



CITY COMMISSION MEETING 11-12-19

Agenda Item

Request Form



ITEM: First reading of Ordinance 2709.1, voluntary annexation of 13.4 acres of property located at 4838 Fire Tower Rd.

BACKGROUND INFORMATION: This 13.4 acre parcel will be combined with the 943-acre Planned Unit at Liberty Falls. Development will be developed through multiple phases over the next 10 years. The beginning phases will initially concentrate on the residential component. The proposed use is for a mixed use community consisting of approximately 1,900 residential units of various types and up to 62 acres for commercial use with this phase being planned later. The property is currently vacant. Jim Anders – ACCL/Bay Properties, Inc., owner, Raymond Greer, applicant.

The Planning Board considered this item on October 7, 2019. The request was approved unanimously.

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

ORDINANCE NO. 2709.1

AN ORDINANCE OF THE CITY APPROVING THE VOLUNTARY ANNEXATION OF 13.4 ACRES OF UNINCORPORATED PROPERTY LOCATED AT 4838 FIRE TOWER 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:

Begin at the southwest corner of the north ½ of the north ½ of Section 14, Township 3 South, Range 13 West, Bay County, Florida; thence North 00° 09' 45" East along the west line of said Section 14 for 530.00 feet; thence North 89° 44' 10" East for 1101.68 feet; thence South 00° 09' 45" West for 530.00 feet to the south line of the north ½ of the north ½ of said Section 14; thence South 89° 44' 10" West along the south line of the north ½ of the north ½ for 1101.68 feet to the Point of Beginning, containing 13.404 acres more or less.

Parcel Identification Number: 05902-010-010

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 Two (2) 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 All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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 ____ day of _____, 2019.

CITY OF PANAMA CITY, FLORIDA

A Municipal Corporation,

By _____

Greg Brudnicki, Mayor

ATTEST:

T.D. Hachmeister, City Clerk-Treasurer

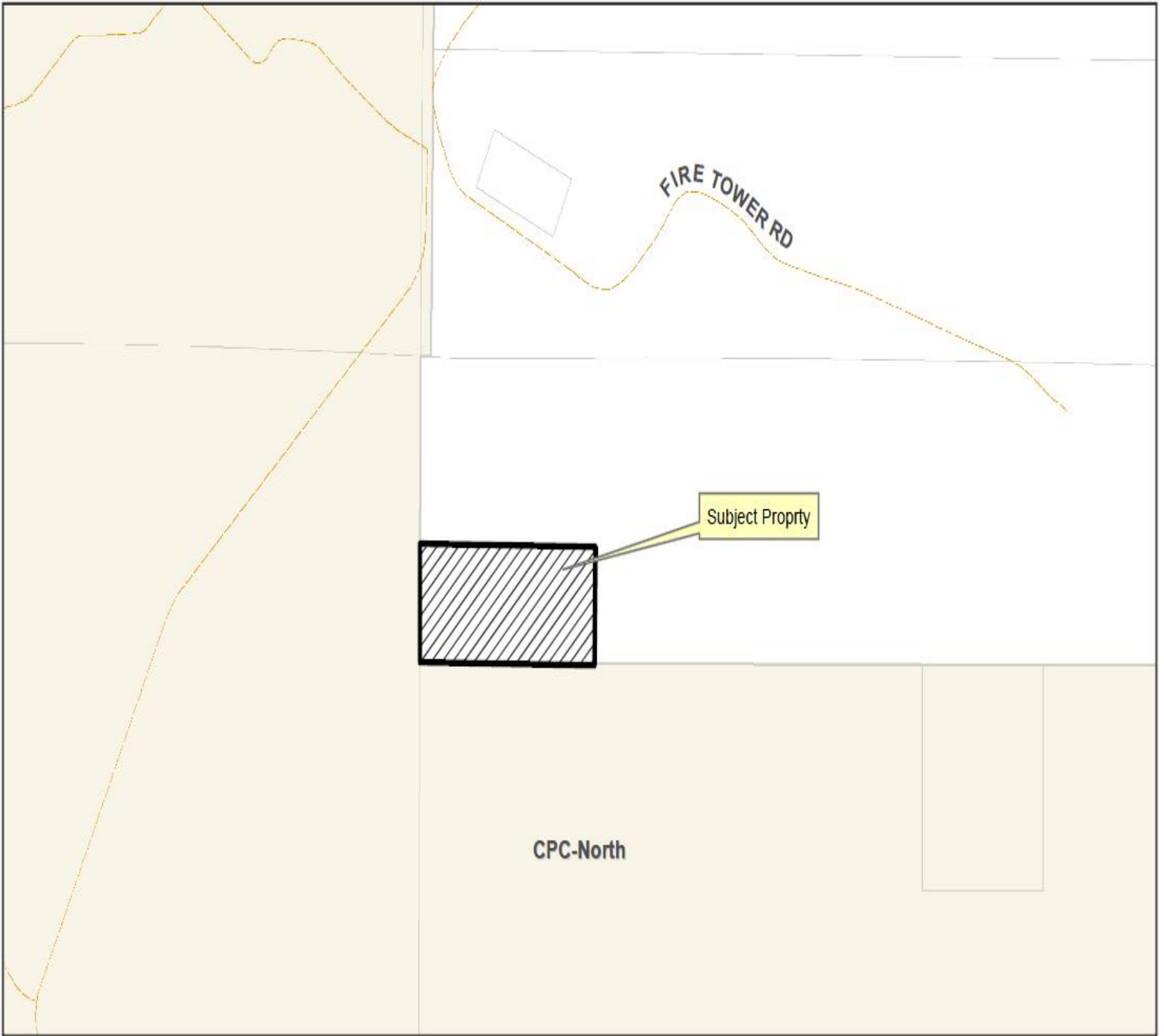


Exhibit A


**Annexation
City of Panama City**

Legend

 Parcels



N



1 inch = 691 feet



City of Panama City Planning and Economic Development
STAFF REPORT
Planning Board Applications for October 7, 2019

