



# CITY COMMISSION MEETING 9-9-19

## Agenda Item

## Request Form



**ITEM:** First reading of Ordinance 2701.1, voluntary annexation of 5.098 acres of property located at 1318 St Andrews Blvd.

**BACKGROUND INFORMATION:** The applicant is requesting an annexation, land use change, and rezoning in order to better utilize the parcels as a Commercial property with frontage on Highway 390. The property is currently vacant. Daniel P Sullivan, owner and applicant.

The Planning Board considered this item on August 12, 2019. The request was approved unanimously.

**DEPARTMENT HEAD RECOMMENDATION:** Conduct a first reading of the request for annexation.

**ORDINANCE NO. 2701.1**

**AN ORDINANCE OF THE CITY APPROVING THE VOLUNTARY ANNEXATION OF 5.098 ACRES OF UNINCORPORATED PROPERTY LOCATED AT 1318 ST ANDREWS BLVD, BAY COUNTY, FLORIDA, INTO THE CITY, AS FURTHER DEFINED HEREINAFTER, AMENDING THE WARDS AND BOUNDARIES OF THE CITY TO INCLUDE SAID LAND AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY, FLORIDA:**

**SECTION 1.** The City of Panama City, Florida, does hereby annex the following described unincorporated property into the municipal limits of the City of Panama City, Florida, to wit:

*Beginning at the Southeast (SE) Corner of Five Acre Tract No. Twenty-nine (29), according to St. Andrews Bay Development Company's Plat of Section 30, Township Three (3) South, Range Fourteen (14) West, thence run North along the East boundary line of the said Tract No. 29 a distance of 135 feet for a point of beginning; thence run West 111 feet, more or less, to the Easterly Right-of-Way Line of State Road No. 390; thence run in a Northeasterly direction along the Easterly Right-of-Way Line of the said State Road No. 390 a distance of 165 feet, more or less, to the South Right-of-Way line of a presently existing County Road; thence East along the South Rightof-Way Line of the said County Road to the East boundary line of the above described Tract No. 29; thence South along the East boundary line of Tract No. 29 to the Point of Beginning. Said tract of land being located in the said Tract No. 29, St. Andrews Bay Development Company's Plat of Sec. 30, Twp. 3s, R14W, Bay County, Florida.*

Parcel Identification Number: 13077-000-000

*Lot Thirty (30), St. Andrews Bay Development Company's  
Plat, being in Section 30, Township 3 South, Range 14  
West.*

Parcel Identification Number: 13080-000-000

For Map of Property see "Exhibit A."

**SECTION 2.** The boundaries of the City of Panama City, Florida are hereby amended and redefined so as to include the above-described property.

**SECTION 3.** Ward Three (3) is hereby amended to reflect the inclusion of the above-described property in the aforesaid ward.

**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5.** This ordinance shall become effective upon its passage.

**PASSED, APPROVED, AND ADOPTED** at the regular meeting of the Mayor and City Commission of the City of Panama City, Florida the 23rd day of September, 2019.

