

ORDINANCE NO. 422

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 STATE STATUTES SECTION 163.3187, SPECIFICALLY CHANGING PORTIONS OF PARCEL ID #-06076-000R, 1.34 ACRES OF A TRACT OR PARCEL OF LAND LYING AND BEING PART OF SECTION 13 OF TOWNSHIP 8 SOUTH, RANGE 11 WEST, GULF COUNTY, FLORIDA FROM AGRICULTURAL TO LOW-DENSITY RESIDENTIAL (R-1); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, §163.3187, Florida Statutes provides for the authority and procedure for the City Commission of Port St. Joe, Florida to amend its Future Land Use Map utilizing procedures applicable to small scale developments; and

WHEREAS, On April 30, 2009, The St. Joe Company filed its application for an amendment to the City of Port St. Joe Future Land Use Map for a small scale development consisting of approximately 1.34 acres; 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 July 14, 2009 for the adoption of the amendment to the Future Land Use Map; then and

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

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 of Port St. Joe Future Land Use Map is hereby changed from Agricultural to **Low-Density Residential (R-1)**. The application and all documentation submitted by the Applicant in support of it are hereby incorporated by reference.

SECTION 2. 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 of Port St. Joe Comprehensive Plan.

SECTION 3. ENFORCEMENT

The City may enforce this Ordinance as authorized by law.

SECTION 4. 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 5. FUTURE LAND USE MAP

Upon this Ordinance becoming effective, the City of Port St. Joe Future Land Use Map shall be amended to show the Property as having a land use of **Low-Density Residential (R-1)**. The City Clerk is hereby directed to revise the City of Port St. Joe Future Land Use Map to reflect this designation.

SECTION 6. SEVERABILITY

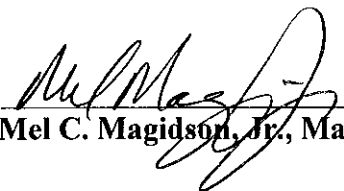
The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without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

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective as provided by law.

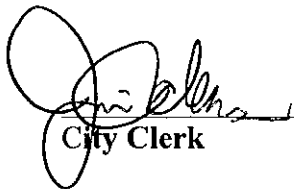
This Ordinance was adopted in open regular meeting after its second reading this 21 day of July, 2009.

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



Mel C. Magidson, Jr., Mayor

Attest :



City Clerk

Exhibit "A"
(Property Description and Map)

EXHIBIT "A"

Commence at the Southeast corner of lot 1, block 3, Bayview Subdivision, as recorded in plat book 3, page 61, of the public records of Gulf County, Florida; thence North 89 degrees 43 minutes 39 seconds West, on the South line of said lot 1, for a distance of 228.61 feet to the Southwest corner of said lot 1, and a point on the East right of way line of U.S. highway 98 (192' R/W); thence leaving said South line of lot 1, proceed on said East right of way line the following four calls: (1) South 11 degrees 26 minutes 13 seconds East, for a distance of 73.42 feet to a point of curve to the right having a radius of 2,996.93 feet; (2) thence continue along said curve through a central angle of 10 degrees 07 minutes 58 seconds, for an arc distance of 530.01 feet (chord of said arc being South 06 degrees 22 minutes 14 seconds East, 529.32 feet); (3) thence South 01 degrees 18 minutes 14 seconds East, for a distance of 544.14 feet to a point of curve to the left having a radius of 2,732.93 feet; (4) thence continue along said curve through a central angle of 11 degrees 25 minutes 03 seconds, for an arc distance of 544.60 feet (chord of said arc being South 07 degrees 00 minutes 46 seconds East, 543.70 feet); thence leaving said East right of way line, proceed South 89 degrees 39 minutes 24 seconds East, for a distance of 260.10 feet; thence North 00 degrees 20 minutes 36 seconds East, for a distance of 426.88 feet; thence South 89 degrees 39 minutes 24 seconds East, for a distance of 217.08 feet to the POINT OF BEGINNING; thence continue South 89 degrees 39 minutes 24 seconds East, for a distance of 283.54 feet; thence South 05 degrees 27 minutes 20 seconds East, for a distance of 193.30 feet; thence South 84 degrees 30 minutes 56 seconds West, for a distance of 281.98 feet; thence North 05 degrees 29 minutes 08 seconds West, for a distance of 222.09 feet to the POINT OF BEGINNING;
Containing 58,577 square feet or 1.34 acres, more or less.

