

ORDINANCE NO. 406

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, RELATING TO AND AMENDING THE CITY OF PORT ST. JOE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Port St. Joe (“City”) adopted amendments to its Comprehensive Plan (“Plan Amendment”) by Ordinance 376 on June 5, 2007; and

WHEREAS, The State of Florida, Department of Community Affairs (“Department”) signed its Statement of Intent regarding the Plan Amendment on September 26, 2007 and published its Notice of Intent on September 27, 2007; and

WHEREAS, as set forth in the Statement of Intent, the Department contended that the Plan Amendment was not “in compliance”; and

WHEREAS, a remedial action plan provided by the Department, in the form of a Stipulated Settlement Agreement (“Agreement”), was agreed upon by the City Commission on May 6, 2008; and

WHEREAS, the Agreement was entered into by the City on May 12, 2008, and by the Department on May 20, 2008; and

WHEREAS, the Agreement stipulates that the City must adopt a Remedial Plan Amendment to bring the Plan Amendment into compliance; and

WHEREAS, The Remedial Plan Amendment contains an amendment to The City of Port St. Joe Comprehensive Plan Policy 1.3.9 and an amendment to the Future Land Use Map with respect to the Property shown on Exhibit “A”, which is attached and incorporated herein; and

WHEREAS, The land within the aforementioned map amendment to the Future Land Use Map is subject to the conditions of the amendment to The City of Port St. Joe Comprehensive Plan Policy 1.3.9; and

WHEREAS, on June 17, 2008, the City Commission held a public hearing to consider this text and map amendment to the City of Port St. Joe Comprehensive Plan.

NOW THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA:

SECTION 1. NAME

This Ordinance shall be known as the remedial plan amendment ordinance to the City of Port St. Joe Comprehensive Plan for Ordinance 376.

SECTION 2. CONSISTENCY WITH CITY OF PORT ST. JOE COMPREHENSIVE PLAN

The Board of City Commissioners hereby finds and determines that the remedial plan amendment ordinance will bring Ordinance 376 into compliance with the goals, objectives and policies of the City of Port St. Joe Comprehensive Plan.

SECTION 3. APPROVAL

The application for a text amendment of the City of Port St. Joe Comprehensive Plan, as depicted in Exhibit "B", attached and incorporated herein, is hereby approved subject to the conditions in this Ordinance.

The application for a map amendment of the City of Port St. Joe Comprehensive Plan Future Land Use Map, as depicted in Exhibit "A", attached and incorporated herein, is hereby approved subject to the conditions of this Ordinance.

SECTION 4. ENFORCEMENT

The City may enforce this Ordinance as authorized by law.

SECTION 5. OTHER ORDINANCES

Except as specifically modified or changed in this Ordinance, all provisions of the City of Port St. Joe Comprehensive Plan shall apply in the same manner as throughout the City.

SECTION 6. SEVERABILITY

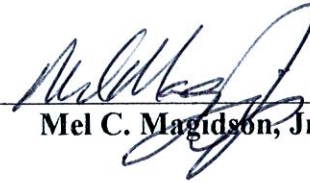
The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without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

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective as provided by law.


This Ordinance was adopted in open regular meeting after its first reading this 17th day of June, 2008 after due notice in accordance with Florida Statute Section 166.041.

**CITY OF PORT ST. JOE, FLORIDA
BOARD OF CITY COMMISSIONERS**



Mel C. Magidson, Jr., Mayor

Attest :







Pauline Pendarvis, City Clerk

947 +/- Acre Parcel Future Land Use Map

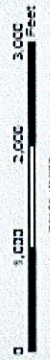
Gulf County, Florida
 947 +/- Acres in Sections
 13 & 24 of T8S, R11W and 7, 8,
 17, 18, 19 & 20 of T8S, R10W



LEGEND

-  Approx. Boundary of Subject Property
-  Low-Density Residential (R-1) Future Land Use
911 +/- ac
-  Conservation Future Land Use
36 +/- ac
-  Port St. Joe City Limits

FOOT Imagery 2007



DISCLAIMER

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The information shown, attached or contained herein is based on records that have been reviewed and are believed to be correct. The availability and accuracy of the information shown is not guaranteed. The St. Joe Company property shown is subject to change without notice. Access to this property is prohibited without the written consent of The St. Joe Company or its agent. The St. Joe Company is not responsible for any errors or omissions in this drawing and for any reliance thereon without the written permission of The St. Joe Company.