Staff findings of consistency with the pertinent Florida Statutes, the Community Planning and Land Development Regulations and the Comprehensive Plan along with the staff recommendations are as follows:

Request Four

Request: Annexation/LSLUA/Rezone to Planned Unit Development (PUD)

Case Number: PB 20-4

Applicant/ Owner: Jim Anders – ACCL/Bay Properties, Inc., owner, Raymond Greer, applicant

Location of Property: 4838 Fire Tower Rd

Parcel Numbers : 05902-010-010

Area of subject property: +/- 13.4 Acres.

	Land Use	Zoning
Change From:	Agriculture Timberland	Agriculture Timberland (AG-2)
Change To:	Urban Community	Planned Unit Development (PUD)

Current use of the property: Vacant.

Proposed use: This 13.4 acre parcel will be combined with the 943-acre Planned Unit at Liberty Falls. Development will be developed through multiple phases over the next 10 years. The beginning phases will initially concentrate on the residential component. The proposed use is for a mixed use community consisting of approximately 1,900 residential units of various types and up to 62 acres for commercial use with this phase being planned later.

Utility Director's Report:

Water and sanitary sewer is currently not available. This is part of the future service area.

Comprehensive Plan Objectives and Policies:

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 (Exhibit 1) 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.)

7. Urban Community (UC)

- a) Intent – This category is intended to promote functionally integrated, mixed-use communities designed with a multi-modal transportation system. Development in this category shall utilize long-term sustainable development practices. This category is to be used as the underlying future land use category for master planned developments.
- b) Density – Shall be established by the corresponding overlay district. Density shall be clustered to promote walkable, transit friendly communities and to preserve open space.
- c) Impervious Surface Area – Shall be established by the corresponding overlay district.
- d) Intensity – Shall be established by the corresponding overlay district.
- e) Allowable Uses – Residential uses, including detached single-family, apartments, and condominium units; public or private recreation; civic; neighborhood commercial; commercial uses; office; education; houses of worship; and light manufacturing uses.
- f) Development Restrictions – A minimum land area of thirty (30) acres, exclusive of environmentally sensitive lands as defined in the Conservation Element Policy 6.6.8 is required for this category.

An overlay district with specified development ratios and policies demonstrating compliance with this section of the Plan must be adopted through an amendment of the Future Land Use Map prior to the issuance of a development order.

- g) Development Principles – To achieve the objectives of this category, overlay districts shall include the following:
 - i. The overlay shall contain a minimum of three (3) of the uses within Table 1.1, excluding Open Space.

- ii. The overlay shall contain a minimum of 15% Open Space, as defined by Recreation Element Policy 7.4.2.
- iii. The mixture of uses calculated by acreage and excluding Open Space shall comply with the following requirements and shall equal 100%.

Table 1.1

USE	PERCENT BY ACRES
Residential	Maximum of 70%
Office	Maximum of 40%
Commercial	Maximum of 80%
Civic / Recreation / Education	Minimum of 5%
Light Manufacturing	Maximum of 20%

- iv. The arrangement of land uses, densities, and intensities shall be designed to minimize vehicle miles traveled and to promote alternate forms of transportation.
- v. Internal connectivity shall be required.
- vi. Land uses shall be arranged to promote compatibility with adjoining uses.
- vii. Clustering and other techniques to preserve environmentally significant features and create functional open space shall be used.
- viii. Building orientation, landscaping, and other techniques to reduce energy demand shall be used.

ACCL/Bay Properties Overlay District Sub-Area Policy

(applies to entire 2,200-acre site)

Future Land Use Element Policy 1.1.8: The ACCL/Bay Properties Overlay District shall be established to encompass those lands depicted on Map 1.4. This district is created to provide economic development, a mix of housing types and opportunities for the provision of public facilities to the PCNSPA, while protecting environmentally sensitive resources. Within this district the following policies apply:

- (a) The maximum amount of residential development on the site shall be 4,500 dwelling units.
- (b) Non-residential development shall be limited to a maximum of 750,000 gross square feet of commercial, office, retail space and light manufacturing. In addition, the following uses are permitted within the district: civic, to include houses of worship, schools, and community centers; golf courses; active and passive parks, open space; silviculture and other agriculture uses.

(c) Residential development within the district may include a broad array of residential types, prices, and densities, with higher densities near the district's commercial and employment centers and transit routes. Accessory dwelling units will be allowed as further articulated through the development review process, in order to provide additional opportunities for affordable housing and greater variety of housing types.

(d) The district will be planned to help limit vehicle miles traveled and encourage alternatives to US 231.

(e) Right-of-way for the future mobility projects shall be dedicated as further specified through a transportation plan for the PCNPA and a development agreement and shall be eligible to the extent allowed by law for credits pursuant to the proportionate fair share / proportionate share mitigation and impact fee payment.

(f) The district shall preserve a minimum of twenty-five (25) percent open space overall including wetlands, preserved upland areas, passive and active parks, golf courses, common open spaces in residential and non-residential development, greenways, areas in agricultural or silviculture use, stormwater facilities that are designed for recreational use, water bodies and similar uses.

