

## **ORDINANCE NO. 3074.1**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF MIXED USE FOR PARCELS OF PROPERTY LOCATED AT 2913 E 5<sup>TH</sup> COURT, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY, FLORIDA;**

**WHEREAS**, the Legislature adopted Chapter 163, laws of Florida, which requires the City of Panama City to prepare and adopt and enforce a comprehensive plan; and

**WHEREAS**, the Panama City Planning Board held a Public Hearing to consider Proposed Comprehensive Plan Amendment PB 22-54 on May 9, 2022, and recommended the Amendment be denied by the Panama City Commission for adoption, and

**WHEREAS**, the City Commission of the City of Panama City held a first reading on June 14, 2022, and a Public Hearing and second reading on June 28, 2022, to adopt Comprehensive Plan Amendment PB 22-54, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and having provided for necessary revisions; and,

**WHEREAS**, in exercise of its authority, the City Commission of the City of Panama City, Florida, finds it necessary and desirable to adopt and does hereby adopt Comprehensive Plan amendment PB 22-54, in order to encourage the most appropriate use of land, water, and resources, consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Panama City, as follows:

### **Section 1: Purpose and Intent.**

The land use designation of the identified parcel shall be and hereby is changed from a Land Use designation of Residential and General Commercial to Mixed Use as described in Small Scale Amendment PB 22-54 with said property having the following legal description:

A PARCEL OF LAND BEING AND LYING IN SECTION 11, TOWNSHIP 4 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 11; THENCE RUN N 00°55'05" E ALONG THE EAST RIGHT OF WAY LINE OF KRAFT AVENUE FOR 475.04' TO THE SOUTH RIGHT OF WAY LINE OF EAST 5TH COURT; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE OF KRAFT AVENUE RUNS 88°58'29" E ALONG SAID SOUTH RIGHT OF WAY LINE OF EAST 5TH COURT FOR 367.25' TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE OF EAST 5TH COURT RUN N 00°48'55" E FOR 185.52' TO THE SOUTH LINE OF THE PLAT OF H.D. SHOPE'S SUBDIVISION RECORDED IN PLAT BOOK 2, PAGE 2 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE RUN N 88°32'27" E ALONG SAID SOUTH LINE OF SUBDIVISION FOR 116.71'; THENCE DEPARTING AFOREMENTIONED SOUTH LINE OF H.D. SHOPE'S SUBDIVISION RUNS 00°48'56" W FOR 492.13'; THENCE RUN S 85°33'35" W FOR 21.85'; THENCE RUN N 00°54'52" E FOR 99.00'; THENCE RUN N 88°55'24" W FOR 30.01'; THENCE RUN N 00°36'01" E FOR 204.76'; THENCE RUN N 89°06'45" W FOR 64.24' TO THE POINT OF BEGINNING.

THIS DESCRIPTION IS BASED ON FIELD MEASUREMENTS AND CONTAINS 0.796± ACRES MORE OR LESS.

Parcel ID #: 23267-000-000

For Map of Property see "Exhibit A."

**Section 2: Comprehensive Plan Amendment.**

The City of Panama City Comprehensive Plan is hereby amended as set forth in and incorporated herein by reference, and consists of a Future Land Use Map Amendment.

**Section 3: Severability.**

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance and the City of Panama City Comprehensive Plan shall remain in full force and effect.

**Section 4. Copy on File.**

An official, true and correct copy of all elements of the Panama City Comprehensive Plan as adopted and amended from time to time shall be maintained by the City Manager or his designee.

**Section 5: Effective Date of Amendment.**

This amendment shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency (DEO) or the Administration Commission, respectively, issues a final order determining the adopted small scale development amendment is in compliance. (§163.3187, F.S.)

**PASSED, APPROVED AND ADOPTED** at the regular meeting of the Mayor and City Commission of the City of Panama City, Florida, the 28th day of June, 2022.

**CITY OF PANAMA CITY, FLORIDA**  
**A Municipal Corporation,**

By   
Greg Brudnicki, Mayor

**ATTEST:**

  
Jan Smith, City Clerk-Treasurer

**APPROVED AS TO FORM AND CORRECTNESS:**

  
Nevin J. Zimmerman, City Attorney  
Burke Blue P.A.

# Exhibit A: Petition to Amend the Comprehensive Plan Future Land Use Map