St. Joe GIS - Port St. Joe 2/28/08
 Project: MND 0008 Project
 947 Acre Parcel FLU Exhibit 1.mxd

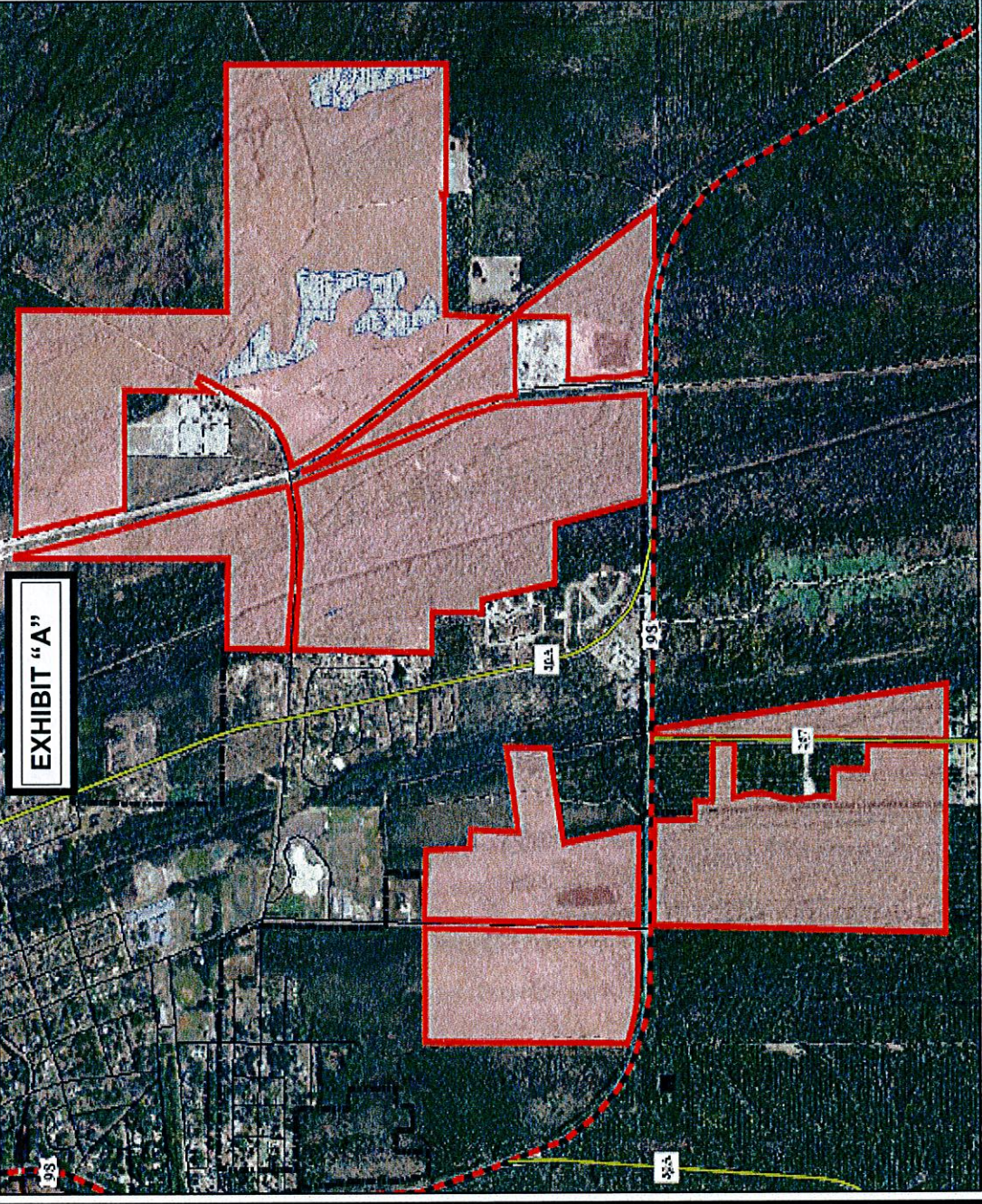


EXHIBIT "A"

EXHIBIT "B"

Policy 1.3.9

In addition to the density restrictions set forth for the Low-Density Residential (R-1) future land use category within Policy 1.3.4, 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) The boundaries of those wetlands designated as Conservation on the Future Land Use Map may be revised as necessary, without need for an amendment to the Future Land Use Map, following a formal wetland delineation, jurisdictional determination, and accurate surveys, which are relied upon as best available data obtained during the development phases for a proposed development project.