GENERAL INFORMATION

APPLICANT

Barry Bostwick
Tallahassee Estates North, LLC

REQUEST

Small Plan Amendment to Comprehensive Plan

From MU-2 to GC

PROPOSED BUSINESS

Automobile Sales and Rentals

ADDRESSES

6300 East Highway 98, Parker, Florida 32404

PARCEL ID NUMBER(S)

26202-000-000



TRACT SIZE

Approximately 0.642 acres (27,965.52) according to Bay County GIS and Property Appraisers. **Applicant submitted a signed and sealed boundary survey which indicates parcel is 0.408 acres (17,772.48). It is recommended that the new survey be submitted to Bay County Property Appraiser for parcel size correction.**

TOPOGRAPHY

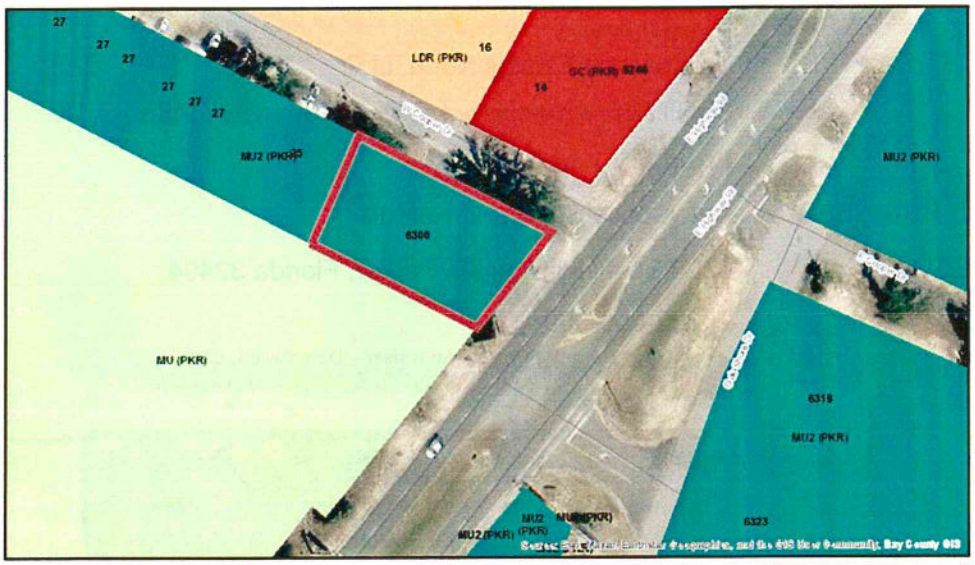
Contours are minimal for this parcel with 12 feet at the northeast corner of the parcel which gently slopes to 13 feet towards the southwest boundary of the parcel.

VEGETATION

Appears to have sparse vegetation as this parcel appears to have been an existing sales site for portable sheds and carports with most of the site covered in broken asphalt/concrete, a few trees, shrubs and patches of grass border to the southwest and northwest boundary lines of the parcel and two shade trees border the northeast boundary of the parcel along West Cooper Drive.

SITE DATA

Current Future Land Use designation of this parcel is Mixed Use 2 (MU-2)



Source: http://maps.baycountyfl.gov

FUTURE LAND USE MAP

This data is provided with understanding that the conclusions drawn from such information are solely the responsibilities of the user. The GIS data is not a legal representation of the features depicted, and any assumption of the legal status of this data is hereby disclaimed. Bay County GIS Division - 850.248.8071 - gis.division@baycountyfl.gov
Printed: 12/14/2023

	Adjacent Future Land Use Designation	Adjacent Land Uses
NE	GC and LDR	The subject parcel is bordered to the northeast (parcel bordering E Highway 98 by a GC commercial development (Leon's Donuts) and adjacent to the commercial development along West Cooper Street to the north are single family homes (LDR).
E to SE	East Highway 98 And on the other side of highway is MU-2	The subject parcel is bordered to the east by a 4-lane divided highway, specifically East Highway 98. On the opposite side of the highway where Oakshore Drive intersects is a vacant MU-2 parcel.
SW	MU	The subject parcel is bordered to the south by a large open vacant parcel
W to NW	MU-2	The subject parcel is bordered to the northwest along West Cooper Street by a single family home and mobile home lots.

