#### CITY OF PANAMA CITY BEACH PLANNING BOARD

<b>MEETING DATE:</b>	February 13, 2019
<b>MEETING TIME:</b>	1:00 P. M.
PLACE:	<b>City of Panama City Beach City Hall Annex</b>

#### **AGENDA**

ITEM NO. 1	Call to Order and Roll Call
ITEM NO. 2	Invocation – Dr. Steven Taylor – Emerald Coast Fellowship
ITEM NO. 3	Pledge of Allegiance – Mr. Scruggs
ITEM NO. 4	Approval of January 9, 2019 Planning Board Meeting Minutes
ITEM NO. 5	Public Comments-Agenda Items and Previous Agenda Items (Non-Public Hearings) Limited to Three Minutes
ITEM NO. 6	Ordinance 1489 – Amending Nuisance Abatement Code to Address Hazardous Trees - Continued
ITEM NO. 7	<b>Comprehensive Plan – Section 2 – Recommended Changes</b>
ITEM NO. 8	Bay-Walton Sector Plan – Detailed Specific Area Plan (DSAP) Information

#### ITEM NO. 9 Code Enforcement Update

All interested persons are invited to attend and to present information for the Board's consideration. Further information may be obtained from the Building & Planning Department at 233-5054, extension 2313. Anyone not appearing in person may submit written comments to the Building & Planning Department at 116 S. Arnold Road, Panama City Beach, Florida 32413, any time prior to the stated meeting time. All comments received will be considered before final action is taken. If a person decides to appeal a decision of the Planning Board, a record of the proceedings will be needed. Such person will need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Jo Smith, City Clerk at City Hall, 110 S. Arnold Road, Panama City Beach, Florida 32413 or by phone at (850) 233-5100. If you are hearing impaired and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8771 (TDD).

Notice is hereby provided that one or more members of the City Council or other City boards may attend and speak at the meeting.

# AGENDA ITEM 6

#### **ORDINANCE 1489**

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S NUISANCE ABATEMENT CODE: PROVIDING THAT CERTAIN HAZARDOUS TREES WHICH ENDANGER PEOPLE OR STRUCTURES CONSTITUTE A PUBLIC NUISANCE; PROVIDING FOR THE REMOVAL OF NUISANCE FUEL SOURCES WITHIN 100 FEET OF DEVELOPED LAND; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT: PROVIDING FOR CODIFICATION: PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance. Chapter

15 of the Code of Ordinances of the City of Panama City Beach related to

Nuisances, is amended to read as follows (new text **bold and underlined**, deleted

text struckthrough):

Sec. 15-17. - Definitions.

As used in this article, the following words and phrases shall have the meanings respectively ascribed to them:

Improved property shall mean land on which buildings or other structures are located, or which has been prepared for development by the installation, addition or construction of utilities or other improvements, or unimproved property which is materially surrounded by developed property under unified ownership, or control.

Inspector shall mean the Chief Building Inspector of the City or his designee. .

Nuisance or Public Nuisance shall mean any of the following:

(1) Any public nuisance known at common law or in equity jurisprudence or as provided by the Statutes of the State of Florida or ordinances of the City of Panama City Beach.

(2)Storage of junked automobiles: Unsheltered storage, or unenclosed storage under a carport, for a period of thirty (30) days or more within the corporate limits of the City, except in licensed junk yards, of old and unused stripped junk or automobiles not in good and safe operating conditions, and of any other vehicles, machinery, implements or equipment or personal property of any kind which is no longer safe or usable for the purposes for which it was manufactured.

Detrimental conditions or uses of property: Any condition or use of premises or of (3)building exteriors, including carports, which is detrimental to the property of others or which causes Ord. 1489

or tends to cause substantial diminution in the value of other property in the neighborhood in which the premises are located, including, but not limited to, the keeping or depositing on or the scattering over the premises of lumber, junk, trash, debris, or abandoned, discarded, unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers;

(4) Unfit or unsafe dwelling or structure: Any dwelling or structure or any portion thereof, including accessory buildings, which is structurally unsafe, unstable, unsanitary, inadequately provided with exit facilities, constituting a fire hazard, unsuitable or improper for the use or occupancy to which they are put, constituting a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment, dangerous to life or property, or, by reason of fire, age, decay, deterioration, structural defects, improper design, unstable foundation, termites, acts of God or other causes, dangerous to the occupants thereof or to surrounding buildings and the occupants thereof, or a menace to the public health, or a fire hazard, or so unsafe as to endanger life or property or render the use of the public streets dangerous, or otherwise in material violation of the housing, building, electrical, plumbing, mechanical, health or fire codes of the City;

(5) <u>Conditions</u> Uses Causing Threat to Public Health and Safety: Any accumulation of lumber, junk, trash, debris, or abandoned, discarded, unused objects, material, equipment, excessive grass, accumulation of weeds, vegetation, undergrowth or other plant life, or hazardous, dead, dving, diseased or downed tree or trees, upon any lot, tract, or parcel of real property within the City if such lot, tract, or parcel (i) becomes or could become infested with rodents, vermin, mosquitoes, or other wild animal, or (ii) threatens the public health, safety, and welfare, or (iii) causes or tends to cause substantial diminution in value of other property in the neighborhood or (iv) poses a present danger to people or structures as determined by the City Fire Inspector.

(6) Excessive growth: Any grass, accumulation of weeds, vegetation, undergrowth, or other plant life on any lot, tract, or parcel within the City which is untended and which exceeds one (1) foot in height on improved property, or exceeds eighteen (18) inches in height on unimproved property.

(7) Stockpiling construction material: Any accumulation of construction material including but not limited to crates, lumber, plywood, trusses, joists, nails, bricks, concrete, and sand which is not being used in active construction or the view of which is not blocked by a six (6) feet tall fence. Active construction means construction activity which is continuing from day to day or which is not interrupted by periods of physical inactivity longer than thirty (30) days.

(8) Attractive nuisance: Any attractive nuisance which may prove detrimental to the health or safety of children and others whether in a building, on the premises of a building or upon an unoccupied lot. This includes, but is not limited to: abandoned wells, shafts, basements, excavations, unused ice boxes, refrigerators, abandoned motor vehicles and any structurally unsound fences or structures; or lumber, trash, fences, debris, or vegetation such as poison ivy, oak or sumac, which may prove a hazard for inquisitive persons. Abandoned buildings are attractive nuisances when they are unsecured or un-securable and when by reason of abandonment or neglect they contain unsound walls or flooring, unsafe wiring, fire hazards, or other unsafe conditions as further defined herein. Unsafe conditions may include such neglect of security that opportunities for criminal activity persist to the danger and detriment of the neighborhood.

(9) Physical or unsanitary conditions or conditions so lacking illumination or ventilation as to be dangerous to human life or detrimental to health of persons on or near the premises where the condition exists.

