



CITY COMMISSION MEETING

6-8-21 Agenda Item

Request Form



ITEM: First reading of Ordinance 3003.1, amending the Future Land Use Map of the City to reflect a land use designation of Industry for the property located at 1311 Redwood Ave, Panama City, FL.

BACKGROUND INFORMATION: The applicant has requested a rezoning to meet the City's code for Industrial business.

The Planning Board considered this item at its regularly scheduled meeting on May 10, 2021. A motion was made to recommend approval. The Board members voted unanimously to recommend approval.

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

ORDINANCE NO. 3003.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF INDUSTRY FOR A PARCEL OF PROPERTY LOCATED AT 1311 REDWOOD AVE, 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 21-49 on May 10, 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 June 8, 2021, and a Public Hearing and second reading on June 22, 2021, to adopt Comprehensive Plan Amendment PB 21-49, 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 21-49, 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 General Commercial to Industry as described in Small Scale Amendment PB 21-49, with said property having the following legal description:

The South Half of the South Half of the Northwest Quarter of the Northwest Quarter of Section 3, Township 4 South, Range 14 West, less and except the East 30 feet, Bay County, Florida.

Parcel Identification Number: 16057-000-000

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 22nd day of June, 2021.

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

By _____
Greg Brudnicki, Mayor

ATTEST:

Brandy Waldron, Interim City Clerk-Treasurer

Exhibit A: Future Land Use Map

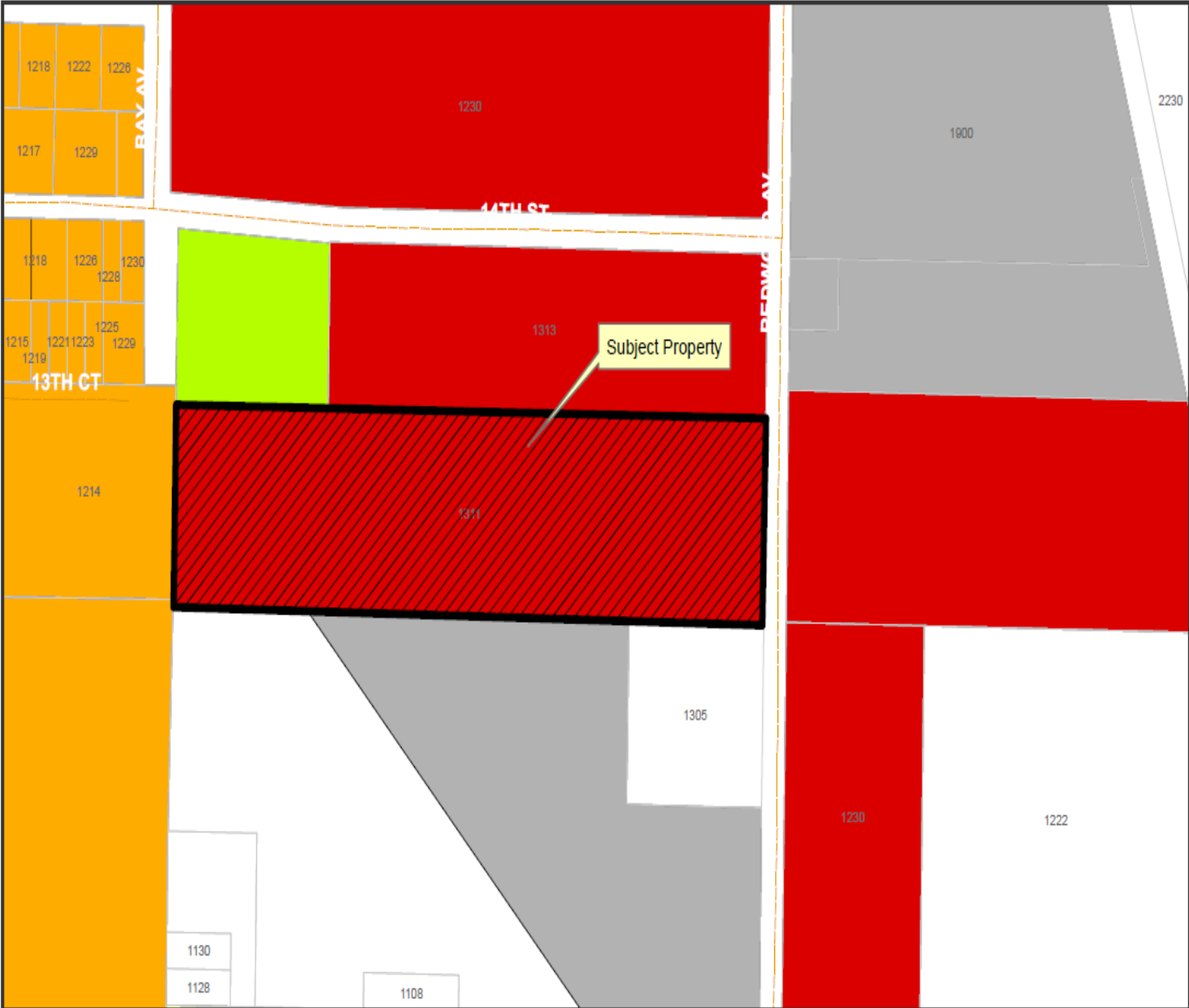


Exhibit A
FLUM
City of Panama City

Legend

Future Landuse: 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 = 250 feet



City of Panama City Planning and Economic Development Department
STAFF REPORT
Planning Board Applications for May 12, 2020

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 Five

Type of Application: SSLUA/Rezone

Case Number: PB 21-49

Applicant/ Owner: Gary Howard/ Howard Living Trust, Owner and Gary Howard, Applicant

Location of Property: 1311 Redwood Ave

Parcel ID Numbers: 16057-000-000

Background: The applicant has requested a rezoning to meet the City's code for Industrial business

Special Treatment Zone: N/A

Wetlands: +/- .2%

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

Flood Zone: The property is located in X (*Source: 2009 FEMA maps*).

Area of Subject Property: 10 +/- acres (*Source: Bay County Property Appraiser*).

	Land Use	Zoning
Change From:	General Commercial	General Commercial 2, GC-2
Change To:	Industry	Heavy Industrial, HI

Proposed Use of the property: The owner would like to use the property for industrial activities with a pick and pull business.

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. 104-40. – Heavy Industrial (HI) zoning district.

The purpose of this zoning district is to provide areas for heavy industrial operations to isolate them from other land uses.

A. The following bulk regulations shall apply to property zoned as HI:

1. The impervious surface ratio shall be no greater than 0.80 (or 80%) of the total parcel area.
2. The floor area ratio (FAR) may not exceed 0.85 (or 85%).
3. No maximum height.
4. Minimum setbacks shall be:
 - i. No less than 25 feet from any property line at the perimeter of the zoning category boundary, except as described in Sec. 104-37.A.4.ii (below).
 - ii. Industrial uses adjacent to lands designated as Industrial on the Future Land Use Map (FLUM) shall have a setback requirement of 5 feet from the property line.

B. The following uses are allowed in HI zoning districts; all other uses are prohibited:

1. All uses allowed in the LI zoning category.
2. Scrap processing.
3. Recycling centers.
4. Any industrial, manufacturing, distribution, storage or warehousing use which is otherwise prohibited in any other zoning district.

C. Additional Requirements.

1. Conform to the industrial performance standards as specified in Chapter 12, Article V of the Municipal Code.
2. Provide off-street parking as specified in Chapter 108.
3. Landscaping and buffering is required as specified in Chapter 107.
4. Complete a compatibility analysis of the proposed use with the existing adjacent uses and the allowable uses as specified by the Future Land Use Map, as part of the development order application process.
5. Heavy industrial uses shall not be located adjacent to any zoning category that allows for residential uses.

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 HI 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.



