

Large Scale Annexation, Future Land Use Map Amendment and Rezoning Applicant's Development Guide

Development Services Department – Planning & Zoning Division
City of Panama City, City Hall, 501 Harrison Avenue, 2nd Floor, Room 217, Panama City, FL 32401
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All applications, materials, plans, documents and fees are required to be submitted electronically via the Development Services Department's online application portal. Submission via e-mail will not be considered. Ownership and Applicant Authorization Forms will need to be submitted electronically.

THE COMPREHENSIVE PLAN

Pursuant to Chapter 163, Part II of the Florida Statutes, the Comprehensive Plan contains the long-range policy structure for the City of Panama City. The Comprehensive Plan contains elements that address future land use, housing, transportation, utilities, coastal management, conservation, recreation, and open space, intergovernmental coordination, and capital improvements. All new development must be consistent with the goals, objectives, policies and maps in the Comprehensive Plan. If a development proposal is not consistent with the Future Land Use Map, an amendment may be required, even if it's consistent with the property's zoning classification.

COMPREHENSIVE PLAN CONSISTENCY PREREQUISITE

Any and all amendments to the Official Zoning Map (rezoning) are required by law to be consistent with the Comprehensive Plan's Future Land Use Map. An amendment of the Comprehensive Plan Future Land Use Map shall be required in those instances where the proposed zoning district would otherwise be inconsistent with the Comprehensive Plan's Future Land Use Map. A completed application must be filed with the City of Panama City Development Services Department, 2nd Floor, City of Panama City Hall, 501 Harrison Avenue, Panama City, Florida 32401. All applications, materials, plans, documents and fees are required to be submitted electronically via the Development Services Department's online application portal. Submission via e-mail will not be considered.

REZONING REVIEW APPLICATION PROCESS

Application Submittal

The applicant will be required to submit an application for rezoning review to the Development Services Department. The filing fees for rezoning are included in this information and application packet. The appropriate fee must be paid at the time of application submittal.

FEE SCHEDULE

Request*	Application Fee	Review Fee	Total Fee
Annexation (an individual single-family residential lot/parcel)	\$0.00	\$0.00	\$0.00
Annexation (less than 5 acres)	\$500	N/A	\$500
Annexation (more than 5 acres and less than 10 acres)	\$1,500	N/A	\$1,500
Annexation (greater than 10 acres)	\$2,500	N/A	\$2,500
Large Scale Future Land Use Amendment	\$2,500	N/A	\$2,500
Rezoning	\$1,000	N/A	\$1,000
Initial Planned Unit Development (PUD) Submittal	\$3,000	N/A	\$3,000
Planned Unit Development (PUD) Revisions	\$1,000	N/A	\$1,000

*ALL annexations require a Future Land Use Amendment change and a rezoning.

Planning Board Review and Public Noticing

The land use amendment and rezoning requests require public notice in accordance with the City of Panama City Unified Land Development Code and Florida Statutes.

The Development Services Department will advertise the request for review by the Planning Board no less than 10 days prior to the next available Planning Board Public Hearing. This includes running legal advertisements, posting signs and mailing out notices to all property owners within 300 feet of the subject property. The Planning Board, at the Public Hearing, may continue the application to a specific time for further review, or may vote to recommend approval or denial. The Planning Board recommendation will be forwarded, along with the Development Services Department staff analysis (in the form of an agenda item), to the City of Panama City Commission for final approval.

Quasi-Judicial Proceedings

Certain matters that come before the Panama City Planning Board (“Board”) are quasi-judicial proceedings, meaning that the Board will hear evidence and render a decision regarding this matter based upon the evidence received. The parties before the Board and the public are entitled to present evidence (documents, witnesses, etc.) and cross-examine witnesses. All witnesses are under oath and the entire proceedings are recorded. However, if you need a verbatim record you must hire your own court reporter.

The Board is not bound by the strict Rules of Evidence and may consider any evidence which it deems relevant and trustworthy. Furthermore, any member of the Board may ask questions of the parties or the witnesses.