(10) Major or minor violations of this Code which cumulatively impact upon the premises to the point whereby conditions endanger human life or substantially and detrimentally affect the safety or security of occupants, nearby occupants or passers-by.

(11) Whatever renders air, food or drink unwholesome or detrimental to the health of human beings.

(12) Fire hazards.

Unimproved property shall mean land that is not improved property.

....

#### Sec. 15-20. - Notice and order of abatement.

(a) The notice and order may require the removal of rubbish, trash or junk or such measures as are reasonably necessary to abate the nuisance.

(b) The notice and order may require the vacation, repair, restoration or replacement of any unfit or unsafe dwelling or structure or of any part or parts thereof, including accessory building(s), provided that if the inspector shall determine that the cost to repair, restore or replace any such dwelling or structure or part thereof, including accessory building(s) in compliance with all applicable building and life safety codes, would exceed fifty (50) percent of the value of the dwelling or structure or part thereof, including accessory building(s) (as determined by reference to the most recent, final *ad valorem* tax roll prepared by the Bay County Property Appraiser), he may only order the vacation and demolition and removal of the dwelling or structure.

(c) In addition, due to a variety of reasons, including but not limited to abandonment, neglect, inadequate property management, or obsolescence, the condition(s) constituting a danger or nuisance to the public cannot be made safe, the notice and order shall require the vacation of the dwelling or structure involved and order the demolition and removal of the dwelling or structure or any part or parts thereof, including accessory building(s), contributing to the nuisance. Factors evidencing a determination that a property cannot be made safe may include, but not be limited to: a history of unsecured or un-securable, dangerous conditions; a history demonstrating the property owner's failure to exercise reasonable control over the property to keep it secure or safe; a history showing that the property has become an attractive nuisance to children or transients; a history showing a proliferation of criminal activity due to dilapidated conditions and lack of management and control over the premises; a history showing that notwithstanding the reasonable efforts of law enforcement or code enforcement personnel, or both, the property remains in a condition which is imminently dangerous to the public health, safety and welfare.

(d) A notice and order requiring the repair, restoration or replacement of any dwelling, structure or part or parts thereof, including accessory building(s), shall require that the work meet the standards specified by all applicable building and life safety codes.

(e) The notice and order shall be in writing, signed by the City Manager or his or her designee, with a description of the nuisance and a legal description of the realty where it is located, including the street address, and shall state what the City orders to be done about the condition and the date within which the work ordered to be done is to be completed. The notice and order shall state that it may be appealed within thirty (30) days by written application to the City Manager. The notice and order shall describe the condition(s) found by the inspector to constitute a public nuisance pursuant to this article. If the notice and order requires demolition and removal of an unfit or unsafe dwelling or structure, or part or parts thereof, including accessory building(s), it shall describe the condition(s) found by the inspector, upon consultation with the City Attorney, to constitute such a public nuisance pursuant to this chapter as to make demolition reasonable. A notice and order requiring demolition and removal shall also state that interested parties may elect to abate the

nuisance by repair, restoration or replacement of the subject unfit or unsafe dwelling or structure, or part or parts thereof, including accessory building(s).

(f) Except as otherwise provided below for unsafe or unfit dwellings or structures, the City Manager shall order any such work to be completed within such time as he may determine to be reasonable considering the nature of the nuisance, the danger to the public, and the amount of work involved to abate the nuisance.

(g) In the case of an unfit or unsafe dwelling or structure or part or parts thereof, including accessory building(s), the notice and order shall require the owner or other interested parties to obtain a permit and begin specified repairs or improvements, or to begin to demolish and remove the dwelling or structure or portion thereof, within thirty (30) days after service of the notice and order. The notice and order shall require the work to be completed within thirty (30) days from the date of the permit for repair or demolition. Any repair or demolition permit necessary as a result of any notice and order shall not require a fee.

(h) When the inspector verifies the existence of a rodent infestation in any dwelling or structure, or in any accumulation of rubbish, trash or junk, that is to be demolished or removed, in order to preclude the migration of rodents the notice and order shall require that effective rodent extermination methods be employed by a licensed structural pest control operator prior to demolition or removal. Extermination techniques shall include ectoparasite control measures.

#### (i) <u>When the Fire Inspector verifies the existence of a condition located on any</u> <u>Unimproved lot within 100 feet of an area used for commercial or residential</u> <u>purposes that is severe enough to pose a present fire danger to people or structures,</u> the notice and order shall require at a minimum the removal of any materials, <u>vegetation, debris or fire fuel sources lying within 100 feet of an area used for</u> <u>commercial or residential purposes or other distance set by Fire Marshall.</u>

(i) An order to vacate, demolish and remove an unfit or unsafe dwelling or structure or any part or parts thereof, including accessory building(s), shall not preclude the immediate repair, restoration or replacement thereof by an interested party entitled to effect such work (herein collectively an applicant). In order to make the election available in this subsection and avoid the demolition and removal, within thirty (30) days after service of the notice and order of demolition, the applicant must submit a competent application for all or a material portion of the work needed to abate the nuisance and in good faith commence and diligently and continuously pursue all the work through completion. The work must meet the standards specified by all applicable building and life safety codes. In the event that the initial permit application does not cover all the work, the application must be accompanied by a description of the remainder of the work to be done and include a schedule of all the work with milestones reasonable and customary in the construction industry. The City Manager shall either accept or reject the application as covering a material portion of the work, the overall work described as sufficient to abate the nuisance and the schedule of work/milestones as reasonable. Should the City Manager find that the initial application does not cover a material portion of the work, that the overall work described is insufficient to abate the nuisance, or that the schedule of work/milestones is not reasonable, he or she shall advise the applicant who shall have ten days to correct the deficiency in writing or appeal in writing to the City Council which shall hear the matter at its next regular or special meeting. The only issues before the City Council shall be whether to accept or reject the matter(s) rejected by the City Manager. The City Council may not amend the application, description of work or schedule without the written consent of the applicant. The appeal shall be conducted as a quasi-judicial, de novo hearing pursuant the City's Land Development Code, except that only the applicant and the City Manager, or their respective designees, shall be entitled to present evidence. No other persons shall be considered adversely affected persons. Public comment, but only as commentary, shall be permitted.

The applicant shall bear the burden of proof. If the applicant's position is accepted then the applicant shall be required to immediately commence and diligently and continuously pursue the work to abate the nuisance strictly in accord with the schedule upon penalty of demolition as provided in <u>Section 15-25(b)</u>. If the applicant's position is not affirmed, the applicant shall have thirty (30) days after entry of the City Council's order to comply with the initial notice and order of demolition and removal, and no permit to repair, restore or replace shall be issued.

SECTION 2. REPEAL. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. CODIFICATION. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code of Ordinances and the Panama City Beach Land Development Code, and unless a contrary ordinance is adopted within ninety (90) days following each such publication, each codification of this Ordinance shall become the final and official record of the matters herein ordained and there codified. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 4. SEVERABILITY. If any section, subsection, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this \_\_\_\_day of \_\_\_\_\_, 2019.