(g) Silviculture use is an appropriate and compatible use within the district and it is anticipated that commercial silviculture operations will continue within the district for an indefinite period of time.

(h) During the Planned Unit Development process for the district, a detail transportation analysis will be prepared that documents impacts and identifies mitigation strategies to address the associated impacts. The review of the transportation analysis and mitigation strategies for the district will involve the City, County, TPO and FDOT.

Land Development Regulations:

Sec. 104-39. Planned Unit Development (PUD).

(a) *Purpose.* The purpose and intent of a Planned Unit Development (PUD) zoning district is to promote innovative and sustainable development. In order to achieve such purpose and intent, the PUD zoning district provides a regulatory vehicle for relief from the strict adherence to the requirements of the City's Land Development Regulations in exchange for development that provides substantial public benefits which justify such relief. Examples of public benefits include, but are not limited to, donation of land for public recreational areas, integration of affordable housing, utilization of "green" development practices, installation of underground utilities, provision of greenway corridors, and enhanced protection of habitat.

(b) Each PUD zoning district shall, at a minimum, achieve the following objectives:

- (1) Promote sustainable development that utilizes innovative design features;
- (2) Preserve and incorporate natural environments into the design of the development;
- (3) Incorporate a multi-modal transportation system;
- (4) Integrate different housing types that fulfill the housing needs of a diverse population of various income levels; and

(5) Provide for a functionally integrated, mixed use community.

- (c) An applicant does not have an entitlement to PUD zoning. Rather, the decision to grant PUD zoning lies in the sole discretion of the City Commission.

Sec. 104-40. Applicability.

A PUD zoning district shall be allowed only in the Urban Community and Mixed Use Future Land Uses categories.

Sec. 104-41. Development Standards.

- (a) *Compliance with the City's Comprehensive Plan.* Each PUD shall comply with all requirements of the Future Land Use designation for the property proposed to be zoned PUD.
- (b) *Compliance with the City's Land Development Regulations.* Each PUD shall comply with all provisions of the City's Land Development Regulations, except when the City Commission expressly approves a deviation(s) from such provisions. Any deviation included in the PUD documents which the City Commission does not expressly approve shall be deemed to be null and void.
- (c) *Permitted uses.* A PUD may include any land use allowed in any zoning district provided such land use is consistent with the Future Land Use category for the property.
- (d) *Density.* The maximum density for residential uses is twenty (20) dwelling units per acre. Property with an Urban Community Future Land Use designation may exceed twenty (20) dwelling units per acre if the PUD qualifies for density bonuses pursuant to Section 104-41(l).
- (e) *Intensity.* The maximum intensity for non-residential uses is a floor area ratio of 0.75. Property with an Urban Community Future Land Use designation may exceed a floor area ratio of 0.75 when additional amenities are provided to benefit the public purpose and are approved by the City Commission.
- (f) *Height.* The maximum building height within the PUD shall be 100 feet above base flood elevation.
- (g) *Compatibility.* All development proposed within the PUD shall be compatible with surrounding existing uses. Compatibility shall be determined in accordance with the requirements of Section 104-38.
- (h) *Natural features.* All development proposed within the PUD shall minimize adverse impacts of development on the natural features and maximize the natural features as amenities for the development.
- (i) *Transportation network.* The transportation network for each PUD shall comply with the following requirements:

- (1) *Traffic network.* The PUD shall provide for the continuation of all existing highway, arterial, and collector roadway traffic. The transportation system shall connect to existing adjacent streets, pedestrian ways, and bicycle paths.
- (2) *Circulation.* The transportation network within the PUD shall be designed to:
 - a. Provide safe and efficient flow of traffic;
 - b. Provide safe and effective access to land uses within the development and roadways adjacent to the development;
 - c. Accommodate future traffic circulation at established level of service standards, or mobility score (as applicable); and
 - d. Achieve interconnectivity among land uses.
- (3) *Access.* Each unit or permitted use in the PUD shall have access to a public street directly or via an approved road, pedestrian way, court, or other area dedicated to public or private use, or a common element that guarantees such access.
- (4) *Parking, loading, and storage.* Parking, loading, and storage within a PUD shall be designed to be functionally integrated into the development.
- (5) *Pedestrian/bicycle network.* Each PUD shall include a unified pedestrian and bicycle circulation system.
- (6) *Street design.* Specifications for street materials as set forth in the City Ordinances shall serve as the minimum standards. Innovative and creative alternative designs for lane width, curbs, and drainage are encouraged in order to calm traffic, encourage non-vehicular transportation, and achieve design goals.
- (j) *Water/Wastewater.* Water, wastewater, and reuse lines for each PUD shall connect to existing public facilities. If there is not an existing public facility, the applicant shall construct an interim private utility which shall comply with applicable design standards. Utilization of the interim private utility shall cease once such public facility is extended to within 300 feet of the property.
- (k) *Open spaces and recreation areas.* Each PUD shall include open spaces and recreation areas in order to provide appropriate recreational opportunities, protect sensitive natural areas, conserve areas of unique beauty or historical significance, provide structure to neighborhood design, and achieve compatibility with surrounding land uses.
- (l) *Density bonuses.* The following density bonuses may be afforded as part of the approval process for property with an Urban Community Future Land Use designation, and shall be based upon a point system. For the purposes of this section, one density point equates to an additional .5 units to the acre. This bonus shall be applied over the base amount of twenty (20) units to the acre allowable by right. The following categories qualify for density bonus points:

- (1) *Greenway Corridor.* A Greenway Corridor shall consist of greenway segments that traverse the project site, and must be an average of ten (10) feet wide with a minimum width of five (5) feet. The Greenway Corridor shall be subject to a conservation easement that is dedicated to a governmental entity or a not-for-profit organization dedicated to the preservation of natural resources. The location of a Greenway Corridor shall be clearly indicated on the Master Site Plan. Density bonus points shall be awarded based upon a minimum of 2% area.
- (2) *Habitat Protection/Enhancement Plan.* A Habitat Protection/Enhancement Plan shall identify the habitat that will be protected and/or enhanced, and shall provide an analysis of the environmental value of such protected and/or enhanced habitat. Such habitat shall be subject to a conservation easement that is dedicated to a governmental entity or a not-for-profit organization dedicated to the preservation of natural resources. Density bonus points shall be awarded based upon the percentage of site protected and/or enhanced, connectivity to adjacent conservation areas, and improved quality of protected lands. One (1) density bonus point may be awarded for each ten (10) percent of site protected and/or enhanced. One (1) density bonus point may be awarded for each of the following items: (a) connectivity to adjacent conservation areas and (b) improved quality of protected lands.
- (3) *Green Buildings.* Green Buildings are buildings that have been certified by a third party such as the U.S. Green Building Council or the Florida Green Building Coalition as fulfilling certain energy and environmental design requirements. Density bonus points shall be awarded based upon on the level of certification (performance) with higher levels receiving more points. One (1) density bonus point may be awarded for the lowest level of certification offered by a certifying body. One (1) additional bonus point may be awarded for each additional level of certification offered by a certifying body. An applicant shall provide the appropriate documentation regarding the level of certification.
- (4) *Integration of Affordable Housing.* Affordable housing is housing that fulfills the requirements of Policy 3.1.1 of the Comprehensive Plan. Density bonus points for shall be awarded based upon the percentage of dwelling units that qualify as affordable housing. One (1) density bonus point may be awarded for each ten (10) percent of affordable housing.

Sec. 104-42. PUD Application.

- (a) An application for a rezoning to the PUD zoning district shall be submitted by only the owner of the property, a purchaser with written consent of the existing owner of the property, persons or entities having control of the property, or the authorized agent of one of the foregoing persons or entities.
- (b) An application for a rezoning to the PUD zoning district shall include, at a minimum, the following:
 - (1) The names, addresses, and phone numbers of the owner, applicant, and representatives of the applicant.

This Condition has been met. See Page _____.

- (2) A legal description of the property, including total acreage.

This Condition has been met. See Appendix _____.

- (3) A document that demonstrates unified ownership or control of the property.

The property is under the unified ownership of ACCL/Bay Properties, Inc. See Appendix _____.

- (4) A Master Site Plan that demonstrates compliance with each of the development standards set forth in Section 104-41, and which contains the following information:

- a. General types and locations of proposed development including type of structures, lot sizes and setbacks, open space, conservation areas, transportation networks, and buffers;

These conditions have been met. See Appendix _____. The PUD application proposes a range of lot and structure types as well as conservation areas and open space. The proposed setbacks are lower than those in most of the City's zoning districts, however these are minimum standards, and any issues such as parking and utility easements and access can be addressed in the phased development orders for the project.

- b. A general transportation circulation plan; and

This condition has been met. See Appendix _____. The connections to existing roads and main loop road, as well as street cross-sections, are shown on the general plan. Additional neighborhood roads, sidewalks, and trails meeting the standards set in the PUD will further increase circulation.

- c. A description of uses including total number of dwelling units, total square footage of non-residential uses, housing types, heights of buildings, and total amount of open space.

These conditions have been met. The total number of dwelling units is limited to 1,900 and the total non-residential square footage is limited to 750,000. Height is limited to 100'. The total amount of open space provided is approximately 150 acres or 16%. See Appendix _____ for housing types.

- (5) A project narrative that demonstrates compliance with each of the development standards set forth in Section 104-41.

This condition has been met. See page II.3 for introduction and summary.

- (6) An analysis of the Future Land Use categories and zoning districts for the properties surrounding the property proposed to be rezoned to PUD. Such analysis shall include the densities, intensities, and height limitations for each applicable Future Land Use category and zoning district.

The adjacent Future Land Use Categories are GC, MU, R, PI, and LI. Residential (R) has a height limit of 35' and Mixed Use (MU) has a height limit of 65'. The remaining Future Land Use Categories do not have height limits. Allowable densities in surrounding areas range from 5 units/acre in RLD-1 to 20 units/acre in MU-3. Allowable intensity for commercial development in surrounding areas is up to .90 ISR. The proposed densities and intensities in the PUD are consistent with the existing density and intensity in other nearby developments.

- (7) An analysis of each requested deviation from the requirements of the City's Land Development Regulations. Such analysis shall include:
- a. A description of each requested deviation;
 - b. An explanation of the reason for the requested deviation; and
 - c. A comparison between the applicable requirements of the City's Land Development Regulations and the requested deviation.

These conditions have been met. See Section V of the PUD application for proposed deviations. While there are no specific standards for setbacks in the PUD Zoning District, these are set on a case by case basis for each PUD. The applicant has proposed minimum setbacks of 0' for all setback areas. Provided adequate parking, access for utilities, and building separation distances are met, this does not pose a problem. These issues will all be reviewed at each development order stage and any issues addressed at that time.

- (8) A list of the public benefits proposed in the PUD and an analysis which demonstrates that such proposed public benefits are sufficient to justify the requested deviation(s) from the City's Land Development Regulations.