Tina Scibelli
Planner II

Date April 9, 2020



Exhibit A

FLUM City of Panama City

Legend

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



1 inch = 250 feet

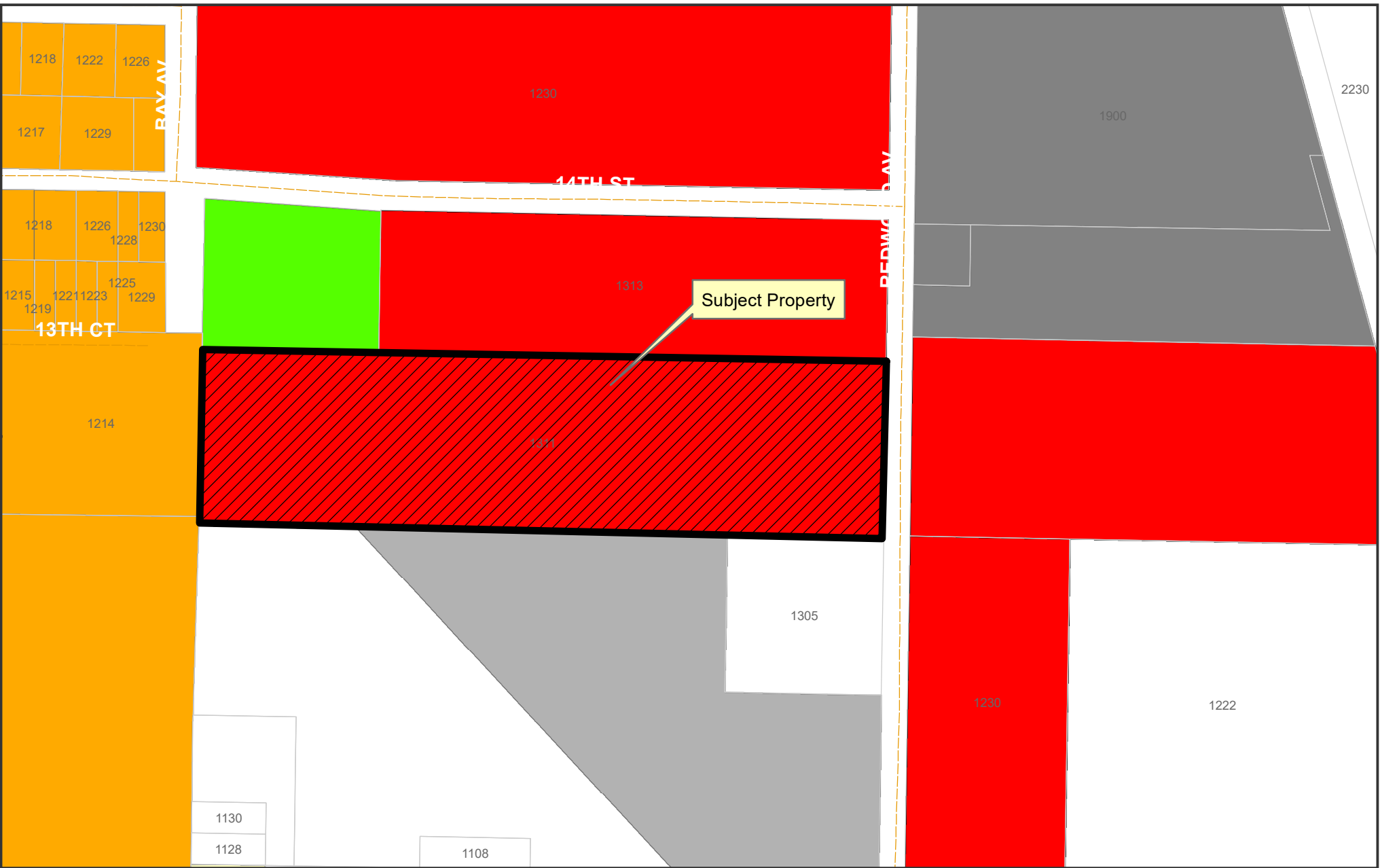


Exhibit A

Zoning Map 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 3
- Shoreline
- Water
- NOT ZONED
- Parcels



1 inch = 250 feet