

ORDINANCE NO. 410

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA RELATING TO LAND DEVELOPMENT REGULATIONS; ADOPTING THE LAND DEVELOPMENT REGULATION CODE, PROVIDING FOR AUTHORITY, APPLICABILITY, DEFINITIONS, DEVELOPMENT REVIEW PROCESS, REPEAL OF PRIOR PROVISIONS AND SEVERABILITY; PROVIDING FOR ADMINISTRATION AND ENFORCEMENT INCLUDING REVIEW PROCEDURES FOR MAJOR AND MINOR DEVELOPMENTS, CONTENTS OF DEVELOPMENT ORDERS, SUBMITTALS, GUARANTEES AND SURETIES, FOR DUTIES AND RESPONSIBILITIES OF CITY STAFF AND THE PLANNING AND DEVELOPMENT REVIEW BOARD, SPECIAL EXCEPTIONS, VARIANCES, APPEALS, AND FEES, CHARGES AND EXPENSES; PROVIDING FOR LAND USE TYPE, DENSITY AND INTENSITY, ALLOWABLE LAND USES WITHIN THE CITY, CERTAIN DEVELOPMENT AND SET BACK REQUIREMENTS, AND AFFORDABLE HOUSING ISSUES; PROVIDING FOR RESOURCE PROTECTION STANDARDS DEALING WITH ENVIRONMENTALLY SENSITIVE LANDS, GROUND WATER, SURFACE WATER, COASTAL HIGH HAZARD AREA, ST. JOSEPH BAY SHORE LINE PROTECTION ZONE, WETLANDS PROTECTION, AND FLOOD PLAIN PROTECTION; PROVIDING FOR DEVELOPMENT STANDARDS, INCLUDING LOT AREA REQUIREMENTS, IMPERVIOUS SURFACE COVERAGE, SET BACK REQUIREMENTS, BUFFERING STANDARDS, PARKING REGULATION, SITE DEVELOPMENT STANDARDS, AND LARGE SCALE COMMERCIAL RETAIL DESIGN STANDARDS; PROVIDING FOR SIGN REGULATION, INCLUDING THE APPLICATION, PERMITTING AND VARIANCE PROCESS, GENERAL REQUIREMENTS AND RESTRICTIONS, TYPES OF SIGNS AND SPECIFIC REQUIREMENTS, CONSTRUCTION AND MAINTENANCE STANDARDS PENALTIES; PROVIDING FOR CONSISTENCY AND CONCURRENCY DETERMINATION INCLUDING A SYSTEM FOR THE MANAGEMENT OF CONCURRENCY, ADOPTED LEVELS OF SERVICE, THAT ADOPTED LEVELS OF SERVICE SHALL NOT BE DEGRADED, TRANSPORTATION SYSTEM, PROPORTIONATE FAIR SHARE MITIGATION, RECREATION FACILITIES, HURRICANE EVACUATION, AND PUBLIC SCHOOL FACILITIES; AND PROVIDING FOR SUBDIVISION REGULATIONS INCLUDING PROCEDURES FOR PLAT APPROVAL, REQUIRED SUBMITTALS, STREET IMPROVEMENTS, PUBLIC USES AND SERVICE AREAS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Joe submitted comprehensive plan amendments to the State of Florida, Department of Community Affairs in July, 2007; and

WHEREAS, the State of Florida, Department of Community Affairs found those comprehensive plan amendments to be in compliance; and

WHEREAS, one of the requirements of the amendments was an update of the City of Port St. Joe Land Development Regulations in order to bring the Land Development Regulations into compliance with the requirements of the Comprehensive Plan;

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

1. The Land Development Regulations attached hereto as Exhibit "A" and by this reference made a part hereof, is hereby adopted as the Land Development Regulation Code of the City of Port St. Joe, Florida.

2. **REPEAL:** Any existing City ordinance duplicating or in conflict with the requirements hereof, are hereby repealed.

3. **SEVERABILITY:**

(a) If any section, subsection, paragraph, sentence, clause, or phrase of this Code is for any reason held by any court of competent jurisdiction to be unconstitutional or otherwise invalid, the validity of the remaining provisions in this Code shall continue in full force and effect.

(b) If any portion of this Code is found to be unconstitutional or otherwise unenforceable, all other portions of this Code shall remain in full force and effect.

4. **EFFECTIVE DATE:** This ordinance shall become effective as provided by law.

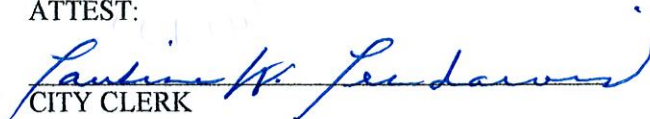
5. This ordinance was adopted in an open, regular meeting after its first reading.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida this 7th day of October, 2008.

THE CITY OF PORT ST. JOE

By: 
MEL C. MAGIDSON, JR.
MAYOR-COMMISSIONER

ATTEST:


CITY CLERK

The following commissioners voted yea:

The following commissioners voted nay:

First Reading: September 16, 2008