This condition has been met. See Section VI of the PUD Application. Public benefits include the addition of public open space, restoration of degraded habitat, and the creation of a mixed use, walkable community.

- (9) A list of all permits sought by and/or received by the applicant. Such list shall include:
- a. The type of permit;
 - b. The applicable agency;
 - c. The contact person for the applicable agency; and
 - d. The status of the permitting process.

This condition has been met. See Appendix G.

- (10) An environmental assessment report which contains the following information:

- a. A general estimate of the type and extent of upland habitat types;
- b. A general estimate of the extent and configuration of areas expected to fall within the regulatory jurisdiction of the United States Army Corps of Engineers and the Northwest Florida Water Management District;
- c. A description of the quality of the on-site wetland habitats, if applicable;
- d. A preliminary analysis regarding the presence of protected wildlife and plant species based on direct observation during a field investigation;
- e. A preliminary mitigation analysis; and
- f. An identification of special environmental designations on or within close proximity to the property.

These conditions have been met. See Appendix B.

- (11) Any proposed development agreements and sureties as required.

This condition has been met. See Appendix H.

- (12) A proposed development schedule, including phasing if applicable.

This condition has been met. See Section VII of the PUD Application. The proposal is to develop the property over the next 10 years in approximately 8 phases of 200-400 residential units each with concurrent commercial development.

- (13) An analysis of the anticipated impacts of the proposed development, including:

- a. Park space;
- b. Potable water demand;
- c. Wastewater demand;
- d. Public school facility demand;
- e. Stormwater facilities;
- f. Transportation impacts; and
- g. Solid waste demand by phase, if applicable.

This condition has been met. See Appendix C.

- (14) A written summary of the neighborhood meeting which includes the information mandated by Section 104-43(b)(5).

This condition has been met. A condensed version of the summary of comments provided to staff is included with your packets.

- (15) A written summary of requested density bonus points with supporting documentation for such density bonus points.

The applicant has not requested density bonuses. The overall allowable density for the PUD district is 20 units/acre.

- (16) A natural resources assessment report that identifies the location of any significant historical and architectural resources, wildlife habitat (including endangered and threatened species), floodplains, wetlands, and other similar environmental features, as well as the method and manner of their protection. The natural resources assessment report shall identify land features that shall be preserved or used to minimize adverse impacts of development on the natural features and maximize the natural features as amenities for the development. If significant historical and/or architectural resources, wildlife habitat, or other significant features are found that have not been previously recorded on Florida's Natural Site File, the applicant shall provide a copy of the natural resources assessment report to the Florida Department of State concurrently with the applicant's submission of a PUD rezoning application.

This condition has been met. The applicant has identified the above resources as part of both the Future Land Use Amendment and the PUD Application.

During the review process, the City Planning Department may determine that additional information is necessary.

- (c) The requirement to submit a Master Site Plan shall not be construed as requiring detailed engineering or site plan drawings as part of the PUD rezoning application. Detailed engineering or site plan drawings will be required prior to issuance of a Development Order for any phase(s) of develop.

Sec. 104-43 PUD Review Process.(a) *Pre-application conference.* The applicant shall participate in at least one pre-application conference with the City Planning Department. The requirements for the pre-application conference are as follows:

- (1) The applicant shall request in writing one or more pre-application conference(s) with the City Planning Department. The applicant's written request shall provide a brief description of the proposed PUD, including the location and number of acres proposed in the PUD.
- (2) Within five (5) business days, the City Planning Department shall provide a written response to the request for a pre-application conference, setting forth the date, time, and place of the meeting, and whether any other City, county, or state agency will be attending the conference.
- (3) The pre-application conference may consist of more than one meeting. The initial meeting shall address:
 - a. The scale and scope of the proposed project;
 - b. The sustainability of the proposed project;
 - c. An evaluation of the methodology to be employed by the applicant and the City Planning Staff; and
 - d. The environmental advantages and constraints of the site.

The applicant and the City Planning Department shall discuss the applicable Goals, Objectives, and Policies of the City's Comprehensive Plan, the applicable requirements of the City's Land Development Regulations, and all other pertinent regulations.

- (4) Upon completion of the pre-application stage of the PUD rezoning process, the applicant and the City Planning Department shall prepare a Memorandum of Understanding (MOU) which generally outlines the proposed PUD. Failure to identify any requirement or procedure at the pre-application conference or in the MOU shall not relieve the applicant from complying with such requirement or procedure, nor shall such failure constitute a waiver of such requirement or procedure. The information provided at the pre-application conference is intended to guide the applicant and shall not be binding upon the City or the applicant.
 - 5) No person shall rely upon any comment or expression of any nature concerning the proposed PUD at the pre-application conference(s) as a representation that the City will ultimately approve or deny the proposed PUD.
- (b) The applicant shall conduct a neighborhood meeting within sixty (60) days of the completion of the MOU. The purpose of the neighborhood meeting is to educate occupants and owners of nearby lands about the proposed PUD rezoning, receive comments, address concerns about the proposed PUD rezoning, and resolve conflicts and issues, where possible. The requirements for such neighborhood meeting are as follows:
- (1) *Time and place.* The neighborhood meeting shall be held at a place that is generally accessible to neighbors that reside in close proximity to the land proposed to be rezoned. The meeting shall be scheduled to occur after 5:00 P.M. on a weekday.

