Monday, January 25, 2021, 4:00 PM

Panama City City Hall

501 Harrison Ave Room 010, Panama City, FL

1. Call Public Meeting To Order / Roll Call
2. Changes / Deletions To Agenda
3. Approval Of Minutes
4. Announcements – Disclosures (As Applicable)
5. Requests

5.a. Request One: Request For Annexation, Land Use Change, And Rezoning Of 83 Acres From Residential 1, R-1 (Bay County) To Urban Residential 2 (Panama City), UR-2, 7331 Morningside Dr, John Michael Forbis, Owner And James Slonina, Applicant.

Documents:

STAFF REPORT PB 21-22.PDF

5.b. Request Two: Request For Annexation, Land Use Change, And Rezoning Of 1.6 Acres From Agriculture, AG-1 To Mixed Use 3, MU-3 (Panama City), 7040 Bass Warren Rd, John Michael Forbis, Owner And James Slonina, Applicant.

Documents:

STAFF REPORT_7040 BASS WARREN RD_PB 21-23.PDF

5.c. Request Three: Request For Annexation, Land Use Change, And Rezoning Of 4.131 Acres From Agriculture, AG-1 And Commercial, C-3A To General Commercial 2, GC-2 (Panama City), 7731 Hwy 231, 7735 Hwy 231, 7739 Hwy 231, John Michael Forbis, Owner And James Slonina, Applicant.

Documents:

STAFF REPORT_7731 HWY 231_PB 21-24.PDF

5.d. Request Four: The Request To The City Is To Grant A Variance Vary The Corner Setback From 20’ To 5’ On 10th And Friendship Ave, 1701 W 11th Street, Charles R
Tate JR And Charles R Tate III, Owners, And Charles R Tate III, Applicant.

Documents:

STAFF REPORT 21-25.PDF


Documents:

BID-A-WEEN APARTMENTS LEVEL 3 DO APPROVAL.PDF

5.f. Request Six: Request For Land Use Change, And Rezoning Of .172 Acres From Public Institutional, P/I, Residential 1, R-1, 400 N MacArthur Avenue, Levoy Anderson, Applicant, And First United Methodist Of PC, FL, Inc., Owner.

Documents:

STAFF REPORT_PB 21-26.PDF

6. Adjourn
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:

Request One

Type of Application: Annexation/LSLUA/Rezone  
Case Number: PB 21-22

Applicant/ Owner: John Michael Forbis, owner and James Slonina, applicant.

Location of Property: 7331 Morningside Dr

Parcel ID Numbers: 05469-010-000 and 05469-011-148

Background: The applicant is requesting annexation, land use change and rezoning in order to access City services as well as to create more housing to better serve the needs of the community.

Special Treatment Zone: N/A

Wetlands: 05469-010-000 +/- 98%, 05469-011-148+/- 15%

Coastal High Hazard Area / Hurricane Vulnerability Zone:  N/A

Flood Zone: 05469-010-000 is in Flood Zone A (Source: 2009 FEMA maps), and 05469-011-148+/- 15% in Flood Zone A (Source: 2009 FEMA maps), the rest of this parcel is in Flood Zone X (Source: 2009 FEMA maps).

Area of Subject Property: 83 +/- acres (Source: Bay County Property Appraiser).

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change From: Residential (Bay County)</td>
<td>Residential 1, R-1(Bay County)</td>
</tr>
<tr>
<td>Change To: Urban Residential (Panama City)</td>
<td>Urban Residential 2, UR-2(Panama City)</td>
</tr>
</tbody>
</table>

Current use of the property: Incomplete residential development, residential use.

Proposed Use of the property: The applicant is requesting an annexation, land use change and rezoning in order to allow the development of this property as a residential community to better serve the needs of the community.
Directors’ Report:

Utilities Director: The City is entering into a contract with Bay County to provide water and sewer services to the referenced properties.

Comprehensive Plan Objectives and Policies:

Future Land Use Element

Policy 1.1.1: The City shall regulate land use through designation of land use districts on a Future Land Use Map. The Future Land Use Map shall be used to determine the location and extent of development within the City consistent with conservation of natural resources, availability of public facilities and services, and compatibility of adjacent land uses. Land Use districts depicted on the Future Land Use Map shall be described as follows. (In the following descriptions of Future Land Use categories, density standards shall apply to residential development and intensity standards shall apply to non-residential development.)

