



City of Panama City Planning and Economic Development Department

# STAFF REPORT

## Planning Board Applications for September 9, 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 Two

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

**Case Number:** PB 19-39

**Applicant/ Owner:** Lee H and Ashley M Taws, owners and applicants

**Location of Property:** 2303 Pretty Bayou Island Dr

**Parcel ID Numbers:** 26749-010-000

**Background:** The applicant has requested annexation into the City in order to utilize City services.

**Special Treatment Zone:** Not in any special treatment zones.

**Wetlands:** No wetlands on site.

**Coastal High Hazard Area / Hurricane Vulnerability Zone:** Evacuation Zone D

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

**Area of Subject Property:** 0.356 +/- acres (*Source: Bay County Property Appraiser*).

|                     | Land Use                  | Zoning                           |
|---------------------|---------------------------|----------------------------------|
| <b>Change From:</b> | Residential (Bay County)  | Residential R-1 (Bay County)     |
| <b>Change To:</b>   | Residential (Panama City) | Residential-1, R-1 (Panama City) |

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

**Proposed Use of the property:** The owner would like to build a single family residence.

#### Directors' Report:

Utilities Director: Water is only available from Highway 390/St. Andrews Blvd. Sewer is only available to this property by a private pump station to force main on Highway 390/St. Andrews Blvd. The applicant will be required to execute a copy of the City's grinder pump/low pressure sewer agreement before connection. Annexation is required.

## 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. 104-27. - 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) Development on parcels designated as Residential-1 (R-1) on the zoning map shall:
  - 1) Have a density no greater than five dwelling units to the acre.
  - 2) Have a minimum lot size of 8,000 square feet.
  - 3) Provide off-street parking as specified in chapter 105, article V.
  - 4) Have a minimum lot frontage of:
    - Square or rectangular lot: 80 feet
    - Corner: 100 feet
    - Cul-de-sac or corner: 20 feet
- b) The following bulk regulations shall apply to property zoned as R-1:
  - 1) All structures shall have a maximum height limitation of 35 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 0.40 of the total parcel area.
  - 3) Minimum setbacks shall be:
    - Twenty feet from the front parcel line.
    - Thirty feet from the rear parcel line.
    - Seven feet from the side parcel lines.
- c) 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 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).
  - 3) Public and private schools grades K—12.
  - 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.  
(Ord. No. 2421, § 1(Exh. A), 12-13-2011)

**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 development is located in a residential area with surrounding land uses and zoning that match the Residential land use. The proposed Land Use amendment/zoning change will not create a nuisance