- (2) *Notification.* The applicant shall provide notification of the neighborhood meeting a minimum of ten (10) business days in advance of the meeting by placing notice in a newspaper of general circulation and by mailing notice to all owners of property located within 400 feet of the land proposed to be rezoned. The applicant shall obtain the list of such owners from the most recent version of the property owners of record provided by the Bay County Property Owner. The applicant shall mail notice of the neighborhood meeting to the City Manager. The notification shall state the time and place of the neighborhood meeting.
- (3) *Conduct of meetings.* At the neighborhood meeting, the applicant shall explain the proposed PUD rezoning, inform attendees of the character and nature of the PUD review process, respond to comments and questions that the attendees may have regarding the application, and propose ways to resolve conflicts.
- (4) *Staff attendance.* City staff may attend the neighborhood meeting for the purpose of advising the attendees regarding applicable provisions of the City's Land Development Regulations, but shall not serve as facilitators or become involved in negotiations at the neighborhood meeting.
- (5) *Written summary of neighborhood meeting.* The applicant shall provide the City Planning Department with a written summary of the neighborhood meeting. The written summary shall include the following information:
 - a. A list of the individuals who attended the neighborhood meeting;
 - b. A summary of the issues addressed during the neighborhood meeting;
 - c. A summary of the comments provided by the individuals who attended the neighborhood meeting; and
 - d. Any other information the applicant deems appropriate.

(c) *Application submission and sufficiency determination.*

- (1) After completion of the neighborhood meeting, the applicant may submit an application for a rezoning to the PUD zoning district. Such application shall contain all of the documents required pursuant to Section 104-42.
- (2) Within thirty (30) days after receipt of an application for a rezoning to the PUD zoning district and the requisite filing fee, the City Planning Department shall determine whether the application is sufficient.
 - a. If the application is not sufficient, the City Planning Department shall provide written notice to the applicant specifying the deficiencies. The City Planning Department shall take no further action until the applicant remedies the deficiencies and provides all required application items.
 - b. If the application is sufficient, the City Planning Department shall notify the applicant in writing of the application's sufficiency and that the application is ready for the public hearing process.

(d) *Public Hearing Process.*

(1) *Local Planning Agency.* After the City Planning Department determines that the application is sufficient, the City Planning Department shall prepare a Staff Report regarding the application's compliance with the requirements of Sections 104-39 through 104-43, and schedule a public hearing before the Local Planning Agency. The Local Planning Agency shall:

- a. Determine whether the application complies with the requirements of Sections 104-39 through 104-43;
- b. Determine whether the proposed public benefits are sufficient to justify the requested deviation(s) from the City's Land Development Regulations; and
- c. Forward a recommendation to the City Commission.

(2) *City Commission.* The City Commission shall:

- a. Consider the application at two (2) public hearings (a first and second reading);
- b. Determine whether the application complies with the requirements of Sections 104-39 through 104-43;
- c. Determine whether the proposed public benefits are sufficient to justify the requested deviation(s) from the City's Land Development Regulations; and
- d. Vote to approve, deny, or approve with conditions the application.

(e) *Expiration.* The Master Site Plan for the PUD shall expire two (2) years from the date of approval by the City Commission unless the applicant obtains a development order from the City for the entire project or a portion of the project if phased. The Master Site Plan for the PUD shall expire if the applicant fails to comply with the phasing schedule for the PUD. If the Master Site Plan for the PUD expires, the applicant must reapply for a PUD rezoning and conform to the current requirements of the City's Land Development Regulations.

(f) *Extension.* An applicant may request a one-year extension of the expiration date, provided such request is filed with the City forty-five (45) days prior to the expiration date. The City Commission shall review the PUD against the current regulations and conditions when considering whether to grant the request for an extension.

(g) *Modifications.* All modifications to the PUD, including the Master Site Plan, must be reviewed by the Local Planning Agency, and approved by the City Commission with the same process and formality required for the initial approval of the PUD rezoning.

(h) *Issuance of development orders.* City Commission approval of an application for a rezoning to the PUD zoning district shall be required prior to or concurrent with the granting of any development order for a PUD project.

Additional Information: The applicant held their neighborhood meeting on _____, attended by approximately _____ people. Both positive and negative feedback were received, and staff has since received a number of comments, mostly in favor of the project or simply requests for information. A summary of the comments from the public meeting is included in your packet.

Staff Recommendation: Find this request meets the Goals, Objectives, and Policies of the Comprehensive Plan, and is consistent with the Land Development Regulations, and recommend that the City Commission adopt this request.