Sec. 104-30. - Urban Residential -2 (UR-2) zoning district.
The purpose of this zoning district is to provide for the efficient use of land by combining high-density residential development and neighborhood commercial uses within the same development

A. The following bulk regulations shall apply to property zoned as UR-2: the following:
   1. The impervious surface ratio (ISR) shall be no greater than 0.75 (or 75%) of the total parcel area.
   2. The floor area ratio (F.A.R.) shall be no greater than 0.75 or 75%.
   3. Have a density no greater than 30 dwelling units to the acre.
   4. Height. No structure nor any part thereof shall exceed a vertical height of 120 feet from the pre-construction ground elevation of the site to the ceiling of the highest habitable unit, plus 25 feet for roof and mechanical elevations, provided the ground floor elevation is above the base flood elevation as determined by a Florida Registered Surveyor. Where the site has various elevations, the height of the structure shall be measured from the base flood elevation of the site or the averaged site elevation, whichever is greater.
   i. Height limit exception. The height limit of 120 feet may be exceeded if certain building and construction criteria are met, if recommended by the Board of Architects and approved by the City Commission. Under no circumstances shall the height of the structure exceed 150 feet from the pre-construction ground elevation to the ceiling of the highest habitable unit, plus 25 feet for roof and mechanical elevations.
      a. Height enhancement criteria shall include the following:
         (1) 3 feet of height for every one foot of additional side lot setback.
         (2) Not to exceed 10 feet of height for each public access lane having a minimum width of 10 feet to the estuary, if applicable, plus 5 feet of height, if maintained by the developer in perpetuity and recommended by the Planning Board and approved by the City Commission.
         (3) 5 feet of height for appropriate use of low water demand plants in all required buffer or landscaped areas.
         (4) 5 feet of height for the use of drip irrigation or other low water use methods, i.e., wastewater or gray water irrigation.
         (5) 10 feet of height for projects designed so as to provide a varied skyline to provide for light and wind dynamics on adjacent properties and natural systems.
         (6) Not to exceed 10 feet of height based on a combination of unusual and unique architectural features; shoulder buildings below the maximum allowable height, public amenities associated with grounds or structures having public accessibility, but only if recommended by the Planning Board and approved by the City Commission.
(7) Not to exceed 10 feet of height based on a combination of the following, but only if recommended by the Planning Board and approved by the City Commission:
   i. Donation of environmentally sensitive lands to the city, subject to a conservation easement in perpetuity;
   ii. Donation of land of known archeological or historic value to the city, subject to a conservation easement in perpetuity;
   iii. Dedication of public space; iv. Public landscaping and maintenance off site; and
   v. Saving champion or heritage trees, or green area dedication to the public.

5. Minimum setbacks.
   i. For those developments with only a residential use shall be:
      a. 15 feet from the front parcel line.
      b. 20 feet from the rear parcel line.
      c. 5 feet from the side parcel lines.
      d. Side setbacks may be decreased to 0 feet only when there is a common wall between units.
   ii. For those developments that include a nonresidential use which is adjacent to residential uses shall be:
      a. 15 feet from the front parcel line.
      b. 30 feet from the rear parcel line.
      c. 12 feet from the side parcel lines.

6. Minimum Lot Size of 3,000 square feet.

B. The following uses are allowed in UR-2 zoning district; all other uses are prohibited:
   1. Single-family detached dwellings on individual parcels;
   2. Community residential homes shall be allowed when six (6) or fewer residents are located in a single-family, residential dwelling provided that such homes are not located within 1,000 feet of one another and when the location of such homes does not substantially alter the nature and character of the area. Such use must be licensed by a state agency as listed in F.S. § 419.001(1)(b).
   4. Public or non-commercial private recreation.
   5. Accessory uses or structures as set forth in chapter 104, articles IV and V.
   6. Public utilities customarily found in residential areas.
   7. Family day care homes pursuant to F.S. § 125.0109.
   8. Bed and Breakfast Inns, not to exceed six rental rooms;
   9. Attached dwellings;
   10. Multi-family structures up to 30 dwelling units per acre;
   11. Neighborhood-scale commercial uses, not to exceed 20,000 square feet of heated and cooled space in size per parcel. Such uses may include:
      i. Professional office and personal services.
      ii. Private child care or day care for children.
      iii. Commercial recreational facilities.
      iv. Grocery and convenience retail including, but not limited to, beauty parlor, barber shop, laundromat, dry cleaner, and other retail establishments meant to serve the immediate vicinity.
      v. Athletic clubs, dance or music studios.
      vi. Food establishments without a drive-through window.
      vii. Other similar uses serving the neighborhood area.

