

ORDINANCE NO. 23-12

AN ORDINANCE AMENDING ORDINANCE NO. 04-29  
ENTITLED "THE BAY COUNTY OFFICIAL ZONING  
DISTRICT MAP", AS AMENDED; PROVIDING FOR  
AUTHORITY AND PURPOSE; PROVIDING A SHORT  
TITLE; PROVIDING FOR CHANGES TO THE OFFICIAL  
ZONING MAP; PROVIDING FOR SEVERABILITY;  
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Bay County, Florida (the "Board"), approved Ordinance No. 04-29 (the "Bay County Official Zoning District Map") on September 21, 2004;

WHEREAS, the Board has approved other ordinances amending the Bay County Official Zoning District Map (Zoning District Map);

WHEREAS, Coastal Classic Holdings, LLC, (the "applicant") submitted an application to change the zoning designation of the land described in Exhibit 1 on the Zoning District Map (the "rezoning");

WHEREAS, pursuant to Section 307 of the Bay County Land Development Regulations Staff conducted a technical analysis of the application for rezoning resulting in findings and recommendations;

WHEREAS, pursuant to Section 307 of the Bay County Land Development Regulations and Section 163.3174, F.S. the Planning Commission conducted a public hearing on April 18, 2023, to hear and consider comments from the staff, the applicant, and the public on the rezoning;

WHEREAS, pursuant to Section 307 of the Bay County Land Development Regulations and Section 125.66, F.S. the Board conducted a quasi-judicial public hearing on June 20, 2023, to hear and consider the recommendations of the Planning Commission concerning the rezoning and to hear and consider comments from staff, the applicant, and the public;

WHEREAS, the Board found the proposed rezoning to be generally consistent with the Bay County Comprehensive Plan.

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Bay County:

Section 1. Authority and Purpose. This ordinance is adopted pursuant to the authority granted counties in Chapter 125 and is enacted to provide for the health, safety and welfare of the citizens of Bay County, Florida and to implement the Bay County Comprehensive Plan and Bay County Land Development Regulations pursuant to Chapter 163, Part II, Florida Statutes.

Section 2. Short Title. This ordinance shall be known as "Bay County Rezoning PZ 23-073 to the Bay County Official Zoning District Map".

Section 3. Changes to the Zoning District Map. The Zoning District Map is hereby changed as follows and described in Exhibit 1.

<u>Reference</u>	<u>Action Taken</u>	<u>Location</u>
PZ 23-073	Change 2.4 +/- acres from R-1 Single Family to C-3A General Commercial Low on the zoning District map.	See Exhibit 1

Conditions of approval:

The use be limited to indoor storage, with an allowance for no more than 3,000 sq. ft. of general office space.

The minimum setback from the northern property line be at least 65 feet.

The building height is limited to 45 feet.

Architectural design is consistent with Sweet Bay Community design standards.

Must meet City of Panama City landscaping requirements.

An 8-foot privacy fence is required adjacent to other residential zonings.

No open outdoor storage is permitted.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decisions shall not effect the validity of the remaining portions hereof. The Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared illegal, invalid, or unconstitutional, and all ordinances and parts or ordinances in conflict with the provision of this ordinance are hereby repealed.

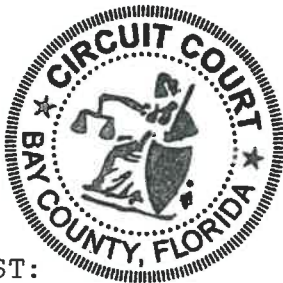
Section 5. Effective date. This Ordinance shall become effective as provided by law.

PASSED AND ADOPTED this 20th day of June, 2023.

BOARD OF COUNTY COMMISSIONERS  
OF BAY COUNTY FLORIDA



Tommy Hamm, Chairman



ATTEST:



Clerk



Approved as to correctness of form:

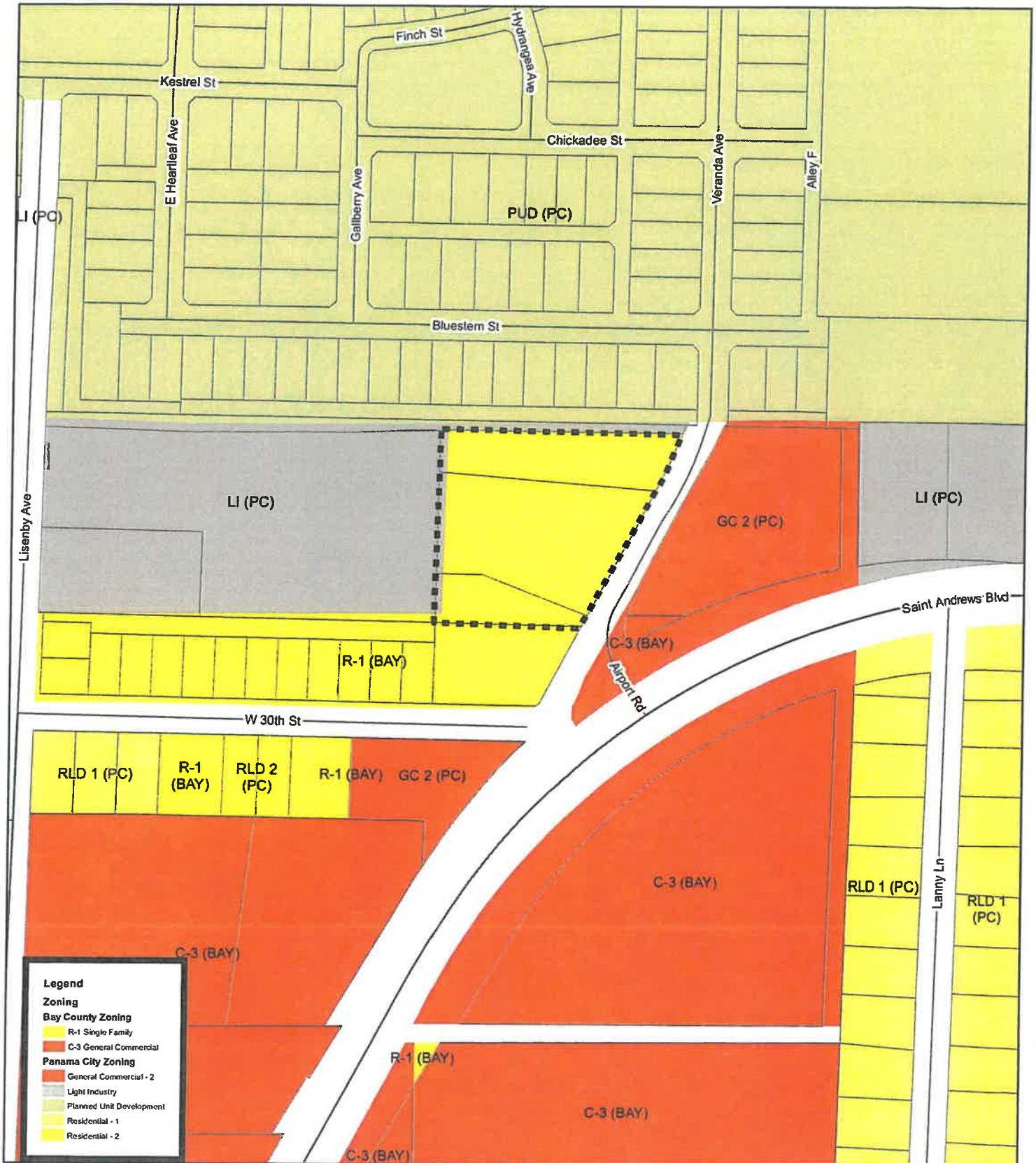


Office of the County Attorney

**Brian D. Leebrick**

cc: Bay County Property Appraiser

# Zoning Map



1 in = 0.04 miles

Prepared by  
Bay County  
Planning and Zoning



## Bay County Board of County Commissioners Agenda Item Summary

### PZ 23-073 - Zone Change - 3712, 3716 Airport Road

**DEPARTMENT MAKING REQUEST/NAME:**

Community Development Wayne Porter, AICP, Planning Manager

**MEETING DATE:** 6/20/2023**REQUESTED MOTION/ACTION:**

Board to conduct a quasi-judicial public hearing pursuant to Section 307 of the Land Development Regulations and approve a proposed zone change from "R-1" Single-Family to "C-3A" General Commercial Low, Application No. PZ 23-073. Located at 3712 and 3716 Road in the unincorporated Panama City area.

**AGENDA**

Community Development - Public Hearing

**BUDGETED ITEM?** N/A**BUDGET ACTION:**

N/A

**FINANCIAL IMPACT SUMMARY STATEMENT:**

N/A

**BACKGROUND:**

On April 18, 2023, the Bay County Planning Commission conducted a public hearing to consider a request from applicant Brian Knox to change the zoning map designation of an approximately 2.4 acres from "R-1" Single Family to "C-3A" General Commercial Low (**Exhibit 1**). The subject property is located at 3712 and 3716 Airport Road in the unincorporated Panama City area (**Exhibit 2**). At the conclusion of the public hearing, the Planning Commission voted 3-1 (Commissioner Hughes dissented, Commissioner Carter was absent) to find the proposed land use change consistent with the Bay County Comprehensive Plan. The Planning Commission recommended approval on condition that the use be limited to indoor storage, with no more than 3,000 square feet allowed for general office space and that a minimum building setback of 65 feet be enforced from the north property line.

The applicant is requesting approval to change the zoning of approximately 2.4 total acres from "R-1" Single Family to "C-3A" General Commercial Low as provided for by section 308 of the Bay County Land Development Regulations, this request is being processed concurrently with Application No. PZ23-072 SSA. This zone change would not become effective unless and until the plan amendment becomes effective. The proposed zone district implements the proposed General Commercial Comprehensive Plan land use designation as specified in Table 3.1 of the Land Development Regulations.

The proposed General Commercial Low "C-3A" zone district allows for a variety of commercial uses including retail centers, convenience stores, gasoline stations, pharmacies, professional services, wholesale trade and warehousing. A maximum of 75 percent impervious coverage and 200 percent floor area ratio is permitted.

Currently vacant, the subject property held one single family home until Hurricane Michael. Adjacent properties include industrial zoning and use to the rear and commercial zoning across Airport Road to the east. Considering the expansion of Highway 390 approximately 100 feet to the south, and the overall expansion of commercial development in the immediate area, staff believes that the zone change is consistent with section 307.3 of the Bay County Land Development Regulations and compatible and consistent with the surrounding area.

This item has been noticed as a public hearing in accordance with Section 206 of the Land Development Regulations.

Staff agrees with the Planning Commission and recommends the Board conduct a public hearing, approve the proposed amendment, with conditions, and adopt the attached ordinance (**Exhibit 3**).

**ATTACHMENTS:**

Description	Type
<a href="#">Exhibit 1 - Application</a>	Exhibit
<a href="#">Exhibit 2 - Map</a>	Exhibit
<a href="#">Exhibit 3 - Ordinance</a>	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date	Comments
Community Development	Porter, Wayne	Approved	6/14/2023 - 10:13 AM	AnswerNotes
Budget Office	Money, Phillip	Approved	6/14/2023 - 10:22 AM	AnswerNotes