Exhibit A



St. JOSEPH BAY

10



1.34 AC +/- LAND USE AMENDMENT
TO LOW DENSITY RESIDENTIAL R-1
PORT ST. JOE, FL



-  Future Land Use Map Amendment Boundaries
-  City Limits

1.0 INTRODUCTION

1.1 APPLICANT

The St. Joe Company
301 East First Street
Port St. Joe, FL 32456

Contact: Brian L. Underwood, AICP
850-231-6439

1.2 PROPERTY OWNER

The St. Joe Timberland Company of Delaware, LLC.
301 East First Street
Port St. Joe, FL 32456

1.3 LOCATION

The subject property (hereinafter "site") is generally located east of U.S. Highway 98, south of the Oak Grove community, in southwestern Gulf County. Specifically, the site is located in Section 13 of Township 8 South, Range 11 West, Gulf County, Florida. The parcel is located within the city limits of Port St. Joe. Refer to Exhibit 1 for a General Location Map of the site.

1.4 LEGAL DESCRIPTION

The site occurs within a portion of Gulf County Property Tax Parcel reference number 06076-000R. Refer to Exhibit 2 for a legal description of the site.

1.5 SIZE

The site contains 1.34-acres +/- . The parcel is contiguous with a 16.9-acre +/- parcel immediately to the north, which currently exhibits a *Low-Density Residential* (R-1) land use designation on the City of Port St. Joe Future Land Use Map.

1.6 EXISTING LAND USES

The site presently consists of lightly forested woodlands south of the Oak Grove community. No development occurs on the parcel. Refer to Exhibit 3 for an Aerial Photo of the site.

1.7 ADJACENT EXISTING LAND USES

North: Low-Density Residential (R-1) (on City of Port St. Joe FLUM)

East: Agriculture (on Gulf County FLUM)
South: Agriculture (on Gulf County FLUM)
West: Agriculture (on Gulf County FLUM)

1.8 CURRENT FUTURE LAND USE MAP DESIGNATION

The approximately 1.34-acre site currently has one designation in the Future Land Use Map element of the *City of Port St. Joe Comprehensive Plan* (City of Port St. Joe Year 2020 Land Use Maps). The site is currently designated *Agricultural*. This site was annexed into the City of Port St. Joe by Ordinance 353, adopted July 6, 2006, following a petition for voluntary annexation into the city. The proposed amendment of the land use designation to *Low-Density Residential (R-1)* is desirable to provide consistency with existing land use classifications described by the *City of Port St. Joe Comprehensive Plan*. The city does not currently describe any identified *Agricultural* land use areas. Refer to Exhibit 4 for a current Future Land Use Map of the general area and Exhibit 5 for an Analysis of Land Uses, Maximum Densities and Intensities allowed for the property under the current Future Land Use Map Designation within the *Gulf County Comprehensive Plan*.

1.9 PROPOSED FUTURE LAND USE MAP DESIGNATION

The request is to amend the *City of Port St. Joe Comprehensive Plan*, by and through procedures required for Small-Scale Map Amendments pursuant to authority under Section 163.3187, Florida Statutes. The amended future land use designation proposed is *Low-Density Residential (R-1)*. Refer to Exhibit 6 for an Analysis of Land Uses, Maximum Densities and Intensities allowed under the proposed Future Land Use Map category.

If approved, the proposed future land use designation of *Low-Density Residential (R-1)* allows a “theoretical maximum” of 6 residential dwelling units based on the maximum allowed density of 5 dwelling units per acre ($1.34 \text{ acres} \times 5 = 6.7$). However the theoretical maximum allowed by the maximum density is seldom achievable due to land that is needed for infrastructure, stormwater facilities, open space, etc. The actual or “realistic number” that may be developed is not known at this time, but it will be less than 6 residential dwelling units. Approval of this small-scale application would allow for more site-specific planning and analysis to be conducted in order to determine the realistic number.

2.0 EVALUATION / ANALYSIS

2.1 SITE SUITABILITY

2.1.1 Soils:

The soil types on the site include Leon Fine Sand (Map Unit 22) and Scranton Fine Sand (Map Unit 37). According to the descriptions found in the *Soil Survey of Gulf County, Florida* (U.S. Department of Agriculture, Natural Resources

Conservation Service, 2001), these soils are identified as poorly suited for urban development. The ratings are based on the general favorability of the soils for building sites based on the amount of special planning, design and site preparation needed to overcome limitations. Refer to Exhibit 7 for a Soil Type map of the site.

2.1.2 Topography:

The site exhibits flat topography. No limitations for development are anticipated as a result of the topography of the site. Refer to Exhibit 8 for a Topographic Map of the site.

2.1.3 Floodplain:

The site is within a FEMA designated 100-year Special Flood Hazard Area. The FEMA data describing the site is from the 1996 Flood Insurance Rate Map (FIRM), as found in the Florida Geographic Data Library. Refer to Exhibit 9 for the FEMA Special Flood Hazard Area Map of the site. As required by the Future Land Use Element of the *City of Port St. Joe Comprehensive Plan*, any future residential development proposed at the site would be designed and constructed to be protected against flood damage throughout their intended life spans. The 1.34-acre site is not located within a FEMA designated VE Zone. A designated VE Zone occurs to the west of the site. Refer to Exhibit 10 for the FEMA VE Zone Map of the site.

