



AGENDA
PLANNING AND ZONING BOARD
CITY OF WEBSTER
Webster City Hall, 85 E. Central Avenue
April 13, 2023 - 6:00 P.M.

I. CALL TO ORDER

Pledge of Allegiance, Invocation
Roll Call and Determination of Quorum

Note. All public comment will be limited to 3 minutes per speaker. Anyone wishing to speak during citizen's forum or on an agenda item must fill out a speaker card and present it to the City Clerk prior to being recognized. All comments will be addressed after all speakers have spoken during citizen's forum or on a particular agenda item.

II. APPROVAL OF MINUTES

Planning & Zoning – March 9, 2023
M _____ S _____ Roll Call Vote

III. PUBLIC HEARING

First Reading of Ordinance 2023-08 Comprehensive Plan Q31-003 and Q31A001-Ginny Browning
M _____ S _____ Roll Call Vote

First Reading of Ordinance 2023-09 Rezoning Q31-003 and Q31A001-Ginny Browning
M _____ S _____ Roll Call Vote

IV. ADJOURNMENT

M _____ S _____ Roll Call Vote

PLEASE NOTE IN ACCORDANCE WITH FLORIDA STATUTE 286.105, ANY PERSON WHO DESIRES TO APPEAL ANY DECISION AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THIS PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. ALSO, IN ACCORDANCE WITH FLORIDA STATUTE 286.26; PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THE PROCEEDINGS SHOULD CONTACT THE OFFICE OF THE CITY CLERK; 85 E. CENTRAL AVENUE; WEBSTER, FLORIDA; (352) 793-2073; 48 HOURS IN ADVANCE.



MINUTES

CITY OF WEBSTER

City Hall, 85 E Central Avenue

March 9, 2023

Planning and Zoning Meeting

6:00 P.M.

I. CALL TO ORDER

Chairwoman Yost called the meeting of the City of Webster Planning and Zoning Board to order at 6:00p.m. Present were board members: Kristen Green, Sandra McClanahan, and Chairwoman Diana Yost. Shadae Solomon and Mark Hitchcock were absent.

II. APPROVAL OF THE MINUTES

Board Member Green made a motion for approval of the minutes for January 17, 2023, seconded by Chairwoman Yost.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member McClanahan-Did not vote

Motion passed 2-0

III. PUBLIC HEARING

Judy Mueller spoke about intent with annexation.

Board Member Green made a motion for approval of the Ordinance 2023-03 Annexation of Parcel ID's Q31-003 and Q31A001-Ginny Browning, seconded by Board Member McClanahan. City Planner Sue Farnsworth apprised board members about the Ordinance.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member McClanahan-Yes

Motion passed 3-0

Board Member McClanahan made a motion for approval of the Ordinance 2023-04 Annexation of Parcel ID N25-016-Rodolfo Luisis, seconded by Board Member Green. City Planner Sue Farnsworth apprised board members about the Ordinance.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member McClanahan-Yes

Motion passed 3-0

Board Member Green made a motion for approval of the Ordinance 2023-05 Annexation of Parcel ID N36E006-Fely Palafox, seconded by Board Member McClanahan. City Planner Sue Farnsworth apprised board members about the Ordinance.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member McClanahan-Yes

Motion passed 3-0

Logan Gore spoke about the Uptown Estates plan.

Board Member McClanahan made a motion for approval of the Ordinance 2023-06 Uptown Estates Comprehensive Plan Amendment, seconded by Board Member Green. City Planner Sue Farnsworth apprised board members about the Ordinance.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member McClanahan-Yes

Motion passed 3-0

Board Member McClanahan made a motion for approval of the Ordinance 2023-07 Uptown Estates Rezoning, seconded by Board Member Green. City Planner Sue Farnsworth apprised board members about the Ordinance and does not recommend approval based on requirements not being met.

Judy Mueller spoke about the Uptown Estates plan.

Logan Gore spoke again about the Uptown Estates plan.

Vote was as follows:

Chairwoman Yost-No

Board Member Green-No

Board Member McClanahan-No

Motion failed 3-0

IV. ADJOURNMENT

Board Member Green made a motion to adjourn, seconded by Board Member McClanahan.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member McClanahan-Yes

Motion passed 3-0

Meeting adjourned at 7:16 P.M.

Deanna Naugler, City Manager

Attest:

Amy Flood, City Clerk

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA AMENDING THE CITY OF WEBSTER COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR AMENDMENT OF THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF WEBSTER COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY, APPROXIMATELY 37 ACRES (TAX PARCEL IDENTIFICATION NUMBERS Q31-003 and Q31A001), AND DESCRIBED IN THIS ORDINANCE FROM THE RURAL RESIDENTIAL FUTURE LAND USE DESIGNATION (COUNTY) TO THE COMMERCIAL AND RURAL RESIDENTIAL FUTURE LAND USE DESIGNATIONS (CITY); PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATION FOR THE PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ginny Browning, whose mailing address is PO Box 500177, Malabar, FL (Tax Parcel Identification Numbers Q31-003 and Q31A001), is the owner of the property which is the subject of this Ordinance; and

WHEREAS, the real property, totaling 37 acres MOL in size, is located on the northeast corner of SR 471 and NW 6th Ave; and

WHEREAS, Ginny Browning applied to the City of Webster, for annexation into the City with Commercial future land use on 27 acres and Rural Residential future land use on 10 acres; and

WHEREAS, the City Council of the City of Webster, Florida has taken, as implemented by City staff, all actions relating to the future land use amendment action set forth herein in accordance with the requirements and procedures mandated by State law.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WEBSTER, FLORIDA:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT.

(a). The City Council of the City of Webster hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum relating to the application relating to the proposed amendment to the *City of Webster Comprehensive Plan* pertaining to the subject property.

(b). The City of Webster has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Webster* and the proposed *Comprehensive Plan* amendment does not trigger any urban sprawl indicators and adoption of this amendment will discourage the proliferation of urban sprawl within the City of Webster.

(d). Public services are available to the real property which is the subject of this Ordinance.

(e). The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

SECTION 2. AMENDMENT TO FUTURE LAND USE MAP.

(a). The Future Land Use Plan Element of the *Comprehensive Plan of the City of Webster* and the City's Future Land Use Map are hereby amended by changing the land use designation from the Rural Residential (County) land use on 37 acres to, Commercial future land use designation on 27 acres and to Rural Residential future land use designation on ten acres, on the real property which is the subject of this Ordinance as set forth herein (Attachment B).

(b). The property which is the subject of this *Comprehensive Plan* amendment

is as described as follows:

Property to be assigned Rural Residential land use: IN SEC 31, TWP 21N, RNG 23E: THE SOUTH 626 FT OF THE EAST 643 FT OF THE SW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ INCLUSIVE OF ALL OF LONE OAK ADDITION TO WEBSTER, PB 2, PG 7.

