

ORDINANCE NO. 370

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. JOE, FLORIDA BY AND THROUGH PROCEDURES REQUIRED FOR SMALL-SCALE MAP AMENDMENTS PURSUANT TO AUTHORITY UNDER FLORIDA STATUTES §420.6256 AND §163.3187, SPECIFICALLY CHANGING A TRACT OF LAND CONTAINING APPROXIMATELY NINE HUNDRED SIXTY FIVE (965) ACRES FROM AGRICULTURAL TO RESIDENTIAL – LOW DENSITY (R-1); AMENDING THE CITY OF PORT ST. JOE FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes §420.6156 authorizes the City of Port St. Joe (“City”) to enter into Development Agreements whereby the City can obtain fee simple title to land for the development of affordable housing and can provide the owner of such land with density bonuses on other land owned by the owner (the “Receiving Land”); and

WHEREAS, Florida Statutes, §420.6156 authorizes the City to use the small scale comprehensive plan amendment process to amend the land use map to provide the additional density entitlements to the owner on the Receiving Land; and

WHEREAS, the City and The St. Joe Company entered into that certain Development Agreement which was approved by the City on April 3, 2007 whereby the St. Joe Company agreed to convey to the City approximately one hundred (100) acres of land for affordable housing and the City agreed to change the land use on approximately nine hundred sixty five (965) acres of land owned by The St. Joe Company from Agricultural to Residential Low Density (R-1) with a Subarea Policy; and

WHEREAS, this Ordinance reflects the City’s compliance with its commitments in the Development Agreement; and

WHEREAS, in accordance with §163.3187(1)(f)(2), Florida Statutes and §166.041(3)(c), Florida Statutes, notice was duly provided to the public of a public hearing to be held on April 3, 2007 for the adoption of the amendment to the Future Land Use Map;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PORT ST. JOE:

SECTION 1. APPROVAL

The application for the small scale amendment to the Future Land Use Map for the Property described in Exhibit “A”, attached and incorporated herein (the “Property”), is hereby approved

and the land use designation for the Property on the City's Future Land Use Map is hereby changed from Agricultural to Residential – Low Density (R-1). The application and all documentation submitted by the Applicant in support of it are hereby incorporated by reference.

SECTION 2. SUBAREA POLICY

In conjunction with the adoption of this map amendment, the City adopts the following sub-area policy with respect to the Property:

“Policy 1.3.7: In addition to the density restrictions set forth in the Residential – Low Density (R-1) future land use category, the following sub-area policies shall apply to the Property

(a) The Property is limited to a maximum of two thousand one hundred twenty five (2,125) residential dwelling units.

(b) There shall be no intensity restrictions in the comprehensive plan applicable to the Property. Intensity restrictions will be established through the land development regulations, zoning code or through the PUD process as development occurs.

SECTION 3. CONSISTENCY WITH CITY OF PORT ST. JOE COMPREHENSIVE PLAN

The Board of City Commissioners hereby finds and determines that the approval of the application and change in land use as set forth in Section 1 is consistent with the goals, objectives and policies of the City's Comprehensive Plan.

SECTION 4. ENFORCEMENT

The City may enforce this Ordinance as authorized by law.

SECTION 5. FUTURE LAND USE MAP

Upon this Ordinance becoming effective, the City's Future Land Use Map shall be amended to show the Property as having a land use of Residential – Low Density(R-1) with the Subarea Policy set forth herein. The City Clerk is hereby directed to revise the City's Future Land Use Map to reflect this designation.

SECTION 6. SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective as provided by law.

THIS ORDINANCE ADOPTED this 3rd day of April, 2007.

**THE CITY OF PORT ST. JOE BOARD
OF CITY COMMISSIONERS**



Frank Pate, Mayor

Attest :



City Clerk

Exhibit "A"
(Property)

Exhibit "A"
(Property Map)

NOTICE OF CITY OF PORT ST. JOE CITY COMMISSION MEETING FOR APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY

The City of Port St. Joe City Commission proposes to hold a public hearing to consider adoption of Ordinance No. 369 which will consider action on a Petition for Voluntary Annexation of property into the City of Port St. Joe. The title of the ordinance is as follows:

AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN LANDS ADJACENT TO THE SOUTHERN AND EASTERN BOUNDARY OF THE CITY LIMITS; PROVIDING A LEGAL DESCRIPTION OF THE LANDS TO BE ANNEXED; PROVIDING FOR THE REDEFINING OF CITY BOUNDARIES TO INCLUDE SAID LANDS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

The property to be annexed is located generally in Section 13 and 24, Township 8 South, Range 11 West, and Section 7, 8, 17, 18, 19, and 20, Township 8 South, Range 10 West, Gulf County, Florida. A complete legal description of the property by metes and bounds measurements and a copy of the ordinance can be obtained at the Clerk's office.

The public hearing for the adoption of the Ordinance will be held on Tuesday, April 3, 2007, at 6:00 P.M. at City of Port St. Joe City Hall located at 305 Cecil G. Costin, Sr. Blvd, Port St. Joe, Florida 32456. A first reading of the Ordinance will occur at the same time and location on March 20, 2007. Copies of the Ordinance are available for public inspection at City of Port St. Joe City Hall located at 305 Cecil G. Costin, Sr. Blvd, Port St. Joe, Florida 32456.

The hearing may be continued from time to time as may be necessary.

Interested persons may attend and be heard at the public hearing or provide comments in writing to the City Commissioners of the City of Port St. Joe at City of Port St. Joe City Hall 305 Cecil G. Costin, Sr. Blvd., Port St. Joe, Florida 32456. Transactions of the

public hearing will not be recorded. Persons wishing to appeal any decision made during the hearing will need a record of the proceeding and should ensure that a verbatim record is made, including the testimony on which the appeal is based. Any person who wishes to attend and requires assistance may call the City Clerk's Office at (850) 229-8261 ext. 114.