



# CITY COMMISSION MEETING 10-8-19

## Agenda Item

## Request Form

**ITEM:** First reading of Ordinance 2705.1, voluntary annexation of 2.766 acres of property located at 2804 Airport Rd.

**BACKGROUND INFORMATION:** The applicant has requested annexation into the City in order to utilize City services. The property currently has a single family residence. The owner would like continue to use of the property as a residential use. Panhandle Development, LLC, owners and Scott Gary, applicant.

The Planning Board considered this item on September 9, 2019. The request was approved unanimously.

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

**ORDINANCE NO. 2705.1**

**AN ORDINANCE OF THE CITY APPROVING THE VOLUNTARY ANNEXATION OF 2.766 ACRES OF UNINCORPORATED PROPERTY LOCATED AT 2804 AIRPORT RD, 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:

*COMMENCE AT THE SOUTHWEST CORNER OF LOT 54, ST. ANDREWS BAY DEVELOPMENT COMPANY'S SUBDIVISION OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 14 WEST ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 6, PAGE 20 IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE EAST FOR 33 FEET; THENCE NORTH 293.75 FEET TO THE POINT OF BEGINNING. THENCE NORTH FOR 136.25 FEET; THENCE NORTH 89 DEGREES 51'27" EAST FOR 627 FEET TO THE EAST LINE OF LOT 43; THENCE SOUTH 00 DEGREES 02'56" WEST ALONG THE EAST LINE OF LOTS 43 AND 54 FOR 262.54 FEET; THENCE SOUTH 89 DEGREES 26'12" WEST FOR 400 FEET; THENCE NORTH 00 DEGREES 11'18" EAST FOR 130 FEET; THENCE SOUTH 89 DEGREES 26'12" WEST FOR 227 FEET TO THE POINT OF BEGINNING.*

*LESS AND EXCEPT:*

*COMMENCE AT THE SOUTHWEST CORNER OF LOT 54, ST. ANDREWS BAY DEVELOPMENT COMPANY'S SUBDIVISION OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 14 WEST, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 6, PAGE 20, IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE N89 DEGREES 51'27"E, 33 FEET TO A ROUND CONCRETE MONUMENT ON THE EXISTING EAST RIGHT OF WAY LINE OF AIRPORT ROAD; THENCE N00 DEGREES 01'09"E, ALONG SAID RIGHT OF WAY LINE FOR A DISTANCE OF 320.07*

*FEET TO THE POINT OF BEGINNING; THENCE N00 DEGREES 07'05"E, ALONG SAID RIGHT OF WAY LINE FOR A DISTANCE OF 110.00 FEET; THENCE N89 DEGREES 51'27"E, FOR A DISTANCE OF 220.00 FEET; THENCE S00 DEGREES 07'05"W, FOR A DISTANCE OF 110.00 FEET; THENCE S89 DEGREES 51'27"W; A DISTANCE OF 220.00 FEET TO THE POINT OF BEGINNING.*

Parcel Identification Number: 13100-000-000

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 22nd day of October, 2019.

