CITY OF PARKER
AGENDA ITEM SUMMARY

1. *DEPARTMENT MAKING REQUEST/NAME OF PRESENTER:*	2. *MEETING DATE:*
Council	11.19.24

3. ***PURPOSE:***

Reading and possible adoption of Ordinance #2024-422

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

YES ☐ **NO** ☐ **N/A X**

ORDINANCE NO. 2024-422

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PARKER, SPECIFICALLY TO CLARIFY ALLOWABLE USES IN A COMMERCIAL LAND USE DISTRICT AND REVISE THE GOALS, OBJECTIVES AND POLICIES OF THE VARIOUS ELEMENTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

AGENDA ITEM # 2

ORDINANCE NO. 2024-422

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PARKER, SPECIFICALLY TO CLARIFY ALLOWABLE USES IN A COMMERCIAL LAND USE DISTRICT AND REVISE THE GOALS, OBJECTIVES AND POLICIES OF THE VARIOUS ELEMENTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR 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, the City's Planning Commission held a Public Hearing on a proposed amendment to the City's Comprehensive Plan ("Amendment") on July 9, 2024, and recommended the Amendment be approved by the City Council for transmittal to the Florida Department of Commerce and other agencies/governmental bodies;

WHEREAS, the City Council held a first public hearing on August 6, 2024, to consider Amendment, 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, approved the proposed Amendment for transmittal of the proposed initial draft of the Amendment to the state land planning agency;

WHEREAS, the state land planning agency and another agency have provided comments to the City and the City has considered those comments and/or has made certain changes to the initial draft of the Amendment as set forth herein;

WHEREAS, a second public hearing was held on November 19, 2024, to consider the revised Amendment, 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 approved the proposed Amendment for adoption and transmittal; and,

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

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

Section 1. Comprehensive Plan Amendment.

Policy 1.1.1 of the City of Parker Comprehensive Plan is hereby amended as follows:

Policy 1.1.1: The City will regulate land use through designation of land use districts on a Future Land Use Map. The Future Land Use Map shall be used to determine the location and extent of development within the City consistent with conservation of natural resources and availability of public facilities and services. Land use districts depicted on the Future Land Use Map shall be the following:

1. Residential District (RES)

   (a) This district provides areas for the preservation or development of low-density neighborhoods consisting of single-family dwelling units on individual lots. Uses allowed within this category include residential lots and subdivisions, public education facilities, educational uses, and neighborhood parks.
   (b) Density - No more than five dwelling units per acre.

2. Mixed Use District (MU) Districts

   Mixed Use districts provide areas for medium to high density residential development and low intensity commercial development. The mixed use districts are specifically intended to provide flexibility in the planning and permitting process by allowing a range of land uses within one district. Emphasis is on performance mitigation such as landscaping, fencing, lighting, noise standards, etc. to promote compatibility among land uses while also providing property owners with a range of options for use of their property.
   There are two mixed use districts: Mixed Use One (MU-1) and Mixed Use Two (MU-2). The specific standards are as follows:

   (a) Mixed Use One (MU-1) District
      (1) Residential.
         a) No more that fifteen (15) dwelling units per acre.
      (2) Non-residential.
         a) The maximum Floor Area Ratio (FAR) shall be 1.0.

   (b) Mixed Use Two (MU-2) District
      (1) Residential.
         a) No more that twenty-five (25) dwelling units per acre.
      (2) Non-residential.
         a) The maximum Floor Area Ratio (FAR) shall be 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 non-residential building area, and the dwelling units per acres restrictions shall not apply.

Parking reductions and/or shared parking arrangements may be granted to projects that demonstrate the parking required will meet daytime, evening and weekend parking demand.

3. General Commercial District (GC)

   (a) This district provides areas for high intensity commercial development including retail sales and services, wholesale sales, shopping centers, office complexes, light manufacturing, and other similar land uses. Other ~~U~~uses allowed within this category include mobile home parks ~~and subdivisions~~, educational uses, public buildings and grounds, and public and private recreation facilities.
   (b) The maximum Floor Area Ratio (FAR) shall be 1.5.

