CITY OF PARKER
AGENDA ITEM SUMMARY

1. *DEPARTMENT MAKING REQUEST/NAME OF PRESENTER:*	2. *MEETING DATE:*
Council/Sloan	**September 3, 2024**

3. *PURPOSE:*

Public Hearing

2nd Reading and Possible Adoption of Ordinance 2024-424

ORDINANCE NO. 2024-424 AN ORDINANCE OF THE CITY OF PARKER, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS (ORDINANCE NO. 2022-409, AS AMENDED) TO AMEND CERTAIN PROVISIONS RELATING TO OFF-PREMISES SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING A MECHANISM FOR THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR THE LIBERAL CONSTRUCTION OF THIS ORDINANCE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

4. *IS THIS ITEM BUDGETED (IF APPLICABLE)*

YES ☐ NO ☐ N/A X

AGENDA ITEM # 5

NOTICE OF PUBLIC HEARINGS FOR THE ADOPTION OF AN AMENDMENT OF THE CITY OF PARKER, FLORIDA, LAND DEVELOPMENT REGULATIONS

The Planning Commission of the City of Parker will conduct a public hearing in the Council Meeting Room, Parker City Hall, 1001 West Park Street, Parker, Florida, on August 13, 2024, at 5:01 p.m. or as soon thereafter as the issue may be heard in connection with a recommendation for the possible adoption of an amendment to the City of Parker, Florida, Land Development Regulations, in Ordinance No. 2024-424. The City Council of the City of Parker will conduct a public hearing in the Council Meeting Room, Parker City Hall, 1001 West Park Street, Parker, Florida, on August 20, 2024, at 5:30 p.m. or as soon thereafter as the issue may be heard in connection with a recommendation of the Planning Commission concerning the possible adoption of the City of Parker, Florida, amendment to its Land Development Regulations in Ordinance No. 2024-424, the header of which is set forth below. Another public hearing of the City Council of the City of Parker to in connection with the recommendation of the Planning Commission and possible adoption of the City of Parker, Florida, amendment to its Land Development Regulations in Ordinance No. 2024-424, the header of which is set forth below, will be held on September 3, 2024, in the Council Meeting Room, at City Hall, 1001 West Park Street, Parker, Florida, at 5:30 p.m. or as soon thereafter as the issue may be heard. Members of the public and all interested parties are invited to attend. The purpose of the Public Hearings is to receive public comments and make decisions regarding the above matter.

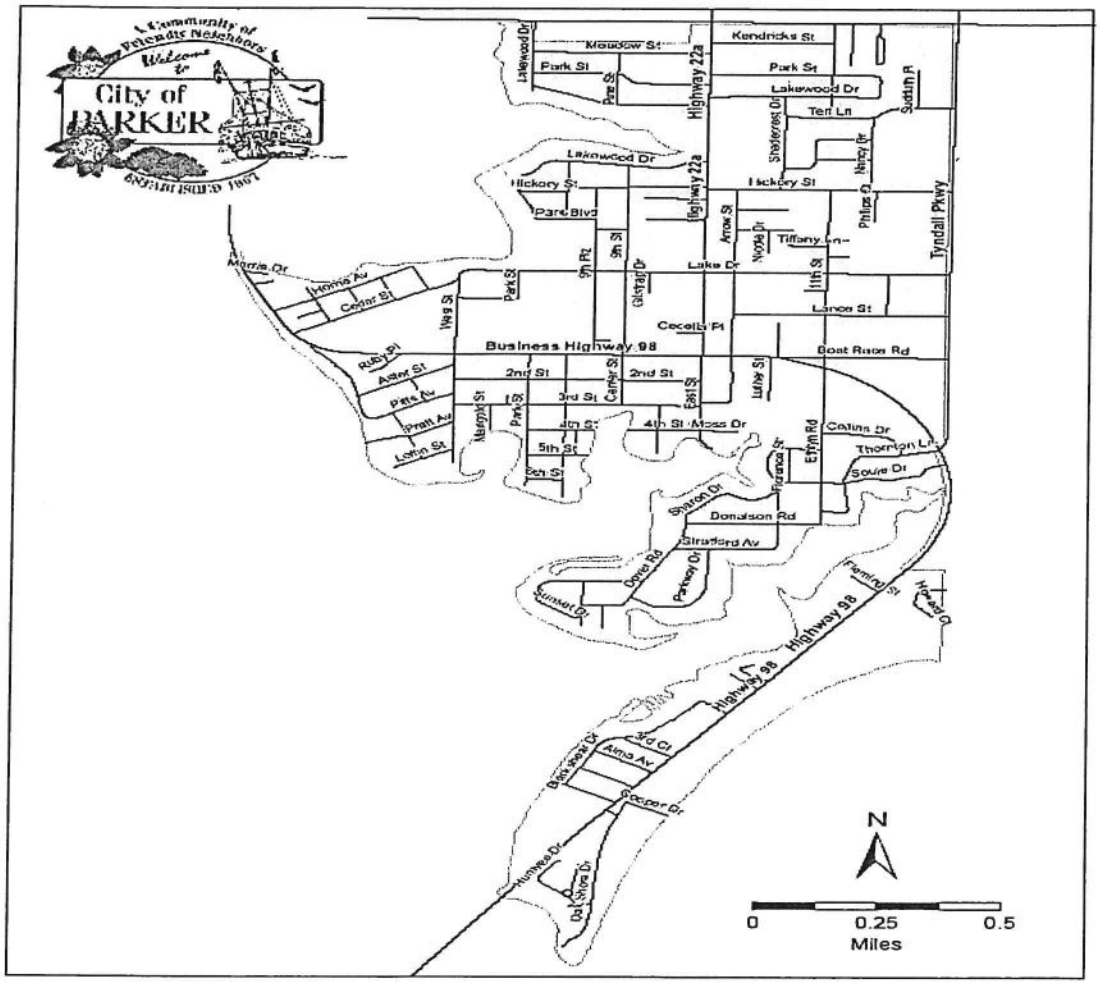
During or following the Planning Commission public hearing the Planning Commission will consider a recommendation concerning the possible adoption of Ordinance No. 2024-424. During or following the first City Council public hearing, the City Council will the possible adoption of Ordinance No. 2024-424 having a first reading of Ordinance No. 2024-424. During or following the second public hearing, the City Council will also consider a second reading and adoption of Ordinance No. 2024-424.