MAYOR

ATTEST:

CITY CLERK

EXAMINED		PROVED	by	me	this		day	of
			_		I	MAYOR		
Published in the			0	n the _	d	ay of		
2019.								
Posted on pcbgov.c	om on the _	day of	~ *			, 2019.		

# AGENDA ITEM 7

#### **SECTION 2**

#### POPULATION ESTIMATES AND PROJECTIONS

#### 1. **RESIDENT POPULATION**

Panama City Beach experienced an 89% growth between 1980 and 1990 for an annual average of 6.5% per year. At that time the City was experiencing a growth rate of approximately 12% per year. At present, although the area has been substantially developed, there is still room for further growth in all development categories.

From 1970 to 1980, Panama City Beach was growing at the rate of 80.3 new residentsper year. From 1980 to 1990, Panama City Beach grew at an average of 190.3 new residentsper year. However, based upon statistics from the University of Florida, it is evident that mostof the growth during the 1980's was between 1980 and 1985, when Panama City Beach averaged 245 new residents per year. After 1985, growth decreased to an average of 135 new residentsper year. From 1990 to 2000, Panama City Beach grew by 3,620 residents for an annualaverage of 362 new residents.

From 2000 to 2007 <u>based on statistics supplied by the University Of Florida's Bureau of</u> <u>Economic and Business Research (BEBR)</u> the City grew at an average rate of 7.4% per year which consisted of 569 new residents per year or 3,980 total new residents. Of the 3,980 new residents most of the growth occurred between 2003 and 2007, during this time the City experienced an average growth rate of 10.21% or 3,731 new residents.

# From 2008 to 2010 BEBR, population estimates were found to have been incorrect and exaggerated (as determined by the results of the 2010 US Census). It appears that during the construction boom in condominiums, condominium units were incorrectly calculated at a larger percentage to be fulltime homes rather than second homes and rental units.

Future land use and housing elements project the amount of land, by land use category that will be required to accommodate future growth in Panama City Beach. The 2000 Census reports that the residential population of Panama City Beach was 12,757 7,671 in 2000 2018 and the Bureau of Economic and Business Research at the University of Florida has estimated a 20108 population of 13,777 13,099 people. Based upon a linear projection of the growth rate over the eight year period from 2000 to 2007 (7.4% growth rate), Panama City Beach can be expected to have approximately 20,500 in 2015, and 25,500 residents in 2020.

Based on BEBR estimates the City has grown an average of 1% per year from 2011-2018. However, using data from 2010 to 2018 addressing new single family /multifamily housing stats, homesteading information, residents per unit estimates and owner occupied housing data staff has estimated a 2018 population of 13,975, or a total estimated increase in population of 2,421 persons, 21% increase or 2.6% per year.

TABLE 1
PERMANENT RESIDENT POPULATION AND PROJECTIONS

YEAR	PERMANENT RESIDENTS
<del>1990</del>	4,051
<del>1995</del>	4 <del>,633</del>
2000	<del>7,671</del>
<del>2005</del>	<del>8,972</del>
2006	<del>10,005</del>
<del>2007</del> —	<del>11,651</del>
2008	<del>13,453</del>
2010	<del>13,777</del> <u>11,554</u>
2015	<del>20,500*</del> <u>12,467</u>
<u>2018</u>	13,975 *
2020	<del>25,500</del> * <u>14,711*</u>
<u>2025</u>	16,726*
2030	<u>19,016*</u>

SOURCE: U.S. Census Data, 2000 <u>10</u>; University of Florida (BEBR) <u>3/05, 4/05, 4/06, 4/07, 4/08, and the City of Panama City Beach Building & Planning Department, based on an estimated annual growth rate of <u>6.32.6</u> %. Projections are indicated by \*.</u>

For the unincorporated areas of the service area, an estimate of the  $2096\underline{18}$  population was made using <u>data from the US Census and</u> water-billing data <u>for those areas which were</u> <u>not included in the three Census Designated Places "CDPs"</u>. Water bills inside the citylimits totaled 5,932 in September, 2006 representing 59.3% of the total population of the city. Water bills outside of the city limits totaled 11,856 for the same time period. Using the sameratio of water bills to population, as indicated in the city limits, results in an estimatedunincorporated population of 19,993 in the service area. Combined, the total population of thebeach service area is estimated to be 29,998 for 2006. It is expected that the City's portion of the total population will continue to grow as new development is annexed into the city. The refore, the current population distribution <u>based on the US Census 2017 is estimated to be</u> (67<u>6</u>% unincorporated and 33<u>4</u>% city). is projected to be closer to a 65/35 distribution by 2010; 61/39by 2015 and 58/42 by 2020. Table 2 represents the projected unincorporated populations through <u>20230</u>.

#### TABLE 2

#### PERMANENT RESIDENT POPULATION PROJECTIONS FOR THE SERVICE AREA

		<b>Unincorporated</b>	
<u>YEAR</u>	City Pop.	<b>Population</b>	Total Residents
<del>2000</del> -	<del>7,671</del>	<del>18,595</del>	26,266
<del>2005</del>	<del>8,972</del>	<del>19,294</del>	28,194
<del>2006</del> -	<del>10,005</del>	<del>19,993</del>	<del>29,998</del>
2010	<del>13,777</del> <u>11,554</u>	<del>20,554</del>	<del>34,331</del>
2015	<del>20,500</del> * <u>12,467</u>	<del>21,811*</del>	4 <del>2,311*</del>
<u>2018</u>	13,975 13,975*	27,308*	<u>39,083*</u>
2020	<del>25,500*</del> 14,711*	24,879*28,746*	<del>50,379</del> * <b>43,457</b> *
2025	16,726*	32,683*	49,409*
<u>2030</u>	<u>19,016*</u>	<u>37,159*</u>	56,175*

SOURCE: U.S. Census Data, 2000<u>17, City of Panama City Water Billing information</u>, University of Florida (BEBR) 4/05, 4/06, and 4/07, 4/08, and <u>The City of Panama City Beach Building & Planning Department</u>. Projections are indicated by \*.

#### 2. SEASONAL POPULATION

Panama City Beach's economy is dominated by <u>tourism</u>. fluctuating numbers of visitors. These visitors require most of the same services and facilities as permanent residents of Panama City Beach. Although there is a possibility that visitors come to Panama City <u>Beach</u> for reasons other than its Gulf Coast beaches, Panama City Beach is the major attraction to many visitors who greatly outnumber permanent residents. According to the Panama City Beach <u>Convention</u> <u>and Visitors Bureau</u> Chamber of Commerce <u>17,100,000 tourists visited the Panama City</u> <u>Beach area in 2017.</u> 15% of all Florida Visitors traveled to Bay County in 2006. Table 3 below indicates an estimate of the tourist activity in Bay County for 2009. The estimate is derived by taking the midpoint of the "low" and "medium" estimates of tourist population. The "high" estimate was not used because current traffic counts on the main tourist thoroughfare (Front-Beach Road) are approximately 10% less than they were in the 1990s.

