ORDINANCE NO. 2021-394

AN ORDINANCE OF THE CITY OF PARKER, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP, REDESIGNATING A PARCEL OF PROPERTY LOCATED AT 5808 AND 5818 EAST HIGHWAY 98, CONSISTING OF APPROXIMATELY 4.39 ACRES AND HAVING PARCEL IDENTIFICATION NUMBERS OF 25813-000-000 and 25813-010-000, FROM MIXED-USE ONE (MU-1) TO MIXED-USE TWO (MU-2); PROVIDING FOR SCRIVENER'S ERRORS AND LIBERAL CONSTRUCTION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature adopted Chapter 163, Laws of Florida, which requires the City of Parker ("City") to prepare, adopt and enforce a comprehensive plan;

WHEREAS, GMZ Holding, LLC is the owner of that certain parcel of real property consisting of approximately 4.39 acres, more or less, located at 5808 and 5818 East Highway 98, Parker, Florida, having Parcel Identification Numbers of 25813-000-000 and 25813-010-000, in the City more particularly described as follows ("Property"):

Commence at the intersection of the South Line of Section 24, Township 4 South, Range 14 West, Bay County, Florida, and the Northwesterly right of way line of U. S. Highway 98; thence North 38 degrees 56 minutes 27 seconds East along said Right of Way Line for 1684.40 feet to the Point of Beginning; thence South 38 degrees 56 minutes 27 seconds West along said Right of Way Line for 400.22 feet; thence North 50 degrees 58 minutes 35 seconds West 144.62 feet, thence South 37 degrees 41 minutes 30 seconds West 28.20 feet; thence North 33 degrees 19 minutes 58 seconds West for 52.80 feet; thence North 48 degrees 25 minutes 24 seconds West for 146.50 feet; thence North 20 degrees 29 minutes 31 seconds West for 228.45 feet more or less to the water's edge of Pitts Bayou; thence Northeasterly along said water's edge for 314.0 feet more or less to a point that is North 51 degrees 03 minutes 00 seconds West from the Point of Beginning; thence South 51 degrees 03 minutes 00 seconds East for 487.37 feet to the Point of Beginning.

WHERAS, the owner has requested that said Property be changed in their land use category from Mixed Use One (MU-1) to Mixed Use Two (MU-2);

WHEREAS, the Planning Commission of the City held a meeting on June 14, 2021 to consider Proposed Comprehensive Plan Amendment 2021-S1 and recommended the Amendment be approved for adoption;

WHEREAS, the City Council of the City held Public Hearings on June 15, 2021 and July 6, 2021, in connection with Comprehensive Plan Amendment 2021-S1, pursuant to Sections 163.3184 and 163.3187, Florida Statutes, with due public notice having been provided, and having reviewed and considered all comments received during the public hearings, and having provided for necessary revisions; and,

WHEREAS, in exercise of its authority, the City Council of the City finds it necessary and desirable to adopt and does hereby adopt Comprehensive Plan Amendment 2021-S1.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER AS FOLLOWS:

SECTION 1. Purpose and Intent.

The Property is reclassified on the Future Land Use Map of the Comprehensive Plan from Mixed Use One (MU-1) to Mixed Use Two (MU-2).

SECTION 2. Comprehensive Plan Amendment.

The City of Parker Comprehensive Plan is hereby amended as set forth herein and incorporated herein by reference, consisting of a Future Land Use Map Amendment. The Future Land Use Map of the City is hereby amended to reflect the change in the land use category of the Property.

SECTION 3. Unaltered Provisions of Existing Comprehensive Plan.

Except as amended and modified by this Ordinance, all provisions of the Comprehensive Plan, as previously amended, shall remain unaltered and in full force and effect.

SECTION 4. Scrivener's Error.

The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or

the Clerk's designee, without public hearing.

SECTION 5. Ordinance to be Liberally Construed.

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 6. Repealer.

All ordinances and resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. 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 shall remain in full force and effect.

SECTION 8. Effective Date.

The effective date of this Ordinance containing the Comprehensive Plan Amendment shall be the later of thirty-one days from the date of adoption of this Ordinance if no appeal is filed or, if an appeal is filed then the date a final order is issued by the Department of Economic Opportunity finding the amendment to be in compliance in accordance with Sections 163.3184 and 163.3187, F.S.; or the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Sections and 163.3184 and 163.3187, F.S. No development orders, development permits, or land uses dependent on this Ordinance may be issued or commenced before this Ordinance (amendment) becomes effective.

PASSED, APPROVED, AND ADOPTED at a meeting of the City Council of the City of Parker, Florida on this 6th day of July, 2021.

CITY OF PARKER

Andrew Kelly, Mayor

ATTEST:

~~Karen Griffin~~, City Clerk

Belinda Adams Acting

Examined and approved by me, this 6th day of July, 2021.

Andrew Kelly, Mayor