And

Property to be assigned Commercial land use: IN SEC 31, TWP 21N, RNG 23E: SW $\frac{1}{4}$ OF NW $\frac{1}{4}$; LESS BEG AT NW COR RUN S 70 YDS E 140 YDS N 70 YDS W 140 YDS TO BEG; AND LESS THE SOUTH 626 FT OF THE EAST 643 FT OF THE SW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$.

SECTION 4. CONFLICTS. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 6. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER. It is the intention of the City Council of the City of Webster, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Webster Comprehensive Plan and/or the Code of Ordinances of the City of Webster, Florida in terms of amending the Future Land Use Map of the City.

SECTION 7. EFFECTIVE DATE The small scale *Comprehensive Plan* amendment set forth herein shall not become effective, in accordance with Section 163.3187(5)(c), Florida Statutes, until 31 days after the enactment of this Ordinance. If challenged within 30 days after enactment, the small scale amendment set forth in this

Ordinance shall not become effective until the State land planning agency or the Administration Council, respectively, issues a final order determining that the subject small scale amendment is in compliance with controlling State law.

PASSED AND ENACTED this _____ day of _____, 2023.

**CITY COUNCIL OF THE CITY OF
WEBSTER, FLORIDA**

Bobby Yost, Mayor

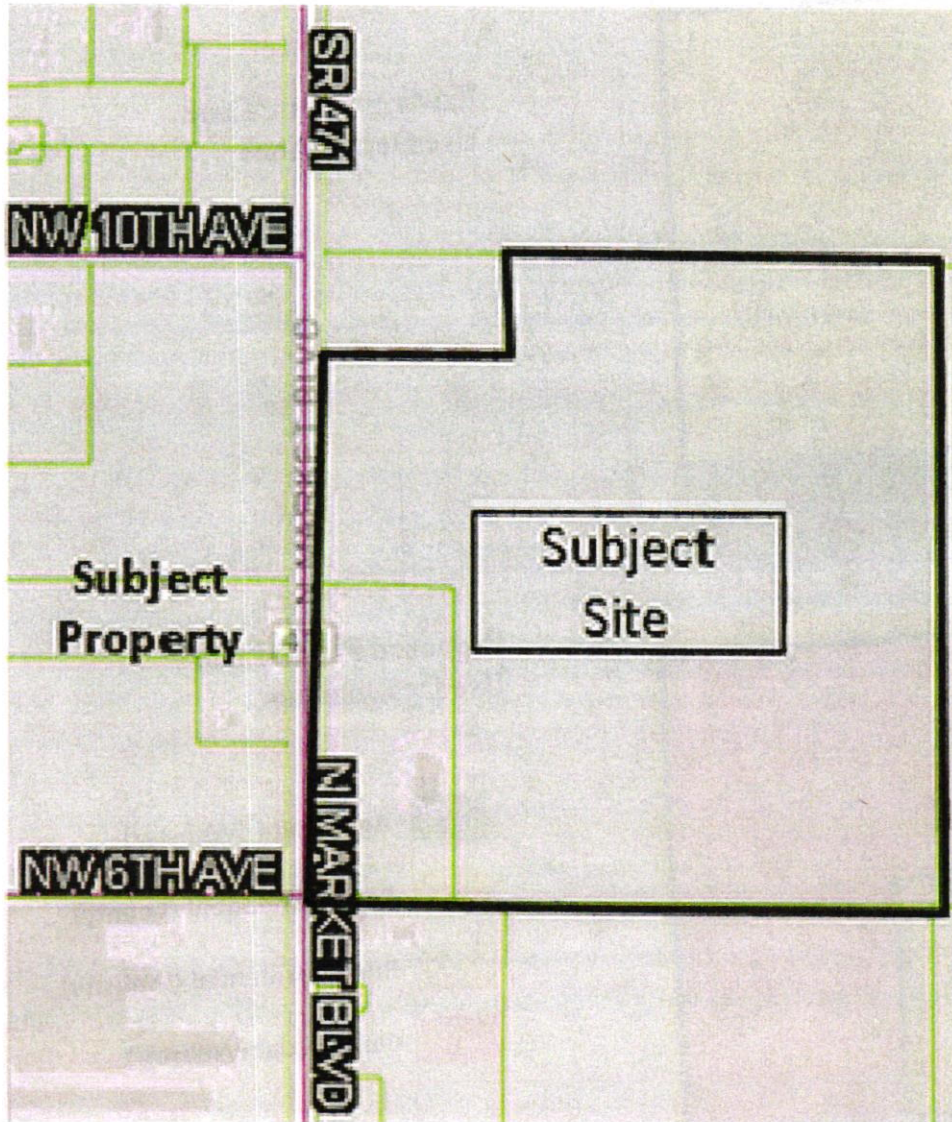
ATTEST:

Approved as to form and Legality:

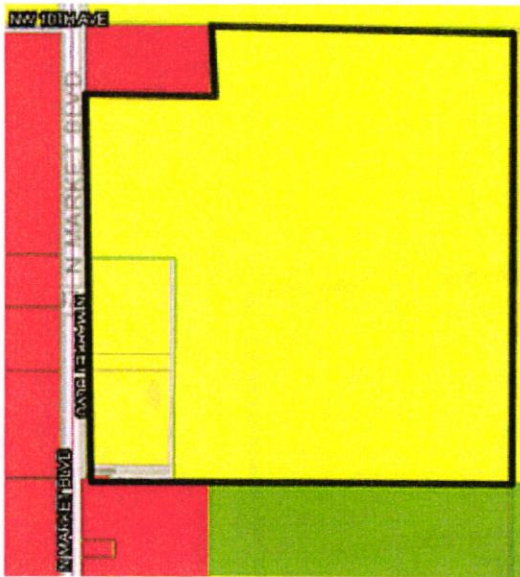
**Amy Flood
City Clerk**

**William L. Colbert
City Attorney**

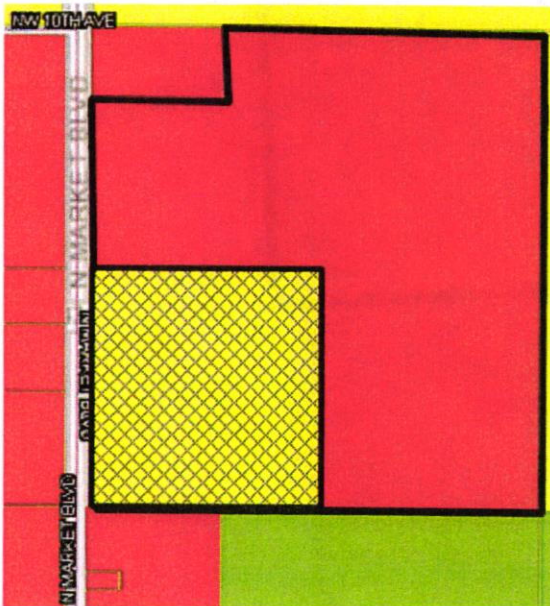
Attachment A
Location Map



Attachment B Future Land Use Map



Existing Future Land
Use Designations



Proposed Future Land
Use Designations

-  Agriculture (Webster)
-  Rural Residential (County)
-  Rural Residential (Webster)
-  Commercial (Webster)