C. Additional Requirements.
   1. Provide off-street parking as specified in Chapter 108.
   2. Conform to the landscaping and buffering requirements as specified in Chapter 107.
   3. No more than 15% of this zoning district, in combination with the UR-2 zoning district, may be used for neighborhood commercial uses. This analysis shall be made on a continuous basis and shall be assessed on a city-wide basis.
   4. Locate ingress and egress to minimize traffic impacts to adjacent neighborhoods.
Land Development Regulations:

Section 102-82(e)

Stipulates that a land use change requires the Planning Board to determine a positive finding for the proposed Comprehensive Plan Amendment and/or rezoning request on the following four (4) criteria:

1. *Not degrade the established level of services in the Comprehensive Plan or the minimum concurrency requirements.*

   This impact is de minimis, which is not subject to concurrency review.

2. *In harmony with the general intent of the Comprehensive Plan. (Goals listed as applicable.)*

   The goal of the Future Land Use Element of the Comprehensive Plan (Goal 1A) is to establish a defined pattern of land use guiding the provisions of public facilities and providing predictability in managing development. This request fits within the general intent of this Element.

   The goal of the Utilities Element, Sanitary Sewer Sub-Element (Goal 4A) is to provide adequate sewage capacity and collection facilities to accommodate anticipated population demand.

   The goal of the Utilities Element, Solid Waste Sub-Element (Goal 4B) is to ensure that adequate and efficient solid waste collection is available for the City.

   The goal of the Utilities Element, Potable Water Sub-Element (Goal 4D) is to provide adequate, safe and sanitary water distribution capability to accommodate existing and future demand.

   No level of service standards will be exceeded by this Future Land Use map amendment.

3. *Not exceed traffic limitations, create a fire hazard, or a hazard to the public health, welfare and safety.*

   This impact is de minimis, which is not subject to concurrency review.

4. *Compatible with adjacent land uses and districts, and not create a potential nuisance.*

   The proposed Land Use amendment/zoning change is not expected to create a nuisance to nearby homeowners.

Pursuant to Section 102-82(e):

The Planning Board shall not recommend approval of a plan amendment unless it makes a positive finding, based on competent evidence, on each of the following:

(1) The proposed plan amendment will not degrade level of service standards established in the comprehensive plan, or minimum concurrency requirements;
(2) The proposed plan amendment is in harmony with the general intent of the comprehensive plan;
(3) The proposed plan amendment will not exceed traffic limitations, cause a fire hazard, or create a hazard to the public health, welfare and safety;
(4) Changes in land use designations or districts must be compatible with adjacent land uses and districts, and one that will not become a potential nuisance.

Summary of Findings:
The request will not result in any deficiencies in concurrency standards. Proposed development on the site is compatible with the development standards pertinent to the proposed Land Use and zoning designations. The request meets all requirements of the Comprehensive Plan and the Land Development Regulations.

__________________________
Tina Scibelli
Planner II

__________________________
December 8, 2020
Date
Exhibit A
Annexation
City of Panama City
Request Two

**Type of Application:** Annexation/SSLUA/Rezone

**Case Number:** PB 21-23

**Applicant/Owner:** John Michael Forbis, owner and James Slonina, applicant

**Location of Property:** 7040 Bass Warren Rd

**Parcel ID Numbers:** 05636-032-000

**Background:** The applicant has requested annexation into the City for City services and land use/zoning change from agricultural to MU-3 in order to build more housing.

**Special Treatment Zone:** N/A

**Wetlands:** N/A

**Coastal High Hazard Area / Hurricane Vulnerability Zone:** N/A

**Flood Zone:** The property is located in X (*Source: 2009 FEMA maps*).

**Area of Subject Property:** 1.6 +/- acres (*Source: Bay County Property Appraiser*).

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<tr>
<td>Change To:</td>
<td>Mixed Use 3, MU-3</td>
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</tbody>
</table>

**Proposed Use of the property:** The applicant has requested land use/zoning change from agricultural to MU-3 in order to build more housing.

**Directors’ Report:**

**Utilities Director:** The City is entering into a contract with Bay County to provide water and sewer services to the referenced properties.

