



City of Panama City Planning and Economic Development Department  
**STAFF REPORT**  
Planning Board Applications for January 11, 2021

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 Three

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

**Case Number:** PB 21-24

**Applicant/ Owner:** John Michael Forbis, owner and James Slonina, applicant

**Location of Property:** 7731 Hwy 231, 7735 Hwy 231, 7739 Hwy 231

**Parcel ID Numbers:** 05636-028-000, 05636-031-000, 05636-030-000

**Background:** The applicant has requested annexation into the City for City services and land use /zoning change from agricultural and commercial to GC-2 for commercial businesses.

**Special Treatment Zone:** N/A

**Wetlands:** small SW portion of 7731 Hwy 231

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

**Flood Zone:** A small SW portion of 7731 Hwy 231 is located in A (*Source: 2009 FEMA maps*). The property is located in X (*Source: 2009 FEMA maps*).

**Area of Subject Property:** 4.131 +/- acres (*Source: Bay County Property Appraiser*).

	Land Use	Zoning
<b>Change From:</b>	Agriculture (Bay County) Commercial (Bay County)	Agriculture, AG-1 Commercial, C-3A
<b>Change To:</b>	General Commercial	General Commercial 2, GC-2

**Proposed Use of the property:** The applicant has requested annexation into the City for City services and land use /zoning change from agricultural and commercial to GC-2 for commercial businesses.

**Directors' Report:**

Utilities Director: The City is entering into a contract with Bay County to provide water and sewer services to the referenced properties.

## **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. 104-38. - General Commercial -2 (GC-2) zoning district.**

The purpose of this zoning district is to provide areas for neighborhood commercial activity including retail sales and services, professional offices and services, and other similar land uses.

A. The following bulk regulations shall apply to property zoned as GC-2:

1. The impervious surface ratio shall be no greater than 0.90 (or 90%) of the total parcel area.
2. The floor area ratio (FAR) may not exceed 3.0 (or 300%).
3. No maximum height.
4. Minimum setbacks shall be:
  - i. 15 feet from the front parcel line.
  - ii. 20 feet from the rear parcel line.
  - iii. 5 7 feet from the side parcel lines.
5. Minimum setbacks for development adjacent to zoning districts that allow residential uses shall be:
  - i. 15 feet from the front parcel line.
  - ii. 30 25' feet from the rear parcel line.
  - iii. 12 feet from the side parcel lines.

B. The following uses are allowed in GC-2 zoning districts; all other uses are prohibited:

1. All uses allowable in the GC-1 zoning district
2. Shopping centers.
3. Vehicle dealers and repair shops (excluding scooter rental /sales).
4. Adult entertainment subject to the requirements of Chapter 7, Article III of the Municipal Code.
5. Big box retailers.
6. Printing, publishing or other similar establishments.
7. Business park.
8. Wholesaling, warehousing, and indoor storage of goods or materials.
9. Public utilities with exception to solid waste facilities and landfills.
10. Cannabis Dispensing Facilities, and
11. Other similar uses.

C. Additional Requirements.

1. Confine ground and building lighting to the property and without causing direct light to protrude on adjacent properties.
2. Screen garbage receptacles, trash containers, and dumpsters from public view, using opaque materials.

3. Provide off-street parking as specified in Chapter 108.
4. Conform to the landscaping and buffering requirements as specified in Chapter 107.
5. Not include any residential development.
6. The exterior of building facades visible from Highway 98 or Harrison Avenue shall not be constructed of metal unless:
  - i. such wall is not visible by a pedestrian standing within the vehicular right-of-way of Highway 98 or Harrison Ave; or
  - ii. such wall is completely covered by one or more of the following materials:
    - Brick
    - Stone
    - Stucco
    - Synthetic stucco
    - Cementitious materials
    - Exterior insulation
    - Wood siding, provided finish system that such siding is (EIFS) applied with no panel exceeding twelve (12) inches in height
    - Other non-ferrous material may be permissible, if determined by the Planning Dept. as a matter of fact to be aesthetically comparable and at least as opaque, weather resistant, and permanent as the materials listed above.

