



CITY COMMISSION MEETING 4-13-21

Agenda Item

Request Form

ITEM: First reading of Ordinance 2790.1, amending the Future Land Use Map of the City to reflect a land use designation of Public Institutional for the property located at 724 & 732 Harmon Ave and 415 E 7th St.

BACKGROUND INFORMATION: The applicant would like to rezone the property in order to add it to the City's Public Works campus.

The Planning Board considered this item on March 8, 2021. The Planning Board recommended approval by a vote of 4-1.

DEPARTMENT HEAD RECOMMENDATION: Conduct a first reading of the ordinance.

ORDINANCE NO. 2790.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF PUBLIC INSTITUTIONAL FOR PARCELS OF PROPERTY LOCATED AT 724 HARMON AVE, 732 HARMON AVE, AND 415 E 7th ST, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY, FLORIDA;

WHEREAS, the Legislature adopted Chapter 163, laws of Florida, which requires the City of Panama City to prepare and adopt and enforce a comprehensive plan; and

WHEREAS, the Panama City Planning Board held a Public Hearing to consider Proposed Comprehensive Plan Amendment PB 21-34 on March 8, 2021, and recommended the Amendment be approved by the Panama City Commission for adoption, and

WHEREAS, the City Commission of the City of Panama City held a first reading on April 13, 2021, and a Public Hearing and second reading on April 27, 2021, to adopt Comprehensive Plan Amendment PB 21-34, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and having provided for necessary revisions; and,

WHEREAS, in exercise of its authority, the City Commission of the City of Panama City, Florida, finds it necessary and desirable to adopt and does hereby adopt Comprehensive Plan amendment PB 21-34, in order to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Panama City, as follows:

Section 1: Purpose and Intent.

The land use designation of the identified parcel shall be and hereby is changed from a Land Use designation of Mixed Use to Public Institutional as described in Small Scale Amendment PB 21-34, with said property having the following legal description:

Parcel I

Lot I, Block I, of Plat to be filed or more particularly described as follows:

Commence at the Southwest comer of the Southwest Quarter of Section 4,

Township 4 South, Range 14 West; thence East 660 feet; thence North 60 feet for Point of Beginning; thence North 102 feet; thence East 75 feet; thence South 102 feet; thence West to Point of Beginning.

Parcel II

Beginning 60 feet North and 75 feet East of the Southwest corner of the West Half of the Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 4, Township 4 South, Range 14 West; running thence East 45 feet; thence North 152 feet; thence West 100 feet, thence South 50 feet; thence East 55 feet; thence South 102 feet to the Point of Beginning; being in and a part of the West Half of Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 4, Township 4 South, Range 14 West.

Parcel Identification No.: 16707-000-000

Parcel 2:

Beginning 300 feet South and 20 feet East of the Northwest corner of Southeast Quarter of Southwest Quarter of Southwest Quarter, Section 4, Township 4 South, Range 14 West; thence East 140 feet, South 100 feet, West 140 feet, thence North 100 feet to the Point of Beginning, being a part of the West Half of Southeast Quarter of Southwest Quarter of Southwest Quarter, Section 4, Township 4 South, Range 14 West, Bay County, Florida. ALSO: Beginning at a point Four hundred feet (400) South and Twenty (20) feet East of Northwest corner of Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 4, Township 4 South, Range 14 West; thence South 50 feet, East 140 feet, North 50 feet, West 140 feet to the Point of Beginning, Bay County, Florida.

Parcel Identification No.: 16708-000-000

PARCEL I

Beginning at a point which is 200 feet South and 20 feet East of the Northwest Corner of West Half of Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 4, Township 4 South, Range 17 West; thence East 140 feet thence South 100 feet; thence West 140 feet; thence North 100 feet to the Point of Beginning. Said tract being in and a part of the West half of Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 4, Township 4 South, Range 14 West, Bay County, Florida.

PARCEL II

Beginning 150 feet South and 20 feet East of the Northwest Corner of the West Half of Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 4, Township 4 South, Range 14 West; running thence East 140 feet; thence South 50 feet; thence West 140 feet; thence North 50 feet to Point of Beginning. Being a part of the West Half of Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 4, Township 4 South, Range 14 West, Bay County, Florida.

