



CITY COMMISSION MEETING

6-8-21 Agenda Item

Request Form

ITEM: First reading of Ordinance 3005.1, amending the Future Land Use Map of the City to reflect a land use designation of General Commercial for the property located at 625 W Baldwin Road, Panama City, FL.

BACKGROUND INFORMATION: The applicant has requested rezoning for an expansion to the facility an increased parking lot level of service.

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. 3005.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF GENERAL COMMERCIAL FOR A PARCEL OF PROPERTY LOCATED AT 625 W BALDWIN RD, 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 21-51 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 21-51, 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 21-51, 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 Industry and General Commercial to General Commercial as described in Large Scale Amendment PB 21-51, with said property having the following legal description:

BEGIN AT THE SOUTHWEST CORNER OF LOT 7, ST. ANDREW'S BAY DEVELOPMENT COMPANYS SUBDIVISION OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 14 WEST,

ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 6, PAGE 19, IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE NORTH 00°56'23" EAST ALONG THE WEST LINE OF SAID LOT 7 FOR 250.86 FEET TO THE SOUTH RIGHT OF WAY LINE OF BALDWIN ROAD (100-FOOT RIGHT OF WAY); THENCE NORTH 89°51'22" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR 441.47 FEET; THENCE SOUTH 00°37'23" WEST FOR 257.18 FEET TO THE SOUTH LINE OF SAID LOT 7; THENCE NORTH 89°15'51" WEST ALONG SAID SOUTH LINE FOR 445.75 FEET TO THE POINT OF BEGINNING.

Parcel Identification Number: 12998-000-000

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, large 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: Petition to Amend the Comprehensive Plan Future Land Use Map