## **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 proposed zoning district is compatible with adjacent land uses in the City. The proposed zoning designation of GC-2 is similar to the current zoning in the area.

**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 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.

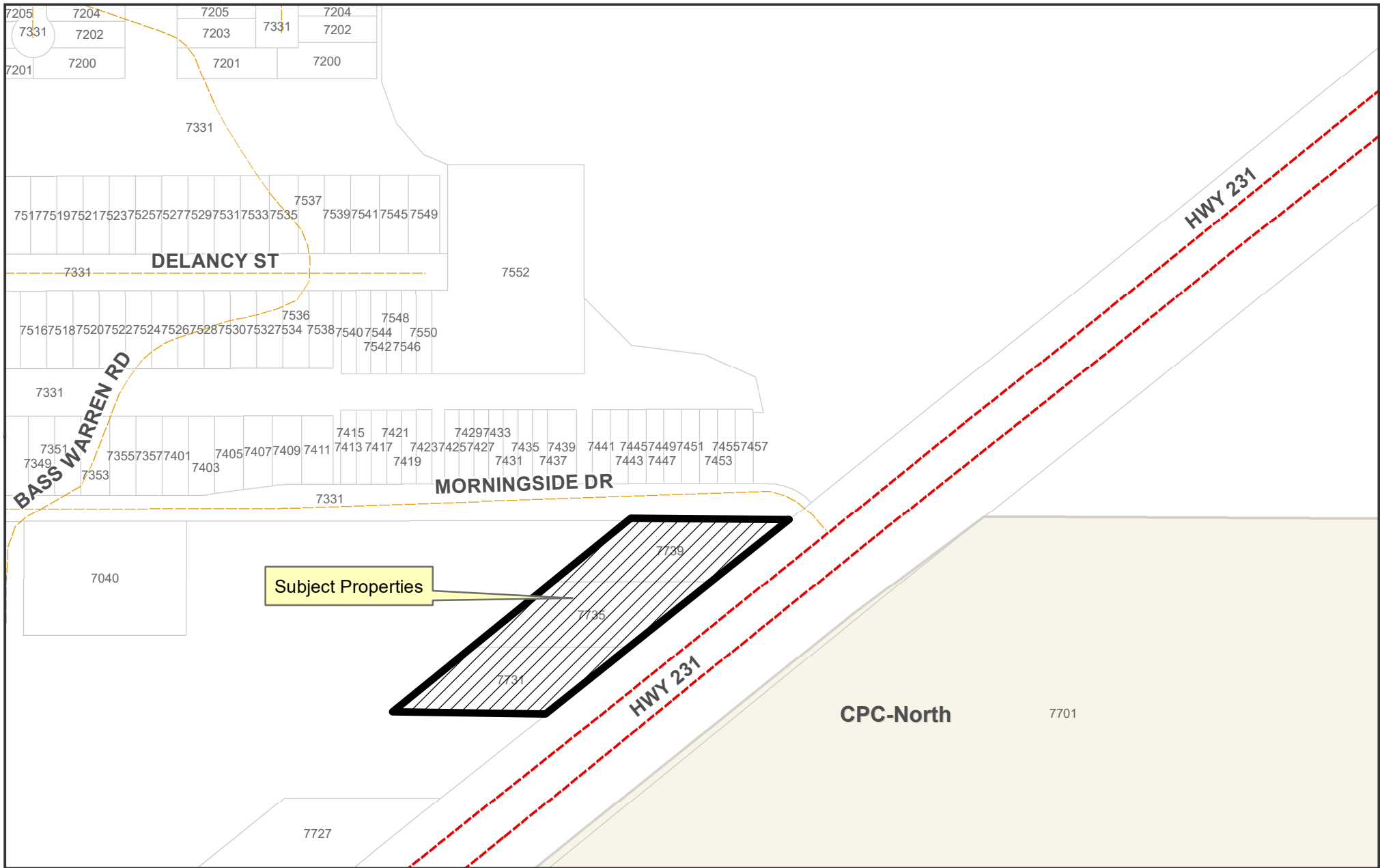
**Summary of Findings:**

The request will not result in any deficiencies in concurrency standards. Proposed 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 II