**Comprehensive Plan Objectives and Policies:**
Future Land Use Element

Policy 1.1.1: The City shall regulate land use through designation of land use districts on a Future Land Use Map. The Future Land Use Map shall be used to determine the location and extent of development within the City consistent with conservation of natural resources, availability of public facilities and services, and compatibility of adjacent land uses. Land Use districts depicted on the Future Land Use Map shall be described as follows. (In the following descriptions of Future Land Use categories, density standards shall apply to residential development and intensity standards shall apply to non-residential development.)

Sec. 104-32. - Mixed use-3 (MU-3) zoning district.

The purpose of this zoning district is to provide areas for medium- to high-density residential development, in combination with professional offices, educational, and low-intensity, neighborhood commercial uses.

a) Development on parcels designated as Mixed use-3 (MU-3) on the zoning map shall:
   1) Have a density no greater than twenty dwelling units to the acre.
   2) Locate ingress and egress to minimize traffic impacts to adjacent neighborhoods.
   3) Have a mixture of two or more uses within the same development. Such uses must be of the following categories: residential, office, retail, civic, educational, and light industrial.
   4) Provide off-street parking as specified in chapter 108.
   5) Conform to the landscaping and buffering requirements as specified in chapter 107.

b) The following bulk regulations shall apply to property zoned as MU-3:
   1) All structures shall have a maximum height limitation of 65 feet above base flood elevation (BFE) or the crown of the adjacent roadway, whichever is higher.
   2) The impervious surface ratio shall be no greater than 0.75 of the total parcel area.
   3) The floor area ratio shall not exceed 0.75.
   4) Minimum setbacks shall be:
      Fifteen feet from the front parcel line.
      Twenty feet from the rear parcel line.
      Five feet from the side parcel lines.
      Side setbacks may be decreased to 0 feet only when there is a common wall between units.

   Except, minimum setbacks for properties adjacent to an R-1 or R-2 zoning district shall be:
      Fifteen feet from the front parcel line.
      Thirty feet from the rear parcel line.
      Twelve feet from the side parcel lines.

c) The following uses are allowed in the MU-3 zoning district; all other uses are prohibited:
   1. Single-family detached dwellings on individual parcels;
   2. Community residential homes shall be allowed when 6 or fewer residents are located in a single-family, residential dwelling provided that such homes are not located within 1,000 feet of one another and when the location of such homes does not substantially alter the nature and character of the area. Such use must be licensed by a state agency as listed in Section 419.001(1)(b) Florida Statutes.
   4. Public or noncommercial private recreation.
   5. Accessory uses or structures as set forth in Chapter 104, Article IV and V.
   6. Public utilities customarily found in residential areas;
   7. Family day care homes pursuant to Section 125.0109, Florida Statutes;
   8. Bed and Breakfast Inns;
   9. Attached dwellings, up to 5 units attached.
   10. Multi-family structures up to 20 dwelling units per acre.
11. Neighborhood-scale commercial uses, not to exceed 20,000 square feet of heated and cooled space in size per parcel. Such uses may include:
   i. Professional office and personal services.
   ii. Private child care or day care for children.
   iii. Commercial recreational facilities.
   iv. Grocery and convenience retail including, but not limited to, beauty parlor, barber shop, laundromat, dry cleaner, and other retail establishments meant to serve the immediate vicinity.
   v. Athletic clubs, dance or music studios.
   vi. Food establishments without a drive-through window.
   vii. Other similar uses serving the neighborhood area.
12. Uses with drive-through structural components, except for those uses associated with a restaurant business.
13. Retail business

Land Development Regulations:

Section 102-82(e)

Stipulates that a land use change requires the Planning Board to determine a positive finding for the proposed Comprehensive Plan Amendment and/or rezoning request on the following four (4) criteria:

1. Not degrade the established level of services in the Comprehensive Plan or the minimum concurrency requirements.

   This impact is de minimis, which is not subject to concurrency review.

2. In harmony with the general intent of the Comprehensive Plan. (Goals listed as applicable.)

   - The goal of the Future Land Use Element of the Comprehensive Plan (Goal 1A) is to establish a defined pattern of land use guiding the provisions of public facilities and providing predictability in managing development. This request fits within the general intent of this Element.
   - The goal of the Utilities Element, Sanitary Sewer Sub-Element (Goal 4A) is to provide adequate sewage capacity and collection facilities to accommodate anticipated population demand.
   - The goal of the Utilities Element, Solid Waste Sub-Element (Goal 4B) is to ensure that adequate and efficient solid waste collection is available for the City.
   - The goal of the Utilities Element, Potable Water Sub-Element (Goal 4D) is to provide adequate, safe and sanitary water distribution capability to accommodate existing and future demand.