2.1.4 Wetlands:

The professional consulting firm Ecological Resource Consultants (ERC) has conducted a wetland delineation for the parcel. The ERC delineation is shown on Exhibit 11. Their delineation shows the site contains approximately 1.06 acres of uplands. The uplands are generally located in a compact manner as to be able to concentrate development and minimize impacts to wetlands. Any impacts to wetlands will be subject to obtaining approval from the applicable state and federal agencies with jurisdiction and will be subject to an avoidance, minimization and mitigation process.

These wetlands are considered to be low quality with respect to criteria found within Objective 1.7 of the *City of Port St. Joe Comprehensive Plan*, Conservation Element. The wetlands are not believed to have habitat for federally threatened or endangered species or state classified rare, critically imperiled or species of special concern. The wetlands have also been extensively impacted through past silviculture activities. As shown on Exhibit 14, the wetlands within the site have been affected in the past by a clearcut timber harvest.

2.1.5 Listed Species:

Based on Florida Natural Areas Inventory (FNAI) data, two listed threatened or endangered plant species are known to occur within one-fourth mile of the project boundary. Those listed species include the following:

Florida Waxweed
Telephus Spurge

Cuphea aspera
Euphorbia telephioides

None of these species or any listed threatened or endangered animal species are known to occur on the subject property, in accordance with the FNAI data. Refer to Exhibit 12 for an FNAI Listed Species Map.

2.2 PUBLIC FACILITIES

The *City of Port St. Joe Comprehensive Plan* states that “needed public facilities shall be provided in a manner which protects investments in existing facilities and promotes orderly, compact urban growth.”

This application is to amend the *City of Port St. Joe Comprehensive Plan*, by and through procedures required for Small-Scale Map Amendments. Applications for development orders or development permits are not proposed at this time. If future development is proposed for the site, an analysis of the availability of public services and infrastructure would be provided. The Level of Service standards for public facilities and services, as described in the comprehensive plan, are identified below.

2.2.1 Potable Water:

Potable water services in the vicinity of the site are provided by the City of Port St. Joe. The Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water And Groundwater Aquifer Recharge Element of the *City of Port St. Joe Comprehensive Plan* states that the “residential potable water level of service standard for potable water facilities is equal to 130 gallons per capita, per day, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.”

2.2.2 Sanitary Sewer:

Sanitary sewer services in the vicinity of the site are provided by the City of Port St. Joe. The Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water And Groundwater Aquifer Recharge Element of the *City of Port St. Joe Comprehensive Plan* states that the “residential level of service standard for sanitary sewer facilities is equal to 150 gallons per capita per day, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.”

2.2.3 Solid Waste:

Solid waste services in the area are provided by the City of Port St. Joe, through Emerald Waste Services, LLC. The Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water And Groundwater Aquifer Recharge Element of the *City of Port St. Joe Comprehensive Plan* states that the “City wide average solid waste level of service standard shall be 8 pounds per capita per day, and shall be

used as the basis for determining the availability of facility capacity and the demand generated by a development.”

2.2.4 Stormwater Management:

The Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water And Groundwater Aquifer Recharge Element of the *City of Port St. Joe Comprehensive Plan* identifies the level of service drainage standard as “25-year frequency, 24-hour duration storm event for those areas designated as residential, commercial, mixed commercial/residential, public, and industrial land use on the Future Land Use Map.” The Comprehensive Plan states that these levels of service shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

2.2.5 Transportation:

The Traffic Circulation Element of the *City of Port St. Joe Comprehensive Plan* references level of service standards for vehicle traffic, and states that “Local roadways will be maintained to preserve the adopted level of service.”

As described in the Comprehensive Plan, the Peak Hour Level of Service standard of “D” has been established for Principal Arterials, Minor Arterials, and Collector Roadways (constrained segment of US 98 adopted as LOS “E”). The Level “D” standard of service for 2-lane undivided, interrupted flow arterials, in cities or rural developed areas less than 5,000 population will provide for a generalized annual average daily volume of 13,900 vehicle trips per day, as described in the Florida Department of Transportation *Quality Level of Service Tables, 2007*.

Annual Average Daily Traffic values have been generated for Gulf County by the Florida Department of Transportation. In 2007, the average annual traffic count along SR 30 (US 98) at the south city limits of Port St. Joe included 2,900 vehicles per day.