Date December 7, 2020





**Exhibit A**

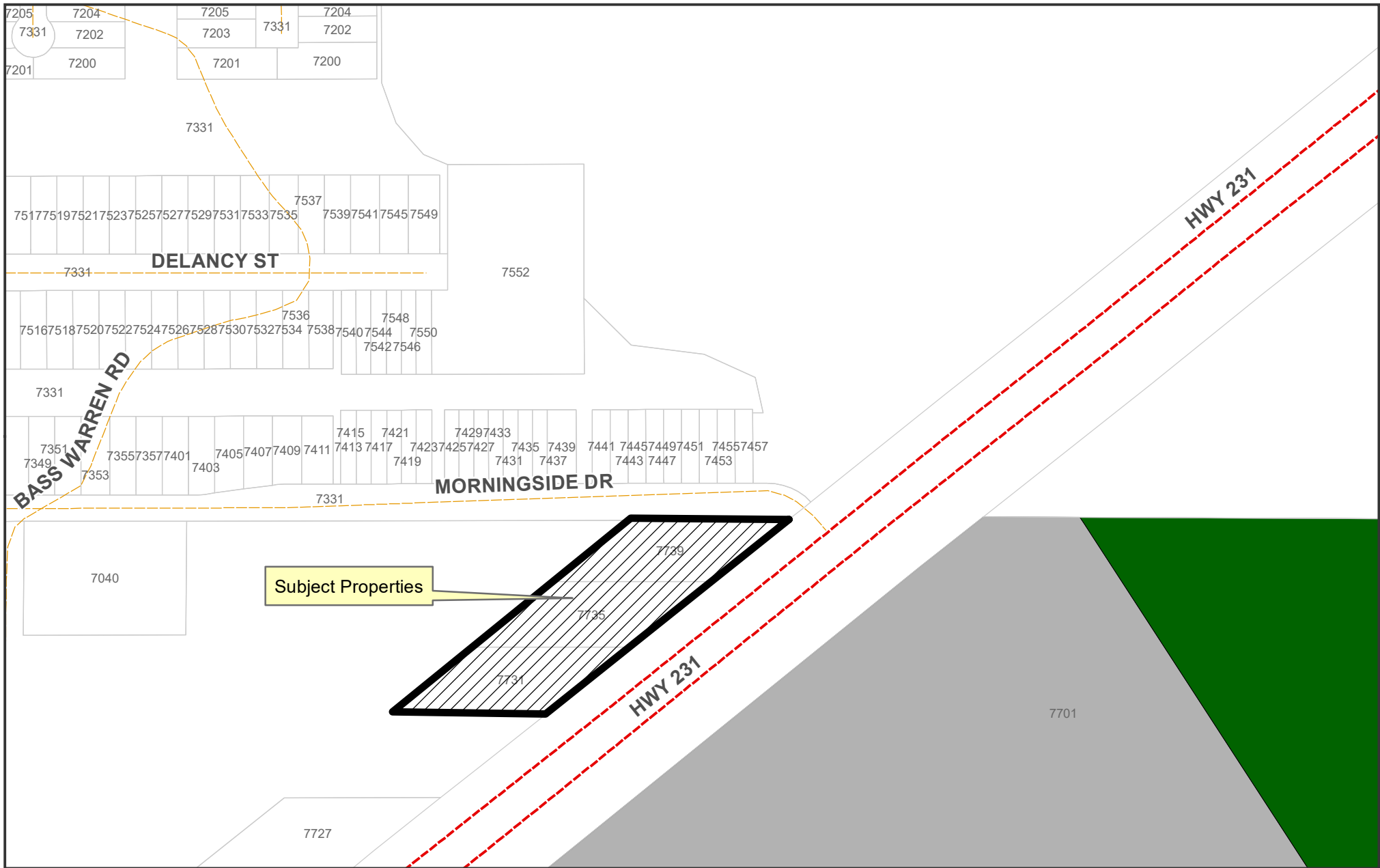
**Annexation**  
**City of Panama City**