Parcel Identification No.: 16709-000-000

For Map of Property see “Exhibit A.”

Section 2: Comprehensive Plan Amendment.

The City of Panama City Comprehensive Plan is hereby amended as set forth in and incorporated herein by reference, and consists of a Future Land Use Map Amendment.

Section 3: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions

and portions of this Ordinance and the City of Panama City Comprehensive Plan shall remain in full force and effect.

Section 4. Copy on File.

An official, true and correct copy of all elements of the Panama City Comprehensive Plan as adopted and amended from time to time shall be maintained by the City Manager or his designee.

Section 5: Effective Date of Amendment.

This amendment shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency (DEO) or the Administration Commission, respectively, issues a final order determining the adopted small scale development amendment is in compliance. (§163.3187, F.S.)

PASSED, APPROVED AND ADOPTED at the regular meeting of the Mayor and City Commission of the City of Panama City, Florida, the 27th day of April, 2021.

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

By _____
Greg Brudnicki, Mayor

ATTEST:

Brandy Waldron, Interim City Clerk-Treasurer

Exhibit A: Petition to Amend the Comprehensive Plan Future Land Use Map

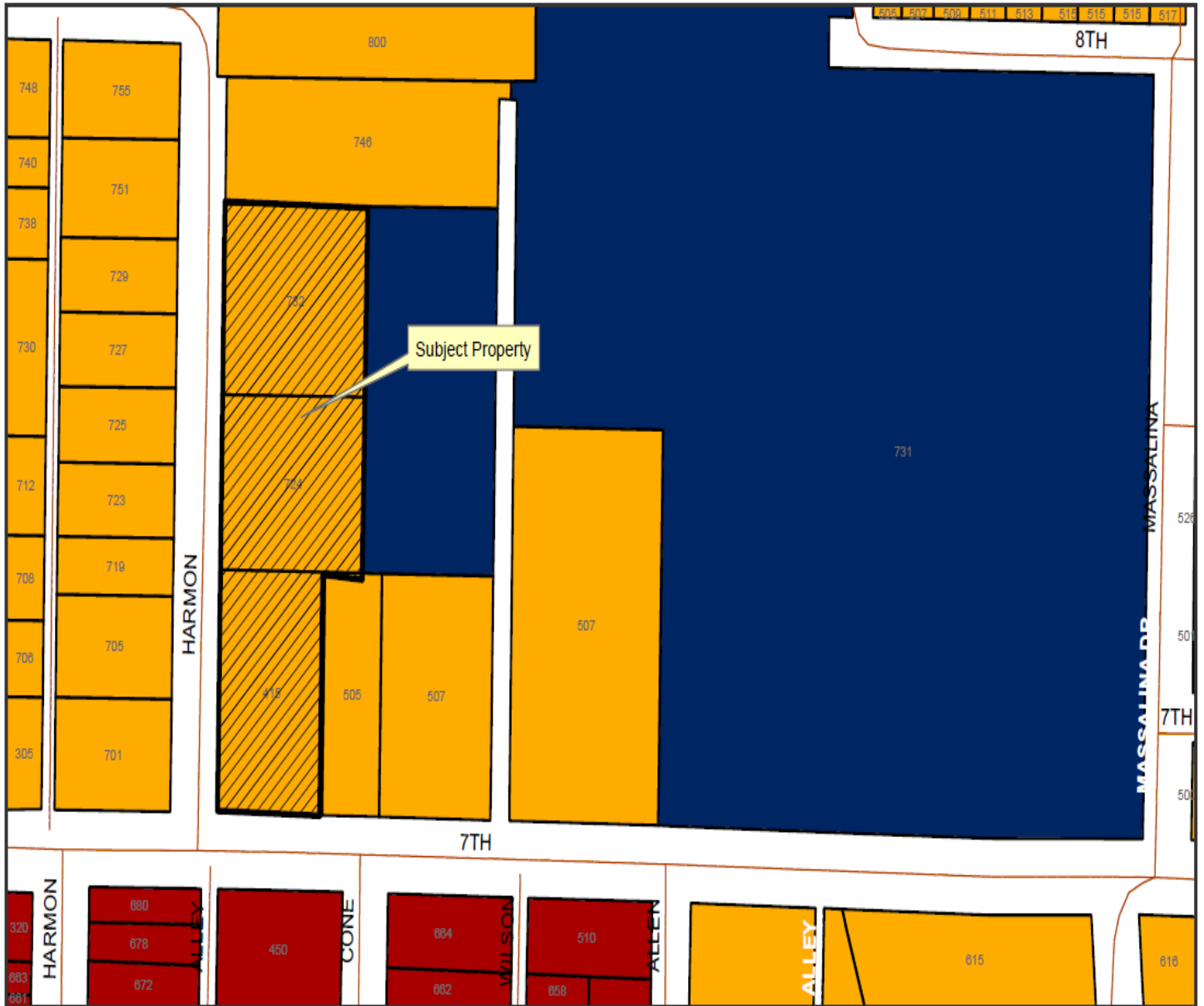


Exhibit A

FLUM
City of Panama City

Legend

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



N



1 inch = 119 feet



City of Panama City Planning and Economic Development Department

STAFF REPORT

Planning Board Applications for March 8, 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 Two

Type of Application: SSLUA/Rezone

Case Number: PB 21-34

Applicant/ Owner: City of Panama City, owner and applicant.

Location of Property: 724 & 732 Harmon Ave and 415 E 7th St

Parcel ID Numbers: 16708-000-000;16709-000-000; & 16707-000-000

Background: The applicant would like to rezone the property in order to add it to the City's Public Works campus.

Special Treatment Zone: Downtown North CRA.

Wetlands: There are no wetlands on site.

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

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

Area of Subject Property: +/- 1.312 acres (*Source: Bay County Property Appraiser*).

	Land Use	Zoning
Change From:	Mixed Use	Mixed Use 2 (MU-2)