LAND USE DISTRICT REQUIREMENTS

Land Use District:	Existing (MU-2)	Requested (GC)
Parcels to be Affected:	**26202-000-000: 6300 East Highway 98**	**26202-000-000: 6300 East Highway 98**
Max. Density:	**25 du/acre**	**N/A**
Allowable Uses	Subject to any overlay district restrictions, the following uses are allowed as of right now in the MU-2 District, all other uses are prohibited: • All uses and conditional uses allowed in the Residential district • All uses and conditional uses allowed in MU1 including apartments, townhouses, and condominiums; • Low intensity commercial development eligible to obtain a valid occupational license from the City that do not result in noise measured on the adjoining properties in excess of 65 dB DNL in the hours between 10:00 p.m. and 6 a.m. • Parks • Public/Institutional uses • Educational Uses • Public service and utilities • Private recreation uses	Subject to any overlay district restrictions, the following uses are allowed as of right now in the general commercial district, all other uses are prohibited: • All low-intensity commercial (***see definition following this section***) activities that are eligible to obtain a valid occupational license from the City that do not result in noise measured on the adjoining properties in excess of 65 dB in the hours between 10:00 p.m. and 6:00 a.m. • Shopping centers • Public and private recreation facilities • Office buildings/complexes • Public institutional uses • Public service and utilities • Educational uses
Conditional Uses	The following uses may be permitted in the Mixed Use Two district provided the performance standards specified in Section 5-6 are met: • Subdivisions provided all standards are met as set forth in Section 5-10 of these Regulations, and performance standards are met as set forth in Section 5-6 of these Regulations. • Mobile Home / Manufactured Home parks that are not located within any noise contour equal to or above the 65 dB DNL as depicted on the adopted AICUZ overlay of Tyndall Air Force Base, provided all standards are	N/A

Land Use District:	Existing (MU-2)	Requested (GC)
	met as set forth in Section 5-11 of these Regulations, and performance standards are met as set forth in Section 5-6 of these Regulations. • Recreational Vehicle Parks not located within any noise contour equal to or above the 65 dB DNL as depicted on the adopted AICUZ overlay of Tyndall Air Force Base provided all standards are met as set forth in Sections 5-6 and 5-12 of the Land Development Regulations.	
Prohibited Uses	In addition to any other uses not permitted or conditional within the MU-2 district, the prohibited uses in the MU1 district shall also be prohibited in the MU-2 district, which include: • Animal Boarding • Appliance Repairs • Motor Vehicle Related Services including but not limited to motor **vehicle sales**, service and storage (except storage on property on which the owner resides) • Building Materials • Boat Repair and storage (except on property on which the owner resides) • Bowling Alleys • Equipment or Parts Storage Yards • **Equipment Rental: including but not limited to rental of motor vehicles**, construction equipment, powered equipment or unpowered equipment, but excluding the rental of power equipment or unpowered equipment to be used solely on the surface of the water for waterborne recreational purposes • Heating Fuel Distributor • Manufacturing/Assembly Plant • Major Shopping Center	N/A

Land Use District:	Existing (MU-2)	Requested (GC)
	• Medical Marijuana Treatment Center • Mobile Home / Manufactured Home sales, service or storage • Parasail rides • Pharmacy • Skating Rinks • Storage of RV's (except a single RV not for human occupancy) • Storage for compensation of any type including but not limited to Storage Unit complexes or Storage Warehouses • Standalone discount store, variety store or convenience store • Tiny Homes (not on wheels) • Tiny Houses on wheels • Uses requiring an industrial use sewer permit • Wrecker Service	

Definitions (Per LDR)

Low Intensity Commercial:

The following shall be considered low intensity commercial uses:

- Shops and stores for selling at retail, including, but not limited to, the selling of foods, including retail bakeries or pastry shops for human consumption, soft goods such as clothing and shoes, drugs and cosmetics, furniture and appliances, printed materials, notions, hardware and paint, kitchenware, toys and sporting goods, jewelry, gifts and novelties, flowers, tobacco products, photographic equipment, antiques, artist and hobby supplies, music supplies, medical supplies, bicycles, and video tape rentals.
- Service businesses, including, but not limited to, those uses such as barber and beauty shops, optical shops, seamstress and tailoring shops, dry cleaning operations, eating establishments, interior decorator shops, photography studios and film processing shops, shoe repair shops, clinics, and small appliance repair shops.
- Lending institutions, credit union offices, and banks, all with or without drive-through facilities.
- Fire stations.
- Veterinary and small animal hospitals.
- Engineering, accounting, research, management, and related services.
- Business, professional, or medical offices.
- Community centers, public libraries and museums.
- Public facilities.
- Funeral homes and mortuaries.
- Preschool nurseries, day-care centers or day-care homes.
- Hospitals and special care facilities for humans.
- Contractors' shops and/or yards in conjunction with a retail shop of the same trade.
- Preschool nurseries, day-care centers or day-care homes.
- Residential use of structures used for commercial or industrial purposes, when such auxiliary residential use is by the owner of the structure or by employees of the business, which is the principal use.
- The adaptive reuse of public and semi-public buildings, such as, but not limited to, church buildings, township halls, school buildings, and other historically significant structures for limited commercial and limited industrial operations that would be compatible with surrounding uses.
- Schools.
- Churches and parish halls, temples, convents and monasteries.
- Hotels.
- Restaurants.
- Inside assembly facilities that do not have a manufacturing component, or which do not generate industrial sewage;
- Other uses determined by the City Council to be consistent with the intent and purpose of this land use district.
- Accessory uses customarily incidental to the normal operation of the above uses, including parking lots and signs, as provided for in these Regulations.

District Summary *

**These regulations may not reflect all requirements for all situations; see the City of Parker Land Development Regulations for all applicable regulations for site requirements for this zoning district.*

SPECIAL INFORMATION

Community Development Design Overlay District

The subject parcel is located within the Subarea 2 – Mixed Use Parkway (South portion of East Highway 98) Overlay District. Subarea 2 consists of all parcels located adjacent to the South portion of East Highway 98 corridor generally between Fleming Street and the Dupont Bridge.

The subarea is intended to redevelop over time through a combination of public and private investments into low to high-rise mixed use buildings with retail, restaurant, personal service, office, and residential uses.



Source: http://maps.baycountyfl.gov

OVERLAY DISTRICT MAP

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Environmental/Soils

Wetland

The subject parcel is not located adjacent to a wetland or other body of water.

However, because the parcel is situated on the Parker peninsula, it is generally bordered by water on three sides (St. Andrew Bay to the west and East Bay to the east) and is no more than 0.15 miles from water to the west and east, precaution must be taken to ensure construction debris does not enter into either body of water which are considered Estuarine and Marine Deepwater Wetlands.

Soils

Kureb Sand (0 to 5 Percent Slopes)

The Kureb series consists of very deep, excessively drained, gently sloping to moderately steep soils on Coastal Plain uplands and on side slopes along streams and bays. They have formed in marine, aeolian, or fluvial sands.

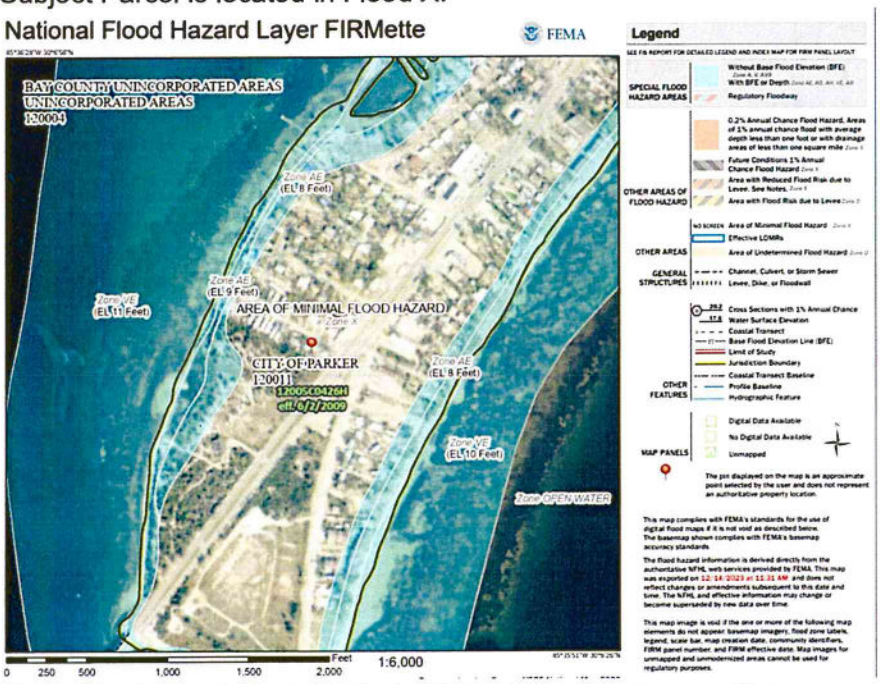
Slopes range from 0 to 20 percent.