**Legend**

 Parcels

1 inch = 250 feet





**Exhibit A**

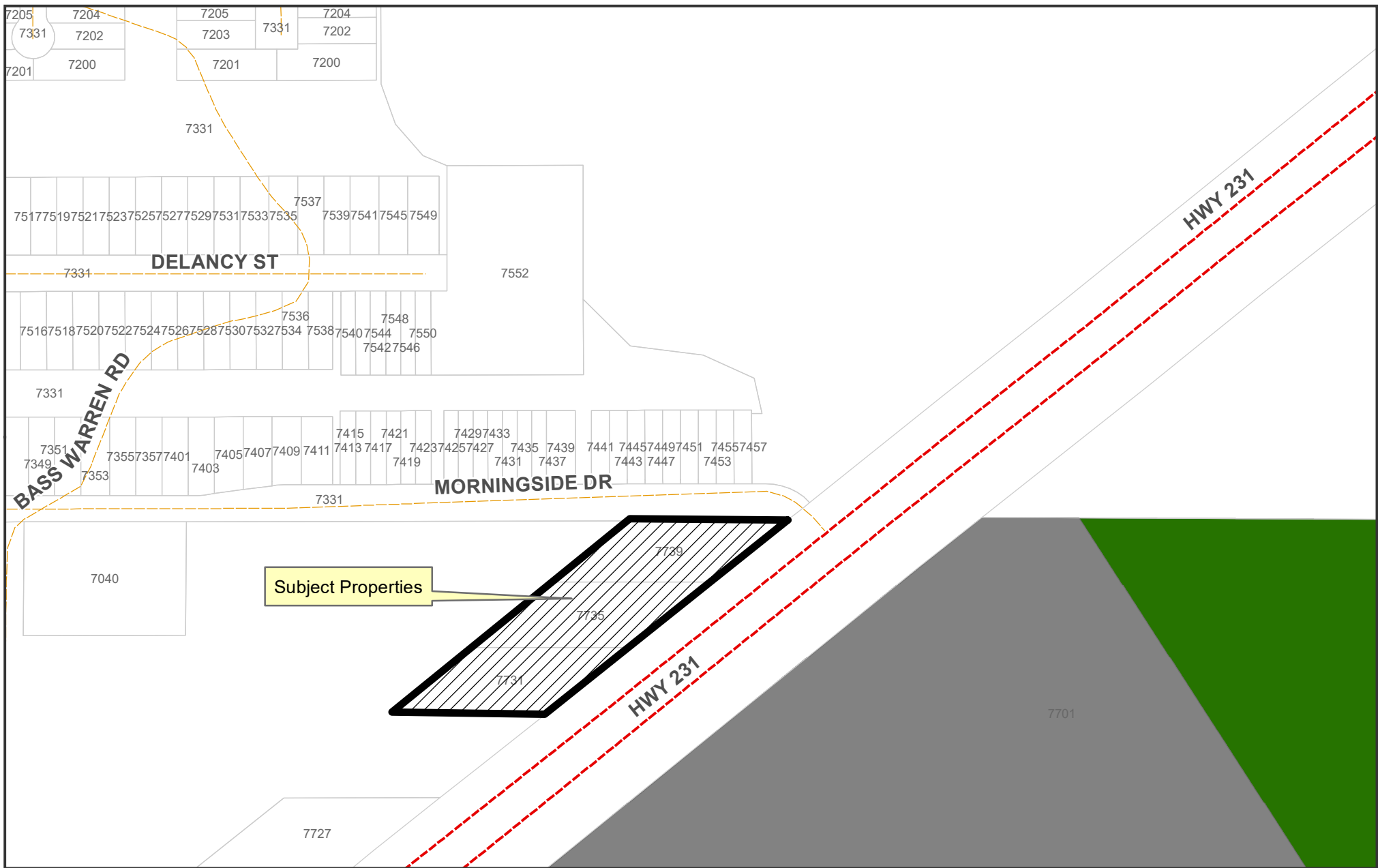
**FLUM**  
City of Panama City

**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 = 250 feet





# Exhibit A

## Zoning

### City of Panama City

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

1 inch = 250 feet