

ORDINANCE NO. 609

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, RELATING TO AND AMENDING THE ZONING CODE; AMENDING THE CITY OF PORT ST. JOE ZONING MAP; DESIGNATING AND ESTABLISHING THE BULTER BAY ROAD PLANNED UNIT DEVELOPMENT ZONING DISTRICT; ADOPTING CERTAIN REGULATORY REQUIREMENTS FOR THE BULTER BAY ROAD PLANNED UNIT DEVELOPMENT ZONING DISTRICT TO SUPERSEDE REQUIREMENTS IN THE CITY OF PORT ST. JOE ZONING CODE; PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Port St. Joe ("City") has deemed it appropriate to establish a planned unit development for a community ("Butler Bay Road Planned Unit Development Zoning District") to be located on a parcel of land which is legally described in Exhibit "A", attached and incorporated herein ("Property"); and

WHEREAS, on April 2, 2024, the Planning and Development Review Board for the City, recommended approval of the Butler Bay Road Planned Unit Development Zoning District; and

WHEREAS, The Butler Bay Road Planned Unit Development Zoning District is intended to consist of a single family residential development; and

WHEREAS, The Butler Bay Road Planned Unit Development Zoning District will be served by City water and sewer facilities; and

WHEREAS, The Butler Bay Road Planned Unit Development Zoning District will comply with the all applicable stormwater management requirements for the Property; and

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

SECTION 1. NAME

This Ordinance shall be known as the implementing ordinance for the Butler Bay Road Planned Unit Development Zoning District.

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

The Board of City Commissioners hereby finds and determines that the Butler Bay Road Planned Unit Development Zoning District is consistent with the goals, objectives, and policies of the City of Port St. Joe Comprehensive Plan, including but not limited to Future Land Use

Element Policy 1.3.4, Mixed Use.

SECTION 3. APPROVAL

The establishment of the Butler Bay Road Planned Development Zoning District on the lands legally described in Exhibit "A", which is attached hereto and incorporated herein by this reference, is hereby approved subject to the conditions in this Ordinance.

SECTION 4. PERMITTED USES

The following uses shall be principal permitted uses within all areas of the Butler Bay Road Planned Unit Development (PUD) Zoning District:

- A. Residential. Single family residential units. Density shall not exceed fifteen (15) units.
- B. Recreation. Active recreation means recreational lands and improvements that are facility oriented which may require equipment and take place at prescribed places, or sites, which may include a club house, changing rooms/restrooms and pool. Passive recreation means recreational lands and improvements that are natural resource oriented. Passive recreational facilities may include, but are not limited to walking and nature trails, viewing platforms, docks, boardwalks, picnic areas and bird watching.
- C. Permitted Accessory and Ancillary Uses. The following shall be accessory permitted uses within all areas of the Butler Bay Road Planned Unit Development Zoning District: Uses of land customarily incidental and subordinate to one of the permitted principal uses, including but not limited to a sales center, mail kiosk, and other uses or facilities associated with the support of the permitted principal uses.

SECTION 5. DEVELOPMENT STANDARDS

- A. All residential uses shall be served by central potable water facilities and central wastewater facilities, as provided by the City.
- B. All development within the Butler Bay Road Planned Unit Development Zoning District shall be in compliance with all applicable land development regulations of the City of Port St. Joe, except as otherwise contained in this Ordinance.
- C. The minimum setbacks for residential units shall be as follows:
 - Front Setback: Ten (10) Feet
 - Side Setback: Five (5) Feet
 - Rear Setback: Fifty (50) Feet from the Mean High-Water Line of St. Joe Bay

- D. A retaining wall may be located at a minimum of thirty (30) feet from the Mean High-Water Line of St. Joseph Bay. The setback defined in Section 4.08 of the Land Development Regulations shall not apply to the placement of a retaining wall only.
- E. Maximum overall impervious coverage of the entire site shall be 80%.
- F. There shall be a minimum lot width of fifty-two (52) feet and minimum lot depth of 120 (120) feet.
- G. All construction shall meet the standards in the Florida Building Code, latest edition.

SECTION 6. DEVELOPMENT PLAN/PLAT PHASING

The Butler Bay Road Planned Unit Development Zoning District Subdivision will be developed as one (1) phase, with the submission of development plan and preliminary plat. All development plans will be reviewed as a Level 2 Major Development as such term is defined in the Code. The City will review the preliminary plat as part of the development review process. The development plan, preliminary plat and appropriate application fees shall be initially submitted to the City for review. The applicant may obtain simultaneous approval of the preliminary plat, development order and development permit approval with respect to the development.

SECTION 7. CREATION OF ZONING DISTRICT

The purpose of this Ordinance is to create the text of the Butler Bay Road Planned Unit Development Zoning District. The precise location of the permitted uses will be set forth in the application for development plan and preliminary plat approval. This Ordinance is not intended as a unified plan of development.

SECTION 8. ENFORCEMENT

The City may enforce this Ordinance as authorized by law.

SECTION 9. OTHER ORDINANCES

Except as specifically modified or changed in this Ordinance, all provisions of the Code shall apply in the same manner as throughout the City.

