



City of Panama City Planning and Economic Development Department
STAFF REPORT
Planning Board Applications for November 4, 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: SSLUA/Rezone

Case Number: PB 20-6

Applicant/ Owner: Rick Toalson , Owner and Applicant

Location of Property: 418 W Baldwin Rd

Parcel ID Numbers: 11782-040-000

Background: The applicant would like to change the land use and zoning to be able to build an office building.

Special Treatment Zone: Not in any special treatment zones.

Wetlands: Approximately 95% of the property is wetlands.

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

Flood Zone: A (*Source: 2009 FEMA maps*)

Area of Subject Property: 0.771+/- acres (*Source: Bay County Property Appraiser*).

	Land Use	Zoning
Change From:	Residential	Residential 1 R-1
Change To:	Mixed Use	Mixed Use 2 MU-2

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

Proposed Use of the property: The owner would like to use this property to construct an office building.

Directors' Report:

Utilities Director: Water is available to property. Sewer is only available to this property by installing a private pump station to force main. Sewer will be determined by force main PSI. The applicant will be required to execute a copy of the City's grinder pump/low sewer agreement before connection.

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. 104-33. - Mixed use-2 (MU-2) zoning district.

The purpose of this zoning district is to provide areas for medium- to high-density residential development, in combination with professional offices, educational, and low-intensity, neighborhood commercial uses.

- a) Development on parcels designated as Mixed use-2 (MU-2) on the zoning map shall:
 - 1) Have a density no greater than ten dwelling units to the acre.
 - 2) Locate ingress and egress to minimize traffic impacts to adjacent neighborhoods.
 - 3) Have a mixture of two or more uses within the same development. Such uses must be of the following categories: residential, office, retail, civic, educational, and light industrial.
 - 4) Provide off-street parking as specified in [chapter 105](#), article V.
 - 5) Conform to the landscaping and buffering requirements as specified in [chapter 105](#), article II.
- b) The following bulk regulations shall apply to property zoned as MU-2:
 - 1) All structures shall have a maximum height limitation of 65 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 0.65 of the total parcel area.
 - 3) The floor area ratio shall not exceed 0.65.
 - 4) Minimum setbacks shall be:
Fifteen feet from the front parcel line.
Twenty feet from the rear parcel line.
Seven feet from the side parcel lines.
Except, minimum setbacks for properties adjacent to an R-1, R-2 or MU-1 zoning district shall be:
Fifteen feet from the front parcel line.
Thirty feet from the rear parcel line.
Twelve feet from the side parcel lines.
- c) The following uses are allowed in the MU-2 zoning district; all other uses are prohibited:
 - 1) All uses allowable in the UR-1 zoning district.
 - 2) Uses with drive-through structural components, except for those uses associated with a restaurant business.
 - 3) Retail business

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 an area with single family homes and commercial properties with surrounding land uses and zoning that match the Mixed Use 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.