   No level of service standards will be exceeded by this Future Land Use map amendment.

3. Not exceed traffic limitations, create a fire hazard, or a hazard to the public health, welfare and safety.

   This impact is de minimis, which is not subject to concurrency review.

4. Compatible with adjacent land uses and districts, and not create a potential nuisance.

   The proposed zoning district is compatible with adjacent land uses in the City. The proposed zoning designation of MU-3 is similar to the current zoning in the area.

Pursuant to Section 102-82(e):

The Planning Board shall not recommend approval of a plan amendment unless it makes a positive finding, based on competent evidence, on each of the following:
(1) The proposed plan amendment will not degrade level of service standards established in the comprehensive plan, or minimum concurrency requirements;
(2) The proposed plan amendment is in harmony with the general intent of the comprehensive plan;
(3) The proposed plan amendment will not exceed traffic limitations, cause a fire hazard, or create a hazard to public health, welfare and safety;
(4) Changes in land use designations or districts must be compatible with adjacent land uses and districts, and one that will not become a potential nuisance.

Summary of Findings:
The request will not result in any deficiencies in concurrency standards. Proposed development on the site is compatible with the development standards pertinent to the proposed Land Use and zoning designations. The request meets all requirements of the Comprehensive Plan and the Land Development Regulations.

____________________
December 4, 2020

Tina Scibelli       Date
Planner II
Exhibit A
Annexation
City of Panama City

Legend
- Parcels

1 inch = 250 feet
Exhibit A

FLUM
City of Panama City

Legend

Future Landuse
- Downtown District
- Residential
- General Commercial
- Mixed Use
- Preservation
- Public/Institutional
- Recreation
- Industry
- Silviculture
- Urban Community
- Urban Residential
- Bay
- Residential Vested
- Ditch
- Lake
- Water
- Parcels

1 inch = 250 feet
Exhibit A

Zoning
City of Panama City

Legend

- **Downtown District**
- **General Commercial - 1**
- **General Commercial - 2**
- **Heavy Industry**
- **Light Industry**
- **Mixed Use - 1**
- **Mixed Use - 2**
- **Mixed Use - 3**
- **Planned Unit Development (PUD)**
- **Preservation**
- **Public/Institutional**
- **Recreation**
- **Residential - 1**
- **Residential - 2**
- **Silviculture**
- **Shoreline**
- **Water**
- **NOT ZONED**
- **Parcels**

1 inch = 250 feet
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:

Request Three

**Type of Application**: Annexation/SSLUA/Rezone  
**Case Number**: PB 21-24

**Applicant/ Owner**: John Michael Forbis, owner and James Slonina, applicant

**Location of Property**: 7731 Hwy 231, 7735 Hwy 231, 7739 Hwy 231

**Parcel ID Numbers**: 05636-028-000, 05636-031-000, 05636-030-000

**Background**: The applicant has requested annexation into the City for City services and land use/zoning change from agricultural and commercial to GC-2 for commercial businesses.

**Special Treatment Zone**: N/A

**Wetlands**: small SW portion of 7731 Hwy 231

**Coastal High Hazard Area / Hurricane Vulnerability Zone**: N/A

**Flood Zone**: A small SW portion of 7731 Hwy 231 is located in A (Source: 2009 FEMA maps). The property is located in X (Source: 2009 FEMA maps).

**Area of Subject Property**: 4.131 +/- acres (Source: Bay County Property Appraiser).

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<td>Commercial (Bay County)</td>
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<td><strong>Change To:</strong></td>
<td>General Commercial</td>
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</table>

**Proposed Use of the property**: The applicant has requested annexation into the City for City services and land use/zoning change from agricultural and commercial to GC-2 for commercial businesses.

**Directors’ Report:**

**Utilities Director**: The City is entering into a contract with Bay County to provide water and sewer services to the referenced properties.
Comprehensive Plan Objectives and Policies:

Future Land Use Element

Policy 1.1.1: The City shall regulate land use through designation of land use districts on a Future Land Use Map. The Future Land Use Map shall be used to determine the location and extent of development within the City consistent with conservation of natural resources, availability of public facilities and services, and compatibility of adjacent land uses. Land Use districts depicted on the Future Land Use Map shall be described as follows. (In the following descriptions of Future Land Use categories, density standards shall apply to residential development and intensity standards shall apply to non-residential development.)