Change To:	Public Institutional	Public Institutional (P/I)

Current use of the property: 732 Harmon has a duplex on it, 724 Harmon has a single-family residence on it, and 415 E 7th St is vacant.

Proposed Use of the property: The applicant would like to rezone the property in order to add it to the City's Public Works campus.

Directors' Report:

Utilities Director: Utilities has no comment.

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. 104-25. Public/Institutional (P/I) zoning district.

The purpose of this zoning district is to provide areas and sites for civic and community uses.

A. The following bulk regulations shall apply to property zoned P/I:

1. The impervious surface ratio (ISR) shall be no greater than 0.90 (or 90%) of the total parcel area.
2. The floor area ratio (F.A.R.) shall be no greater than 0.70 or 70%.
3. No height limitation.
4. Minimum setbacks shall be:
 - i. 15 feet from the front parcel lines.
 - ii. 10 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.

B. The following uses are allowed in the P/I zoning district; all other uses are prohibited;

1. Public or private schools, any age group.
2. Buildings and lands owned by a governmental agency.
3. Civic and community centers.
4. Houses of worship.
5. Public cemeteries.
6. Public utilities.
7. Borrow pits; landfills (if approved by the City Commission).
8. Hospitals, medical centers, and other health care facilities.
9. Nursing home, convalescent home, hospice center, skilled nursing facility, extended care facilities for the elderly, or other similar uses.
10. Residential uses which are incidental to a primary use such as a parsonage or caretakers quarters.
11. Correctional institutions, after approval by the City Commission, and after compatibility with adjacent uses has been determined.
12. Military installations.
13. Public or non-commercial private recreational uses to include marinas and boat ramps.

C. Additional Requirements

1. Provide off-street parking as specified in Chapter 108.
2. Conform to the landscaping and buffering requirements as specified in Chapter 107.

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.

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 Land Use amendment/zoning change is not expected to create a nuisance to nearby homeowners.

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. 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.