 TABLE 3 TOURIST ACTIVITY IN	
Low Estimate	<del>3,400,000</del>
Medium-Estimate	<del></del>
High Estimate	7,600,000

Total Estimated Tourist Population in 2009: 4,300,00

## TABLE 4MONTHLY BREAKDOWN OF VISITORSTO BEACHES AREA BAY COUNTY – 1998 2017

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	PERCENTAGE OF ANNUAL
<u>MONTH</u>	VISITOR ACTIVITY
January	3 percent
February	4 percent
March	116 percent
April	107 percent
May	9 percent
June	17 percent
July	<del>22</del> <u>21</u> percent
August	9 11 percent
September	68percent
October	4-7 percent
November	<del>3</del> <u>4</u> percent
December	$\frac{2}{3}$ percent

#### SOURCE: City of Panama City Beach and Young Strategies

The Panama City Beach Chamber of Commerce Convention and Visitors Bureau estimates that Panama City Beach was host to 4,043,216 17,100,000 annual overnight visitors in 1998 2017, and that Bay County was host to 7,500,000 visitors in all of 1998 which was an increase of 190,000 900,000 over the visitors in 2016 1996. However, in 2007 it is estimated that total visitors to Bay County has declined to 4,300,000. As Bay County Panama City Beach becomes more of a year-round destination, the annual seasonal population will probably continue to increase, but a more even distribution may occur on a per month basis. With July accounting for approximately 221% of the total tourist population, it is estimated that approximately 115,838 23,800 tourists are present each day during July. July 4<sup>th</sup> estimates often range between 80,000 – 100,000 tourists present. Again, as the distribution of seasonal population evens out, the peak daily population may change. Using the above assumptions, Table 5 projects the seasonal population of Bay County the beaches area as a whole on a peak day in any year.

#### BAY COUNTY BEACHES AREA SEASONAL POPULATION INCREASE

	<u>200518</u>	201020 20152	<u>25 20203</u>	<u>60</u>
BEACHES AREA				
RES. POPULATION	<del>161,721</del>	<del>171,755</del>	<del>181,193</del>	<del>191,989</del>
	<u>39,083</u>	<u>43,457</u>	<u>49,409</u> <u>50</u>	<u>6,175</u>
ANNUAL SEASONAL	4 <del>,300,000</del>	4 <del>,300,000</del>	4 <del>,500,000</del>	<del>5,000,000</del>
POPULATION	<u>17,100,000</u>	<u>19,800,000*</u>	<u>25,300,000*</u>	<u>32,200,000*</u>
PEAK DAILY SEASONAL	<del>30,516</del>	<del>30,516</del> -	<del>31,935</del>	<del>35,483</del>
POPULATION	<u>115,838</u>	<u>134,129</u>	<u>171,387218,1</u>	<u>29</u>
TOTAL PEAK DAILY	<del>192,237</del>	<del>202,271</del>	<del>213,128</del>	<del>227,473</del>
POPULATION	<u>154,921</u>	<u>177,586</u>	<u>220,796</u>	<u>274,304</u>

SOURCE: U.S. Census, 2000 <u>17</u>, Panama City Beach <u>Convention and Visitors Bureau</u> Chamber of Commerce, West Florida Regional Planning Council, <u>University of Florida (BEBR)</u>, <del>3/05</del>, City of Panama City Beach Building and Planning Department. \*Assumes 5% yearly increase.

The Bay County Chamber of Commerce, the Panama City Beach Chamber of Commerce, and the various cities provided information on the distribution of hotel and motel rooms. For planning purposes, it has been assumed that the distribution of visitors to the County reflects the distribution of these rooms. Accordingly, the additional peak daily population contributed to each of the jurisdictions in Bay County can be estimated as shown in the next table. This table does not include the numbers of houses, condominiums, apartments, and townhouses available for occupation on a weekly or monthly basis.

#### 3. ESTIMATE OF DISTRIBUTION OF TOTAL DAYLY POPULATION

Based on information collected from the Bay County Clerk of Court's Website "Monthly tourist development tax analysis 2018", approximately 68% of gross receipts collected in the beaches area were from properties located inside the City limits.

Approximately 67% of the total units in the beachs area that reported the collection of bed taxes (condominiums, townhomes, hotels, motels, single-family homes, duplex / multi-family, apartments and campgrounds) were located in the City limits.

<u>Therefore 67% was used as part of the calculation in determining total daily population</u> within the city limits in Table 6.

#### DISTRIBUTION OF SEASONAL DAILY POPULATION

#### SEASONAL POPULATION

JURISDICTION	<u>% OF IDENTIFIED ROOMS</u>	2007 thru 2010
Bay County	27.62 percent	11,300
Callaway	0.20 percent	
Cedar Grove	0.04 percent	
Lynn Haven	0.50 percent	200
Mexico Beach	0.86 percent	
Panama City		1,800
Panama City Beach	66.00 percent	27,000
Parker	0.39 percent	160
Springfield	0.00 percent	<del>0</del> _
Total		40,910

SOURCE: Panama City Beach Chamber of Commerce; Bay County Chamber of Commerce, City of Panama City-Beach Building and Planning Department.—

Table 7 below is a summary of the projected peak daily seasonal population of Panama-City Beach during the planning period. Figures below are based upon the assumption that sixtysix (66) percent of all tourists visiting Bay County stay within the City limits.

## TABLE 76 PROJECTED PEAK SEASONAL DAILY POPULATION

#### PANAMA CITY BEACH CITY LIMITS

YEAR	DAILY POPULATION
<del>2007<u>18</u></del>	<del>31,791</del> 103,797
<del>2010<b>20</b></del>	<del>34,140<u>118,983</u></del>
<del>2015</del> 25	4 <del>0,078<b>147,933</b></del>
<del>2020<u>30</u></del>	46,419 <u>183,784</u>