Sec. 104-38. - General Commercial -2 (GC-2) zoning district.

The purpose of this zoning district is to provide areas for neighborhood commercial activity including retail sales and services, professional offices and services, and other similar land uses.

A. The following bulk regulations shall apply to property zoned as GC-2:
   1. The impervious surface ratio shall be no greater than 0.90 (or 90%) of the total parcel area.
   2. The floor area ratio (FAR) may not exceed 3.0 (or 300%).
   3. No maximum height.
   4. Minimum setbacks shall be:
      i. 15 feet from the front parcel line.
      ii. 20 feet from the rear parcel line.
      iii. 5 7 feet from the side parcel lines.
   5. Minimum setbacks for development adjacent to zoning districts that allow residential uses shall be:
      i. 15 feet from the front parcel line.
      ii. 30 25' feet from the rear parcel line.
      iii. 12 feet from the side parcel lines.

B. The following uses are allowed in GC-2 zoning districts; all other uses are prohibited:

   1. All uses allowable in the GC-1 zoning district.
   2. Shopping centers.
   3. Vehicle dealers and repair shops (excluding scooter rental /sales).
   4. Adult entertainment subject to the requirements of Chapter 7, Article III of the Municipal Code.
   5. Big box retailers.
   6. Printing, publishing or other similar establishments.
   8. Wholesaling, warehousing, and indoor storage of goods or materials.
   9. Public utilities with exception to solid waste facilities and landfills.
   10. Cannabis Dispensing Facilities, and
   11. Other similar uses.

C. Additional Requirements.

   1. Confine ground and building lighting to the property and without causing direct light to protrude on adjacent properties.
   2. Screen garbage receptacles, trash containers, and dumpsters from public view, using opaque materials.
3. Provide off-street parking as specified in Chapter 108.
4. Conform to the landscaping and buffering requirements as specified in Chapter 107.
5. Not include any residential development.
6. The exterior of building facades visible from Highway 98 or Harrison Avenue shall not be constructed of metal unless:
   i. such wall is not visible by a pedestrian standing within the vehicular right-of-way of Highway 98 or Harrison Ave; or
   ii. such wall is completely covered by one or more of the following materials:
      - Brick
      - Stone
      - Stucco
      - Synthetic stucco
      - Cementitious materials
      - Exterior insulation
      - Wood siding, provided finish system that such siding is (EIFS) applied with no panel exceeding twelve (12) inches in height
      - Other non-ferrous material may be permissible, if determined by the Planning Dept. as a matter of fact to be aesthetically comparable and at least as opaque, weather resistant, and permanent as the materials listed above.

Land Development Regulations:

Section 102-82(e)

Stipulates that a land use change requires the Planning Board to determine a positive finding for the proposed Comprehensive Plan Amendment and/or rezoning request on the following four (4) criteria:

1. Not degrade the established level of services in the Comprehensive Plan or the minimum concurrency requirements.

   This impact is de minimis, which is not subject to concurrency review.

2. In harmony with the general intent of the Comprehensive Plan. (Goals listed as applicable.)

   - The goal of the Future Land Use Element of the Comprehensive Plan (Goal 1A) is to establish a defined pattern of land use guiding the provisions of public facilities and providing predictability in managing development. This request fits within the general intent of this Element.
   - The goal of the Utilities Element, Sanitary Sewer Sub-Element (Goal 4A) is to provide adequate sewage capacity and collection facilities to accommodate anticipated population demand.
   - The goal of the Utilities Element, Solid Waste Sub-Element (Goal 4B) is to ensure that adequate and efficient solid waste collection is available for the City.
   - The goal of the Utilities Element, Potable Water Sub-Element (Goal 4D) is to provide adequate, safe and sanitary water distribution capability to accommodate existing and future demand.

   No level of service standards will be exceeded by this Future Land Use map amendment.

3. Not exceed traffic limitations, create a fire hazard, or a hazard to the public health, welfare and safety.

   This impact is de minimis, which is not subject to concurrency review

4. Compatible with adjacent land uses and districts, and not create a potential nuisance.
The proposed zoning district is compatible with adjacent land uses in the City. The proposed zoning designation of GC-2 is similar to the current zoning in the area.