Near the type location mean annual precipitation is about 50 inches and mean annual temperature is about 63 degrees F.

TAXONOMIC CLASS: Thermic, uncoated Spodic Quartzipsamments

Flood Zones

Subject Parcel is located in Flood X.



Coastal High Hazard

The subject parcel is not located adjacent to or near a coastline.

Utilities (Availability)

Water Utilities:

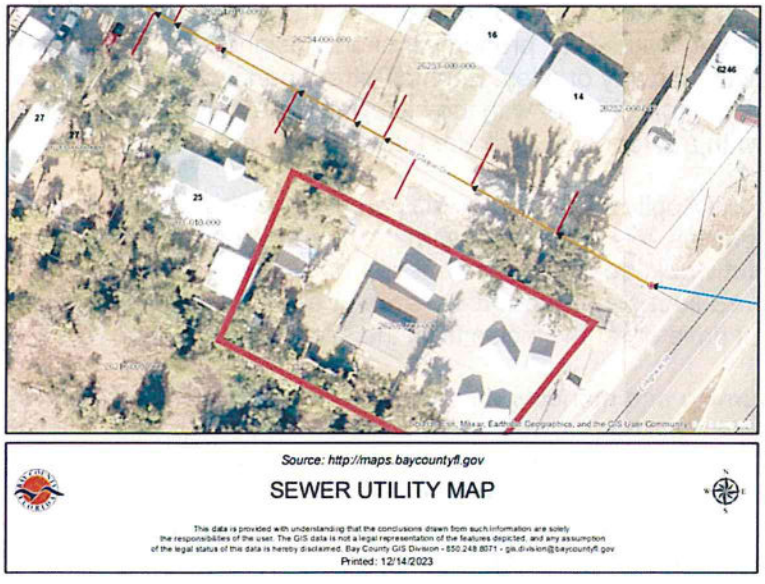
The subject parcel has a commercial water meter that is connected to the City's 6-inch Potable Water Line that runs along West Cooper Drive.

There is one Fire Hydrant located on the northeast adjacent parcel's right of way (Parcel No. 26252-000-000: 6246 East Highway 98).



Sewer Utilities:

The subject parcel has a 4-inch PVC sewer lateral that is connected to the City's 8-inch PVC sewer gravity main that runs along West Cooper Drive.



Proposed land use change is not expected to negatively affect the utilities in the area.

Airport AICUZ Overlay

The subject parcel is located within of the City of Parker Airport Air Installation Compatible Use Zone (AICUZ) Overlay. The purpose of the AICUZ Overlay is to provide both airspace protection and land use compatibility with Tyndall Air Force Base Operations that affect the City of Parker. The AICUZ Overlay Boundary encompasses the area located within any noise contour line equal to or above 65 decibels (db) day-night average sound level. Refer to Article 4-8 – Airport AICUZ Overlay of the City of Parker Land Development Regulations for more information.

Landscaping & Tree Conservation Requirements

Unless otherwise authorized by Section 5-7.11 – Trees of the City of Parker Land Development Regulations, no person shall cause, permit, or allow the removal of a protected tree without first obtaining approval or authorization from the City of Parker to conduct the removal. It also includes encroachments, excavations, or changing the grade of the natural drip line of any protected tree. This requires the submittal of a Tree Permit Application which must be approved by City staff prior to removal of any protected tree.