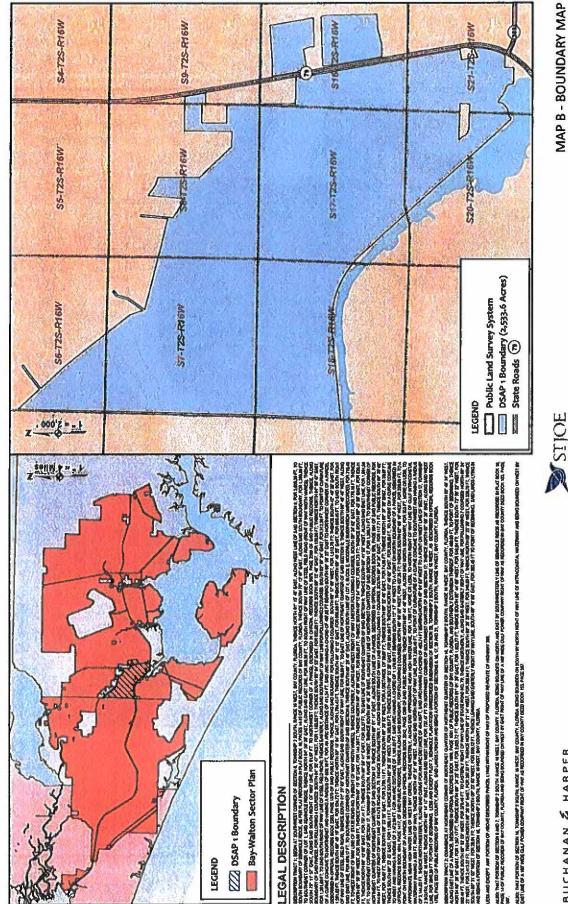
SOURCE: Panama City Beach Convention and Visitors Bureau Chamber of Commerce; Bay County Chamber of Commerce, City of Panama City Beach Building and Planning Department, US Census 2017, and BEBR.

# AGENDA ITEM 8

BAY COUNTY **BEFORE THE PLANNING COMMISSION** BAY-WALTON SECTOR PLAN - DETAILED SPECIFIC January 17, 2019 Page 2 AREA PLAN (DSAP) the Commission to conduct a quasi-judicial public hearing (PZ18-130) to consider a request from the St. Joe Company for a DSAP Development Order #1 pursuant to Chapters 16 and 36 of the Bay County Land Development Regulations and Chapter 12 of the Bay County Comprehensive Plan. The property consists of approximately 2,534 acres located northwest of the intersection with Highway 388 and Highway 79. (District IV) Exparte' Communication Disclosure Staff Presentation – Ian Crelling Applicant Presentation, Introduction of Evidence, Questioning of Staff Commission and Staff Questions to Applicant Public Participation Applicant Rebuttal, if any Commission Discussion – Action F. Commission Member Items Election of Chairman Election of Vice-Chairman

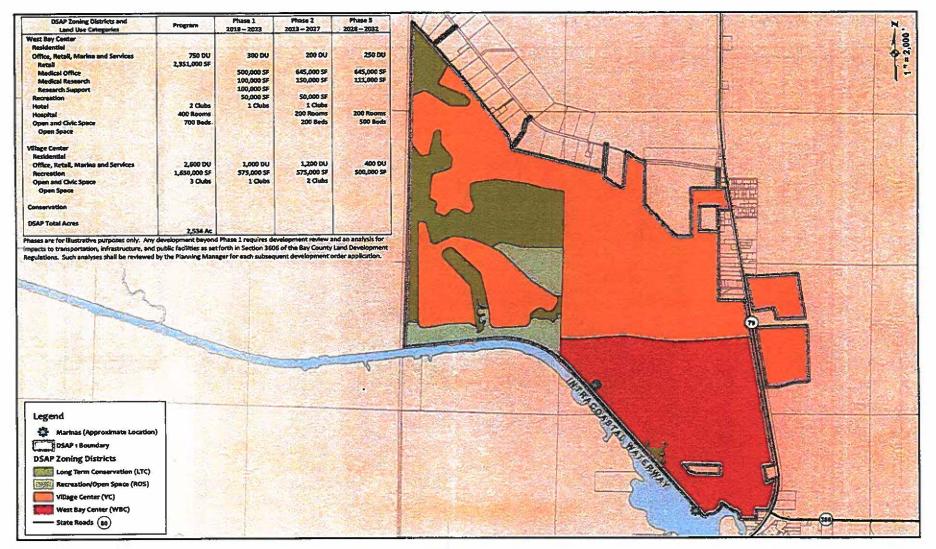
- Approval of 2019 Meeting Schedule
- G. Adjournment

Any person wishing to appeal any decision made by the Planning Commission concerning these ordinances will need a record of the proceedings resulting from this public hearing for that purpose, such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. Additionally, any person wishing to seek review of any decision made regarding this amendment will need to acquire standing. In order to have standing to request a formal administrative hearing challenging a plan amendment, persons must have submitted oral or written comments, recommendations, or objections to Bay County during public hearing.



BUCHANAN & HARPER

SIJOE





MAP C - DSAP ZONING MAP BWSP DSAP #1

BUCHANAN & HARPER

#### A. GENERAL INFORMATION

#### 1. BACKGROUND

On May 5, 2015, the Bay County Board of County Commissioners held a final public hearing and adopted the Bay-Walton Sector Plan (BWSP) in accordance with Section 163.3245, Florida Statutes. The BWSP consists of a Long Term Master Plan (Map A – Long Term Master Plan) that amended the Bay County Future Land Use Map (FLUM) and a series of corresponding text policies adopted as Chapter 12 of the Bay County Comprehensive Plan.

On June 24, 2015, the Florida Department of Economic Opportunity (FDEO) issued a Notice of Intent to find the adopted Bay-Walton Sector Plan in compliance with the applicable provisions of Chapter 163, Florida Statutes. Since no third-party challenges were filed by an affected person within 30 days of the above referenced adoption hearing, FDEO's Notice of Intent became a Final Order and the adopted BWSP became effective on June 24, 2015.

In accordance with Section 163.3245, Florida Statutes, the BWSP shall be developed through one or more Detailed Specific Area Plans (DSAPs). The DSAP should be a minimum of 1,000 acres and must be consistent with the adopted Long Term Master Plan, the text policies set forth in Chapter 12 and any other applicable local or state regulations. Pursuant to Policy 12.1.9 of Chapter 12, a DSAP shall be heard at two advertised public hearings and a zoning approval may occur in conjunction with a DSAP. The first public hearing will be before the Planning Commission, which will make a recommendation to the Board of County Commissioners for a final determination. The DSAP submittal requirements and review procedures are outlined in Section 3603 of the Bay County Land Development Regulations.

A DSAP does not require an amendment to the Bay County Comprehensive Plan but coordination with applicable state and regional agencies will be performed in accordance with Policy 12.15.1 of Chapter 12.

#### 2. APPLICANT INFORMATION AND CONSULTANT TEAM

Applicant/Property Owner:	The St. Joe Company 133 S. WaterSound Parkway WaterSound, FL 32413 850.231.6400 Contact: Jorge Gonzalez (Jorge.Gonzalez@joe.com)
Project Civil Engineer:	Buchanan & Harper, Inc. 735 West 11th Street Panama City, Florida 32401 850.763.7427 Contact: Mike Harper ( <u>mharper@buchanan-harper.com</u> )
Project Traffic Planner:	Kimley Horn & Associates 2615 Centennial Boulevard Tallahassee, Florida 32308 850.553.3500 Contact: Richard Barr ( <u>Richard.Barr@kimley-horn.com</u> )
Project Ecologist:	Florida Environmental & Land Services, Inc. 221-4 Delta Court Tallahassee, Florida 42303 850.385.6255 Contact: Elva Peppers ( <u>elvapeppers@felsi.org</u> )

#### 3. PROPERTY INFORMATION

Location:

Size/Area:

Tax Parcel I.D. Number(s):

Future Land Use:

**Existing Zoning:** 

Proposed Zoning:

Northwestern Bay County near the northwest quadrant of the intersection of State Road (SR) 79 and the Intracoastal Waterway (ICW). See Map B – Boundary Map and Exhibit 1 - Vicinity.