SECTION 10. ZONING MAP

Upon this Ordinance becoming effective, the City of Port St. Joe Zoning Map shall be amended to show the property described on attached Exhibit "A" as the Butler Bay Road Planned Unit

Development Zoning District.

SECTION 11. SEVERABILITY

The provisions of the Ordinance are hereby declared to be severable. If any revision 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 12. EFFECTIVE DATE

This Ordinance shall become effective as provided by law.

This Ordinance was adopted in open regular meeting after its second reading this May 7, 2024, after due notice in accordance with Florida Law.

ATTEST:

BOARD OF CITY COMMISSIONERS
OF PORT ST. JOE, FLORIDA



Charlotte M. Pierce, City Clerk
APPROVED AS TO FORM:



Rex Buzzett, Mayor



Clinton McCahill, City Attorney

EXHIBIT "A"

GULF COUNTY PARCEL ID: 04561-200R AND A PORTION OF GULF COUNTY PARCEL ID: 04561-500R, AS DESCRIBED BELOW:

Commence at the Northwest corner of original Government Lot 2 in Section 27, Township 7 South, Range 11 West, Gulf County, Florida; thence run along the Westerly boundary line of said Government Lot 2, South 00 degrees 00 minutes 00 seconds East 170.28 feet to a point lying on the Southwesterly right of way line of U.S. Highway #98; thence leaving said Westerly boundary line run along said Southwesterly right of way line South 46 degrees 47 minutes 20 seconds East 32.50 feet; thence leaving said Southwesterly right of way line run South 00 degrees 49 minutes 18 seconds West 1078.04 feet; thence run South 89 degrees 12 minutes 28 seconds East 148.87 feet to a rod and cap; thence run South 00 degrees 30 minutes 28 seconds West 193.58 feet to a rod and cap; thence run South 00 degrees 30 minutes 13 seconds West 66.00 feet to a rod and cap lying on the Southerly right of way line of Butler Bay Road; thence run along said Southerly right of way line as follows: South 88 degrees 14 minutes 20 seconds East 194.76 feet to a point of non-tangent curve to the left having a radius of 3373.00 feet; thence run Northeasterly along the arc through a central angle of 03 degrees 49 minutes 20 seconds for a distance of 225.01 feet, chord of said arc being North 87 degrees 03 minutes 55 seconds East 224.97 feet; thence run North 81 degrees 58 minutes 29 seconds East 9.46 feet; thence run North 81 degrees 58 minutes 29 seconds East 45.55 feet to a point marking the intersection of said Southerly right of way line with the mean high water line of a Creek entering into St. Joseph Bay, said point being the POINT OF BEGINNING; thence leaving said POINT OF BEGINNING and said mean high water line continue along said Southerly right of way line as follows: North 81 degrees 58 minutes 29 seconds East 276.03 feet to a point of non-tangent curve to the right having a radius of 954.00 feet; thence run Southeasterly along the arc through a central angle of 26 degrees 07 minutes 23 seconds for a distance of 434.96 feet, chord of said arc being South 83 degrees 42 minutes 06 seconds East 431.20 feet to a rod and cap; thence leaving said Southerly right of way line run South 00 degrees 26 minutes 14 seconds West 290.95 feet to a point lying on the mean high water line of said St. Joseph Bay as located on February 2, 2023 at an elevation of 0.57' NAVD 88 DATUM; thence run along said mean high water line of St. Joseph Bay as follows: North 71 degrees 00 minutes 39 seconds West 74.28 feet; thence run North 60 degrees 32 minutes 29 seconds West 45.10 feet; thence run North 66 degrees 32 minutes 23 seconds West 96.67 feet; thence run North 64 degrees 03 minutes 35 seconds West 48.89 feet; thence run North 66 degrees 41 minutes 50 seconds West 53.04 feet; thence run North 69 degrees 26 minutes 19 seconds West 95.09 feet; thence run North 71 degrees 37 minutes 24 seconds West 91.91 feet; thence run North 78 degrees 23 minutes 08 seconds West 26.92 feet; thence run North 81 degrees 05 minutes 00 seconds West 46.33 feet; thence run North 70 degrees 27 minutes 26 seconds West 39.34 feet; thence run North 77 degrees 10 minutes 52 seconds West 19.23 feet; thence run North 55 degrees 25 minutes 37 seconds West 42.83 feet; thence run North 70 degrees 59 minutes 45 seconds West 44.50 feet; thence run North 44 degrees 49 minutes 05 seconds West 19.22 feet; thence run North 29 degrees 57 minutes 16 seconds West 20.52 feet; thence run North 19 degrees 26 minutes 27 seconds West 10.50 feet to the POINT OF BEGINNING. Containing 3.00 acres more or less

and;

Lots 1, 2, 3, 4, 5 & 6, Las Palmas, a subdivision as per map or plat thereof recorded in Plat Book 4, Page 165 in the Public Records of Gulf County, Florida

EXHIBIT "B"

Butler Bay Road PUD Master Plan