Since quasi-judicial proceedings are legal in nature, everyone is expected to adhere to proper courtroom decorum and etiquette. Do not argue with a witness or the opposing party and direct any comments or objections to the Chairman.

The burden of proof in a quasi-judicial proceeding rests with the Applicant, therefore, the Applicant has the opportunity to address the Board last, after all Public Participation and before the Board deliberates.

The following is the procedure which the Board will follow during quasi-judicial hearings.

- I. Public Hearing announced. Introduction of Application by Staff
- II. Ex parte communication disclosure by Board members.
- III. Identification of Applicant and Affected Parties* that intend to participate in the hearing (Affected Parties that only intend to make a statement may do so at the Public Participation part of the agenda)

*An “affected party” means any person or entity that will suffer an adverse effect to an interest protected or furthered by the ULDC, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, and environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large but must exceed in degree the general interest in community good shared by all persons.

- IV. Swearing of witnesses.
- V. Applicant’s presentation of witnesses* or other evidence. (10 minutes)
- VI. Affected Parties’ statement of standing, presentation of witnesses* or other evidence. (5 minutes each if only giving testimony and or documentary evidence; 10 minutes each if presenting a witness(es). Please do not be repetitive of other Affected Parties. Affected Parties are encouraged to coordinate their presentations and may seek more time for presentation at the discretion of the Board, but may not yield time to other Affected Parties.)

- VII. Staff=s presentation of witnesses** or other evidence. (10 minutes)
- VIII. Public Participation. Please do not be repetitive of another speaker. Each speaker is allotted 3 minutes. Speakers may not yield time to another speaker.
- IX. Rebuttal by Applicant and or Staff (if necessary). (15 minutes)
- X. Close of Evidence and Public Hearing. Deliberation and action by the Board.

witnesses may be cross examined by opposing party if the opposing party so desires

After the close of the evidence and during the deliberation by the Board, members of the public are prohibited from commenting. Anyone violating this rule will be asked to leave the room after a warning.

City Commission Public Hearing

The City of Panama City Commission conducts its public hearings to consider applications to amend the Future Land Use and Official Zoning Maps involving land located in incorporated City of Panama City. The City Commission may vote at those public hearings to approve, deny or continue the request to a date and time certain. The City Commission public hearings are conducted in the Bay County Commission Chambers at the Bay County Government Center, 840 W 11th St, Panama City, FL 32401 the 2nd Tuesday at 8:00 AM and 4th Tuesday at 4:00 PM of each month unless otherwise noted. Interested parties may contact the Development Services Department for information regarding the City Commission public hearing schedule.

Standards to be Applied

Section 102-41(E) of the City of Panama City Unified Land Development Code 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:

- Not degrade the established level of services in the Comprehensive Plan or the minimum concurrency requirements.
- In harmony with the general intent of the Comprehensive Plan. (Goals listed as applicable.)
- Not exceed traffic limitations, create a fire hazard, or a hazard to the public health, welfare and safety.
- Compatible with adjacent land uses and districts, and not create a potential nuisance.

Application Submittal Checklist

The application for a change or amendment to the Official Future Land Use and/or Zoning Map shall include the following:

Checklist Items	Applicant Verification	Staff Verification
Completed Application and analyses to be submitted to the Development Services Department. All analyses completed must be based on the MAXIMUM capacity the land use designation allows.		
Payment of Fees (fees cannot be waived and are non-refundable)		
Planning Unit Developments: Applicants petitioning the City for a PUD rezoning will need to submit a document addressing all provisions Article IIA, Planned Unit Development, within the Unified Land Development Code.		
Reason for requesting a land use change (include proposed use of property)		
Consistency and Compatibility Analysis: Discuss the subject property and those adjacent to it, the land use pattern in the surrounding area and how the request is compatible to adjacent land uses		
Discuss how this proposal is consistent with the Comprehensive Plan. Site Comprehensive Plan policies as applicable.		
If not contiguous, then approximately how far is the nearest property with the same Land Use designation as proposed.		
Copy of Deed or Legal Description.		
Survey and/or Site Plan, drawn to scale, depicting: <ul style="list-style-type: none"> Location of surrounding physical features, waterbodies, streets, railroads, etc. Exact size of the site in acres &/or square feet, including linear dimensions; Plan for general development of the site including residential density or commercial intensity; Any existing structures showing setbacks from the property line; and The height of the structure & impervious surface ratios, when applicable. 		