The adoption of the City of Parker, Florida, Land Development Regulations will be accomplished by adoption of the Ordinance set forth by title as follows:

ORDINANCE NO. 2024-424

AN ORDINANCE OF THE CITY OF PARKER, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS (ORDINANCE NO. 2022-409, AS AMENDED) TO AMEND CERTAIN PROVISIONS RELATING TO OFF-PREMISES SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING A MECHANISM FOR THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR THE LIBERAL CONSTRUCTION OF THIS ORDINANCE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The adoption of the City of Parker, Florida, Ordinance No. 2024-424 will enact certain provisions affecting the use and development of all land within the entire City of Parker, Florida, particularly land in a commercial land use district and including but not limited to land in the Community Development Areas. The proposed ordinance shall affect all land within the City currently designated and designated in the future as being in a commercial land use district as all such land of the City of Parker is depicted on the following map.



All interested parties are invited to attend the public hearings and comment upon the proposed adoption of Ordinance No. 2024-424 (proposed amendment of City of Parker, Florida, Land Development Regulations) or submit their comments in writing to the City Council prior to the date of the Public Hearings. Further information concerning Ordinance No. 2024-424 (proposed amendment of City of Parker, Florida, Land Development Regulations) can be obtained from the City Clerk at City Hall, at 1001 W. Park Street, Parker, Florida, 32401, or by calling (850) 871-4104, between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday, excluding holidays.

Please be advised that if a person decides to appeal any decision made with respect to any matter considered at these hearings, such person will need a record of the proceedings, and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which

the appeal is based. The City of Parker does not provide or prepare such record pursuant to Section 286.0105 of the Florida Statutes.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in these proceedings should contact the City Clerk at City Hall, at 1001 W. Park Street, Parker, Florida, 32401, or by calling (850) 871-4104, no later than three (3) days prior to the proceedings.

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the website of the City of Parker ("City") by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

ORDINANCE NO. 2024-424

AN ORDINANCE OF THE CITY OF PARKER, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS (ORDINANCE NO. 2022-409, AS AMENDED) TO AMEND CERTAIN PROVISIONS RELATING TO OFF-PREMISES SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING A MECHANISM FOR THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR THE LIBERAL CONSTRUCTION OF THIS ORDINANCE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with Section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law[1] for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The proposed ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
  a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

[1] See Section 166.041(4)(c), Florida Statutes.

d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

Ordinance 2024-424 would disallow off-premises signs within the City. The Ordinance recognizes the desire to maintain the aesthetic beauty of the gateways into and out of the the City; thereby, satisfying a public purpose.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are unlikely to be direct compliance costs associated with Ordinance 2024-424. No new charge or fee is imposed by the Ordinance for which businesses in the City should be financially responsible. There may be indirect compliance costs in prohibiting off-premises signs. The City may incur increased, indeterminate regulatory costs associated with code compliance. Existing fees and costs may be incurred as a part of code compliance, the amounts are currently not determinable.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Ordinance 2024-424 does not impose any new charge or fee on existing businesses in the City. The City may incur increased, indeterminate costs associated with ensuring compliance. There are no new charges or fees that will be imposed on existing businesses by the proposed Ordinance to cover the City's costs of ensuring compliance.

4. Additional information the governing body deems useful (if any):

The proposed Ordinance 2024-424 is a generally applicable Ordinance that applies to all persons similarly situated (individuals as well as businesses) who might apply for a development order/permit for the construction, development or operation of an off-premises sign in the City. The estimated number of businesses likely to be impacted by the Ordinance cannot be quantified at this time because the number of businesses likely to be impacted by Ordinance 2024-424 will depend on how many businesses seek to construct or maintain an off-premises sign within the City.