FUTURE LAND USE MAP AMENDMENT

CITY OF WEBSTER LOCAL PLANNING AGENCY

April 13, 2023

CITY OF WEBSTER CITY COUNCIL

April 20, 2023

May 18, 2023

CASE NO.:	SS-23-02806
LANDOWNER:	Ginny Browning
REQUESTED ACTION(s):	Amend the future land use designation on 37 acres MOL from Rural Residential (County) to Commercial future land use on 27 acres and Rural Residential future land use on 10 acres following annexation.
PARCEL NO:	Q31-003 and Q31A001
LEGAL DESCRIPTIONS:	See Attachment A
EXISTING ZONINGS:	A10C (Agricultural-County) and RR5C (Rural Residential-County)
EXISTING USE:	House and pasture
GENERAL LOCATION:	northeast corner of SR 471 and NW 6th Ave
<u>SURROUNDING LAND USE:</u>	<u>SURROUNDING ZONING:</u>
NORTH: Rural Residential	NORTH: A10C (Agricultural – County)
SOUTH: Commercial and Agricultural	SOUTH: CH (Heavy commercial-Webster) and A10C (Agricultural-Webster)
EAST: Rural Residential	EAST: A10C (Agricultural – County)
WEST: Commercial	WEST: CH (Heavy Commercial-Webster)

CASE SUMMARY:

The subject property is located on the east side of SR 471, north of CR 470 (Map 1). The property is in the process of annexation and retains a County Agricultural zoning and future land use assignment (Map 2). Annexation is scheduled for final hearing on April 20, 2023. This amendment will add the property onto the City of Webster Future Land Use Map. The owner is requesting Commercial and Rural Residential Future Land Use consistent with the conceptual plan provided. The application seeks to provide for commercial use, consistent with existing development in the Webster area, and residential development to maintain the residence that the applicant wishes to retain. The site is located within the Urban Development Area (UDA) as well as the Joint Planning Area (JPA).

CASE ANALYSIS:

By amending a portion of the land use to Rural Residential the owner/applicant looks to expand the area of their existing residential property. The remaining portion of property seeks a commercial land use consistent with surrounding Webster land uses in the area and will allow the owner/applicant's son the opportunity to create his own business there. The project site is within the Urban Development Area and the Webster Joint Planning Area where economic growth is encouraged. The proposed land use amendment does not demonstrate any of the characteristics of urban sprawl (Attachment A). The proposed project furthers the following policies of the Future Land Use and Economic Development Elements.

Policy 1.2.9 General Commercial

The "General Commercial" future land use category is applied to land suitable for commercial activity with access from an arterial or collector road. Residential uses may be allowed secondarily to a principle commercial use. Residential uses are limited to an owner/operator/manager unit, or dwellings integrated into a mixed-use commercial development (i.e. mixed-use structures, upper flats, and loft apartments). Central water and sewer shall be utilized when available.

The proposed commercial portion of the property is suitable for commercial uses. It fronts on N Market Blvd, an arterial road and has municipal water and sewer available.

Policy 1.3.7 Conversion of Agricultural Lands

Conversion of agricultural lands to a mixed-use, industrial, commercial or residential future land use category shall demonstrate the following:

The subject property has been in agricultural use for cattle grazing. The requested amendment will allow its conversion to commercial use on 27 acres of the site.

- a. The amendment will not result in urban sprawl as defined in Chapter 163, Part II, Florida Statutes;

The requested amendment does not trigger sprawl per Chapter 163 F.S.

- b. Availability of public infrastructure, including centralized water and sewer, to serve a more dense or intense use, or will be available at the time of development and is secured under a Developers Agreement;

Municipal water and sewer service is available to the site.

- c. The proposed use will complement the rural qualities of the community by supporting a diverse and efficient resource-based economy; and

The proposed amendment will allow development of a commercial use adjacent to existing commercial uses very close to the City's flea market district.

- d. The relationship of the proposed amendment site to the UDA boundary and other more densely or intensely designated or developed lands.

The subject property is inside the Urban Development Area and is adjacent to developed commercial properties.

Objective 8.1 Provide Quality Locations

Identify and establish suitable and functional locations for Industry and commerce that provide a full range of investment and development opportunities.

The change from strictly Rural Residential to Rural Residential and Commercial will allow for more business opportunities and economic growth in a Commercial node of Webster while allowing the landowner to continue their existing residential use in the southwest corner of the site.

