ORDINANCE NO. 402

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN AND FUTURE LAND USE MAP: AMENDING THE COASTAL ELEMENT THEREOF BY ADOPTING THE GOALS, OBJECTIVES AND POLICIES OF THE PORT ST. JOE PORT MASTER PLAN; ADOPTING AMENDMENTS TO THE FUTURE LAND USE MAP; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA that this Ordinance is hereby adopted in conformance with Chapter 163, Florida Statutes and Chapter 9J-5, Florida Administration Code and provides an effective date and repeals all provisions of Ordinances or Resolutions in conflict herewith.

SECTION 1. AUTHORITY.

The authority for the enactment of this Ordinance is Section 1.01 of the City Charter; Chapter 163, Part II, Florida Statutes, Sections 166.041, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

The Florida Legislature has enacted the Local Government Comprehensive Planning and Land Development Regulation Act (Chapter 163, Part II, Florida Statutes) which mandates the preparation of comprehensive plans and unified land development codes for all units of local government; and

The Florida Legislature has reconfirmed that Chapters 163.3161 through 163.3215, Florida Statutes provide the necessary statutory direction and basis for city officials to carry out their comprehensive planning and land development regulation powers, duties and responsibilities; and

The City has annexed real property and is required to adopt Future Land Use Map designations for such parcels as shown in Exhibit "A" (Proposed FLUM Amendments);

The public hearings required to be held by Florida Statutes were appropriately noticed and held by the Local Planning Agency and the City of Port St. Joe; and

The City Commission has determined that this Ordinance is compatible and furthers the State Comprehensive Plan, the Apalachee Regional Policy Plan; and

The City has received the Port St. Joe Port Master Plan that has been reviewed and accepted by the Local Planning Agency and the City Commission of Port St. Joe for these amendments.

SECTION 3. JURISDICTION

The land subject to this Ordinance shall include all areas within the corporate limits of the City of Port St. Joe, Florida.

SECTION 4. INTENT.

The intent of this Ordinance is to provide orderly growth management for the City of Port St. Joe. This Ordinance provides public policy and mechanisms for growth management in order to serve the visitors, residents and property owners of Port St. Joe and maintain and improve the quality of life for all citizens of the City. The City Commission of the City of Port St. Joe finds that the Amended Goals, Objectives, Policies, and the Future Land Use Map (FLUM) amendments attached hereto and made part of by reference as Exhibit "A" are a necessary and proper means for planning and regulating the development and use of land in the City and for otherwise protecting and promoting the public health, safety, and general welfare of its citizens.

SECTION 5. ADOPTION OF THE GOALS, OBJECTIVES AND POLICIES OF THE PORT ST. JOE PORT MASTER PLAN.

The City Commission of the City of Port St. Joe hereby adopts the following amendment to the coastal element of the City of Port St. Joe Comprehensive Plan:

PORT ST. JOE PORT MASTER PLAN

Goal 1: Economic Growth. The Port of Port St. Joe is located within the municipal jurisdiction of the City of Port St. Joe, the county seat of Gulf County in Northwest Florida. As such, the Port St. Joe Port Authority intends to plan and develop the identified Port Planning Area, in accordance with market forecasts and the community's commercial and industrial resources, to create jobs and stimulate local and regional economic development. To achieve this goal, the Port St. Joe Port Authority shall implement a phased program of property acquisition, infrastructure development and targeted marketing to create a Port environment that provides the maximum economic, environmental and social benefits to the community. This goal is consistent with Goal 21 of the State Comprehensive Plan, which addresses economic stability, job opportunities, and increased

Objective 1.1: <u>Port Planning Area Development</u>. The Port St. Joe Port Authority shall pursue the phased planning and development of the Port Planning Area, consistent with this Port Master Plan, to provide appropriate support facilities that will accommodate projected waterborne commerce demand, and appropriate support facilities. Consistent with Goal 3, this development shall address environmental concerns, such as estuarine water quality and wetland mitigation, while still providing an economically sound site development plan conducive to attracting the desired tenant and user base.