**Pursuant to Section 102-82(e):**

The Planning Board shall not recommend approval of a plan amendment unless it makes a positive finding, based on competent evidence, on each of the following:

1. The proposed plan amendment will not degrade level of service standards established in the comprehensive plan, or minimum concurrency requirements;
2. The proposed plan amendment is in harmony with the general intent of the comprehensive plan;
3. The proposed plan amendment will not exceed traffic limitations, cause a fire hazard, or create a hazard to public health, welfare and safety;
4. Changes in land use designations or districts must be compatible with adjacent land uses and districts, and one that will not become a potential nuisance.

**Summary of Findings:**
The request will not result in any deficiencies in concurrency standards. Proposed development on the site is compatible with the development standards pertinent to the proposed Land Use and zoning designations. The request meets all requirements of the Comprehensive Plan and the Land Development Regulations.

____________________

December 7, 2020  
Tina Scibelli  
Planner II
Exhibit A

FLUM
City of Panama City

Legend

Future Landuse:
- Downtown District
- General Commercial
- Residential
- Mixed Use
- Preservation
- Public/Institutional
- Recreation
- Industry
- Silviculture
- Urban Community
- Urban Residential
- Bay
- Ditch
- Lake
- Water
- Parcels

Subject Properties

1 inch = 250 feet
Staff findings of consistency with the pertinent Florida Statutes, the City’s Comprehensive Plan, and the City’s Land Development Regulations, along with the Staff recommendations, are as follows:

Request Four

**Owner/ Applicant:** Charles R Tate III, owner and applicant

**Case Number:** PB 21-25

**Address/Location:** 1701 W 11th Street

**Request:** To have a 5’ setback instead of 20’ from property line on 10th Court and Friendship Avenue.

**Land Use Designation / Zoning District:** Residential 1 (R-1)

**Tract Size:** 0.181 +/- acres

**Background:** The request to the City is to grant a variance to vary the corner setback from 20’ to 5’ on the side of the parcel nearest the intersection of 10th Court and Friendship Avenue. Due to the placement of the parcel lines on the property the standard setbacks would seem excessive.

**The Comprehensive Plan:**

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.

**The LDR Code:**

Sec. 104-26. – Residential-1 (R-1) zoning district.
4. Minimum setbacks shall be:
   i. 20 feet from the front parcel line.
   ii. 25 feet from the rear parcel line.
   iii. 7 feet from the side parcel lines
   iv. 20 feet from road side on corner lots

The Five Conditions (Section 102-42 (d)):

1. That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City;

   Yes, to improve building that exist

   This point is met.

2. That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community;

   None

   This point is met.

3. That the requested variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the City;

   To allow nicer building to be constructed

   This point is met.

4. That the plight of the petitioner is due to unique circumstances of the property or petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome;

   Property is 28 feet from road and 20 foot setback puts structure 48 feet from road

   This point is met.

5. That the variance requested is the minimum variance that is necessary to afford relief to the petitioner, while preserving the character, health, safety and welfare of the community;

   None

   This point is met.

Findings: The applicant's request to allow for a variance of the corner setback of 20’ to 5’ meets all five points of the Five Conditions.
According to Sec. 102-28 (Major Development Approval Review) of the City’s Unified Land Development Code (ULDC), any commercial development over three (3) stories in height is subject to final determination by the Planning Board.

The Bid-A-Wee Apartments Project, located on the east side of Florida Avenue and south of 19th Street, is proposing a four (4) story building over a ground parking floor. This project will consist of 144 apartment units with 216 parking spaces (including 8 handicapped spaces).

The project is presently under review by the technical reviewers within Public Works, Fire and Planning Departments. No development order has been issued until the determination by both the technical review staff and the Planning Board.
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:

Request Six

**Type of Application:** SSLUA/Rezone  
**Case Number:** PB 21-26

**Applicant/Owner:** Levoy Anderson, applicant, and First United Methodist of PC, FL, Inc., owner.

**Location of Property:** 400 N MacArthur Avenue

**Parcel ID Numbers:** 21096-000-000

**Background:** The applicant wishes to convert the church parsonage into a single-family residence and seek a variance for all the setbacks (which are nonconforming).