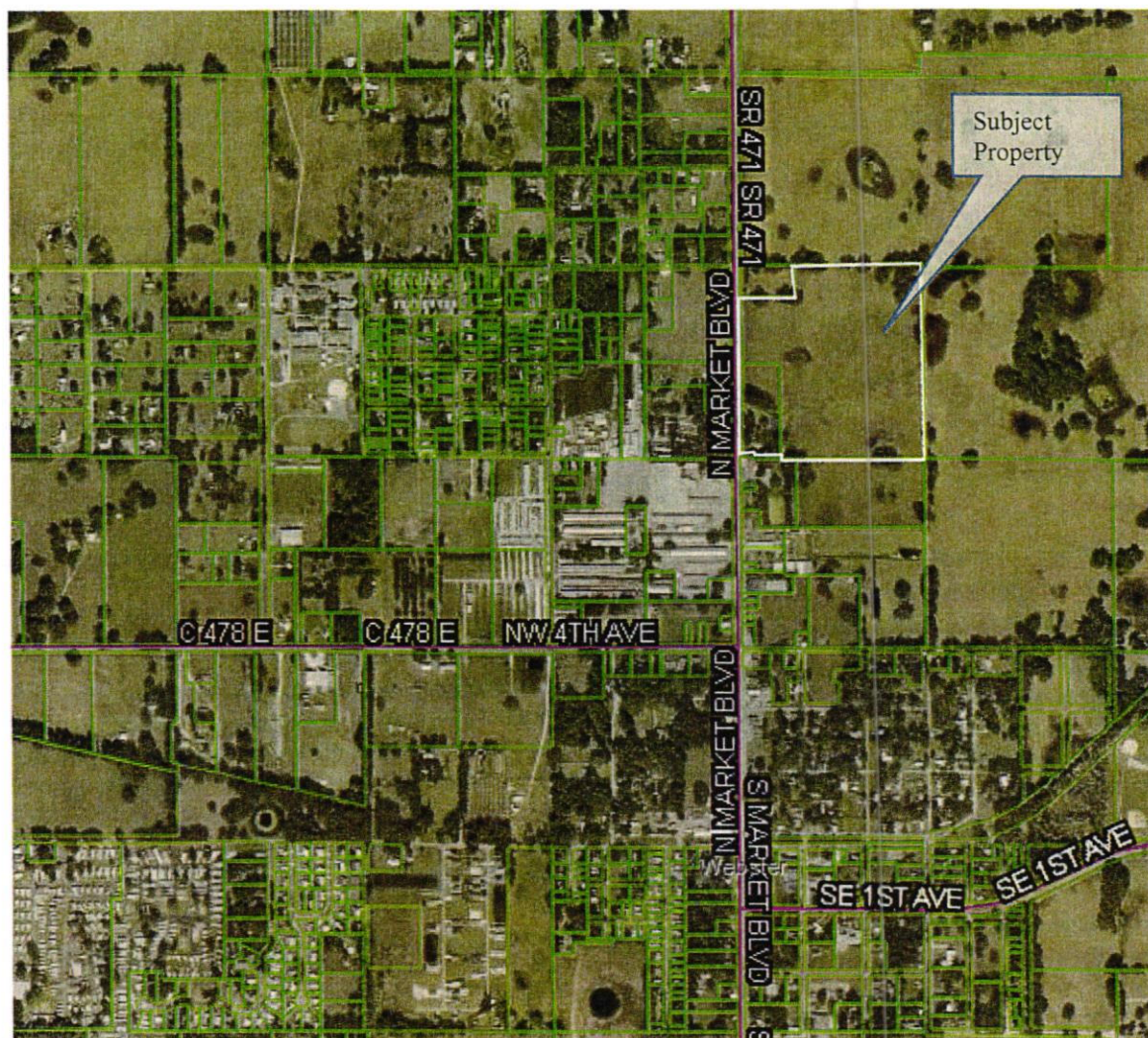
DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS:

Staff deems the application sufficient and in compliance with the requirements of the City of Webster Unified Comprehensive Plan and recommends

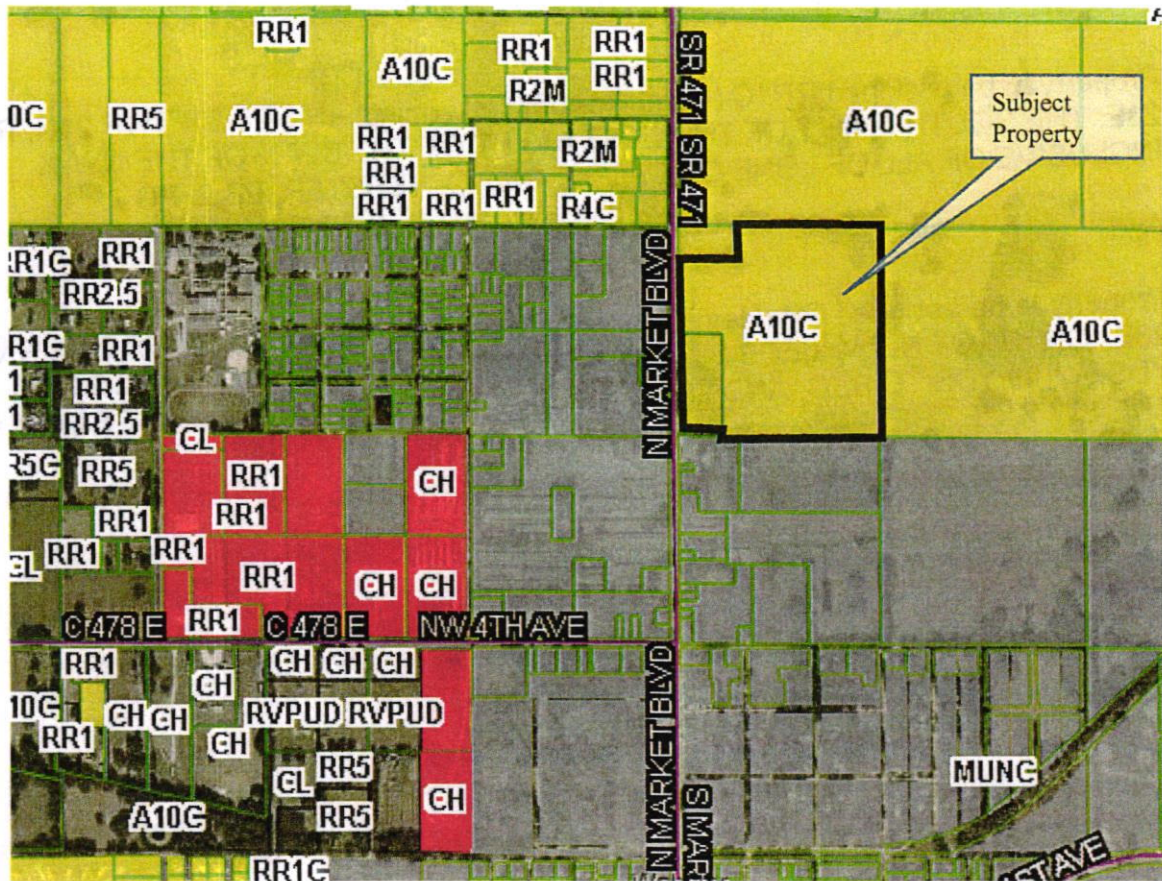
Approval:

MAP 1

General Location



MAP 2 Future Land Use & Zoning



ATTACHMENT A
LEGAL DESCRIPTION

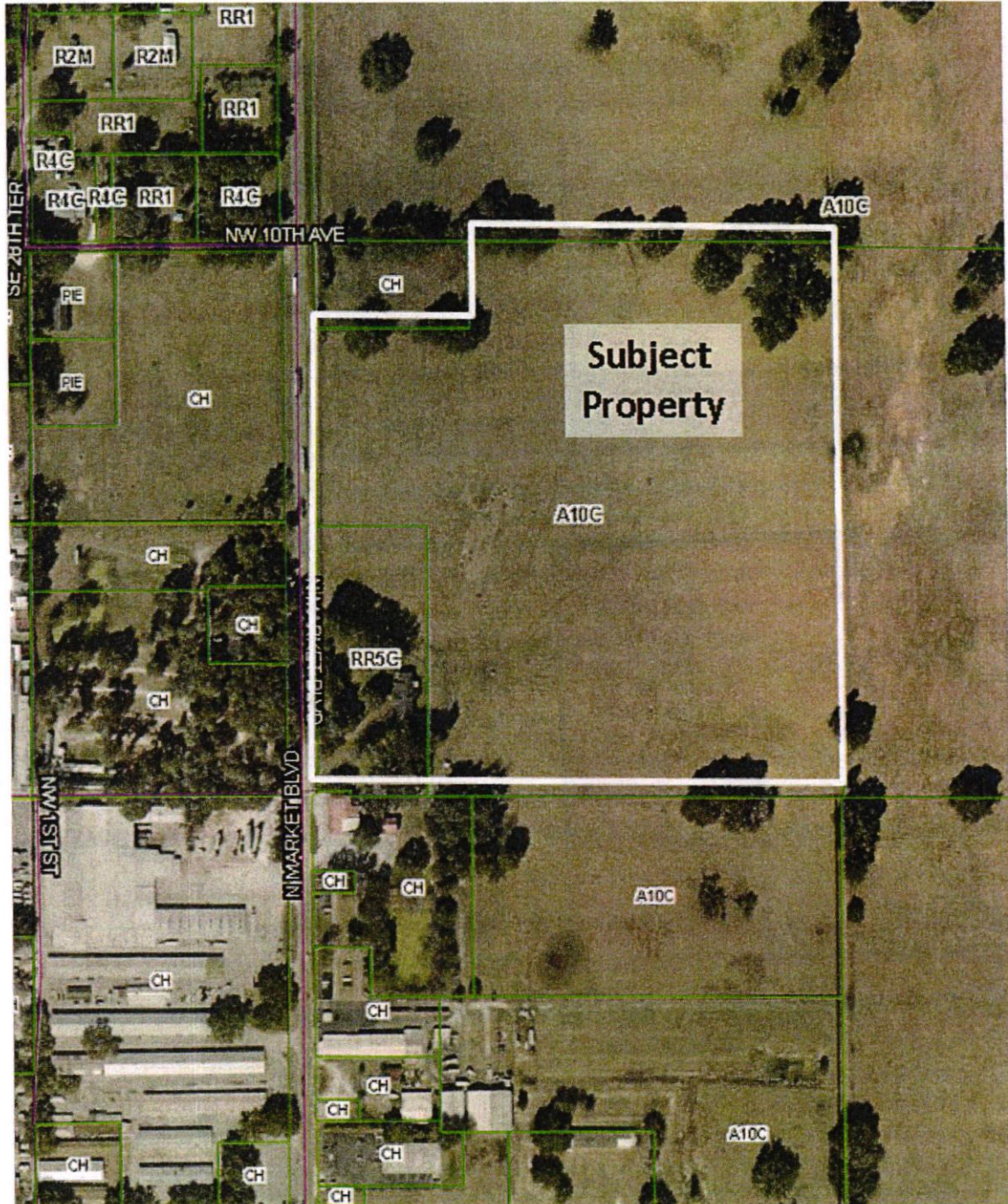
Property to be assigned RR1C (Rural Residential) zoning: IN SEC 31, TWP 21N, RNG 23E: THE SOUTH 626 FT OF THE EAST 643 FT OF THE SW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ INCLUSIVE OF ALL OF LONE OAK ADDITION TO WEBSTER, PB 2, PG 7.

And

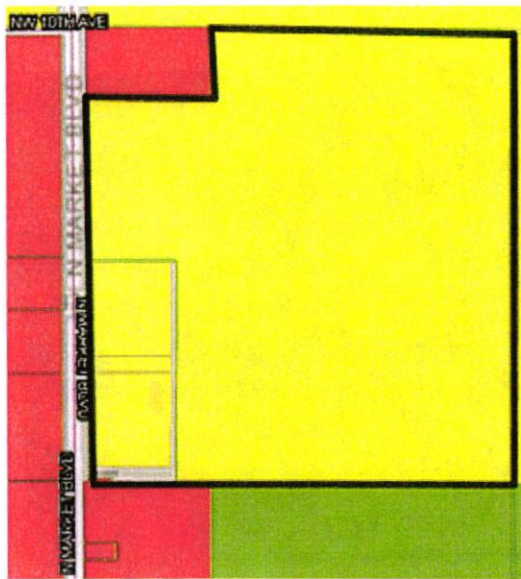
Property to be assigned CH (Heavy Commercial) zoning: IN SEC 31, TWP 21N, RNG 23E: SW $\frac{1}{4}$ OF NW $\frac{1}{4}$; LESS BEG AT NW COR RUN S 70 YDS E 140 YDS N 70 YDS W 140 YDS TO BEG; AND LESS THE SOUTH 626 FT OF THE EAST 643 FT OF THE SW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$.

ATTACHMENT B

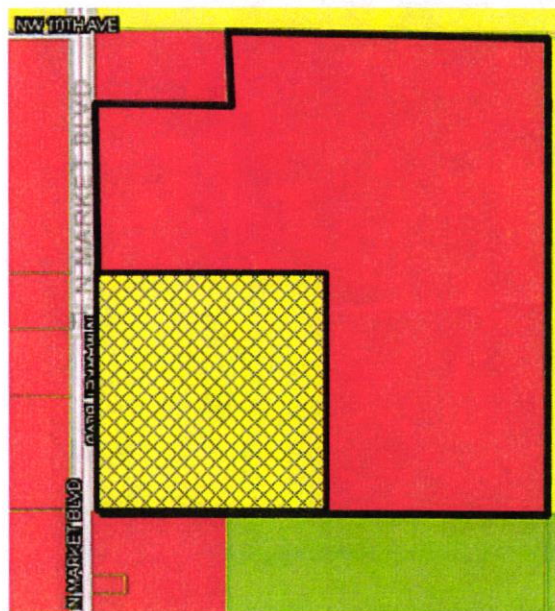
Location with Zoning







Attachment C Future Land Use



Existing Future Land
Use Designations



Proposed Future Land
Use Designations

-  Agriculture (Webster)
-  Rural Residential (County)
-  Rural Residential (Webster)
-  Commercial (Webster)

Attachment D

Urban Sprawl Analysis

The Community Planning Act (Florida Statutes Chapter 163) requires future land use amendments include an analysis to determine whether the proposed amendment contributes to urban sprawl. The proposed land use amendment does not display the sprawl indicators as identified in Florida Statutes Chapter 163.3177.9.a and listed below.

- I. *Promotes, allows, or designates for development substantially areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.*
The proposed project will provide new economic options in a compact manner.
- II. *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*
The subject property is located in the City of Webster near developed areas.
- III. *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*
The proposed development is not isolated, linear, or creating a ribbon pattern.
- IV. *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*
The site has no significant natural resources that require protection.
- V. *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.*
The subject site is adjacent to other commercial uses and rural residential uses.
- VI. *Fails to maximize use of existing public facilities and services.*
The project will be served by public utilities.
- VII. *Fails to maximize use of future public facilities and services.*
The project will be served by public utilities.
- VIII. *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.*
The project site is in the City of Webster and will not require a disproportionate increase in the cost, time, money or energy to serve.