- Policy 1.1.1: Market Assessment. The Port St. Joe Port Authority shall complete a market assessment that identifies potential waterborne commerce activities for short-term growth (5year planning period) and longer-term expansion (10-year planning horizon).
- Policy 1.1.2: Land Acquisition. The Port St. Joe Port Authority shall acquire land within the Port Planning Area as needed to support Port development and economic growth.
- Policy 1.1.3: Waterfront and Upland Development. The Port St. Joe Port Authority shall plan and develop waterfront and supporting upland infrastructure to accommodate the demand projections in the Port's market assessment and subsequent user commitments. The anticipated development includes berth and apron construction, site improvements, storage areas, cargo-handling equipment, and other infrastructure needed for tenant and user service.
- Policy 1.1.4: St. Joseph Bay Entrance Channel and Gulf County Canal Dredging. The Port St. Joe Port Authority shall coordinate with the U.S. Army Corps of Engineers and other applicable local, regional, state, and federal regulatory agencies and stakeholders for the resumption of maintenance dredging and initiation of new dredging as needed to accommodate the identified waterborne commerce operations (see Goal 2, Objectives 2.1 and 2.2).
- Policy 1.1.5: On-Port Road and Rail. The Port St. Joe Port Authority shall develop an efficient road network within the Port Planning Area and explore opportunities to develop a rail spur to support operations, as needed (see Goal 2, Objective 2.3).
- Policy 1.1.6: Facility Maintenance. The Port St. Joe Port Authority shall provide adequate maintenance and upkeep of its in-water and upland facilities to derive the best use from its infrastructure.
- Objective 1.2: Economic Diversification. The Port St. Joe Port Authority shall explore opportunities to develop synergies between its waterborne commerce operations and other economic resources in the area.
 - Policy 1.2.1: Facility Utilization. The Port St. Joe Port Authority shall seek potential tenants and other users to achieve maximum site utilization and pursue expansion and development when new facilities will support economic growth.
 - Policy 1.2.2: Complementary Upland Development. The Port St. Joe Port Authority shall, in a phased approach, allow for and encourage upland development in the Port Planning Area that complements its waterborne commerce operations.
 - Policy 1.2.3: Foreign Trade Zone Designation. The Port St. Joe Port Authority shall explore the establishment of a foreign trade zone within the Port Planning Area to achieve the economic benefits such zones can generate. If appropriate, the Port Authority shall pursue

the option of becoming a subzone or a licensee of another Foreign Trade Zone, such as the one at Port Panama City.

- Goal 2: <u>Transportation Efficiencies</u>. Seaports depend on efficient intermodal access to provide cost-effective and competitive services. Consequently, the Port St. Joe Port Authority shall collaborate with city, county, state, and federal agencies and with private entities responsible for water, highway, and rail connectivity to ensure that the intermodal transportation infrastructure and connectivity essential to Port operations are in place.
- Objective 2.1: St. Joseph Bay Entrance Channel and Gulf County Canal Access. The Port St. Joe Port Authority shall pursue maintenance and new dredging activities at the St. Joseph Bay Entrance Channel and Gulf County Canal to provide the water depths needed to serve ships and barges anticipated to call at the Port. To the extent possible, consistent with the development and expansion needs of the Port, maintenance and new dredging activities and the management of spoil material shall be pursued in a manner respectful of the State Comprehensive Plan's goals and policies addressing stewardship of water resources, coastal and marine resources, and natural systems.
 - Policy 2.1.1: St. Joseph Bay Entrance Channel Maintenance Dredging. The Port St. Joe Port Authority shall pursue maintenance and new dredging activities at the St. Joseph Bay Entrance Channel and Gulf County Canal to provide the water depths needed to serve ships and barges anticipated to call at the Port. As part of the long-term maintenance and dredging activities as outlined in Section 4.1.5, the Port Authority will develop a Dredged Material Management Plan for maintenance and dredging activities at St. Joseph's Bay and the Gulf County Canal.
 - Policy 2.1.2: Gulf County Canal Deepening and Widening. The Port St. Joe Port Authority shall deepen and widen the Gulf County Canal in proximity to the Port Planning Area to achieve the water depths and width needed to serve the ships and barges that are anticipated to call at the Port.
 - Policy 2.1.3: Maintenance Dredging. The Port St. Joe Port Authority shall undertake maintenance dredging, as required to ensure safe navigational conditions for the ships and barges calling at its facilities.
 - Policy 2.1.4: Spoil Site Development. The Port St. Joe Port Authority shall identify an environmentally acceptable spoil site for the disposal of the dredged material the Channel and Canal dredging projects will generate. If the spoil material is of the proper quality, and if it is permissible by the regulatory agencies, dredged material will be used for beach creation and renourishment, as has been done in the past. The added benefit of this disposal option is additional storm protection for adjacent land, and particularly for US 98, which is frequently damaged by wave action from storms.