2,534 acres\_

32548-010-000, 32509-000-000, 32492-000-000, 32440-000-000, 32503-000-000

West Bay Center, Village Center, Recreation/Open Space, Long Term Conservation

Conservation Habitation (CSVH), Village Center (VC), West Bay Center West (WBWC)

West Bay Center, Village Center, Recreation/Open Space, Long Term Conservation consistent with the FLUM and

BWSP Long Term Master Plan. See Map C – DSAP Zoning Map.

#### BAY COUNTY COMMUNITY DEVELOPMENT DEPARTMENT PLANNING AND ZONING DIVISION 840 W. 11<sup>th</sup> Street Room 2350 - Panama City, FL 32401 Phone: 850-248-8250 - Fax: 850-248-8267 E-mail: planning@baycountyfi.gov

Agenda Date: January 17, 2019

Application No.: PZ 18-130, Detailed Specific Area Plan (DSAP #1)

Applicant/Agent: The St. Joe Company

Parcel ID Number: 32548-010-000, 32509-000-000, 32492-000-000, 32440-000-000, 32503-000-000

**Project Description:** The applicant is requesting approval of a Detailed Specific Area Plan located inside the Bay-Walton Sector Plan.

**Project Location:** The property is located northwest of the intersection with State Highway 388 and Highway 79. (District IV)

#### Parcel Information:

Parcel size:	2,534 +/- acres
Land Use Designation:	West Bay Center, Village Center, Recreation/Open Space, Long Term
_	Conservation
Project Site Access:	Highway 79
Service Area:	Suburban, Rural, and the Bay-Walton Sector Plan

#### Introduction, Analysis, & Discussion

On May 5, 2015, the Bay County Board of County Commissioners held a final public hearing to adopt the Bay-Walton Sector Plan in accordance with Florida Statues. The Bay Walton Sector Plan consists of a Long Term Master Plan that amended the Bay County Future Land Use map and a series of corresponding text policies adopted as a new Chapter 12 in the Bay County Comprehensive Plan.

In accordance with Florida Statues, the Bay Walton Sector Plan shall be developed through one of more Detailed Specific Area Plans (DSAPs). Each DSAP should be a minimum of 1000 acres and must be consistent with the Long Term Master Plan and Chapter 12 of the Comprehensive Plan. The DSAPs shall be heard at two advertised public hearings.

This DSAP #1 covers approximately 2,534 acres. In association with the Long Term Master Plan and the Future Land Use Map the proposed zoning categories are West Bay Center, Village Center, Recreation/Open Space, and Long Term Conservation. In September of 2015, the Board of County Commissioners approved these zoning category designations into Chapter 16 "Bay-Walton Sector Plan Zones" of the Bay County Land Development Regulations.

Staff has reviewed the proposed amendment and recommends the commission conduct a public hearing and approved the proposed DSAP #1 to go to the Bay County Board of County Commissioners for approval

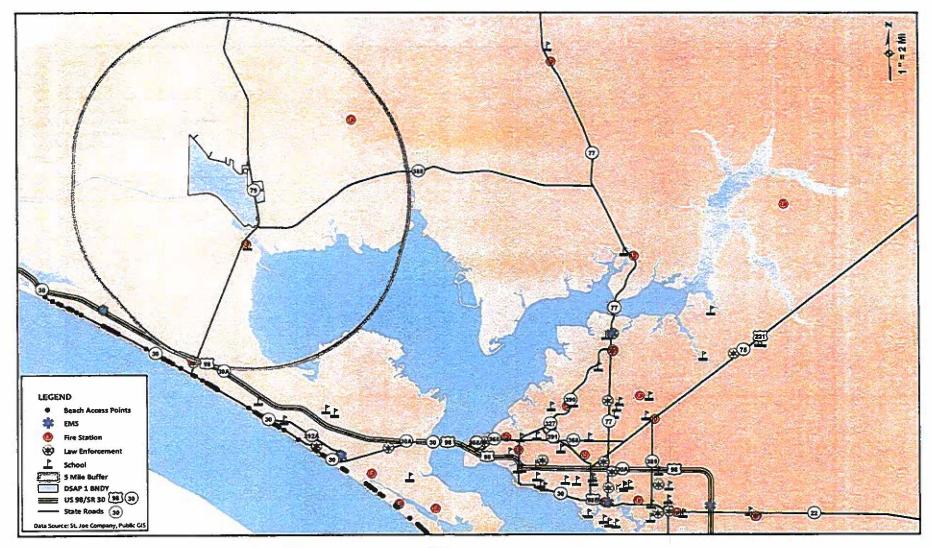
#### **Staff Recommendation**

It is therefore recommended the Commission:

1. Conduct a public hearing to consider this amendment;

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- 2. Find the proposed amendment consistent with the Comprehensive Plan and Land Development Regulations; and
- 3. Forward a recommendation to the Board of County Commissioners to approve the proposed amendment.