- IX. Fails to provide a clear separation between rural and urban land uses.*
The project site is in a developing area that is becoming urbanized.
- X. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*
The subject property does not discourage infill or redevelopment.
- XI. Fails to encourage a functional mix of uses.*
The project does not discourage a functional mix of uses.
- XII. Results in poor accessibility among linked or related land uses.*
The project will not result in poor accessibility among related land uses.
- XIII. Results in the loss of significant amounts of functional open space.*
The project will not result in a significant lose of functional open space.

Further, a future land use amendment is required to meet four or more criteria listed in F.S. 163.3177.9.b. The proposed land use amendment meets the following four listed criteria:

- I. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on that protects natural resources and ecosystems.* The proposed project will direct development to a property with little impact on protected natural resources.
- II. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.* The project will be served by public utilities.
- III. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit.* The proposed amendment does not impact suburban residential uses.
- IV. Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area.* The proposed project will improve the balance of land uses in an urbanizing area.

The proposed land use change does not demonstrate any of the characteristics of urban sprawl as defined by the applicable State Statutes.

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING 37 ACRES, MORE OR LESS, IN SIZE (TAX PARCEL IDENTIFICATION NUMBERS Q31-003 and Q31A001) WITHIN THE CITY LIMITS (MAP OF PROPERTY ATTACHED) TO CH AND RR1C ZONING DISTRICTS; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE ADOPTION OF A MAP BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ginny Browning, whose mailing address is PO Box 500177, Malabar, FL (Tax Parcel Identification Numbers Q31-003 and Q31A001), is the owner of the property which is the subject of this Ordinance; and

WHEREAS, the real property, totaling 37 acres MOL in size, is located on the northeast corner of SR 471 and NW 6th Ave; and

WHEREAS, Ginny Browning applied to the City of Webster, for annexation into the City with Heavy Commercial zoning on 27 acres and RR1C (Rural Residential 1-acre minimum lot size) zoning on 10 acres; and

WHEREAS, the City Council of the City of Webster, Florida has taken, as implemented by City staff, all actions relating to the rezoning action set forth herein in accordance with the requirements and procedures mandated by State law.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WEBSTER, FLORIDA:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT.

(a). The City Council of the City of Webster hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum relating to the application relating to the proposed rezoning of the subject property as well as the recitals (whereas clauses) to this Ordinance.

(b). The subject property, which is 37 acres MOL in size, is located on the northeast corner of SR 471 and NW 6th Ave (Tax Parcel Numbers Q31-003 and Q31A001) (Attachment A).

(c). The City of Webster has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

SECTION 2. REZONING OF REAL PROPERTY/IMPLEMENTING ACTIONS.

(a). Upon enactment of this Ordinance the following described property, as depicted in the Attachment of this Ordinance, and totaling is 37 acres MOL in size, shall be rezoned from A10C (Agricultural-County) and RR5C (Rural Residential-County) zoning districts/classifications to CH (Heavy Commercial) zoning district/classification on 27 acres MOL and RR1C (Rural Residential) zoning district/classification on ten (10) acres MOL (Attachment B):

Property to be assigned RR1C (Rural Residential) zoning: IN SEC 31, TWP 21N, RNG 23E: THE SOUTH 626 FT OF THE EAST 643 FT OF THE SW ¼ OF THE NW ¼ INCLUSIVE OF ALL OF LONE OAK ADDITION TO WEBSTER, PB 2, PG 7.

And

Property to be assigned CH (Heavy Commercial) zoning: IN SEC 31, TWP 21N, RNG 23E: SW 1/4 OF NW 1/4; LESS BEG AT NW COR RUN S 70 YDS E 140 YDS N 70 YDS W 140 YDS TO BEG; AND LESS THE SOUTH 626 FT OF THE EAST 643 FT OF THE SW 1/4 OF THE NW 1/4.

(b). The City Manager, or designee, is hereby authorized to execute any and all documents necessary to formalize approval of the rezoning action taken herein and to revise and amend the Official Zoning Map or Maps of the City of Webster as may be appropriate to accomplish the action taken in this Ordinance.

SECTION 3. INCORPORATION OF MAP. The map attached to this Ordinance as the Attachment B is hereby ratified and affirmed and incorporated into this Ordinance as a substantive part of this Ordinance.

SECTION 4. CONFLICTS. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 6. NON-CODIFICATION. This Ordinance shall not be codified in the *City Code of the City of Webster* or the *Land Development Code of the City of Webster*; provided, however, that the actions taken herein shall be depicted on the zoning maps of the City of Webster by the City Manager, or designee.

SECTION 7. EFFECTIVE DATE This Ordinance shall take effect

immediately upon enactment; provided, however, that the rezoning of property herein set forth shall not take effect until Ordinance Number 2023-_____ relating to the Comprehensive Plan amendment becomes effective.

PASSED AND ENACTED this _____ day of _____, 2023.