Mike Lane, AICP
Planning Director

September 16, 2019

Date

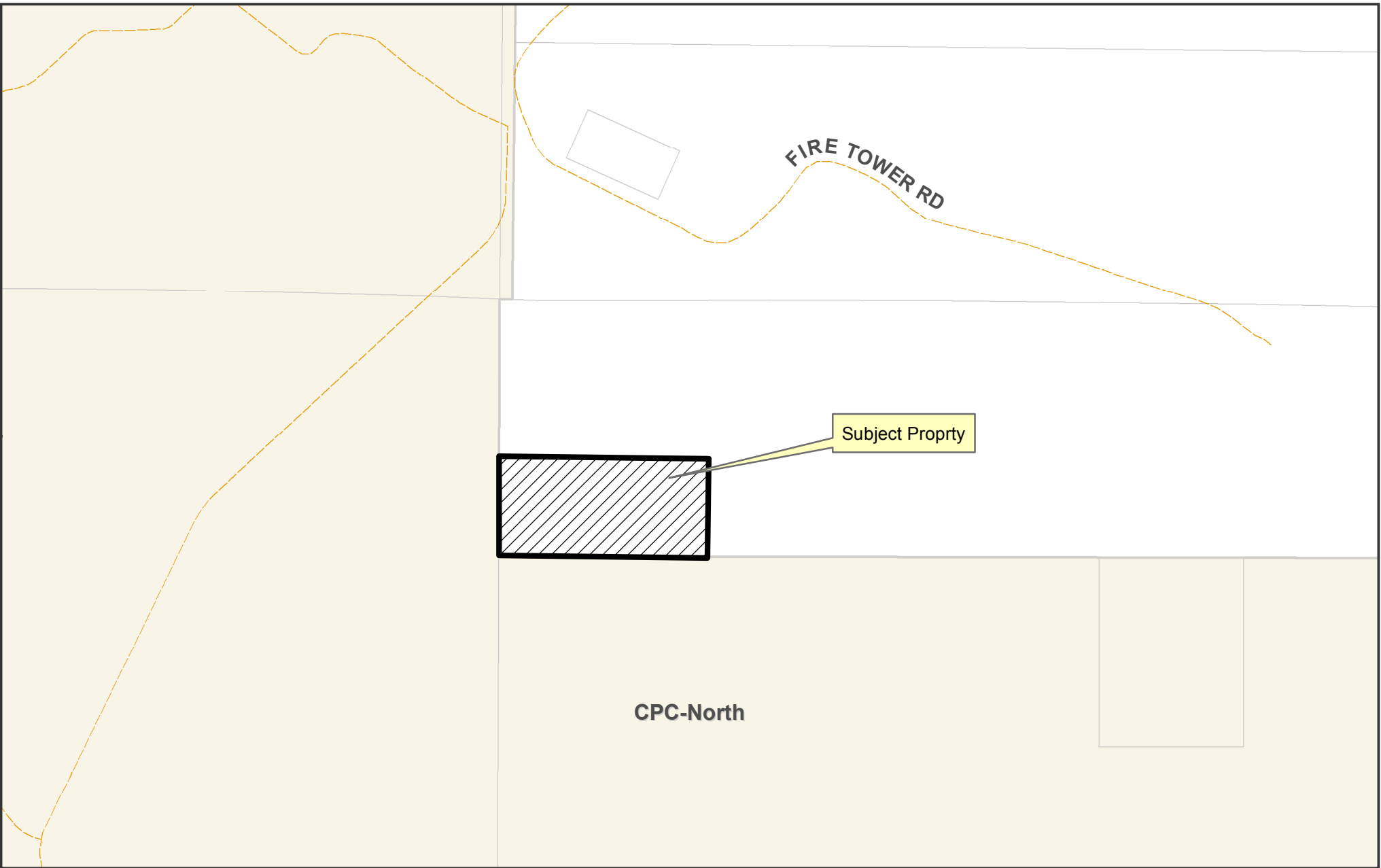


Exhibit A

**Annexation
City of Panama City**

Legend

 Parcels



1 inch = 691 feet

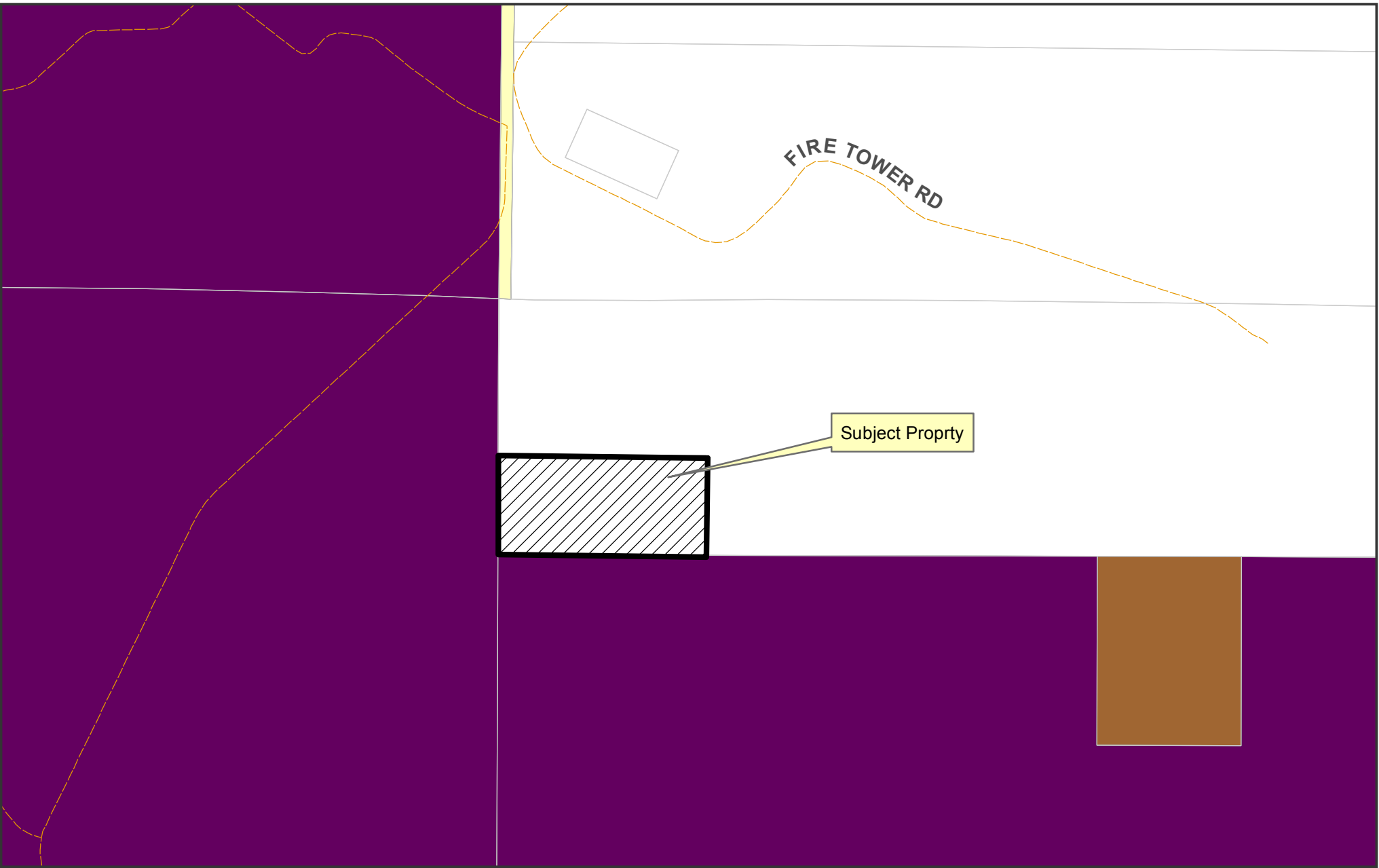


Exhibit A

**FLUM
City of Panama City**

Legend

Future Landuse

- | | | | |