Rights of Ways

The clearing of a path for existing or new roadway rights of way, provided that the rights of way are for exiting roadways that are built in conformance with City standards or for new roadways that will be built in conformance with City standards. The width of the path shall not exceed the right of way width standards for each type of roadway established in these Land Development Regulations.

Parking Lots/Spaces

The proposed land use amendment of GC will allow for a commercial development. As such, a criterion for off street parking for commercial, retail business, and personal services are 4 spaces per 1,000 square feet of facility. Depending on whether the existing building on site is to remain, which according to the Property Appraiser site is 750 square feet, 3 parking spaces would be required. Of those three parking spaces, one must be ADA Compliant per Florida law. Confirmation of building area would need to be obtained for verification of building square footage (topographic survey would suffice).

In addition, as stated in Section of 5-9.8.4 of the LDR, the parking areas shall be surfaced with hard, dustless material approved by the City; properly drained; designed for pedestrian safety and shall provide direct access to a public roadway or alley. Each off-street parking space shall have a minimum width of 9 feet and a minimum length of 20 feet with the exception of ADA parking which is required to be 12 feet wide by 20 feet long with a 5-foot-wide aisle for loading and unloading.

Because the intent of the Applicant is to have this parcel serve as a commercial development for the sale and rental of motor vehicles, it is not clear how the layout of vehicles on this parcel would work. A more detailed drawing layout would be required to ensure that customer parking and vehicle parking for sale and rental purposes are kept separate and the area is easily navigated for both customer parking and those who wish to test drive or rent vehicles from the site.

Vehicular off-street turning and maneuvering space shall be provided for each lot containing 5 or more spaces so that no vehicle will be required to back into or from any public roadway or alley. Because the intent of the subject parcel would be used for vehicle sales and rental purposes as well as customer parker, this requirement would apply. Striping would be required for all customer and sales/rental spaces to ensure that customers and test drivers have enough navigable space to park vehicles. ADA striping and signage would be required by state law.

If the intent is to have the vehicles delivered by semi-trailers, then parking must also include a proper loading and unloading zone for these semi-trailers to transverse through the parcel and also on the adjacent streets to ensure that traffic is not blocked in any way along West Cooper Street or East Highway 98. In addition, care should be taken for a turnabout area for semi-tractor trailers that may be delivering vehicles to the parcel. It appears that the subject parcel has a sidewalk that borders East Highway 98.

Transportation

Street Classification:	East Highway 98 – Principal Arterials (major arterial) West Cooper Street – local road
Site Access:	Currently there appears to be multiple accesses of Highway 98 and West Cooper Drive.
AADT (FDOT 2022)	East Business Highway 98 AADT = 19,800 vpd
Estimated AADT Increase:	Further information regarding the AADT will need to be further evaluated based on the intended use. It should be noted that the number of vehicles that travel along this section of East Highway 98 has increased by 5,200 vpd since 2020 (from 14,600 vpd in 2020 to 19,800 vpd in 2022). As the City of Parker is growing and people are returning to the area and to Tyndall Air Force Base after the devastation of Hurricane Michael, more impacts will be felt along the roadway.

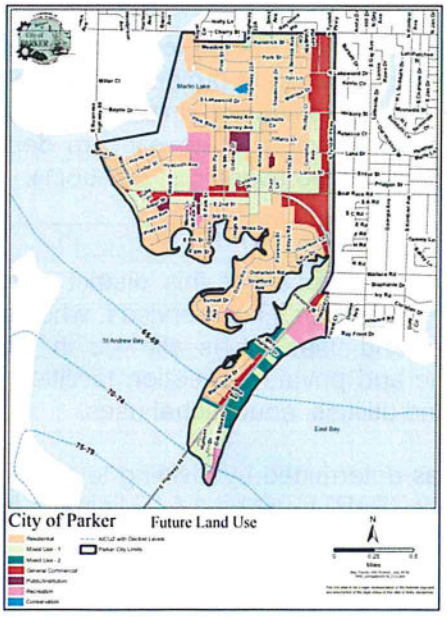
IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **GC** land use designation would allow parcels along the west side of the East U.S. Highway 98 corridor to be more commercially based. Because the parcel would be adjacent to another Commercial Development (Leon's Donuts) the land use would be consistent with other parcels that are adjacent to the East Highway 98 corridor on the west side of the highway.

