



**PLANNING BOARD OF PANAMA CITY
PANAMA CITY, FLORIDA**

**MEETING MINUTES
September 9, 2019**

The City of Panama City Planning Board met on the above date with the following members present:

Mr. Ray Dubuque, Chairman
Mr. James Barker
Mr. Doug Crosby
Mr. Brian Neubauer
Ms. Mary Sittman

Also present: Mike Lane, Planning Director
 Tina Scibelli, Planner I
 Rebecca Ando, Administrative Assistant

Mr. Dubuque called the City of Panama City Planning Board meeting to order at 4PM on Monday, September 9, 2019. Mr. Dubuque called the meeting to order. He announced that the City Commission would hear the first hearing, Tuesday, October 8 at 8AM at the Government Building and the final hearing on October 22. Mr. Dubuque asked that the roll be taken.

The roll was taken.

Mr. Dubuque welcomed Doug Crosby to the Board and said it had been a while since we had a full Board in maybe a year or so. He said he thought Mr. Crosby will enjoy it. He thanked him for agreeing to be on the Board and said it would be educational.

Mr. Dubuque asked if there were any changes or deletions to the agenda.

Ms. Scibelli said yes, there was a typographical error on the first request and it should be changing to a Residential – 2 Panama City. She said she gave everyone an updated agenda.

Mr. Dubuque said regarding the minutes that the Board had previously been provided the minutes and asked for a motion. Mr. Neubauer made a motion to accept the minutes and Ms. Sittman seconded the motion.

Mr. Dubuque asked if there were any changes or deletions.
If not, Mr. Dubuque asked that the roll be taken.

The roll was taken.

Any other announcements or disclosures? If not please take the roll.

The roll was taken.

Moving on to request number one.

Request One: Request for annexation, land use change and rezoning of 2.766 acres from Residential - 1 (Bay County) to Residential - 2 (Panama City), 2804 Airport Road, Panhandle Development, LLC, owners and Scott Gary, applicant.

Ms. Scibelli said, they are looking to annex in order to use city services and the property will still be used as a residential property.

Mr. Dubuque asked, "Did they mention why they wanted to go with Residential – 2 instead of Residential-1?"

Mr. Lane said they had annexed in previously as a Residential-2 and this property is adjacent to that Residential-2, it just made sense because it is adjacent to another R-2.

Mr. Dubuque said he drove past the property and noticed the sign was put on the wrong parcel. Notifications were sent to all adjacent neighbors within 300 feet?

Ms. Scibelli, agreed, yes they had been notified.

Mr. Dubuque briefly clarified instructions to Mr. Crosby.

Mr. Theodore Stamation of 2808 Airport Road asked how this will affect him.

Mr. Dubuque said from what they are requesting it is still going to be residential, they won't be opening up a machine shop or anything. Mr. Stamation said he would like that. He said there is no sewer only water available in this location. The sewer is at Hwy 390 and he said Airport Road was not really maintained.

Mr. Lane said that there is a new Public Works director and there have been discussions about examining different areas in close proximity to the city and running water and sewer to that area. At this time we don't know of anything that is immediate.

Mr. Dubuque commented that usually they annexed when a septic tank fails.

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, quadraplex, 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.

Any other questions or concerns? If not do we have a motion?

Ms.Sittman motioned to approve the request and Mr. Neubauer seconded the motion.

Mr. Dubuque responded that if there is not further discussion, please take the roll.

The roll was taken.

The request was approved unanimously.

Ms. Scibelli moved on to request number two stating that they just want to use city services.

Request Two: Request for annexation, land use change and rezoning of .356 acres from Residential, R – 1 (Bay County) to Residential – 1 (Panama City), 2303 Pretty Bayou Island Drive, Lee H. and Ashley M. Taws, owners and applicants.

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.

f) 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

g) 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.

h) 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:

5. *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.

6. *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.