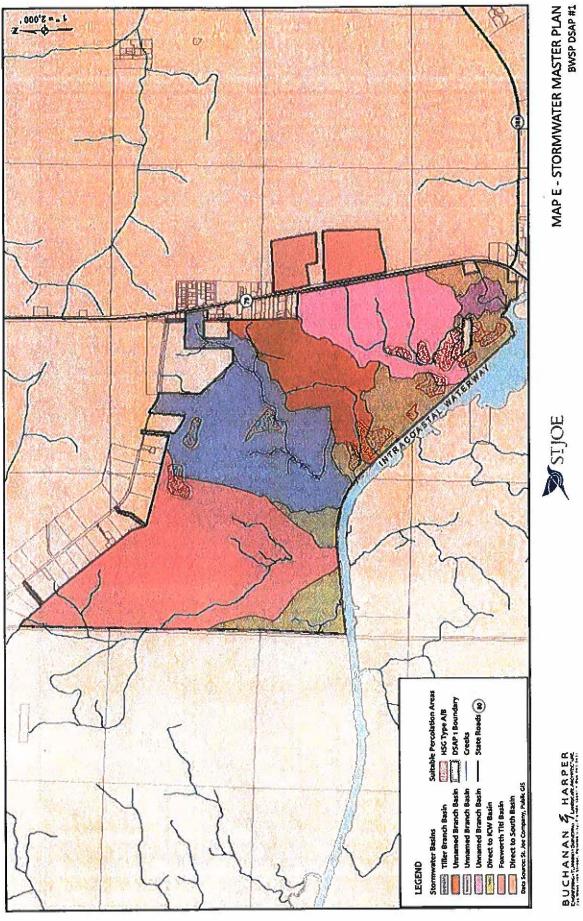


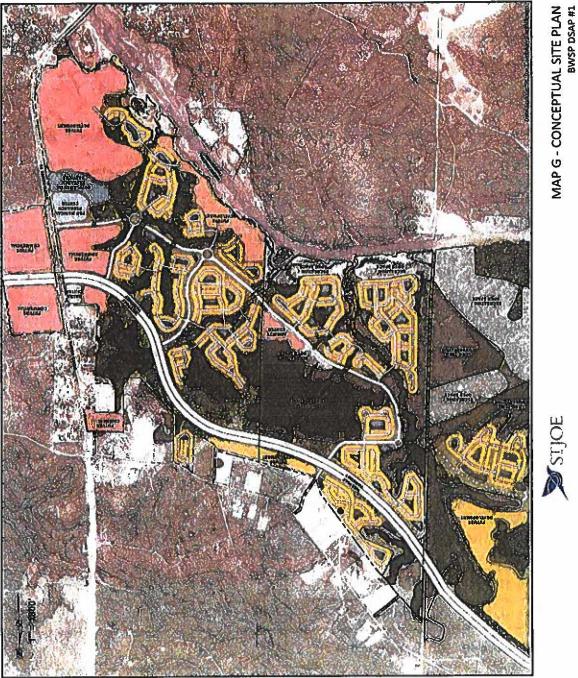


MAP F - SERVICE FACILITIES MAP 8WSP DSAP #1

BUCHANAN & HARPER

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LandDesign

## Application to Amend the Bay County Zoning Map

(Please type or print clearly)

File No.:	Date Received:
rne No.:	Date Received:

#### A) Applicant Information

Owners name:	The St Joe Company	Authorized agent:	Bridget Precise
Mailing	133 S WaterSound Parkway	Mailing	133 S WaterSound Parkway
address:	WaterSound, FL 32413	address:	WaterSound, FL 32413
E-mail:	bridget.precise@joe.com	E-mail:	bridget.precise@joe.com
Telephone:	850-231-6400	<b>Telephone:</b>	850-231-6400
FAX:	850-231-6595	FAX:	850-231-6595

#### **B)** Requested Zone Change

Change from:

CSVH, VC, WBC Existing zoning to: VC, WBC, ROS, LTC

Proposed zoning

C) Site Information

Address/location of proposed site:	Approximately 6 miles north of Back Beach Road on State Road 79.
Property ID number(s):	32438-000, 32439-000, 32440-000, 32492-000, 32492-000, 32503-000, 32503-000, 32503-000, 32504-000, 32505-000, 32509-000, 32548-010, 35129-129, 35129-131
Property size (acres / square feet):	2,534 acres +/-
Future Land Use Map designation:	VC, WBC, LTC

A legal description must be attached in order for an application to be considered complete. Please include a survey if available. Provide an 8.5 X 11 copy.

A copy of a signed deed or other instrument documenting legal interest in the property to be amended must be attached for application to be considered complete. Provide an 8.5 X 11 copy.

Two aerial photographs obtained from the Bay County Property Appraisers Office which identifies the subject property and all property within a 500 foot radius of the subject property must be attached to this amendment application. Provide an 8.5 X 11 copy.

#### **D) Review Fee Attached:**

1. Zone Change: \$1,450

#### E) Site Information

Current property use	Silviculture		
FIRM Zone & Panel No.	A, AE, X Panels: 12005C0160H; 12005C0180H; 12005C0190 See attached report by Florida Environmental and Land Services. In		
Wetlands			
Aquifer Recharge	West Bay		
Coastal Area	1,396 Ac long ICW in Coastal STZ		
Wildlife Habitat	See Environmental Analysis		
Surrounding land uses North:	Residential		
South:	Intracoastal Waterway		
East:	Silviculture		
West:	Silviculture		

#### F) Utilities

Applicants must provide information as to how the site will have access to potable water, sewage disposal, solid waste disposal, roads, and stormwater control.

#### 1. Water and Sewer Service:

a. Potable Water Service

Provider	Permitted capacity (gallons per day – gpd)	Current demand - gpd	Available capacity – gpd
Bay County Utilities			·
Private Well (s)			

Current potable water demand of site under existing designation	:		gpd
Autoinstad website weber downed if smerthogen tip environde	See	Analysis	

Anticipated potable water demand if amendment is approved:

#### b. Sanitary Sewer Service/Wastewater Treatment

Provider <sup>*</sup>	Permitted capacity - gpd	Current demand - gpd	Available capacity - gpd
Bay County Utilities			
Septic tanks or other individual on- site systems			1

\* If wastewater is to be treated using a package system, please fill-in "Package Plant" in the provider column and state the capacity of the proposed system in the second column.

Current wastewater demand of site under existing designation: \_\_\_\_\_ gpd

Anticipated wastewater demand if amendment is approved: See analysis gpd

**Note:** If potable water and sewage disposal is to be through a provider other than Bay County, then the applicant must attach a letter from the proposed provider certifying that adequate capacity and immediate hookups are available to the site.

2. <u>Stormwater:</u> Describe how stormwater will be controlled and treated: See Stormwater Analysis in DSAP 1 Application (Section G)

If rezoning to a higher density the following information must be included:

**3.** <u>**Transportation:**</u> Use professionally acceptable methodology to determine the impacts of proposed development on transportation infrastructure. A traffic study shall be required if the proposed development will impact a facility at or near its maximum acceptable level of service, and/or if the proposed development will generate 100 or more trips in the peak hour (Land Development Regulations Section 2008-6, 7). The Traffic Impact Analysis (TIA) must be performed using a traffic micro-simulation model

Form ZC-1

such as Synchro or HCS2000. The Bay County Transportation Planning Organization Congestion Management System must be used to determine whether or not a facility is at or near its maximum capacity for the road segment's AADT. For roads where counts do not exist for AADT, counts must collected by applicant.

ITE code	Land use	Units/sq. footage	Daily trips	Peak trips
See Analysis				

Road segment	Existing LOS	Projected LOS	Acceptable LOS	
See Analysis				
		- 200		

In which hurricane evacuation zone(s) is the subject property located:

	Tropical storm	Categ	ory 1 hurricane		Category 2 hurricane
$\checkmark$	Category 3 hurri	icane	_ Category 4-5	hurricane	N/A

#### **G)** Project Information/Justification

Provide a detailed description of the purpose of the proposed zone change, and how the proposed change is consistent with the following Findings Guidelines (Section 307.3).

