



CITY OF
Panama City
FLORIDA

Development Services Department
STAFF REPORT

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:

714 E. 4th St. – CPMA2308	
Staff Report Date	November 4, 2022
Planning Board Meeting Date	Public Hearing: November 14, 2022
City Commission Meeting Date(s)	First Reading: December 13, 2022 Second and Final Reading/Public Hearing: January 10, 2023
Meeting Type	Public Hearing
Staff Information	Orlando Russ, Planner I, Planning Division, Development Services Department
Action Necessary	Yes
Staff Recommendation	APPROVE
Attachments Included	Adopted Map Series

Application and Location Summary:

Case Number	CPMA2308
Application Type	Small Scale Land Use Amendment and Rezoning
Owner	Spine Care Plus/Michael Colvin
Applicant	Spine Care Plus/Michael Colvin
Application Request/Proposed Use	This is an existing business. The applicant requests the Future Land Use designation and rezoning to be changed from Residential-1, R-1 to General Commercial-1, GC-1
Address and Parcel ID Number (s)	714 E 4 th St. (PARCEL ID #: 20783-000-000)
Location	Southwest of the E 4 th Street and N MacArthur Avenue intersection, immediately south of E 4 th Street
City Commission Ward Impacted	1
Community Redevelopment Agency Area	N/A
Neighborhood Plan Boundary	The subject property is not located within the boundary of a Neighborhood Plan.

Land Use and Site Summary:

Property Size (acres approx.) (Source: Bay County Property Appraiser)	0.47
Existing Land Use Classification (Source: Bay County Property Appraiser)	Professional Building
Existing Future Land Use	Residential (Panama City)
Proposed Future Land Use	General Commercial (Panama City)
Existing Zoning District (s)	Residential-1, R-1 (Panama City)
Proposed Zoning District	General Commercial-1, GC-1 (Panama City)

Flood and Coastal Summary:

Wetlands	N/A
Flood Zone	X
Coastal Hazard Area	N/A

Department and Agency Comments:

Public Works	
Other Considerations	N/A

Comprehensive Plan Goals, Objectives and Policies:

Future Land Use Element

Goal 1A: Establish a defined pattern of land use intended to guide the provision of public facilities and provide predictability in managing development

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.)

10. General Commercial Future Land Use Category

Intent	This category is intended to provide areas for high intensity commercial development.
Density	None
Impervious Surface Area	Impervious Surface Area - No more than 0.90 lot coverage
Intensity	The floor area ratio shall not exceed 3.0

Allowable Uses	Retail sales and services; wholesale sales; shopping centers, office complexes, and other similar commercial land uses; houses of worship; private recreation.
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Utilities Element

Goal 4A: 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.

Goal 4B: 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.

Goal 4D: 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.

Unified Land Development Code Regulations:

Sec. 104-37. General Commercial-1 (GC-1) 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-1:
 - 1. The impervious surface ratio (ISR) shall be no greater than 0.70 of the total parcel area.
 - 2. The floor area ratio (FAR) shall not exceed 2.0.
 - 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-1 zoning districts; all other uses are prohibited:
 - 1. Neighborhood-scale commercial uses, not to exceed 20,000 square feet of heated and cooled space in size per parcel. Such uses may include:
 - i. Professional office and personal services.
 - ii. Private childcare or day care for children.
 - iii. Commercial recreational facilities.
 - iv. Grocery and convenience retail such as beauty parlor, barber shop, laundromat, dry cleaner, and other retail establishments meant to serve the immediate vicinity.
 - v. Athletic clubs, dance or music studios.
 - vi. Food establishments without a drive-thru window.
 - vii. Public utilities customarily found in residential areas.
 - viii. Other similar uses serving the neighborhood area.
- 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, except caretaker facilities.
6. The exterior of building facades visible from major roadways including 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 finish system (EIFS)
 - Wood siding, provided that such siding is applied with no panel exceeding 12 inches in height
 - Other non-ferrous material may be permissible, if determined by the planning department as a matter of fact to be aesthetically comparable and at least as opaque, weather resistant, and permanent as the materials listed above.

(Ord. No. 2675 , § 1(Exh. A), 3-12-2019)

Sec. 102-41(E)

Section 102-41(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. 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 four (4) criteria:

<i>1. Not degrade the established level of services in the Comprehensive Plan or the minimum concurrency requirements.</i>	
Staff Response:	This impact is de minimis, which is not subject to concurrency review.
<i>2. In harmony with the general intent of the Comprehensive Plan. (Goals listed as applicable.)</i>	
Staff Response:	No level of service standards will be exceeded by this Future Land Use map amendment.
<i>3. Not exceed traffic limitations, create a fire hazard, or a hazard to the public health, welfare and safety.</i>	
Staff Response:	This impact is de minimis, which is not subject to concurrency review
<i>4. Compatible with adjacent land uses and districts, and not create a potential nuisance.</i>	
Staff Response:	The proposed Land Use amendment/zoning change is compatible with surrounding land use categories and zoning districts.