City of Parker Comprehensive Plan Policies

The Future Land Use Map included as ***Appendix I*** the ***2040 Comprehensive Plan*** designates the subject parcel as **Mixed Use 2**.



According to the 2040 Comprehensive Plan, the intent of ***MU-2*** is to provide for residential units of no more than 25 dwelling units per acre and non-residential units with a maximum Floor Area Ratio (FAR) of 2.0. Mixed use developments may have more than one use on one parcel and more than one use in a building as allowed in the Land Development Regulations.

Where there is a mix of residential and non-residential uses within a building, the height restrictions for residential shall apply, the Floor Area Ratio restrictions shall apply to the combined residential and nonresidential building area, and the dwelling units per acres restrictions shall not apply

According to the 2040 Comprehensive Plan, the intent of ***GC*** is to provide areas for high intensity commercial development including retail sales and services, wholesale sales, shopping centers, office complexes and other similar land uses. Uses allowed within this category also include mobile home parks and subdivisions, educational uses, public buildings and grounds, and public and private recreation facilities.

According to the November 2022 Land Development Regulations, requests for a small-scale Comprehensive Plan amendment shall be as set forth in Section 163.3187, Florida Statutes, as may be amended or superseded. The Comprehensive Plan may only be amended in such a way as to preserve the internal consistency of the Comprehensive Plan pursuant to Section 163.3177(2), Florida Statutes, as may be amended or superseded. One publicly noticed, adoption hearing in front of the City Council is required.

According to Item 1 of Section 163.3187, Florida Statutes:

(1) A small scale development amendment may be adopted under the following conditions:

(a) The proposed amendment involves a use of 50 acres or fewer and:

(b) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible under this section.

(c) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1).

Land Development Regulation Policies

General Commercial Districts: The purpose of this district is to provide areas for high intensity commercial development including retail sales and services, wholesale sales, shopping centers, office complexes and other compatible land uses. Uses allowed in GC include all licensed commercial activities, shopping centers, public and private recreation facilities, office buildings/complexes, public institutional uses, public service and utilities, educational uses.

No more than 90% lot coverage as determined by dividing total impervious areas by the gross area of the site or lot. The Floor Area Ratio (FAR) must be 1.5. Minimum lot setbacks, parking and landscape will need to be considered when designing site.

Subarea 2 – Mixed Use Parkway (South portion of East Highway 98) Overlay District:

The Community Redevelopment Design Overlay (CRDO) District implements the CRA Plan and promotes the redevelopment of current land uses for properties located adjacent to the Tyndall Parkway, Business Highway 98, and Highway 98 corridors as shown on City of Parker Community Redevelopment Design Overlay Map. These corridors represent an important core area of the City. Their redevelopment will enhance the community through higher quality land development patterns that are achieved through the creation of design standards.

Purpose: To provide guidelines for development activity within the Mixed Use Parkway Subarea which includes properties located adjacent to the South portion of East Highway 98 corridor generally between Fleming Street and the Dupont Bridge. The subarea is intended to redevelop over time through a combination of public and private investments into low to high-rise mixed use buildings with retail, restaurant, personal service, office, and residential uses.

1. Design Standards for Subarea 2 are summarized below:

    a. Building Architectural Style: The use of a common set of colors and building materials should be maintained for building facades to create a consistent and traditional architectural identity. Significant separations from buildings should also be provided to allow for view corridors to the water.

    b. Building Use Mix: A mix of low to high rise mixed use, buildings containing retail, restaurant, personal service, office, and residential uses are desired fronting Highway 98.

    c. Pedestrian Mobility: All properties within the subarea are encouraged to provide sidewalks parallel to public rights-of-way across the entirety of the property frontage and connecting with and to existing sidewalks located on abutting properties. Internal sidewalks are also encouraged to provide linkages to building entrances.

    d. Parking: Parking standards will meet the requirements of Section 5-9 Traffic Circulation and Parking. Parking at the front of buildings should be limited to drop off areas in order to create a pedestrian-oriented development pattern.

    e. Streetscape and Landscape: The streetscape is encouraged to be enhanced with wider sidewalks, street trees, median plantings, and landscape buffers of parking lots.

    f. Stormwater: All stormwater management basins shall be designed to meet the City's and Water Management District's design requirements. Co-location shall be encouraged for larger regional systems and use as a site amenity.

