

ORDINANCE NO. 2022-402

AN ORDINANCE OF THE CITY OF PARKER, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP, REDESIGNATING PARCELS OF PROPERTY LOCATED AT 6600 OAK SHORE DRIVE, 6700 OAK SHORE DRIVE, AND 6345 E. BUSINESS HIGHWAY 98, CONSISTING OF APPROXIMATELY 16.175 ACRES AND HAVING PARCEL IDENTIFICATION NUMBERS OF 26214-005-000, 26214-010-000, 26214-020-000, 26216-000-000, 26216-010-000 AND 26217-000-000 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, EAST BAY PARTNERS, LLC is the owner of those certain parcels of real property consisting of approximately 16.175 acres, more or less, located at 6600 Oak Shore Drive, 6700 Oak Shore Drive, and 6345 E. Business Highway 98 in Parker, Florida, having Parcel Identification Numbers of 26214-005-000, 26214-010-000, 26214-020-000, 26216-000-000, 26216-010-000 and 26217-000-000 (collectively "Property"), being a portion of that certain property more particularly described as follows:

BEGIN AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF FORMER U.S. HIGHWAY 98, LOCATED 135 FEET SOUTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE FROM THE SOUTHEAST CORNER OF LOT 2, LONG POINT PARK FIRST ADDITION, RECORDED IN PLAT BOOK 8, PAGE 7, IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; SAID POINT BEING ON A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 3314.32 FEET; THENCE SOUTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE FOR AN ARC DISTANCE OF 1 178.1 1 FEET, THE CHORD OF SAID ARC BEARING SOUTH 13 DEGREES 29 MINUTES 23 SECONDS WEST FOR 1171.92 FEET; THENCE SOUTH 03 DEGREES 18 MINUTES 23 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, FOR 417.63 FEET TO A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 869.64 FEET; THENCE SOUTHWESTERLY, ALONG SAID WESTERLY RIGHT OF WAY LINE, FOR AN ARC DISTANCE OF 308.96 FEET, THE CHORD OF SAID ARC BEARING SOUTH 13 DEGREES 29 MINUTES 03 SECONDS WEST FOR 307.34 FEET TO THE SOUTH LINE OF PARCEL 2, DESCRIBED IN OFFICIAL RECORDS

BOOK 3477, PAGE 999; THENCE NORTH 83 DEGREES 26 MINUTES 29 SECONDS WEST, ALONG SAID SOUTH LINE, FOR 87.48 FEET; THENCE NORTH 06 DEGREES 00 MINUTES 11 SECONDS EAST, ALONG SAID SOUTH LINE, FOR 81.00 FEET; THENCE NORTH 72 DEGREES 16 MINUTES 37 SECONDS WEST, ALONG SAID SOUTH LINE, FOR 166.96 FEET; THENCE NORTH 88 DEGREES 13 MINUTES 28 SECONDS WEST, ALONG THE SOUTH LINE OF A PARCEL DESCRIBED AS ADDITIONAL MORTGAGED REAL PROPERTY, RECORDED IN OFFICIAL RECORDS BOOK 3520, PAGE 324, FOR 18 FEET MORE OR LESS TO THE EDGE OF EAST BAY; THENCE NORTHWESTERLY ALONG SAID EDGE OF EAST BAY FOR 568 FEET, MORE OR LESS, TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 30 (U.S. HIGHWAY 98); THENCE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE AS FOLLOWS: NORTH 37 DEGREES 23 MINUTES 55 SECONDS EAST FOR 272.32 FEET; NORTH 52 DEGREES 36 MINUTES 05 SECONDS WEST FOR 40.00 FEET; NORTH 37 DEGREES 23 MINUTES 55 SECONDS EAST FOR 313.26 FEET TO A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 23090.02 FEET, THENCE NORTHEASTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 961.26 FEET, THE CHORD OF SAID ARC BEARING NORTH 38 DEGREES 33 MINUTES 53 SECONDS EAST FOR 961.19 FEET; THENCE NORTH 39 DEGREES 45 MINUTES 27 SECONDS EAST FOR 189.36 FEET TO THE NORTH LINE OF PARCELS D AND E AS DESCRIBED IN OFFICIAL RECORDS BOOK 3477, PAGE 999 IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE SOUTH 61 DEGREES 08 MINUTES 55 SECONDS EAST, ALONG SAID NORTH LINE, FOR 30.29 FEET TO THE POINT OF BEGINNING.

WHEREAS, 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 April 26, 2022 to consider Proposed Comprehensive Plan Amendment 2022-S2 and recommended the Amendment be approved for adoption;

WHEREAS, the City Council of the City held Public Hearings on May 3, 2022 and May 17, 2022, in connection with Comprehensive Plan Amendment 2022-S2, 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 Errors.

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

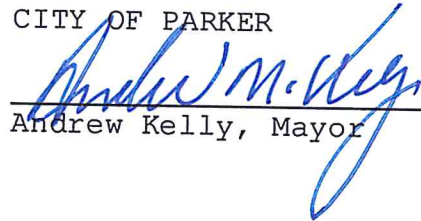
provisions and portions of this Ordinance shall remain in full force and effect.

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 17th day of May, 2022.

CITY OF PARKER



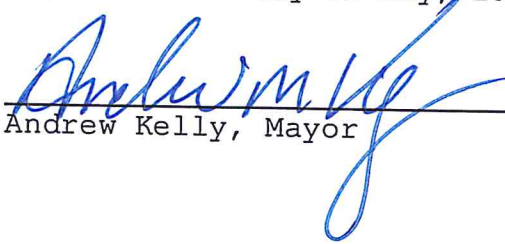
Andrew Kelly, Mayor

ATTEST:



Jami Hinrichs, City Clerk

Examined and approved by me, this 17th day of May, 2022.



Andrew Kelly, Mayor