>3406-3410. Reserved</td>
<td>34-4</td>
</tr>
<tr>
<td><strong>CHAPTER 35 SUPPLEMENTAL STANDARDS</strong></td>
<td>35-1</td>
</tr>
<tr>
<td>3501 Purpose</td>
<td>35-1</td>
</tr>
<tr>
<td>3502 Glare and Illumination</td>
<td>35-1</td>
</tr>
<tr>
<td>3503 Screening of Open Storage</td>
<td>35-1</td>
</tr>
<tr>
<td>3504 Recreational Vehicles</td>
<td>35-1</td>
</tr>
<tr>
<td>3505 Commercial and Industrial Structures</td>
<td>35-1</td>
</tr>
<tr>
<td>3506 Commercial Wind Turbine Farms</td>
<td>35-1</td>
</tr>
<tr>
<td>3507 Parking Lot Vendors</td>
<td>35-2</td>
</tr>
<tr>
<td>3508 Hydraulic Fracturing</td>
<td>35-4</td>
</tr>
<tr>
<td><strong>CHAPTER 36 DETAILED SPECIFIC AREA PLAN DEVELOPMENT ORDERS</strong></td>
<td>36-1</td>
</tr>
<tr>
<td>3601 Purpose</td>
<td>36-1</td>
</tr>
<tr>
<td>3602 Pre-Application Review</td>
<td>36-1</td>
</tr>
<tr>
<td>3603 DSAP Review Procedures</td>
<td>36-1</td>
</tr>
<tr>
<td>3604 Standards of Review</td>
<td>36-3</td>
</tr>
<tr>
<td>3605 Development Review Procedures</td>
<td>36-4</td>
</tr>
<tr>
<td>3606 Required Application and Site Plan Information</td>
<td>36-5</td>
</tr>
</tbody>
</table>
3607  Term  36-8
3608  Inspection and Disposition  36-9
3609  Certificate of Acceptance  36-10

APPENDIX A  DEFINITIONS  A-1

APPENDIX A-1  SIGN DEFINITIONS  A1-1

APPENDIX A-2  TREE REPLANT LIST  A2-1