Tina Scibelli
Planner I

September 16, 2019
Date

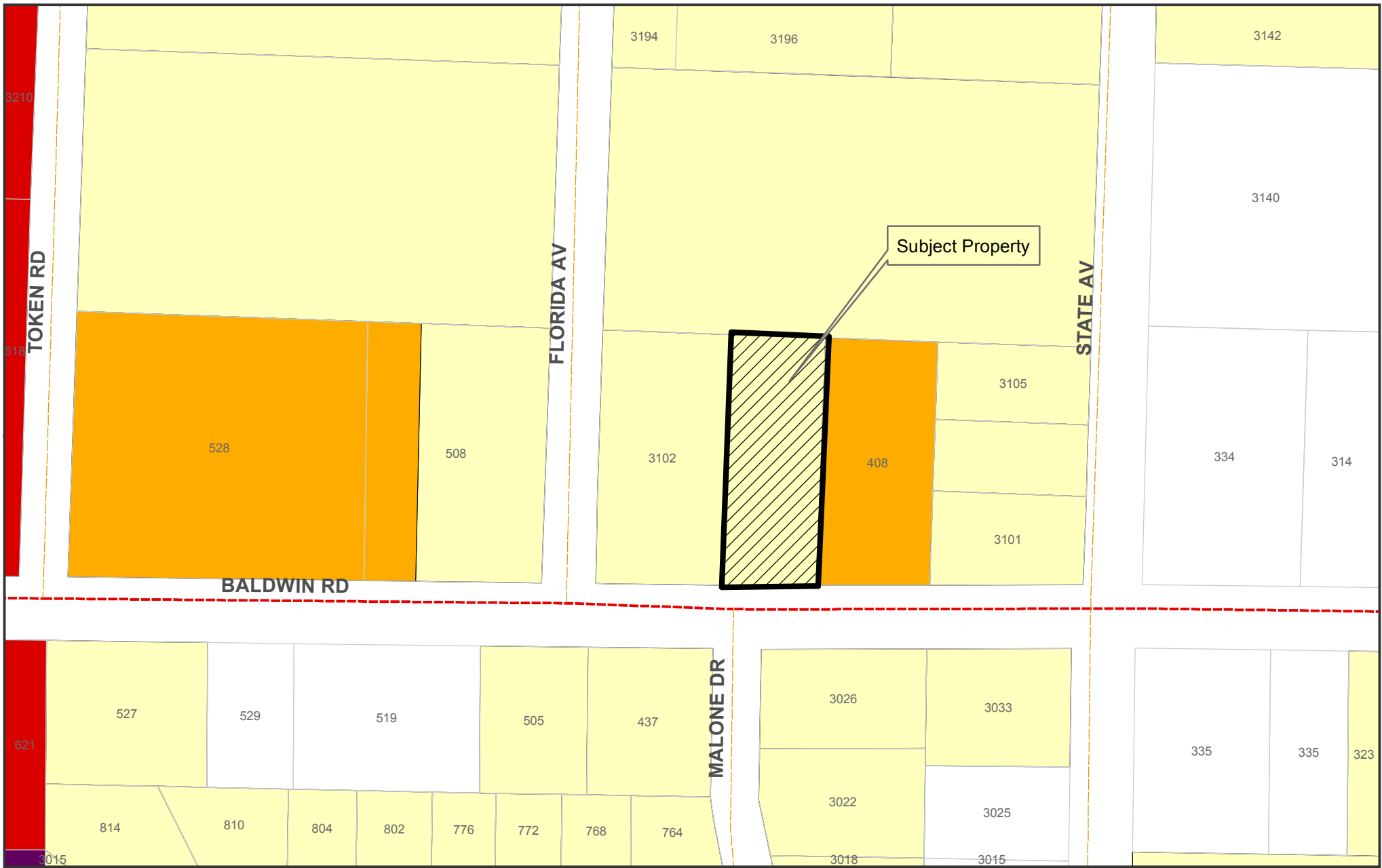


Exhibit A

FLUM City of Panama City

Legend

Future Landuse

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



1 inch = 163 feet

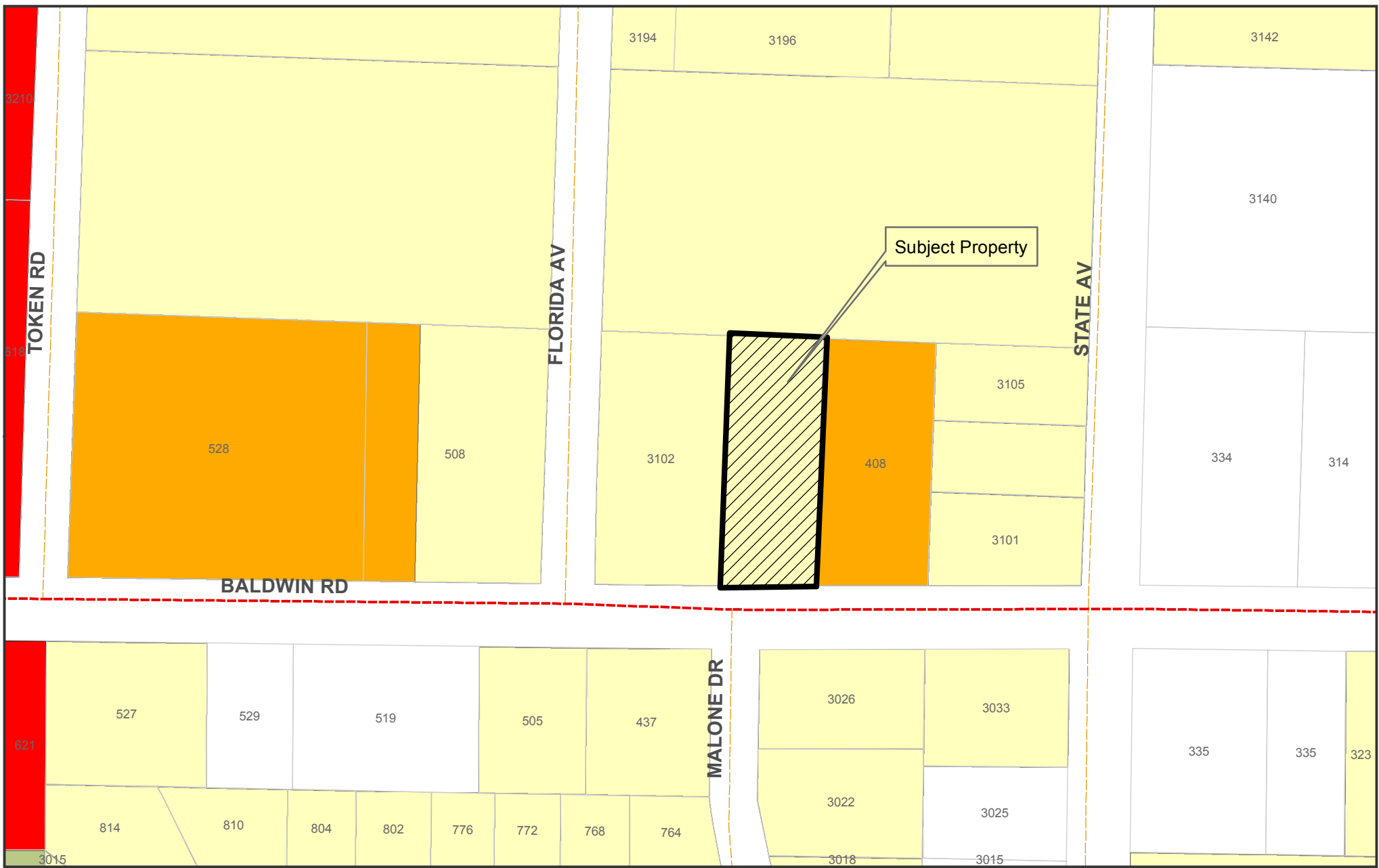


Exhibit A

Zoning Change City of Panama City

Legend

Zoning Districts

- Downtown District
- General Commercial - 1
- General Commercial - 2
- Heavy Industry
- Light Industry

- Mixed Use - 1
- Mixed Use - 2
- Mixed Use - 3
- Planned Unit Development (PUD)
- Preservation
- Public/Institutional

- Recreation
- Residential - 1
- Residential - 2
- Silviculture
- Urban Residential 1
- Urban Residential 2

- Urban Residential
- Shoreline
- Water
- NOT ZONED
- Parcels



1 inch = 163 feet