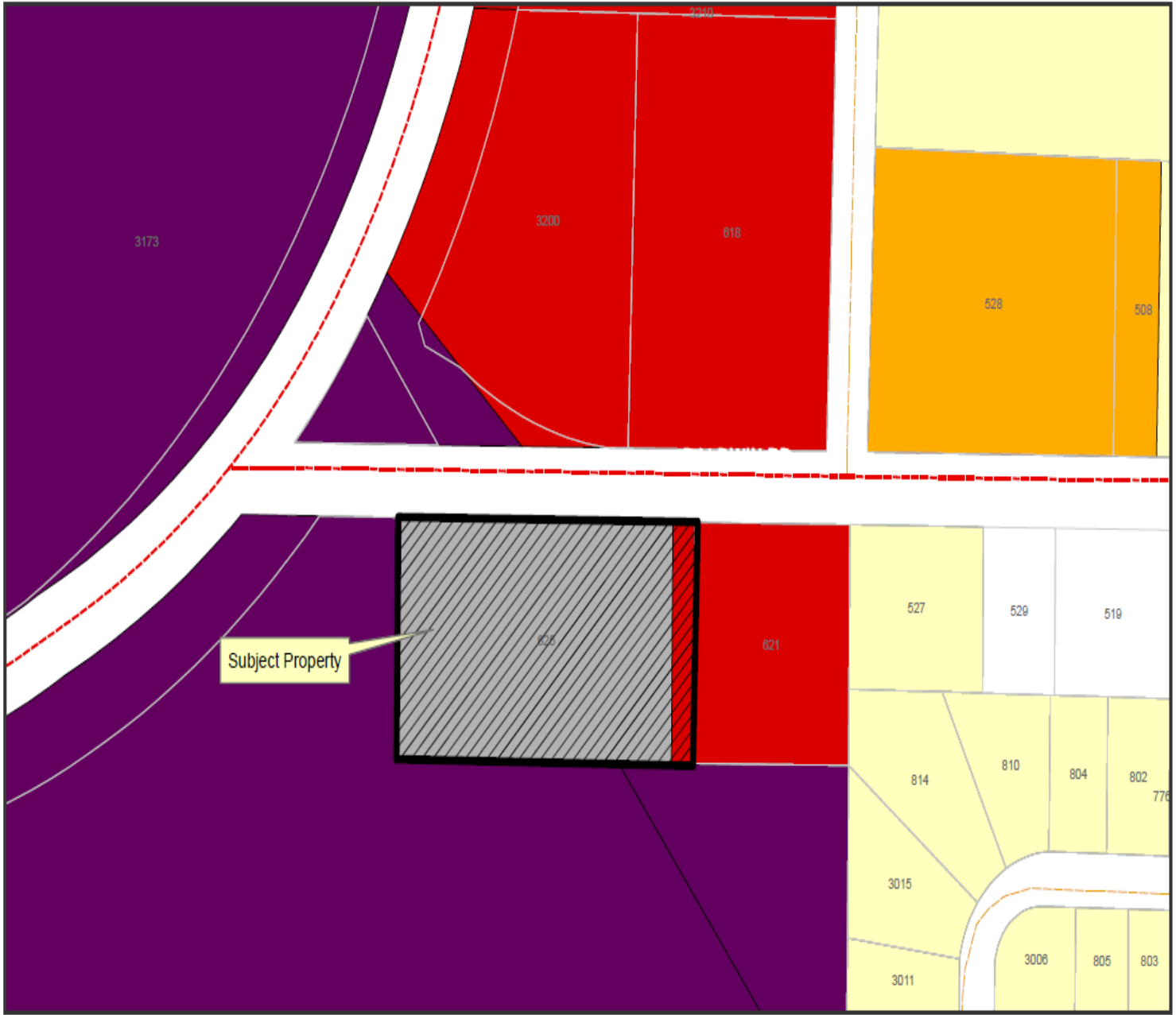


Exhibit A

FLUM
City of Panama City

Legend

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



1 inch = 167 feet



City of Panama City Planning and Economic Development Department
STAFF REPORT
Planning Board Applications for May 10, 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 Seven

Type of Application: SSLUA/Rezone

Case Number: PB 21-51

Applicant/ Owner: Caso, LLC, owner and James H Slonina, applicant

Location of Property: 625 W Baldwin Road

Parcel ID Numbers: 12998-000-000

Background: The applicant has requested rezoning for an expansion to the facility an increased parking lot level of service.

Special Treatment Zone: Not in any special treatment zones.

Wetlands: N/A

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

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

Area of Subject Property: 2.7 +/- acres (*Source: Bay County Property Appraiser*).

	Land Use	Zoning
Change From:	Industry General Commercial	Light Industrial (LI) General Commercial 2(GC-2)
Change To:	General Commercial	General Commercial-2 (Panama City)

Current use of the property: The property currently has a medical complex on it.

Proposed Use of the property: Continued use of property for medical office activity.

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. 104-38. – 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 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. 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.

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 appropriate for the context of the site and 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 II