Future Land Use Map

Future Land Use should reflect these characteristics:

1. Development is properly scaled to the needs of residents in the appropriate market area.

2. Development adjacent to residential neighborhoods, parks, or other low intensity uses considers light, traffic, noise, and other potential impacts of the development.

3. Development adjacent to residential neighborhoods should include landscape and buffering to mitigate visual impacts to those areas.

4. Development should provide noise analysis showing that noise from the facility will not exceed the allowable amount for those adjacent residential lots.

5. Buildings and uses are easy to access with parking and sidewalks for visitors.

6. The commercial development should coordinate adjacent site designs and public improvements to provide comfortable sidewalk space for pedestrian movement, curb "bump-out" extensions, street trees/lighting/furniture, sidewalk cafés, and an active pedestrian-friendly environment.

Urban General
Urban land use comprises two elements; the nature of land use relates to which activities are taking place and the level of spatial accumulation, which indicates their intensity and concentration.

Urban General should reflect these characteristics:

1. Setbacks, building orientation, building materials, height, and scale of residential buildings are considered within the existing neighborhood context.
2. Buffering between commercial and residential should be considered during development phase.
3. Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
4. Cut-through traffic is minimized. Because this will be a commercial facility, road accesses, turn around points, and parking/striping will need to be taking into consideration for those residential uses that border this parcel.
5. The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting.
6. Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
7. New sidewalks contribute to the completion of a sidewalk network.

ANALYSIS AND RECOMMENDATION

Application Analysis
The Comprehensive Plan's Future Land Use Map currently designates the subject parcel as MU-2. However, the parcel is currently the site of a commercial development for the sales of portable buildings, which is an allowed use in MU-2. The applicant has indicated that the reason for the requested change is that vehicle rentals and sales is not allowed in the current zoning. The sale and rental of vehicles is allowed in General Commercial. However, the parcel is also located in the City's Overlay district. The City's LDR indicates that "These corridors represent an important core area of the City. Their redevelopment will enhance the community through higher quality land development patterns that are achieved through the creation of design standards." The City should evaluate the proposed change to ensure it meets this requirement.

Additionally, applicable requirements of the proposed GC classification according to the City's 2040 Comprehensive Plan is to provide areas for high intensity commercial development including licensed commercial businesses, retail sales and services, wholesale sales, shopping centers, office and building complexes and other compatible land uses.

Because the site is already being utilized as a commercial site and the parcel is already built for a commercial site (commercial building and parking), the proposed change from MU-2 to GC would have minimal impacts on the surrounding parcels and the overall use of the parcel. The change also has the potential to improve the economic growth of the City.

A Site Plan showing the proposed modifications is required for this analysis. Applicant was required to submit a Site Plan per the application instructions (Item D of the Application) which should

include the type of development proposed for the site, the general location of such development on the site, and the size (square feet) of the proposed development. ***Applicant must submit this information to the City in order for the review to be completed.***

Recommendation
Applicant should provide the hard or electronic version of the survey signed and sealed by a Florida PLS.

Applicant provided a digital copy of the signed and sealed survey which is readable. The size of the parcel is noted as 0.408 acres (approximately 17,772.48 square feet).

Applicant should provide a Site Plan showing proposed modifications to the site (if any).

Applicant provided a General Site Plan per the request.

The proposed use of the property is not to be considered when evaluating a land use change since the applicant isn't bound to that specific use. The evaluation of a Small-Scale Comprehensive Plan Amendment should be based on the merits of the new classification in relation to the City overall.

It is recommended that this Smale Scale Plan Amendment be APPROVED from MU-1 to GC.