**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.

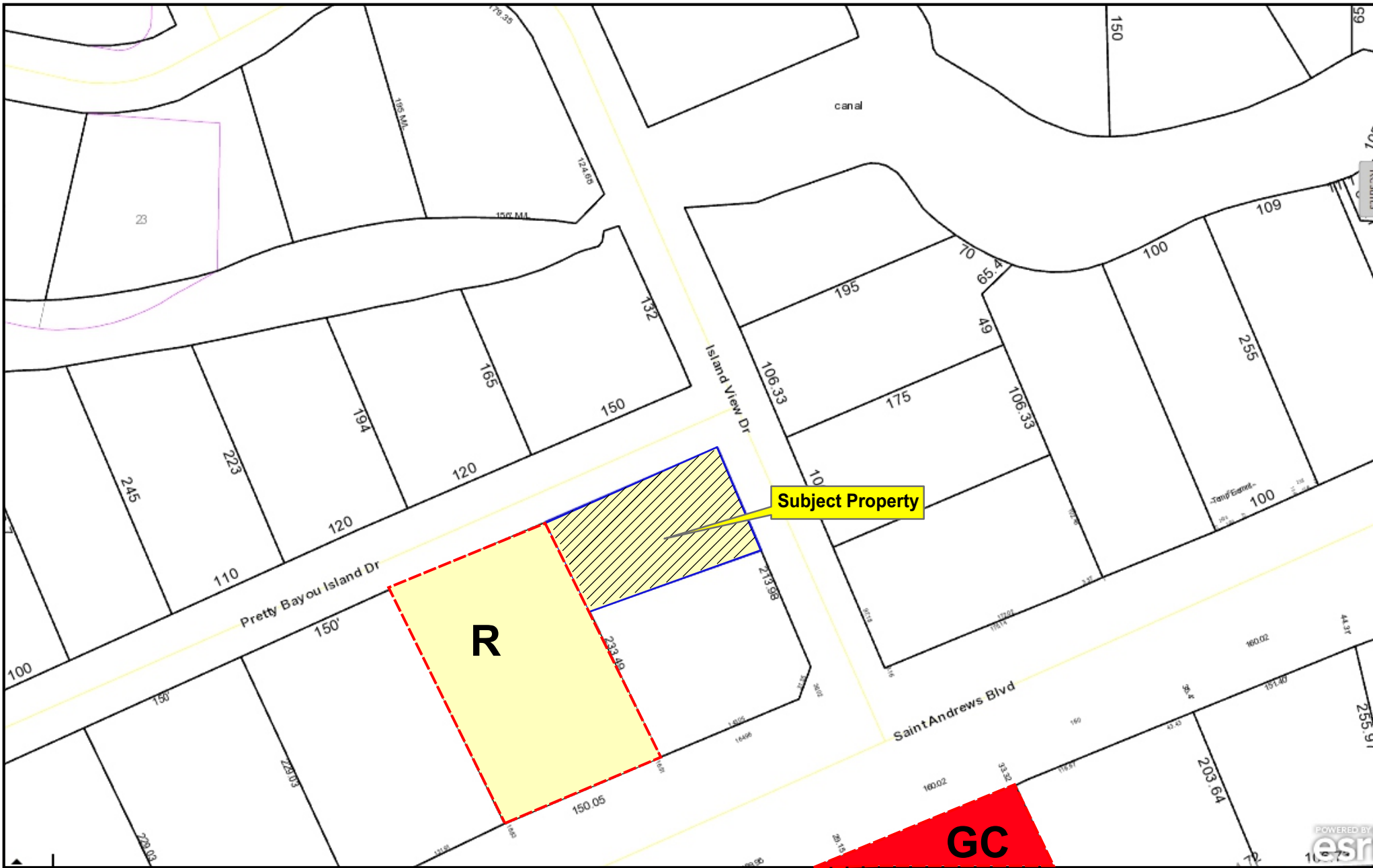


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Tina Scibelli  
Planner I

August 12, 2019  
Date





**Exhibit A**

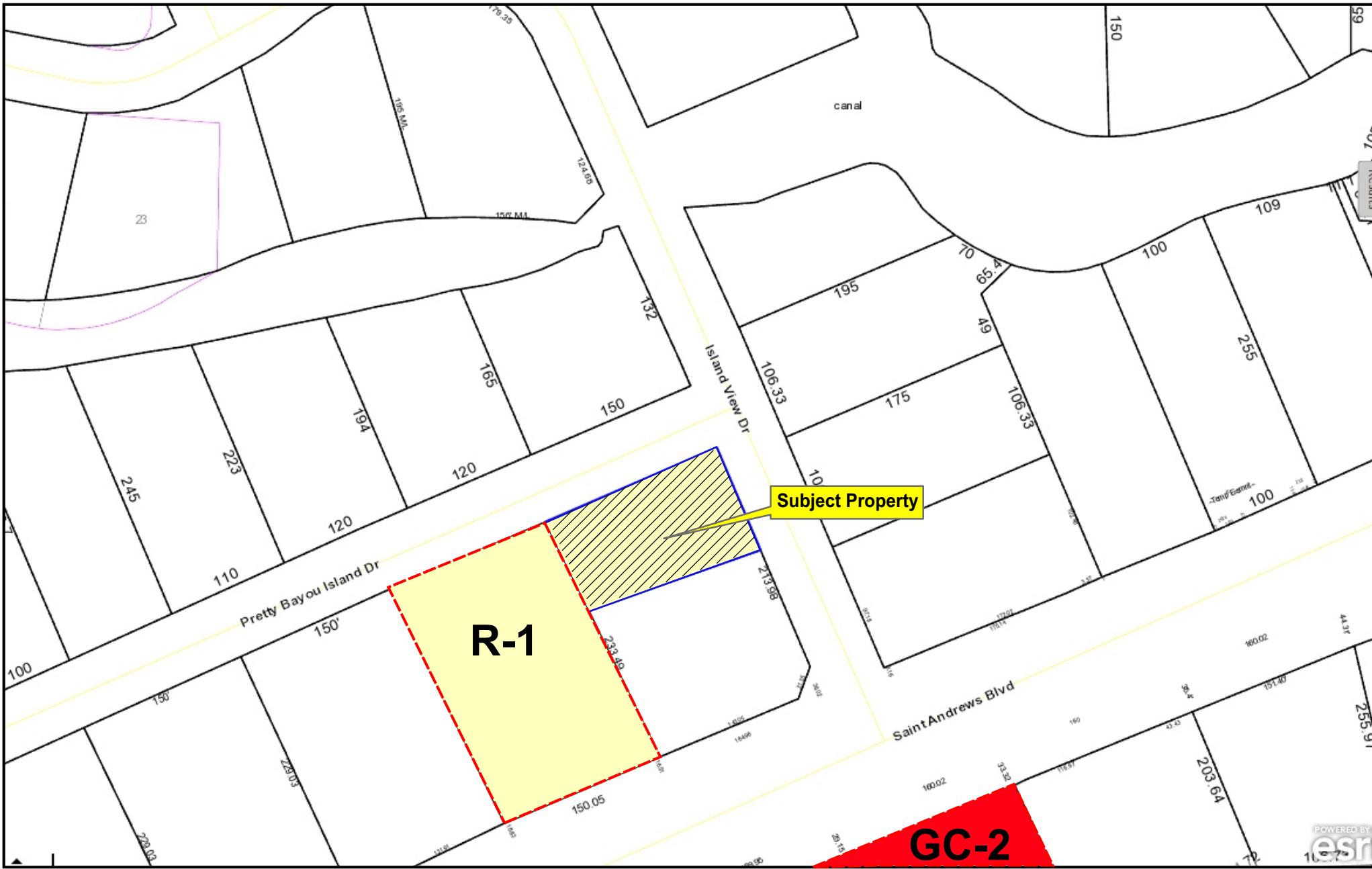
**FLUM  
City of Panama City**

**Legend**

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



1 inch = 80 feet



**Exhibit A**  
**Zoning Change**  
**City of Panama City**

**Legend**

|                         |                                |                     |            |                     |
|-------------------------|--------------------------------|---------------------|------------|---------------------|
| <b>Zoning Districts</b> |                                | Mixed Use - 1       | Recreation | Urban Residential 3 |
| Downtown District       | Mixed Use - 2                  | Residential - 1     | Shoreline  | Water               |
| General Commercial - 1  | Mixed Use - 3                  | Residential - 2     | NOT ZONED  | Parcels             |
| General Commercial - 2  | Planned Unit Development (PUD) | Silviculture        |            |                     |
| Heavy Industry          | Preservation                   | Urban Residential 1 |            |                     |
| Light Industry          | Public/Institutional           | Urban Residential 2 |            |                     |



1 inch = 80 feet

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