Date: April 12, 2021

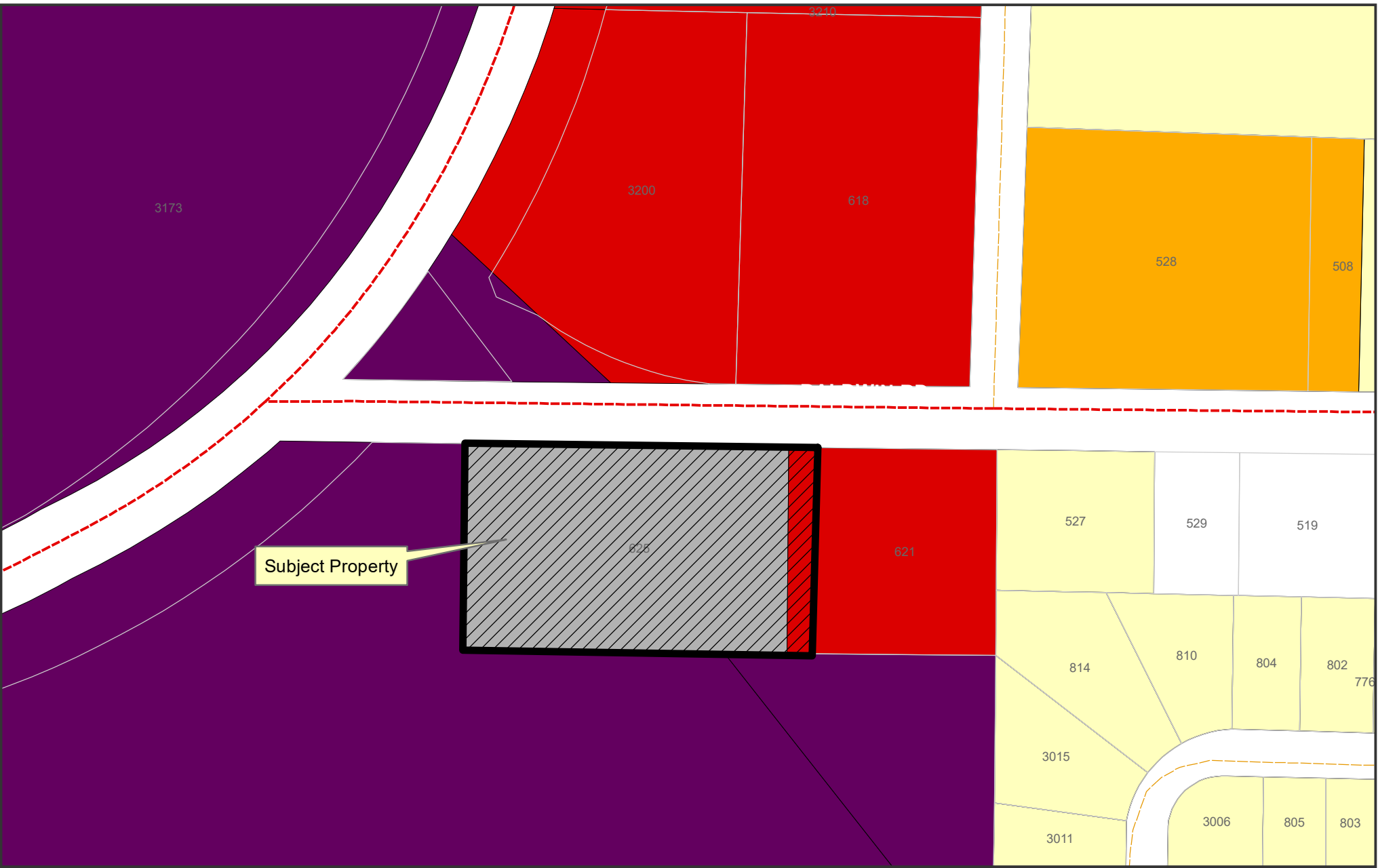


Exhibit A

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	

N

1 inch = 167 feet

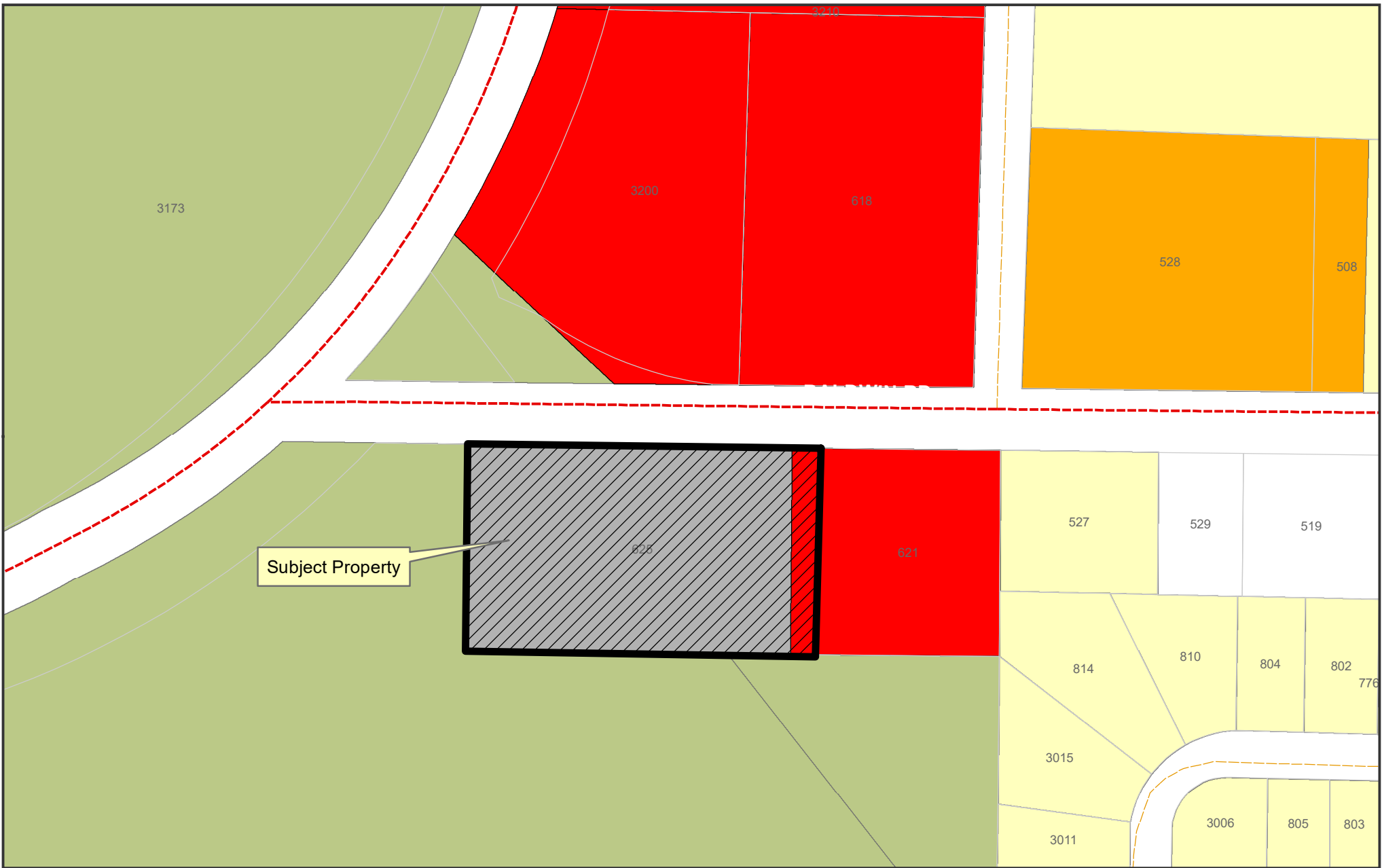


Exhibit A

Zoning Map City of Panama City

Legend

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



1 inch = 167 feet