



City of Panama City Planning and Economic Development Department

STAFF REPORT

Planning Board Applications for February 14, 2022

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 One

Type of Application: Annexation/SSLUA/Rezone

Case Number: PB 22-28

Applicant/ Owner: Darryl Pierce, owner and applicant

Location of Property: 2701 Lisenby Ave

Parcel ID Numbers: 13108-010-000

Background: The applicant has requested annexation into the City in order to utilize City services.

Special Treatment Zone: The subject property is not located in a special treatment zone.

Wetlands: No wetlands on site.

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

Flood Zone: +/- 50% X (Source: 2009 FEMA maps), +/- 50% A (Source: 2009 FEMA maps)

Area of Subject Property: 1.336 +/- acres (Source: Bay County Property Appraiser).

	Land Use	Zoning
Change From:	General Commercial (Bay County)	General Commercial-3, C-3 (Bay County)
Change To:	General Commercial (Panama City)	General Commercial-2, GC-2 (Panama City)

Current use of the property: A restaurant is currently located on the subject property.

Directors' Report:

Utilities Director: No comments.

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 intensive commercial activity including retail sales and services, wholesale sales, shopping centers, 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 (ISR) shall be no greater than 0.90 of the total parcel area.
2. The floor area ratio (FAR) shall not exceed 3.0.
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. 7 feet from the side parcel lines
5. Minimum setbacks for development that are adjacent to zoning districts which 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.
8. Public utilities with exception to solid waste facilities and landfills.
10. Cannabis dispensing facilities.
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.
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 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)

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 subject property is surrounded by land uses and zoning that match the General Commercial land use. The proposed Land Use amendment/zoning change 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

January 12, 2022
Date