- Objective 2.2: Intracoastal Connections. To take better advantage of its proximity to the Intracoastal Waterway, the Port St. Joe Port Authority shall support initiatives to improve Intracoastal connections, including shallow-water barge facilities, if appropriate to meet the requirements of Port users or to serve complementary industrial facility development in the region.
 - Policy 2.2.1: Gulf Intracoastal Waterway. The Port St. Joe Port Authority shall cooperate with entities seeking to improve conditions along the Gulf Intracoastal Waterway and promote more barge traffic.
 - Policy 2.2.2: Shallow-water Barge Facilities. The Port St. Joe Port Authority shall consider synergies with industrial users that can be served by barge as well as by road and rail.
- Objective 2.3: Highway Access and Connectivity. The Port St. Joe Port Authority shall collaborate with local and state agencies to develop the intermodal connections needed for the efficient movement of goods to and from its facilities.
 - Policy 2.3.1: On-Port Road Improvements. The Port St. Joe Port Authority shall develop internal roads to serve Port Planning Area users, which provide efficient access to the proximate off-Port city, county, and state highway network and shall coordinate the development of its on-Port roads with the City, County, and Florida Department of Transportation.
 - Policy 2.3.2: Off-Port Highway Improvements. The Port St. Joe Port Authority shall work with the Florida Department of Transportation to gain funding for any needed improvements to roads over which Port truck traffic must travel. Such roads include US 98 (SR 30), SR 71, and CR 382.
- Objective 2.4: Rail Service and Connectivity. The Port St. Joe Port Authority shall implement rail service when user demand so warrants and collaborate with the AN Railway to obtain the best possible service and interchanges.
 - Policy 2.4.1: On-Port Rail Improvements. The Port St. Joe Port Authority shall develop a rail spur to connect with the AN Railway if required to serve Port Planning Area users.
 - Policy 2.4.2: Off-Port Rail Connections. The Port St. Joe Port Authority shall work with the AN Railway to identify and pursue improvements to the off-Port rail infrastructure, which could facilitate goods movement to and from the Port.
- Goal 3: Environmental Stewardship. As a responsible citizen of the region, concerned with the health and well-being of its citizenry, as expressed in the State Comprehensive Plan, Goal 5 (b) 1, the Port St. Joe Port Authority is committed to preserving and protecting the quality of the environmental resources within its community. It shall conserve and protect those resources, consistent with Port development and expansion needs.

- Objective 3.1: <u>Natural Resource Preservation and Protection.</u> In carrying out its development activities and day-to-day operations, the Port St. Joe Port Authority shall conserve and protect natural resources including forests, wetlands, fish, marine life, and wildlife, and shall cooperate with federal, state, regional and local agencies in developing sound environmental policies and measures to minimize the environmental impacts of Port development and operations. The Port Authority recognizes the intent of Goal 9, Policies 1 and 7 in the *State Comprehensive Plan*, to protect natural systems and will do so to the extent consistent with Port development and expansion needs.
 - Policy 3.1.1: Coastal Resources. The Port St. Joe Port Authority shall evaluate the specific and cumulative impacts of its plans on coastal resources before undertaking development and expansion activities and shall take measures to minimize negative impacts where possible, or to mitigate for damage that cannot be avoided. This policy is consistent with Goal 8, Policies 4, 6, and 7 of the State Comprehensive Plan. It is understood that as yet unformulated plans by private landowners for the long-term development of their waterfront property on the Bay may impact coastal resources in the future. The Port of Port St. Joe, a proactive public entity, whose mission is to help the community overcome an economic downturn by creating jobs and development synergies, has no involvement with or control over the plans of these private landowners and, consequently, is not in a position to address the eventual impacts of these plans. To the contrary, these future plans by private entities will need to address their cumulative impacts with Port development, which is leading the way in this area.
 - Policy 3.1.2: Estuarine and Surface Water Quality. The Port St. Joe Port Authority shall limit specific and cumulative impacts on water quality to maintain the integrity of the St. Joseph Bay Aquatic Preserve and maintain the applicable water standards. In so doing, the Port St. Joe Port Authority shall design the drainage system on its property to meet NPDES, Florida Department of Environmental Protection, and Northwest Florida Water Management District water quality standards and shall coordinate its efforts with federal, state, regional, county and city governmental agencies. This policy is consistent with Goal 7, Policies 10 and 12 as well as Goal 15, Policy 6 in the State Comprehensive Plan.
 - Policy 3.1.3: Wetlands and Wildlife Habitat. The Port St. Joe Port Authority shall limit specific and cumulative impacts on identified wetlands and wildlife habitat by avoiding projects that destroy or significantly degrade such habitat or by providing mitigation measures. When sensitive wetlands and habitat are identified, the Port St. Joe Port Authority shall develop an environmental resource management plan before implementing development. This plan will provide site design considerations to avoid wetland and habitat impacts and outline long-term strategies and actions to maintain the viability and natural function of these areas. When impacts to these areas cannot be avoided, the environmental resource management plan will specify the proposed mitigation activities, such as the establishment of a wetlands habitat area, as well as long-term actions to enhance and maintain the natural function of the affected areas. A primary concern of the plan will be the