7. *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

8. *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:

- (5) The proposed plan amendment will not degrade level of service standards established in the comprehensive plan, or minimum concurrency requirements;
- (6) The proposed plan amendment is in harmony with the general intent of the comprehensive plan;
- (7) The proposed plan amendment will not exceed traffic limitations, cause a fire hazard, or create a hazard to the public health, welfare and safety;
- (8) 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.

Mr. Dubuque asked if there are any questions for staff. If there are no questions can I get a motion?

Mr. Crosby made a motion to accept and Ms. Sittman made a second.

The roll was taken.

The request was approved unanimously.

Item number three.

Ms. Scibelli announced Request three was for an approval of Conceptual Site Plan for SweetBay Phase III.

Request Three: Approval of Conceptual Site Plan for SweetBay Phase 3.

Mr. Lane said that there was an error of 79 lots reported, when actually there are 80 lots. There is roughly twelve acres. He said that St. Andrew's Bay land company would use the property for corporate and military housing. He noted that the area borders Frankford as the western boundary.

Mr. Barker remarked about the width of the roads for use by fire department. Mr. Lane said this will come out of our engineering dept. He assured there would be additional plans and adjustments from the fire department.

Mr. Dubuque mentioned the increased amount of traffic on Frankford.

Mr. Dubuque said we just authorized 13 residential units in north industrial area so 93 units all dumping onto Frankford. If you live in this area, you are going to encounter heavy traffic.

Mr. Dubuque asked if this is a state road farther up. Mr. Lane said this was county road and said you will notice that there are sidewalks for walkers. Looking comprehensively to the walkers and those that want to access trails.

Mr. Lane talked about the concurrency exception area that the surrounding roads will be part of the Forest Park mobility plan adopted when 600 to 750 ranges of numbers of homes held to 3 million in road improvement monies. Denoting a traffic impact fee by a previous consultant and that no developer would agree to that impact fee plan. This was adopted because of SweetBay development to the perimeter roads of SweetBay.

Background Information:

At this time, St. Andrew Bay Land Company intends to develop 12.04 acres along Frankford Avenue for 80 residential dwellings in a Phase 3 Development Order. This D.O. application proposes Phase 3 to be known as Indigo Creek at SweetBay, which will consist of 80 dwelling units that will be used for corporate and military housing. The applicant is requesting the approval of this site plan for Phase 3.

The applicant will submit the detailed technical data separately to the Planning Department for specific technical review and approval of this proposal. The anticipated construction date for Phase 3 infrastructure is November 1, 2019.

Please see the attached exhibit for the Overall Site Plan for Phase 3.

Staff Recommendation: Recommend approving the Overall Site Plan – Phase 3 for SweetBay PUD. -

Mr. Dubuque asked if there were further questions if not he was looking for a motion of acceptance.

Mr. Neubauer made a motion to accept and Ms. Sittman motioned to second it.

Mr. Dubuque asked that the roll be taken.

The roll was taken.

The request was approved unanimously.

Moving on to Request four:

Ms. Scibelli announced that this is for approval of preliminary plat for Frankford Point.

Request Four: Approval of Preliminary Plat for Frankford Point.

Mr. Lane said this is in the immediate area, this is right there across from 29th Plaza, there are 13 lots, two storm water ponds.

Mr. Dubuque said he noticed road and water are in and asked if this was normal to see this before this.

Mr. Lane said because this is so small basically and it is ready to plat.

Background Information: In December 2017, the City of Panama City approved a 13 lot residential subdivision development order for this 4.8 acre property. The Owner is submitting this preliminary plat for approval and acceptance by the City.

Staff Recommendation: Staff recommends acceptance of the plat.

Mr. Dubuque asked for a motion to accept. Ms. Sittman motioned to accept and Mr. Barker seconded it.

Mr. Dubuque asked for the roll to be taken.

The roll was taken.

The request was approved unanimously.

If no further discussion Mr. Dubuque adjourned the meeting at 4:19PM.

Ray Dubuque, Chairman

Rebecca Ando, Administrative Assistant