Staff Findings:
The City of Panama City per the local Comprehensive Plan establishes a pattern of Land Uses intended to guide the provision of public facilities and provide predictability in managing development (Goal 1A, Future Land Use Element, FLUE). Objective 1.1 (FLUE) directs the City

of Panama City to maintain a future land use map which coordinates future land uses with appropriate topography, soil conditions, conservation of natural resources, availability of facilities and services, and compatibility of adjacent land uses.

Policy 1.1.1 (FLUE) of the City of Panama City Comprehensive Plan also states that 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.

The subject property has an existing business on the property and the land use and zoning change request seeks to ensure the current use is conforming to the current code requirements. General Commercial-1 (GC-1) zoning is located to the East and the West of the property. General Commercial-1 zoning is also located to the northwest along North Cove Boulevard. Parcels further to the northeast are zoned Public Institutional (PI). Immediately to the south of the property there is predominantly residentially zoned lots. General Commercial-1 zoning would not disrupt the development pattern in the area as the parcel is currently utilized as a non-residential use operating as a business. GC-1 is currently located along E 4th Street. The purpose of the General Commercial-1 zoning district is to provide areas for neighborhood commercial activity.

Goal 1A, Objective 1.1 and Policy 1.1.1 requires compatibility of adjacent land uses. The request is compatible with the land use, zoning and development pattern within the area with property mitigation techniques. Staff recommends the City of Panama City approve the land use amendment request.