- maintenance or enhancement of surface water quality in the affected wetland and habitat areas as well as St. Joseph Bay.
- Policy 3.1.4: Portwide Best Management Practices. The Port St. Joe Port Authority shall identify and provide best management practice guidelines for staff and tenants/users to observe in conducting their operations.
- Objective 3.3: Plan Implementation Coordination. The Port St. Joe Port Authority shall be proactive in coordinating its development efforts with local, state, and federal permitting agencies and with private stakeholders to ensure that its development and operations are carried out in accordance with the public interest and regulatory requirements.
 - Policy 3.3.1: Sensitivity to Local Concerns. The Port St. Joe Port Authority shall be sensitive to the concerns of local interests in implementing its development program and shall seek out the best possible environmental solutions to controversial issues.
 - Policy 3.3.2: Permit Compliance. The Port St. Joe Port Authority shall comply with the provisions of the eventual permits governing its in-water and upland development program, and shall work with local, state, and federal agencies to achieve a sound balance between its expansion requirements and the need to protect the surrounding environment.
- Goal 4: Safety and Security. The Port St. Joe Port Authority shall reduce exposure of human life and property to destruction by natural hazards through hazard mitigation and hurricane evacuation measures and shall protect human life and property from manmade disasters through safety and security programs.
- Objective 4.1: Protection from Natural Hazards. The Port St. Joe Port Authority shall implement the measures required by the City of Port St. Joe, Gulf County and other agencies to protect human life and property from natural hazards.
 - Policy 4.1.1: Flood Zone Compliance. The Port St. Joe Port Authority shall see that any habitable, non-residential buildings in special flood hazard areas are designed and constructed to reduce the potential for flooding and wind damage. This policy is consistent with Goal 15, Policy 6, with respect to the potential for flooding.
 - Policy 4.1.2: Building Code Compliance. The Port St. Joe Port Authority shall see that all buildings are designed and constructed in accordance with the Unified Florida Building Code or as approved by the City of Port St. Joe.
 - Policy 4.1.3: Hurricane-Preparedness. The Port St. Joe Port Authority shall prepare a hurricane evacuation contingency plan and keep its plan up to date, ensuring that it is consistent with city and county emergency plans.
 - Policy 4.1.4: Post-Disaster Redevelopment. The Port St. Joe Port Authority shall implement post-disaster redevelopment procedures to reduce or eliminate exposure of human life and property to natural hazards. These procedures shall include the structural modification or removal of facilities that have experienced repeated storm damage.

- Objective 4.2: <u>Protection from Manmade Disasters</u>. The Port St. Joe Port Authority shall reduce exposure of human life and property to harm from manmade disasters by implementing sound safety and security programs.
 - Policy 4.2.1: Safe Operating Environment. To provide a safe operating environment, the Port St. Joe Port Authority shall implement required safety and health measures and see that operations are conducted in accordance with those measures.
 - Policy 4.2.2: Security Plan. The Port St. Joe Port Authority shall prepare and implement the security plan mandated and approved under state and federal guidelines, consistent with funding availability.
- Goal 5: Intergovernmental Coordination and Regional Collaboration. The Port St. Joe Port Authority shall coordinate its efforts with local governmental and private sector entities and shall collaborate with initiatives to enhance economic development opportunities in Northwest Florida. This Goal is consistent with Goal 25, Policy 7 of the State Comprehensive Plan, which addresses the integration of systematic planning capabilities at all levels of government, with an emphasis on the coordination of regional problems, issues, and conditions.
- Objective 5.1: <u>Compatibility with City's Comprehensive Plan.</u> The Port St. Joe Port Authority shall work with the City of Port St. Joe to see that Port maintenance and expansion activities are compatible with and support the programs and policies contained in the City's Comprehensive Plan.
 - Policy 5.1.1: Plan Coordination. The Port St. Joe Port Authority shall coordinate its planning and development efforts with the City of Port St. Joe to ensure that the Port's planned projects and land uses (see Objectives 1.1 and 1.2) are consistent with the City's Comprehensive Plan and compatible with adjacent land uses. It shall also evaluate proposed amendments to the City's Comprehensive Plan, particularly the Coastal Management Element, as to potential impacts on Port activities.
 - Policy 5.1.2: Land Use Compatibility. The Port St. Joe Port Authority shall reduce any land use conflicts by installing and maintaining adequate buffer zones between Port property and adjacent potentially incompatible land uses.
 - Policy 5.1.3: Infrastructure and Utility Capacity. The Port St. Joe Port Authority shall coordinate with the City to ensure the provision of adequate infrastructure and utilities for Port operations.
- Objective 5.2: Governmental and Agency Coordination. The Port St. Joe Port Authority shall coordinate its development and expansion program with applicable agencies to promote sound planning and economic growth.