**CITY COUNCIL OF THE CITY
OF WEBSTER, FLORIDA**

Bobby Yost, Mayor

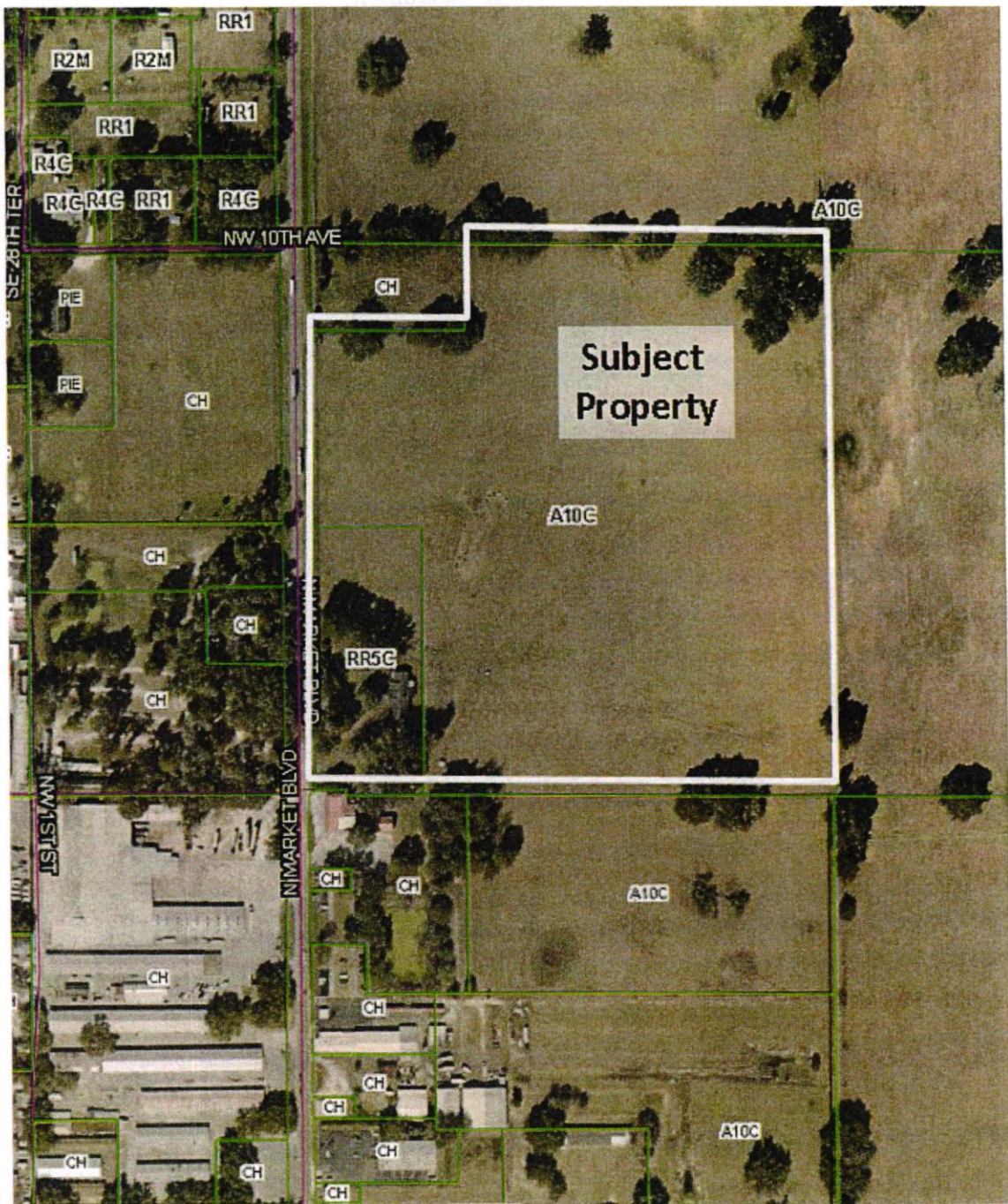
Approved as to form and

**ATTEST:
Legality:**

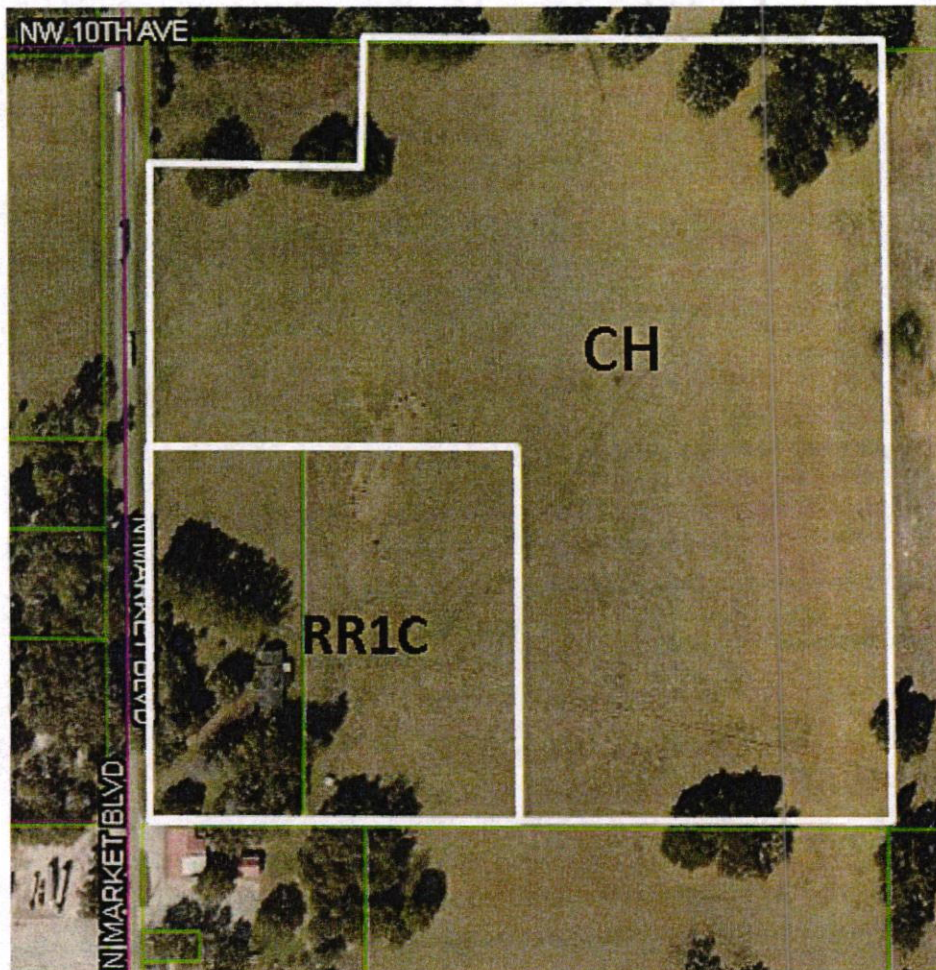
**Amy Flood
City Clerk**

**William L. Colbert
City Attorney**

Attachment A
Location and Existing Zoning



Attachment B
Zoning Assignment



CITY OF WEBSTER REZONING

LOCAL PLANNING AGENCY

April 13, 2023

CITY OF WEBSTER CITY COUNCIL

April 20, 2023

May 18, 2023

CASE NO: R-23-002807

LANDOWNER: Ginny Browning

REQUESTED ACTION(s): Rezone 37 acres MOL from Agriculture (A10C - County) to Heavy Commercial (CH - Webster) and Rural Residential (RR1C - Webster)

PARCEL NO: Q31-003 and Q31A001

LEGAL DESCRIPTIONS: Attachment A

EXISTING ZONINGS: A10C (Agriculture – County) and RR5C (Rural Residential -County)

EXISTING USE: House and commercial building

GENERAL LOCATION: Southeast corner of CR 706 and SR 471 (Map 1)

SURROUNDING ZONING DESIGNATIONS AND USES:

The subject property is located on the east side of SR 471, north of CR 470 (Map 1). The property was recently annexed into the City of Webster and retains a County Agricultural zoning and future land use assignment (Map 2). The RR5C portion to the southwest includes the owner's home, which was built in 1967. The remaining acreage is Agriculturally zoned and currently vacant. Surrounding properties in the area are a mix of County or Webster jurisdiction with a variety of zonings including Agriculture, Rural Residential, and Heavy Commercial being most prevalent.