**Special Treatment Zone:** The property is located in the Downtown North CRA.

**Wetlands:** There are no wetlands on site.

**Coastal High Hazard Area / Hurricane Vulnerability Zone:** The property is not within the Coastal High Hazard Area.

**Flood Zone:** X (Source: 2009 FEMA maps)

**Area of Subject Property:** +/- 0.172 acres (Source: Bay County Property Appraiser).

<table>
<thead>
<tr>
<th></th>
<th>Land Use</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Change From:</strong></td>
<td>Public/Institutional (P/I)</td>
<td>Public/Institutional (P/I)</td>
</tr>
<tr>
<td><strong>Change To:</strong></td>
<td>Residential</td>
<td>Residential-1 (R-1)</td>
</tr>
</tbody>
</table>

**Current use of the property:** The property is currently a church parsonage.

**Proposed Use of the property:** The applicant wishes to convert the property to a single-family house.

**Directors’ Report:**

**Utilities Director:** Utilities has no comment.
Comprehensive Plan Objectives and Policies:

Future Land Use Element

Policy 1.1.1: The City shall regulate land use through designation of land use districts on a Future Land Use Map. The Future Land Use Map shall be used to determine the location and extent of development within the City consistent with conservation of natural resources, availability of public facilities and services, and compatibility of adjacent land uses. Land Use districts depicted on the Future Land Use Map shall be described as follows. (In the following descriptions of Future Land Use categories, density standards shall apply to residential development and intensity standards shall apply to non-residential development.)

5. Residential (R)

   (a) **Intent** - This category is intended to provide areas for the preservation or development of neighborhoods consisting of primarily single-family dwelling units on individual lots.

   (b) **Density** – Maximum density shall be no more than 10 dwelling units per acre.

   (c) **Impervious Surface Area** – No more than 0.50 lot coverage.

   (d) **Allowable uses** – Residential single-family and multi-family up to 4 units attached, public and private schools grades K – 12, utilities, and public or non-commercial private recreation.

Land Development Regulations:

Sec. 104-26. - Residential-1 (R-1) zoning district.

The purpose of this zoning district is to provide areas for the preservation or development of residential neighborhoods consisting of detached single-family dwelling units on individual lots.

A. The following bulk regulations shall apply to property zoned as R-1:
   1. The impervious surface ratio (ISR) shall be no greater than 0.60 (60%) of the total parcel area.
   2. Have a density no greater than 5 dwelling units to the acre.
   3. All structures shall have a maximum height limitation of 35 feet above base flood elevation (BFE) or crown of the adjacent roadway, whichever is higher.
   4. Minimum setbacks shall be:
      i. 20 feet from the front parcel line
      ii. 25 feet from the rear parcel line
      iii. 7 feet from the side parcel lines
      iv. 20 feet from roadside on corner lots
   5. Have a minimum lot size of 6,000 square feet for newly created lots.
   6. Have a minimum lot frontage of:
      i. square or rectangular lot: 60 feet
      ii. corner: 70 feet
      iii. cul-de-sac or corner: 20 feet
B. The following uses are allowed in the R-1 zoning district; all other uses are prohibited.

1. Single-family detached dwellings on individual parcels;
2. Community residential homes shall be allowed when 6 or fewer residents are located in a single-family, residential dwelling provided that such homes are not located within 1,000 feet of one another and when the location of such homes does not substantially alter the nature and character of the area. Such use must be licensed by a state agency as listed in Section 419.001(1)(b) Florida Statutes.
4. Public or noncommercial private recreation.
5. Accessory uses or structures as set forth in Chapter 110.
6. Public utilities customarily found in residential areas;
7. Family day care homes pursuant to Section 125.0109, Florida Statutes.

Summary of Findings:
The request will not result in any deficiencies in concurrency standards. Proposed development on the site is compatible with the development standards pertinent to the proposed Land Use and zoning designations. The request meets all requirements of the Comprehensive Plan and the Land Development Regulations.

________________
December 7, 2020
Mike Lane, AICP      Date
Director
Exhibit A

Zoning Map
City of Panama City

Legend
- Downtown District
- General Commercial - 1
- General Commercial - 2
- Heavy Industry
- Light Industry
- Mixed Use - 1
- Mixed Use - 2
- Mixed Use - 3
- Planned Unit Development (PUD)
- Public/Institutional
- Recreation
- Residential - 1
- Residential - 2
- Shoreline
- Shoreline
- Silviculture
- Water
- NOT ZONED
- Parcels
- Urban Residential 1
- Urban Residential 2
- Urban Residential 3

1 inch = 83 feet