|--------------------|----------------------|--------------------|---------|
| 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 = 691 feet

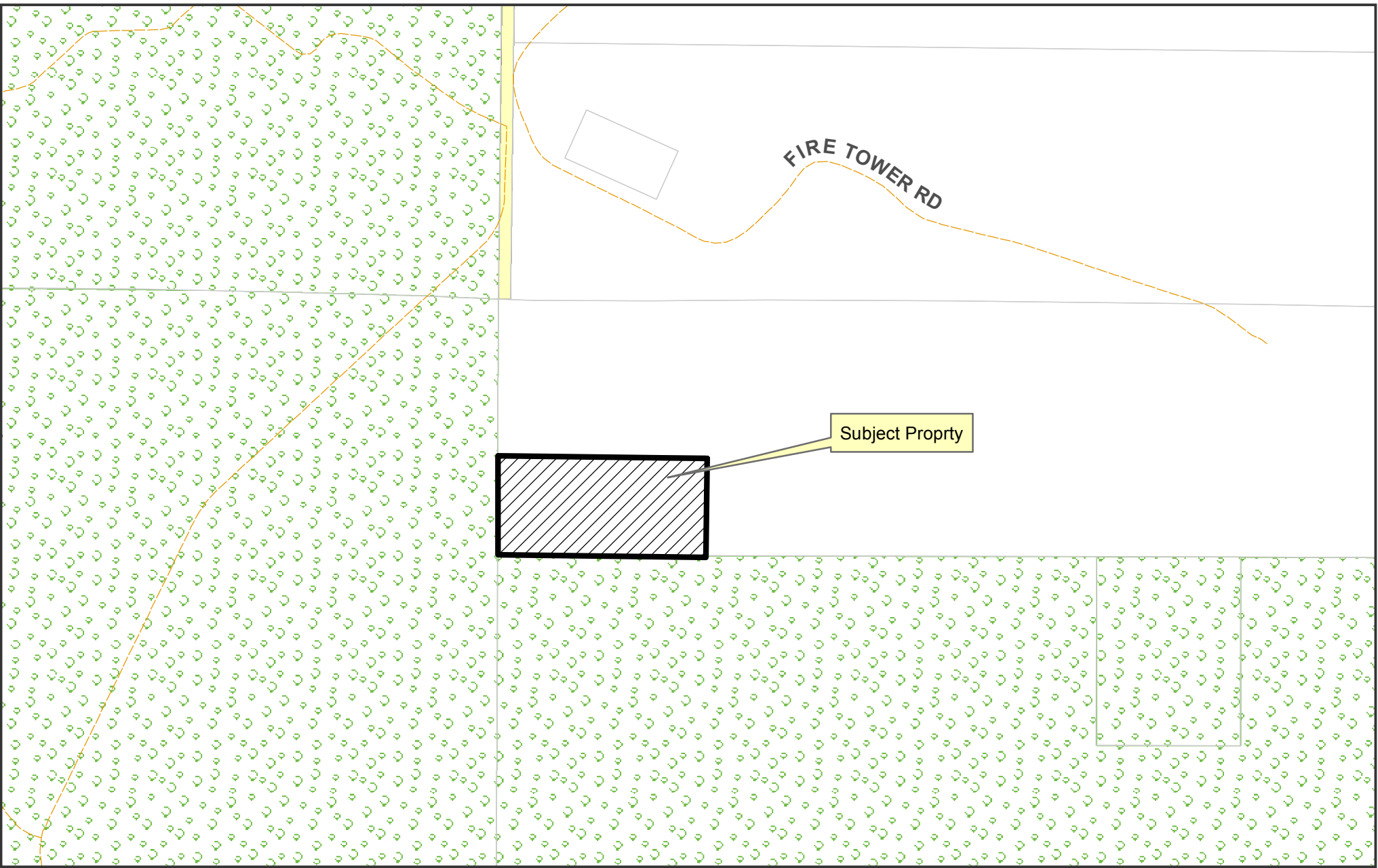


Exhibit A

Zoning Change City of Panama City

Legend

Zoning Districts

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



1 inch = 691 feet