4. Recreation District (REC)

   (a) This district provides recreation areas open to the public. Uses allowed within this category include public parks, open space, refuges, ballfields, public ways and other such activities intended for public recreation, educational uses, public buildings and grounds, and private outdoor recreation activities.
   (b) Floor Area Ratio (FAR) 1.0.

5. Conservation District (CON)

   (a) This district provides areas for protection and conservation for natural resources and locally designated environmentally sensitive resources.
   (b) Conservation districts shall include areas which contain: jurisdictional wetland/marsh; seagrass beds; flood zones; estuarine water bodies and shoreline; and, that portion of Martin Lake located within the City.

6. Public/Institutional District (PI)

   (a) This district provides areas for public buildings and grounds, churches, cemeteries, institutions, and other similar land uses. Uses allowed within this category include educational uses, public facilities and grounds, and public parks and recreation facilities.
   (b) Intensity - For buildings and structures, no more than 90% lot coverage as determined by dividing total impervious areas by the gross area of the site or lot.

Section 2. 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's Comprehensive Plan shall remain in full force and effect.

Section 3. Copy on File.

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

Section 4. Effective Date.

The effective date of this Comprehensive Plan Amendment shall be the later of the date a final order is issued by the Department of Commerce finding the Amendment to be in compliance in accordance with Section 163.3184, F.S. or the date a final order is issued finding the Amendment to be in compliance in accordance with Section 163.3184, F.S. However, this Ordinance is simply a clarification of the City in its Comprehensive Plan and therefore the prohibition that no development orders, development permits, or land uses dependent on this Amendment may be issued or commence before this Amendment becomes effective does not apply.

PASSED AND ADOPTED at a meeting of the City Council of the City of Parker, Florida, on the 19th day of November, 2024.

CITY OF PARKER, FLORIDA

_____
Tonya Barrow, as Mayor Pro Tem

ATTEST:

_____
Donna Perdue, as Acting City Clerk

Examined and approved by me, this 19th day of November, 2024.

_____
Tonya Barrow, as Mayor Pro Tem

In this Ordinance, language added to an existing section is printed in underscored type, and language deleted is printed in ~~struck through type~~.

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11/06/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 11/06/2024

Legal Clerk

Notary, State of WI, County of Brown

3.7.29

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NOTICE OF PUBLIC HEARING
FOR A TEXT AMENDMENT TO
THE CITY OF PARKER COMPREHENSIVE PLAN

The City of Parker proposes to amend it 2040 Comprehensive Plan by adopting a text amendment by Ordinance to amend the Future Land Use Element clarifying potential uses within a commercial land use district. The City Council of the City of Parker will hold a Public Hearing in the Council Chambers, Parker City Hall, 1001 West Park Street, Parker, Florida, on November 19, 2024, at 5:30 p.m. (or as soon thereafter as the issue may be heard) to consider the amendment. Members of the public and all interested parties are invited to attend. During the public hearing the City Council will receive public comments and make decisions regarding the above matter. The second reading and adoption of Ordinance No. 2024-422 is scheduled to occur on November 19, 2024.

The adoption of the City of Parker, Florida, Comprehensive Plan amendment will be accomplished by adoption of the Ordinance set forth by title as follows:

ORDINANCE NO. 2024-422

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PARKER, SPECIFICALLY TO CLARIFY ALLOWABLE USES IN A COMMERCIAL LAND USE DISTRICT AND REVISE THE GOALS, OBJECTIVES AND POLICIES OF THE VARIOUS ELEMENTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

The amendment does not make any changes to the Future Land Use map. The amendment will affect the entire City, the geographic limits of which are depicted on the map below.

All interested parties are invited to attend and comment upon the proposed Plan amendment or submit their comments in writing to the City Council. The amendment can be obtained from and through the City's website at HYPERLINK
"http://www.cityofparker.com" www.cityofparker.com or from the City Clerk at 1001 W. Park Street, Parker, Florida, 32404, between the hours of 7:30 A.M. and 4:30 P.M., Monday through Friday.
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, 32404, or by calling (850) 871-4104, no later than three (3) days prior to the proceedings.
November 6 2024
LSAR0187402