Traffic Analysis

ITE Code No.:	Land Use:
Trip Generation Per Unit/Square Footage:	
Average Daily Trips:	Peak Trips:

Road Segment	Existing LOS	Project LOS	Accepted LOS

NOTE: LOS means Level of Service

Potable Water

Permitted Capacity:

Anticipated Demand of Development:

Available Capacity with Proposed Development:

or

%

Sanitary Sewer

Treatment plant serving the development: Millville St. Andrews

Permitted Capacity:

Anticipated Demand of Development:

Available Capacity with Proposed Development:

or

%.

Solid Waste

Permitted Capacity:

Potential Demand of Development:

Current Capacity of Steelfield Landfill: _____ years.

School Impacts

Fish Station (Florida Inventory of School Houses) and enrollment information is available from the Bay County School District Facilities Maintenance Department and is available from the Planning Department, upon request. If the amendment request depicts a deficit in the current FISH capacity, please provide a letter from Bay District Schools that the School Board agrees with the proposed amendment and if any mitigation will be required.

High School

Fish Stations:	
Current Enrollment:	
Capacity:	
Potential Development Impact:	
Capacity After Development:	

Middle School

Fish Stations:	
Current Enrollment:	
Capacity:	
Potential Development Impact:	
Capacity After Development:	

Elementary School

Fish Stations:	
Current Enrollment:	
Capacity:	

Potential Development Impact:	
Capacity After Development:	

Parks, Recreation & Open Space:

- The level of service standard is 2.75 acres of community park space & 1.00 acres of neighborhood park space per 1,000 residents.
- Current Park acres per 1,000 city residents with proposed development: _____ acres.
- Neighborhood Park acres per 1,000 city residents with proposed development: _____ acres.

Stormwater Management: Please describe how stormwater will be managed (attach separate narrative).

Environmental Impacts

Provide an overall analysis of the character of the subject property & surrounding properties, & assess the site's suitability for the proposed use. Please provide a map & a description of the following:

Locally determined environmentally sensitive resources:

1. Flood Zones
2. Wetlands
3. Seagrass Beds
4. Wildlife Habitat

Other Resources:

5. Soils as determined by the Soil Survey of Bay County.
6. Site Vegetation & land use as indicated by the Florida Land Use Cover and Forms Classification System (FLUCFCS)

NOTE: Digital map data is available for download on the web through the Florida Geographical Data Library at www.fgdl.org & through <http://www.co.bay.fl.us/gis.php>. ArcReader, a free, easy-to-use mapping application that allows users to view, explore, & print maps, is available for download at www.esri.com.

Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed changes impact on these resources. The analysis will need to include a map of any historic districts &/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties. (as identified by the Florida Department of State, Office of Historical & Cultural Programs.

Hazard Mitigation

- Is the subject parcel located in the Coastal High Hazard Area? Yes No
- If yes, does this development exceed the adopted level of service for out-of-county hurricane evacuation for a Category 5 storm event, as measured on the Saffir-Simpson Scale, of 16 hours? Yes No
- Is the subject parcel/property located inside a Hurricane Evacuation Zone? If so, please note the zone?
 Yes No
- Hurricane Evacuation Zone:

Capital Improvements

Will development resulting from the proposed Future Land Use Map amendment require capital improvements to public infrastructure (water or sewer service, roads, etc.) in order to support the resultant growth? If so, please specify which infrastructure will be impacted, to what extent, & how will such improvements be funded (attach additional sheets, if necessary):

Energy Efficient Land Use Patterns

Florida statutes discourage urban sprawl. Describe below (use a separate sheet, if necessary) how the proposed land use change will discourage urban sprawl, promote energy efficient land use patterns that account for existing & future electric power generation & transmission systems, & promote greenhouse gas reduction strategies (attach additional sheets, if necessary):