Tina Scibelli
Planner II

Date January 27, 2021

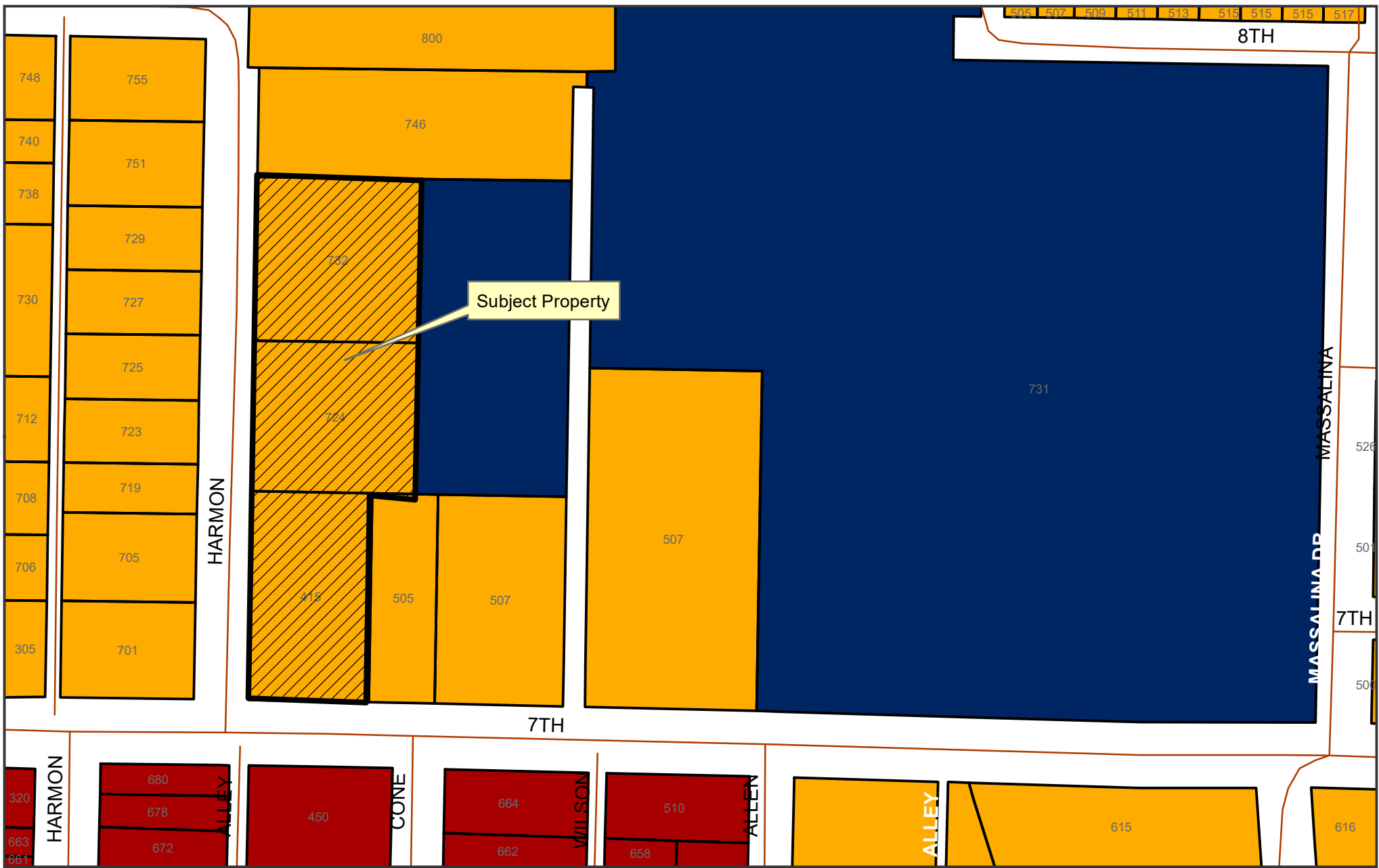


Exhibit A

FLUM City of Panama City

Legend

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



1 inch = 119 feet

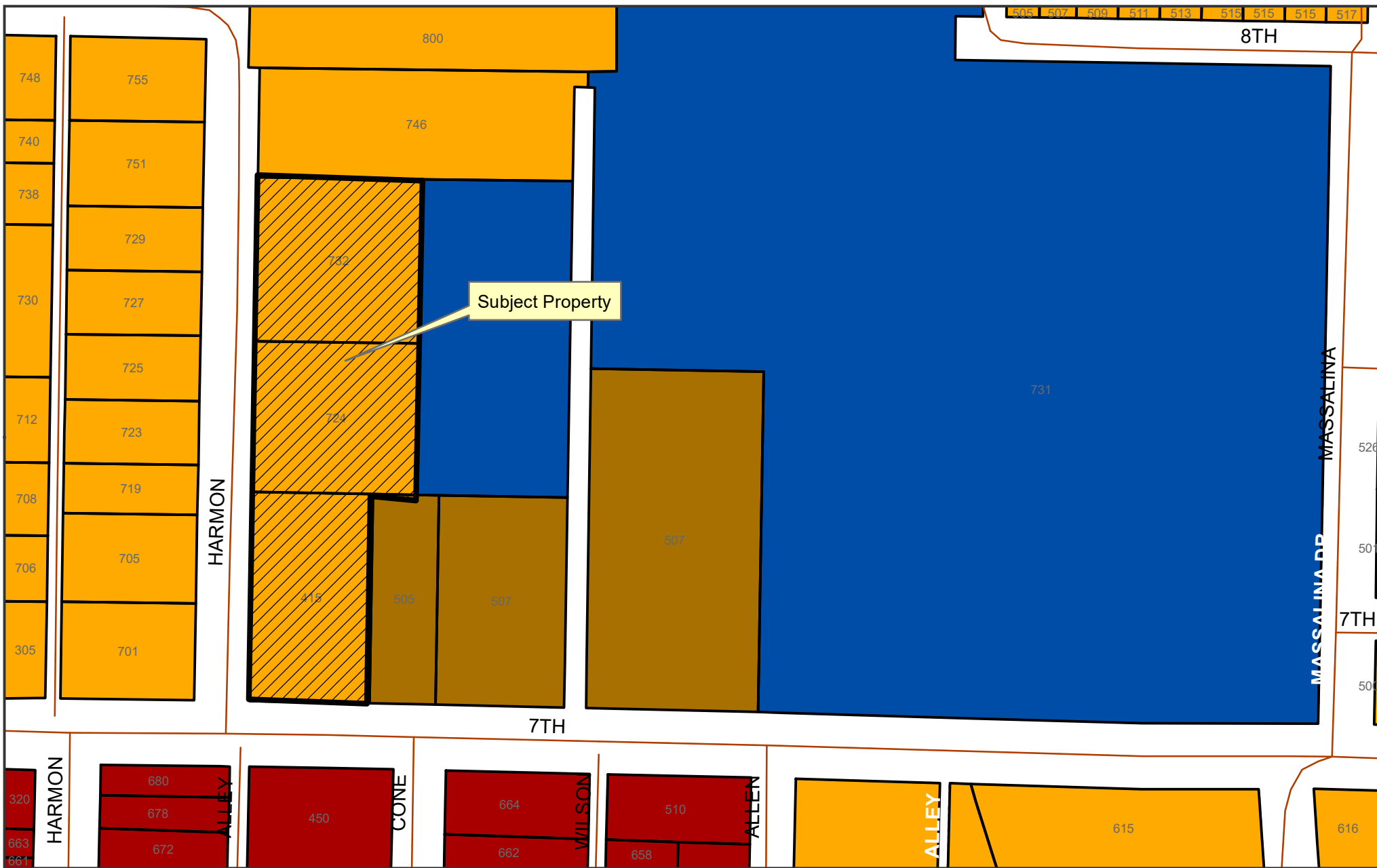


Exhibit A

Zoning Map City of Panama City

Legend

Zoning Districts

- | | | | |
|------------------------|--------------------------------|---------------------|---------------------|
| Downtown District | Mixed Use - 1 | Recreation | Urban Residential 3 |
| 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 | |



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