- a. The application for zone change is consistent with the Comprehensive Plan. To be consistent means: that the zone change is within the proper land use category shown on the Comprehensive Plan Future Land Use Map and complies with all standards and criteria associated with that category, and; the application for zone change is not inconsistent or in conflict with the Comprehensive Plan, Policy 3.2.1 of the Future Land Use Element as follows.
  - i. Potential for threat to the health, safety, and welfare of the general public;
  - ii. Potential to create public nuisance(s);

- iii. Site suitability;
- iv. Compatibility between zones;
- v. Consistency with the Comprehensive Plan;
- vi. Availability of infra-structure facilities and services;
- vii. Would not create "spot" zoning, and;
- viii. Criteria specified in Table 3A of the Comprehensive Plan.
- b. Whether or not the application for zone change represents a logical and consistent extension of present uses in the general area of the property involved.
- c. Granting the application for zone change will not adversely affect other properties in the general vicinity of the property involved.
- d. Granting the application for zoning change will not interfere, contradict, or conflict with infrastructure improvement plans of Bay County or any other governmental agency, or otherwise create a physical or financial burden for Bay County

The Applicant is requesting the approval to change the zoning in conjunction with DSAP 1 application under the Bay-Walton Sector Plan which was adopted at the end of June, 2015 by Bay County, Walton County and the State. The parcel is accessed off State Road 79 and is the first phase of development in the newly-adopted Bay-Walton Sector Plan. The Applicant is in discussions with Bay County Utilities for water and sewer service to the site. The zoning request is the beginning of a long-range project, and will not create spot zoning or conflict within the Bay-Walton Sector Plan. The zoning categories mirror the land use districts that were adopted in the Bay-Walton Sector Plan and each district has specific densities and intensities allowed within that district.

## H) Provide one copy of the deed to the property, a site plan of the property proposed for a zone change, and a vicinity map.

Please be advised that your property may be subject to private covenants and restrictions which, under Policy 8.5.2 of the Bay County Comprehensive Plan, are encouraged and supported by the Bay County Board of County Commissioners provided such restrictions do not conflict with the Plan.

#### I) Certification and Authorization

- (1) By my signature, I certify that the information contained in this application is true and correct and understand that deliberate misrepresentation of such information will be grounds for denial and reversal of this application and or revocation of any approval based on this application.
- (2) I authorize County staff to enter upon my property at any reasonable time for the purpose of site inspection.
- (3) I authorize the placement of a public notice sign on my property at a location to be determined by County staff.

(4) I, Bridget Precise, as the property owner or authorized property owner representative have read and understand the attached information concerning Application for Amendment to the Bay County Zoning Map.

**Bridget Precise** 

<u>Applicant Signature</u> 6 26.20(8

VP Development, The St. Joe Company Title and Company (if applicable)

Applicant Name (Type or Print)

Date

# AGENDA ITEM 9



## CODE ENFORCEMENT UPDATE

JANUARY 2019

CITATION REPORT							
DATE	CITATION	VIOLATION		AMOUNT	OFFICER	GENERAL OR	
		No citations for December					
		Total					

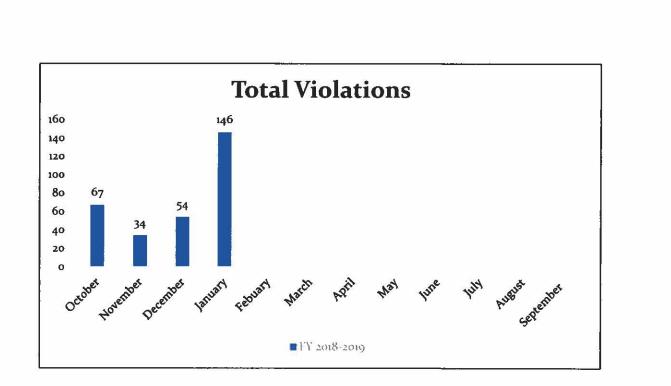
Previously issued citations collected this period.

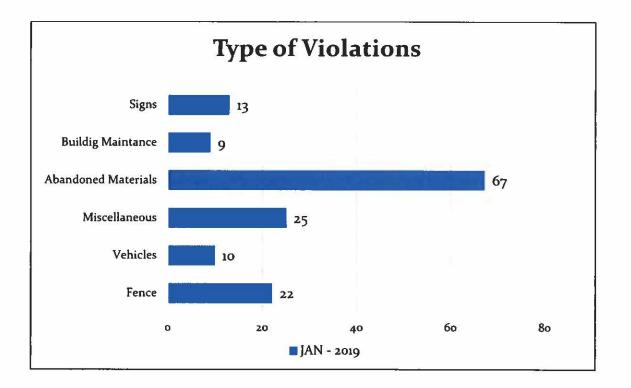
7/6/2012	3602	Grass	\$ 100.00	\$ 2,385.97	TL	GEN
5/17/2018	5701	Grass & Weeds	\$ 100.00	\$ 1,301.94	MW	GEN
6/28/2018	5151	Junk & Business in residential	\$ 250.00	\$ 1,413.16	TL	CRA
7/17/2018	5793	Grass & Weeds	\$ 100.00	\$ 1,049.22	MW	GEN
7/30/2018	5956	Junk, tires, trash	\$ 250.00	\$ 1,010.49	MW	GEN
7/31/2018	5827	Grass	\$ 100.00	\$ 80.74	SE	GEN
9/12/2018	5848	Grass	\$ 100.00	\$ 160.54	SE	GEN
9/27/2018	5852	Repeat grass violation over 18"	\$ 200.00	\$ 160.00	JM	GEN
11/15/2018	5854	Abandon material, fence, graffiti	\$ 250.00	\$ 200.00	JM	CRA
		Total	\$ 1,450.00	\$ 7,762.06		

Total Collected-	\$7,762.06

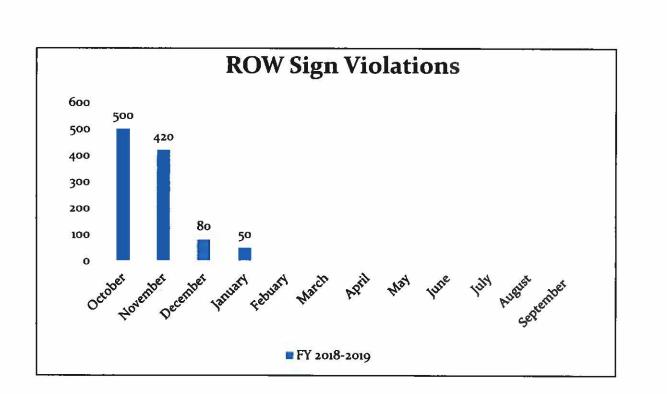
## **Summary**

In JANUARY 2019, the Code Enforcement Division continued its efforts to maintain and improve the quality of life throughout the residential and business community. Over the course of the month, the department issued 146 violations.





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### **NOTES**

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