Estimated values from the Institute of Transportation Engineer’s *Trip Generation Manual* show that single-family residential homes may be expected to generate an average of ten vehicle trips per day. Using the described values in the following formula, the anticipated traffic impacts attributable to construction of up to 6 single-family homes can be determined as follows:

Adopted Level of Service Standard “D”	-	Existing Traffic Volume	-	Projected Traffic Volume for 6 single-family homes	=	Impact to Roadway Capacity
13,900 vehicles per day	-	2,900 vehicles per day	-	60 vehicles per day	=	10,940 vehicles per day Remaining Capacity

Based on the analysis provided, it is shown that future roadway capacity along U.S. Highway 98 would not be expected to exceed the adopted Level of Service Standard "D" in the vicinity of the project site if 6 single-family residential homes were constructed at the +/- 1.34-acre site.

2.2.6 Recreation/Open Space:

The Recreation and Open Space Element of the *City of Port St. Joe Comprehensive Plan* recommends adoption of a level of service standard to guide the provision of future park facilities. For recreation/open space facilities, the ratio of .005 acres of land per person is the recommended benchmark.

The proposed land use designation of *Low-Density Residential (R-1)* would allow for single-family residential homes to be constructed within the +/- 1.34-acre site. In consideration of the current population and existing recreational/open space lands within the city, it is not anticipated that the demand for recreation and open space areas would exceed the 0.005 acres per person level of service standard if up to 6 single-family units were constructed at the +/- 1.34 acre site.

2.3 NEEDS ANALYSIS

The potential to use the +/- 1.34-acre site for low-density single-family residential home construction (not more than 5 dwelling units per acre) is desirable in consideration of the need for additional housing options in the Port St. Joe area.

2.4 HURRICANE EVACUATION

With respect to the Coastal High Hazard Area (CHHA), approximately 0.83 acres of the +/- 1.34-acre site are located within the designated Category 1 hurricane surge zone established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, as defined in Section 163.3178(2)(h), Florida Statutes. Policies within Section 9J-5.012(2)(e), Florida Administrative Code guide local officials to maintain or reduce hurricane evacuation times, to direct population concentrations away from the coastal high-hazard area, and to limit public investment in infrastructure that subsidizes development within the coastal high-hazard areas.

It is not anticipated that an additional two residential units, which could potentially be constructed in the CHHA portion of the site, would cause traffic impacts at a level which would compromise existing hurricane evacuation times. Also, it is not believed that an additional two residential units constructed in this area would result in additional concentrated population within the Coastal High Hazard Area. Refer to Exhibit 13 for a Coastal High Hazard Area Map.

3.0 CONSISTENCY WITH LOCAL COMPREHENSIVE PLAN

The proposed future land use designation of *Low-Density Residential (R-1)* is appropriate for the site and therefore compatible with the Future Land Use Element objectives of the

City of Port St. Joe Comprehensive Plan. The proposed land use would promote a compact, orderly development pattern by locating new home sites within the southern portion of the city, adjacent to other areas with existing *Low-Density Residential (R-1)* land use.

Since the site does not contain listed plant or animal species, as reflected on the FNAI map, the proposed future land use of *Low-Density Residential (R-1)* is consistent with the provisions set forth in the Conservation Element of the *City of Port St. Joe Comprehensive Plan* that protect natural resources. The Conservation Element states that “when a listed species is found, the proposal for development shall be submitted to the Florida Fish and Wildlife Conservation Commission (FWCC) and DEP for recommendations to minimize the impact of development on those species.”

Objective 1.3 of the Conservation Element of the *City of Port St. Joe Comprehensive Plan*, which promotes the protection of surface waters through the minimization of erosion, sedimentation and stormwater runoff, will be met through the proposed future land use amendment. Objective 1.3, Policy 1.3.1 states that “the City shall undertake measures to reduce stormwater pollution loads into adjacent water bodies” and will “require stormwater permits pursuant to the provisions of Chapter 62-25, F.A.C. prior to the issuance of final development approval.” These requirements would be met for any future development that may be proposed at the site.

Objective 1.4 of the Future Land Use Element of the *City of Port St. Joe Comprehensive Plan*, which references urban sprawl, would be met through the proposed future land use element. The approximately 1.34-acre site, proposed for amendment to a land use designation of *Low-Density Residential (R-1)*, is located in an area within which public utilities are available or planned for construction. The site is also located in close proximity to an existing state highway and adjacent to areas planned for future residential uses.

4.0 CONCLUSION

The *Low-Density Residential (R-1)* Future Land Use designation proposed for the approximately 1.34-acre site would allow development of a maximum of 6 single-family residential homesites. If the desired *Low-Density Residential (R-1)* Future Land Use designation is approved, planning could begin for the development of a residential subdivision. The potential future subdivision of the site would be in conformance with the standards of the *City of Port St. Joe Comprehensive Plan* and the *City of Port St. Joe Land Development Regulations*.