**CITY OF PANAMA CITY, FLORIDA**  
**A Municipal Corporation,**

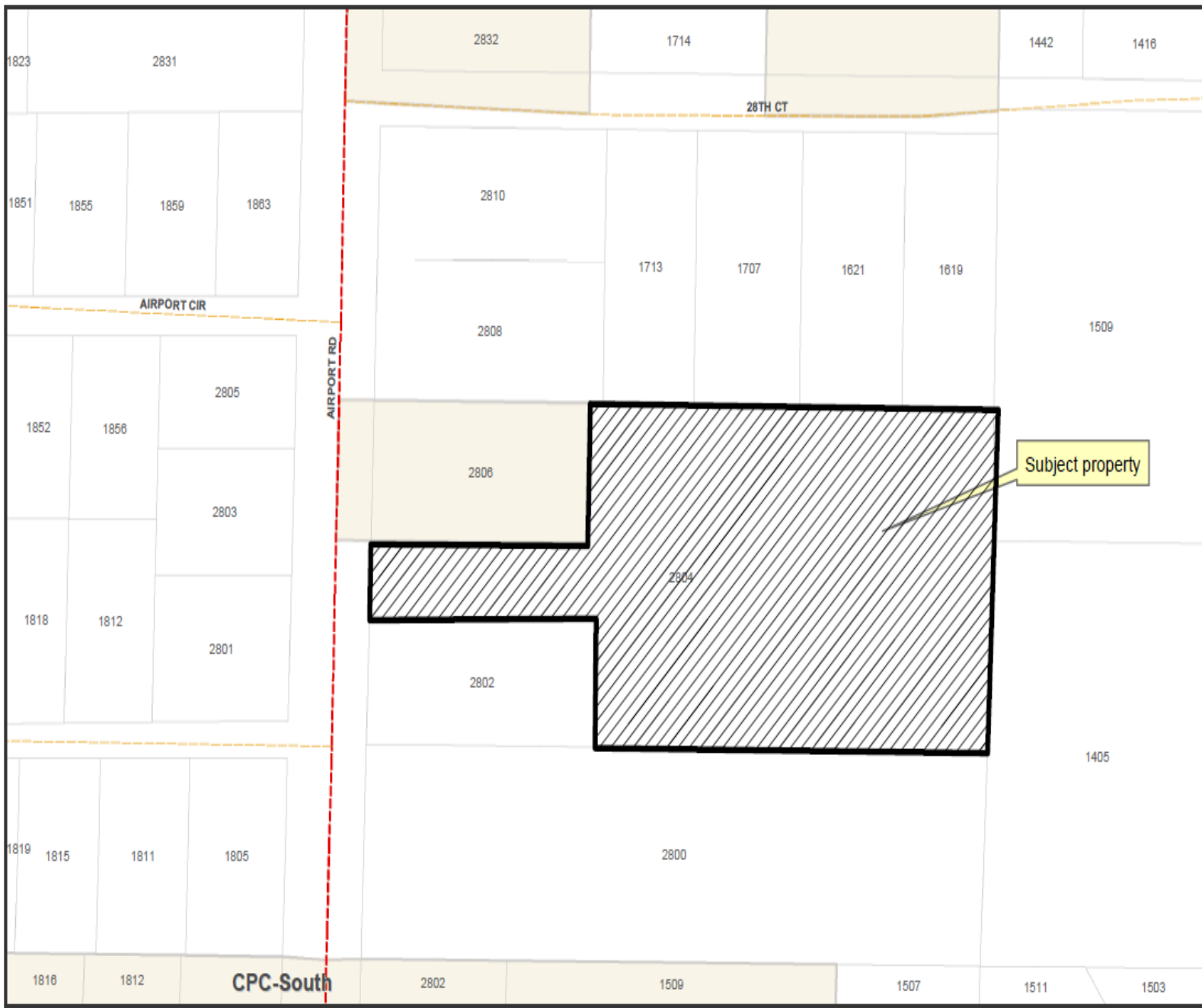
**By** \_\_\_\_\_

Greg Brudnicki, Mayor

**ATTEST:**



\_\_\_\_\_


T.D. Hachmeister, City Clerk-Treasurer




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

**Legend**

-  Panama city Limits
-  Parcels



N



1 inch = 117 feet



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 One

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

**Case Number:** PB 19-38

**Applicant/ Owner:** Panhandle Development, LLC, owners and Scott Gary, applicant

**Location of Property:** 2804 Airport Rd

**Parcel ID Numbers:** 13100-000-000

**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:** There is .19 +/- acres of wetlands on the east side of the parcel.

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

**Flood Zone:** X and .19 +/- acres of A (*Source: 2009 FEMA maps*).

**Area of Subject Property:** 2.766 +/- 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-2, R-2 (Panama City)

**Current use of the property:** The property currently has a single family residence.

**Proposed Use of the property:** The owner would like continue to use of the property as a residential use.

### Directors' Report:

Utilities Director: Water is available to this property. Sanitary sewer is not currently available. Annexation is required for city water services.

## **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-2 (R-2) zoning district.**

- a) The purpose of this zoning district is to provide for the preservation or development of residential neighborhoods consisting of dwelling units which may be attached or detached structures.
- b) Development on parcels designated as Residential-2 (R-2) on the zoning map shall:
  - 1) Have a density no greater than ten dwelling units to the acre.
  - 2) Have a minimum lot size of 5,000 square feet for detached single-family structures. A minimum lot size of 3,000 square feet shall be required for duplex, triplex, quadruplex, or other semi-detached row house-type structure with a common wall..
  - 3) Provide off-street parking as specified in chapter 108.
  - 4) Conform to the landscaping and buffering requirements as specified in Chapter 107.
- c) Minimum lot frontage of:
  - i. Detached Structures:
    - a. square or rectangular lot: 50 feet
    - b. corner: 60 feet
    - c. cul-de-sac or corner: 20 feet
  - ii. Attached Structures:
    - a. 20 feet
- d) The following bulk regulations shall apply to property zoned as R-2:
  - 1) All structures shall have a maximum height limitation of 50 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 0.60 (or 60%) of the total parcel area.
  - 3) Minimum setbacks shall be:
    - i. 20 feet from the front parcel lines.
    - ii. 20 feet from the rear parcel lines, except when adjacent to a land use category that allows for residential uses, then 25 feet is required.
    - iii. 5 feet from the side parcel lines when:
      - a. The structure contains multiple units under the same ownership; the side setback shall be from the footprint of the building as a whole and not each individual unit; and
      - b. The structure has multiple units under one roof and individual ownership for each unit, side setbacks may be decreased to 0 feet only when there is a common wall between units
- e) The following uses are allowed in the R-2 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.

3. Public and private schools grades K-12.
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. Duplexes, triplexes, quadplexes, etc.; up to 5 units attached.

### **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

July 29, 2019  
Date