

February 16, 2022

To whom it may concern:

The City of Parker has adopted **Ordinance number 2022-397**, amending the comprehensive plan of the City of Parker, specifically the property rights element. There were two public hearings, February 1, and February 15, 2022.

The adopted ordinance was reviewed previously by the Department of Economic Opportunity, and other agencies, in November. The Ordinance has been sent to Traycee Chapman, liaison to Tyndall Air Force Base, as well as Jean Smith, Bay District School Assistant Superintendent. A copy has also been sent to Mark Weigley (Department of Education), Plan Review at the Department of Environmental Protection, Timothy Parsons (Department of State), Starsky Harrell (Department of Transportation), Austin Mount (Emerald Coast Regional Council) and Paul Thorpe (Northwest Florida Water Management District).

Please direct any questions to Jami Hinrichs, City Clerk, jhinrichs@cityofparker.com

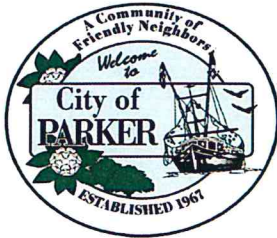
850-871-4104 ext. 1104. Fax 850-871-6684

Respectfully yours,



Jami Hinrichs, City Clerk

City of Parker, Florida



ORDINANCE NO. 2022-397

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PARKER, SPECIFICALLY TO ADOPT A PROPERTY RIGHTS ELEMENT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 2021-195 of the Laws of Florida requires that local governments amend their Comprehensive Plan to add a Property Rights Element containing certain minimum language (if such an element does not already exist);

WHEREAS, the Planning Commission of the City of Parker ("City") held a public hearing on October 12, 2021, and the City Council of the City held a public hearing on October 19, 2021, to discuss a propose amend the City's 2040 Comprehensive Plan adopted by Ordinance No. 2019-383 to add a Property Rights Element as Section 11;

WHEREAS, the City Council adopted Resolution No. 2021-380 on October 19, 2021, authorizing the transmittal of the proposed Property Rights Element to the appropriate governmental agencies;

WHEREAS, the City has received no comments requesting any changes to the proposed amendment language;

WHEREAS, the City held a public hearings on February 1, 2022, and on February 15, 2022, to consider the attached amendment, with due public notice having been provided, and having reviewed and considered the comments received during the public hearing, and provided for necessary revisions, and approved the proposed amendment for adoption; 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 attached Comprehensive Plan Amendment.

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

SECTION 1. Comprehensive Plan Amendment.

The City of Parker Comprehensive Plan is hereby amended as set forth in and incorporated herein by reference, and consists
02/15/2022 1 2022-397

of a City-initiated text amendment to the Index and the addition of Section 11 to the 2040 Comprehensive Plan, a copy of which is attached hereto and made a part hereof.

SECTION 2. Transmission of Ordinance.

The employees and/or consultants of the City are requested and instructed to take the necessary action to transmit this Ordinance and the attached amendment to the required state or federal agencies or bodies.

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. Severability.

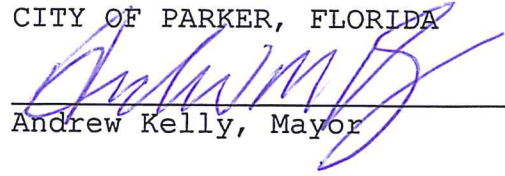
If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance and the City's Comprehensive Plan shall remain in full force and effect.

SECTION 5. Effective Date.

The effective date of this Comprehensive Plan Amendment shall be: the date a Notice of Intent is issued by the Department of Economic Opportunity finding the amendment to be in compliance in accordance with Section 163.3184, F.S.; or the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Section 163.3184, F.S. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before this amendment becomes effective.


PASSED AND ADOPTED at a meeting of the City Council of the City of Parker, Florida, on the 15th day of February, 2022.

CITY OF PARKER, FLORIDA



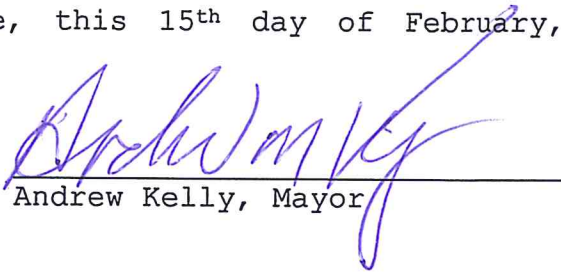
Andrew Kelly, Mayor

ATTEST:



Jami Hinrichs, City Clerk

Examined and approved by me, this 15th day of February, 2022.



Andrew Kelly, Mayor

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

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Section 11. Property Rights Element

Purpose

The purpose of this element is to establish a goal and an objective for the City to consider private property rights.

Goal: To ensure that constitutionally protected private property rights are considered in the local decisionmaking process of the City of Parker.

Objective 14.1: The following rights shall be considered in local decisionmaking:

A. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

B. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

C. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

D. The right of a property owner to dispose of his or her property through sale or gift.

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

The City of Parker proposes to amend its 2040 Comprehensive Plan by adopting a text amendment by Ordinance to add a Property Rights Element. The City Council of the City of Parker will hold Public Hearings in the Council Chambers, Parker City Hall, 1001 West Park Street, Parker, Florida, on February 1, 2022 at 5:30 p.m., and again on February 15, 2022 at 5:30 p.m. (or as soon thereafter for each as the issue may be heard) to consider the amendment now mandated by Florida law. Members of the public and all interested parties are invited to attend. During the public hearings the City Council will receive public comments and make decisions regarding the above matter. The first reading of Ordinance No. 2022-397 will also occur at the February 1, 2022 meeting and the second reading and adoption of Ordinance No. 2022-397 is scheduled to occur on February 15, 2022.

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. 2022-397

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PARKER, SPECIFICALLY TO ADOPT A PROPERTY RIGHTS ELEMENT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

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 the City's website at 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.

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