CASE SUMMARY AND ANALYSIS:

The applicant is requesting to rezone the parcels to Rural Residential (RR1C) and Heavy Commercial (CH) following annexation into the City. The rezoning will allow the residential area of the property to expand and include more land while the remaining land being rezoned will allow development of a business by the owner's son. The property is adjacent the flea market commercial district within a large node of commercial uses. This request is concurrent with small scale comprehensive plan amendment SS-22-07563.

The property is adjacent to existing Heavy Commercial zoned properties (north, west, and south)). Other adjacent properties are designated A10C on the zoning map (north, east, and south). An increase in intensity of use is also supported by the availability of central water and sewer services to the property.

REVIEW CRITERIA:

Sec. 13-313 {5} (3) a. of City of Webster Land Development Code provides the following criteria for consideration of LDC and zoning changes:

1}. Change of condition, or absence of changed conditions

The property is in an area of growth consisting of established businesses as well as vacant land with compatible zoning and land use to allow for future commercial development. The owner/applicant wishes to take advantage of the location and provide additional economic opportunities for the residents of Webster.

2}. Community need, or lack of community need.

The rezoning will allow commercial use within a growing area of other commercial uses.

3}. Benefits to the community.

The rezoning will allow a long-time landowner to maintain a family residence while providing for the communities needs of services and products as well as jobs by allowing for commercial development.

4}. The rights of private property owners.

This rezoning will provide the property owners the opportunity to do what they wish to do with their own property in a manner that will now impinge on neighbor's property rights.

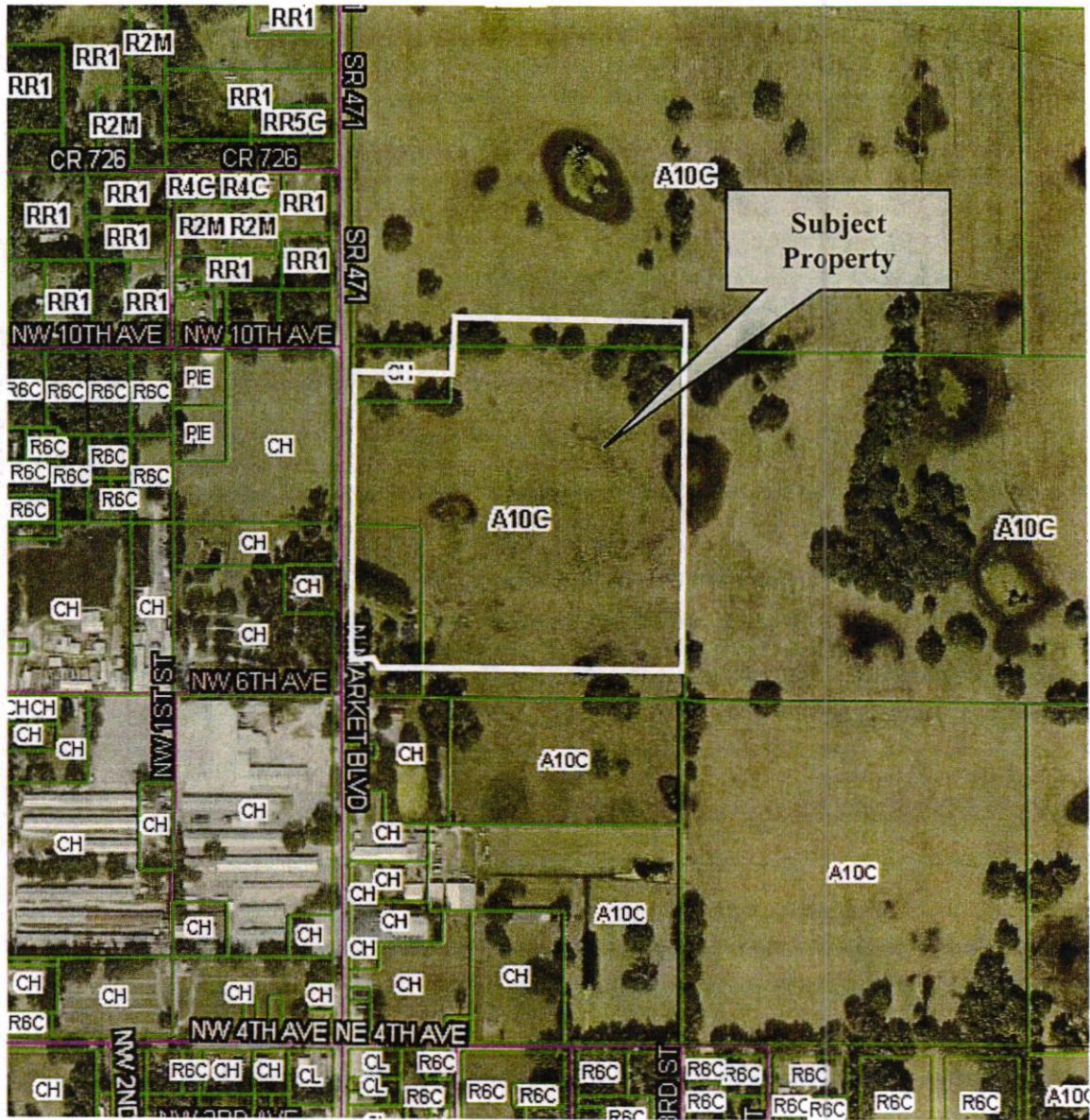
DEVELOPMENT SERVICES DIVISION STAFF CONCLUSIONS:

Staff deemed the application sufficient and in compliance with the minimum requirements of the City of Webster Land Development Code and Unified Comprehensive Plan and recommends approval:

Map 1 Location Map



Map 2 Surrounding Zoning Assignments



Attachment A

Entire Area:

IN SEC 31, TWP 21N, RNG 23E: SW 1/4 OF NW 1/4 LESS BEG AT NW COR RUN S 70 YDS E 140 YDS N 70 YDS W 140 YDS TO BEG.

To RR/RR5C:

IN SEC 31, TWP 21N, RNG 23E: THE SOUTH 626 FT OF THE EAST 643 FT OF THE SW 1/4 OF THE NW 1/4 INCLUSIVE OF ALL OF LONE OAK ADDITION TO WEBSTER, PB 2, PG 7.

To Com/CH:

IN SEC 31, TWP 21N, RNG 23E: SW 1/4 OF NW 1/4; LESS BEG AT NW COR RUN S 70 YDS E 140 YDS N 70 YDS W 140 YDS TO BEG; AND LESS THE SOUTH 626 FT OF THE EAST 643 FT OF THE SW 1/4 OF THE NW 1/4 .