**CITY OF PANAMA CITY, FLORIDA**

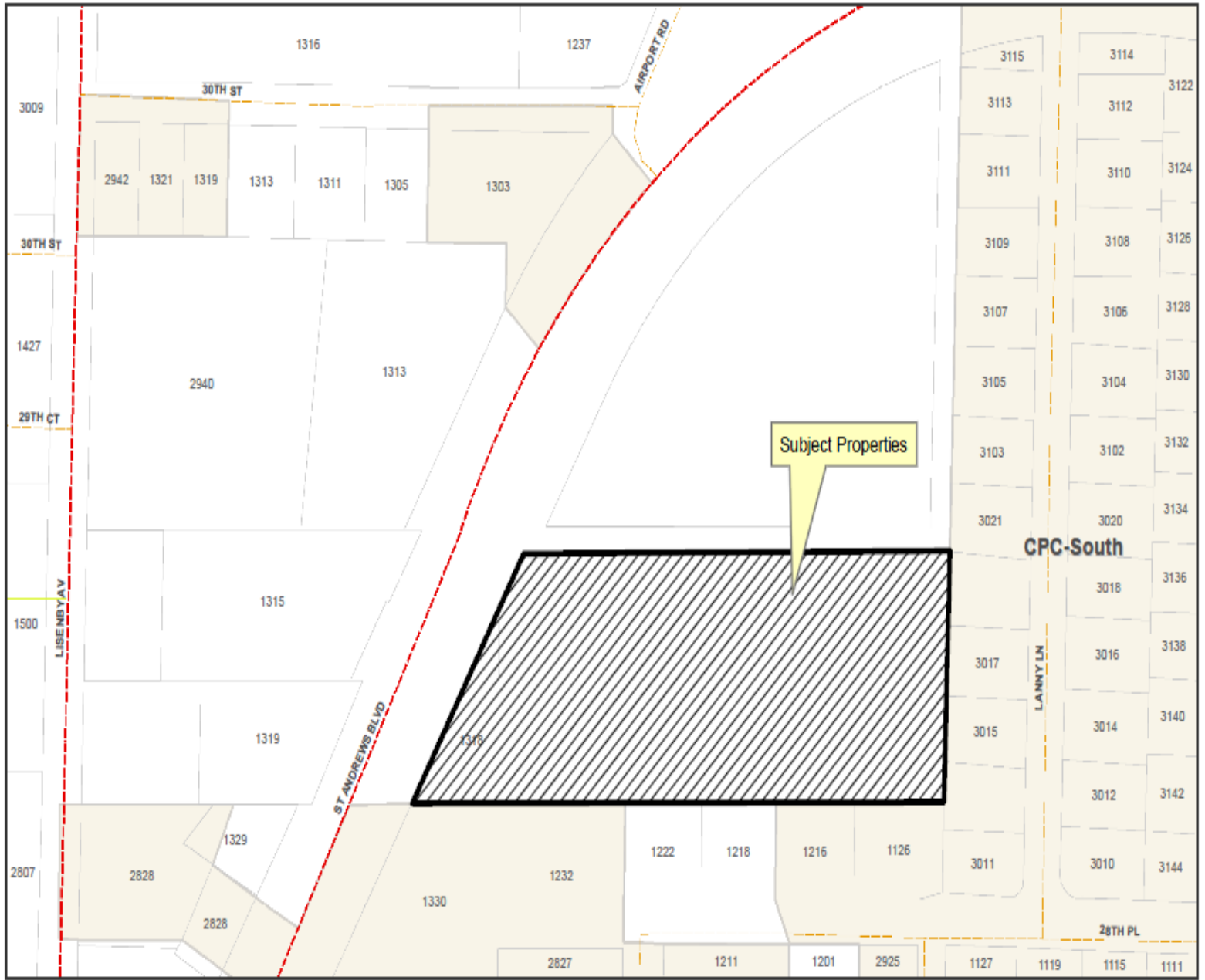
A Municipal Corporation,

By \_\_\_\_\_

Greg Brudnicki, Mayor


ATTEST:


\_\_\_\_\_  
T.D. Hachmeister, City Clerk-Treasurer





**Exhibit A:**  
**Annexation**  
**City of Panama City**

**Legend**

 Panama city Limits

 Parcels

1 inch = 173 feet



City of Panama City Planning and Economic Development Department

STAFF REPORT

Planning Board Applications for August 12, 2019

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: Annex/SSLUA/Rezone

Case Number: PB 19-35

Applicant/ Owner: Daniel P Sullivan, owner and applicant.

Location of Property: 1318 St Andrews Blvd

Parcel ID Numbers: 13077-000-000 and 13080-000-000

Background: The applicant is requesting an annexation, land use change and rezoning because the property is currently vacant and due to the extensive frontage on Highway 390 this property would be best used as commercial. This property has commercial properties to the north and all along Highway 390.

Special Treatment Zone: N/A

Wetlands: N/A

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

Flood Zone: Approximately 80% of parcel 13077-000-000 is AE (Source: 2009 FEMA maps) and the rest is X (Source: 2009 FEMA maps). The southern 1/3 of parcel 13080-000-000 is AE (Source: 2009 FEMA maps) and the rest is X (Source: 2009 FEMA maps).

Area of Subject Property: 5.098 +/- acres (Source: Bay County Property Appraiser).

	Land Use	Zoning
Change From:	Commercial Residential	C-3 R-1
Change To:	General Commercial	General Commercial-2, GC-2

Current use of the property: The property is currently vacant.

Proposed Use of the property: The applicant is requesting an annexation, land use change, and rezoning in order to better utilize the parcels as a Commercial property with Frontage on Highway 390.

Directors' Report:

Utilities Director: Water and sanitary sewer are currently not available to this property.

## **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) Development on parcels designated as General Commercial-2 (GC-2) on the zoning map shall:

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, except apartment complexes.
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: n Brick n Stone n Stucco n Synthetic stucco n Cementitious materials n Exterior insulation n Wood siding, provided finish system that such siding is (EIFS) applied with no panel exceeding twelve (12) inches in height n Other non-ferrous material may be permissible, if determined by the Planning Dept. as a matter of fact to be aesthetically comparable & at least as opaque, weather resistant, & permanent as the materials listed above (b)

The following bulk regulations shall apply to property zoned as GC-2:

- (1) No maximum height.
- (2) The impervious surface ratio shall be no greater than 0.90 of the total parcel area.
- (3) The floor area ratio shall not exceed 3.0.
- (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.

Except setbacks for developments that are adjacent to zoning districts which allow residential uses shall be:

- Fifteen feet from the front parcel line.
- Twenty Five feet from the rear parcel line.

Twelve feet from the side parcel lines.

(c) 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.
7. Business park.
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.

### **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 neighborhood surrounding the subject property is characterized by mostly Residential and Commercial properties. The proposed future land use change and rezoning of the subject property are compatible with the adjacent and surrounding 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 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. Existing 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.



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Tina Scibelli  
Planner I

Date July 9, 2019