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Exhibit A

Aerial Map City of Panama City

Legend

 Parcels

N



1 inch = 153 feet

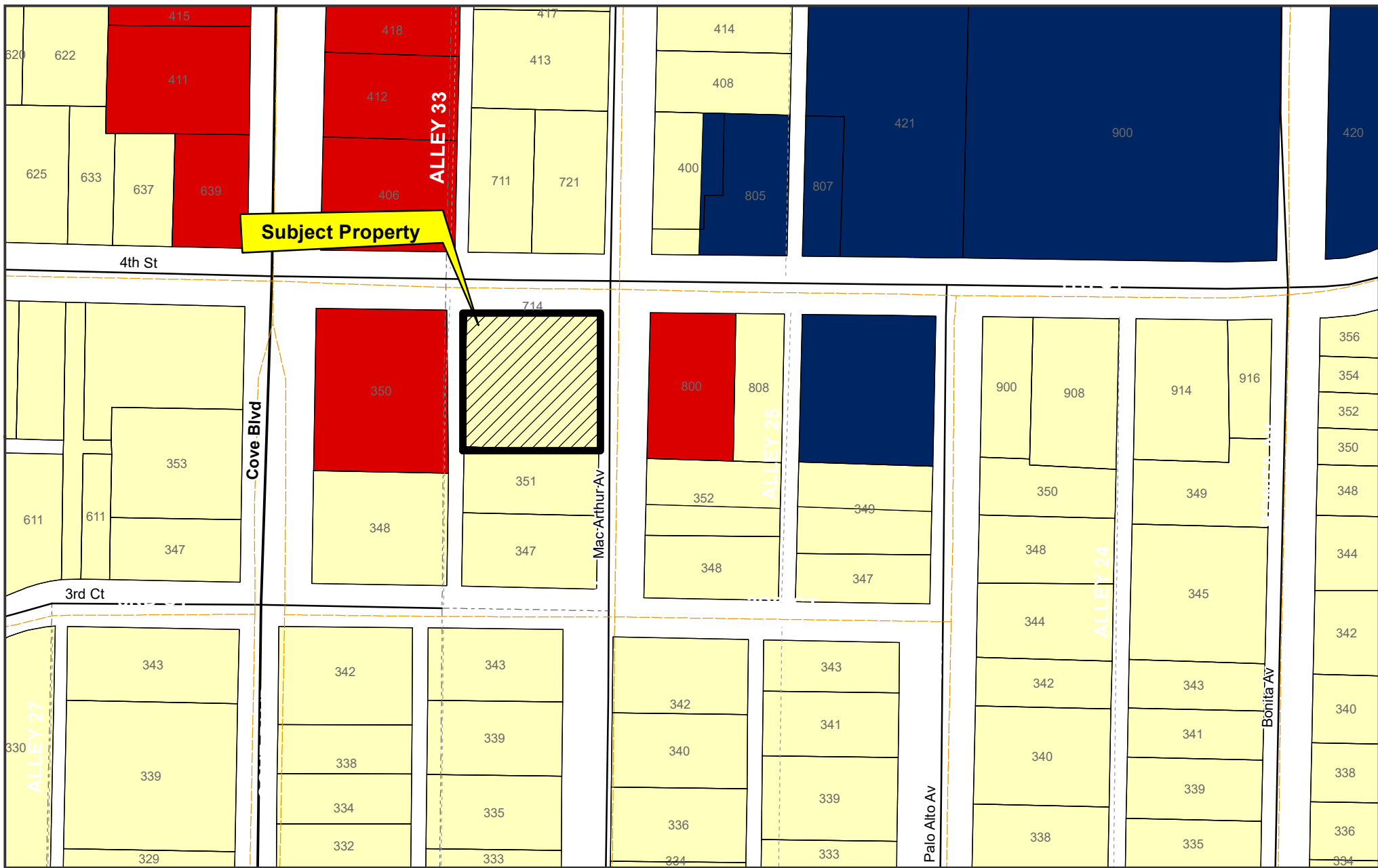


Exhibit A

Future Land Use Map 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 = 134 feet

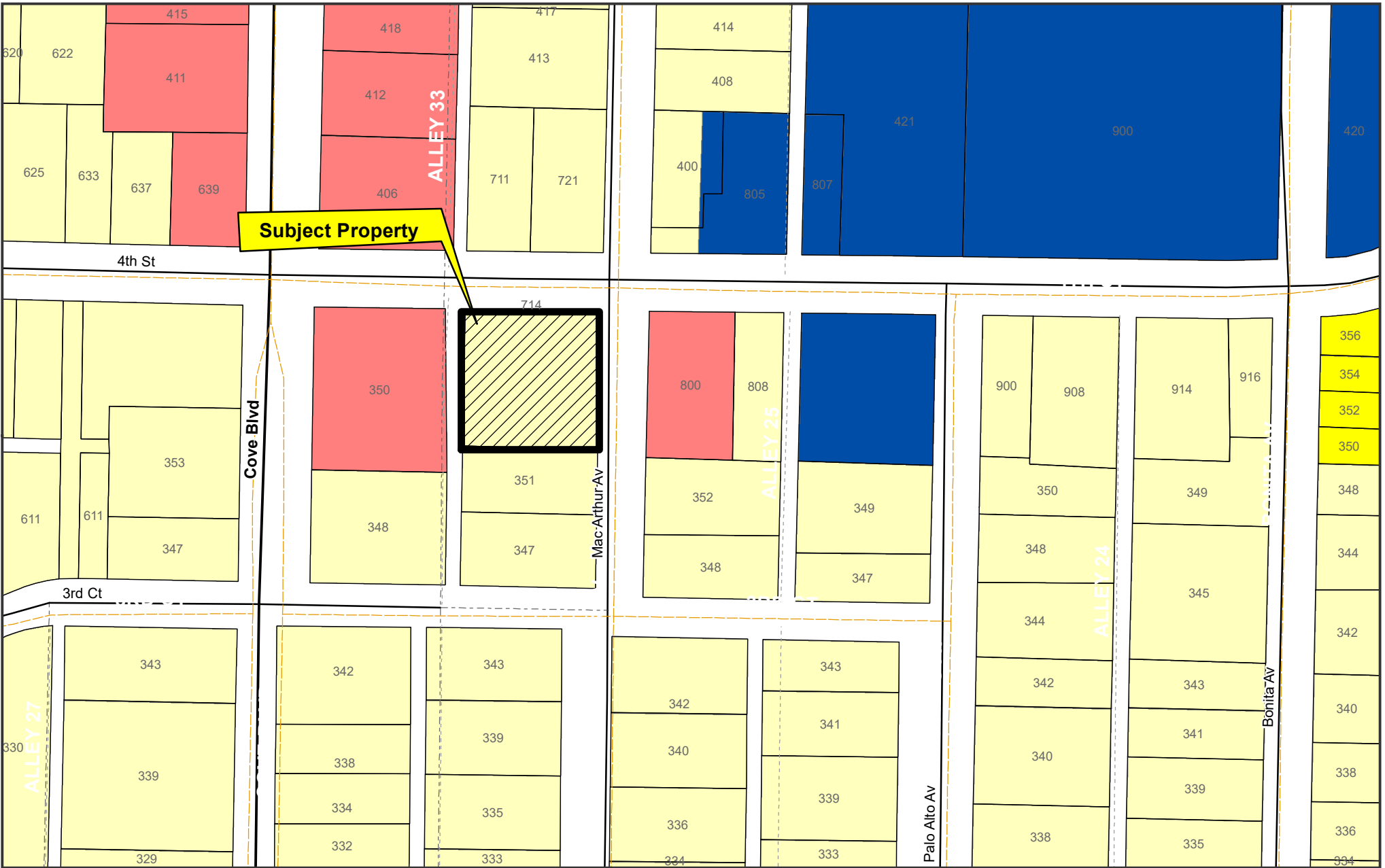


Exhibit A

**Zoning Map
City of Panama City**

Legend

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|------------------------|--------------------------------|---------------------|---------------------|
| 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 | | |



1 inch = 134 feet