- Policy 5.2.1: Gulf County. The Port St. Joe Port Authority shall support the economic development initiatives of Gulf County, by pursuing activities that expand opportunities in trade, industry, and manufacturing.
- Policy 5.2.2: Local, Regional, State and Federal Agencies. In addition to city and county governments, the Port St. Joe Port Authority shall cooperate with the Apalachee Regional Planning Council; the Northwest Florida Water Management District; the Florida Departments of Transportation, Community Affairs, and Environmental Protection; the U.S. Army Corps of Engineers, Florida's State Comprehensive Plan, and other applicable agencies in implementing the goals, objectives and policies of this Port Master Plan.
- Objective 5.3: Collaboration with Local and Regional Maritime, Commercial and Industrial Interests. To help achieve its primary goal of economic development, the Port St. Joe Port Authority shall cooperate with other Northwest Florida interests as they seek to expand the region's commercial and industrial base.
 - Policy 5.3.1: Economic Development Groups. The Port St. Joe Port Authority shall participate in the efforts of local and regional groups pursuing area wide economic development.
 - Policy 5.3.2: Northwest Florida Seaports. The Port St. Joe Port Authority shall cooperate with the Port of Panama City and the Port of Pensacola to pursue areas of common interest, such as cargo-handling synergies, regional promotional campaigns and special funding opportunities. The Port St. Joe Port Authority shall support the Memorandum of Understanding currently in place with the Panama City Port Authority, which outlines a mutually beneficial working relationship between the two Port Authorities.

The Goals, Objectives and Policies referenced above are the same as those contained in the Port of Port St. Joe Master Plan. The Port Master Plan references a Port Planning Area, which includes Parcel A (containing approximately 48.1 acres and currently owned by The St. Joe Company). This Ordinance applies the Goals, Objectives and Policies solely and exclusively to the area described in the Port St. Joe Port Master Plan less and except Parcel A which is currently owned by The St. Joe Company and is not subject to the Goals, Objectives and Policies referenced above. To the extent all or any portion of Parcel A is later acquired by the Port St. Joe Port Authority, then the Goals, Objectives and Policies referenced above will automatically become applicable to those lands so acquired upon the date that title of such lands is transferred to the Port St. Joe Port Authority.

- Goal 6: Financial Stability. The Port St. Joe Port Authority shall implement measures to secure its financial health as it proceeds with its development and expansion program.
- Objective 6.1: Budgetary Process. The Port St. Joe Port Authority shall implement a budgetary process that balances Port revenues, operating expenses, and capital expenditures needed to satisfy the anticipated market demand and capture new market share.

- Policy 6.1.1: Port Revenues. The Port St. Joe Port Authority shall monitor tariffs and fees charged by Gulf Ports Association members and shall implement a competitive fee structure.
- Policy 6.1.2: Annual Capital Improvement Plan Updates. The Port St. Joe Port Authority shall update its capital improvement plan annually to reflect budgetary and market changes, prioritizing its project implementation to obtain the best return on facility investments.
- Objective 6.2: <u>Funding Opportunities</u>. The Port St. Joe Port Authority shall pursue diverse funding opportunities to accelerate the rate at which it can implement its capital improvement program.
 - Policy 6.2.1: Legislative Contacts. The Port St. Joe Port Authority shall prepare a briefing for area legislators in the fall of each year to reacquaint them with the Port's economic impact on the region and the importance of its needs being addressed in the state's budget process.
 - Policy 6.2.2: Grants/Loans. The Port St. Joe Port Authority shall actively seek grant funds from state and federal sources and shall supplement funding needs not met by grants with loans from commercial lending institutions and/or governmental entities.
 - Policy 6.2.3: Public/Private Partnerships. The Port St. Joe Port Authority shall explore opportunities for public/private partnerships in the development of maritime and industrial facilities.

SECTION 6. FUTURE LAND USE MAP AMENDMENT.

The City of Port St. Joe hereby designates the property described in Exhibit "A" attached hereto as Industrial.

SECTION 7. SEVERABILITY.

If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective on adoption by the City Commission of the City of Port St. Joe, Florida.

ADOPTED THIS 15th DAY OF July, 2008.

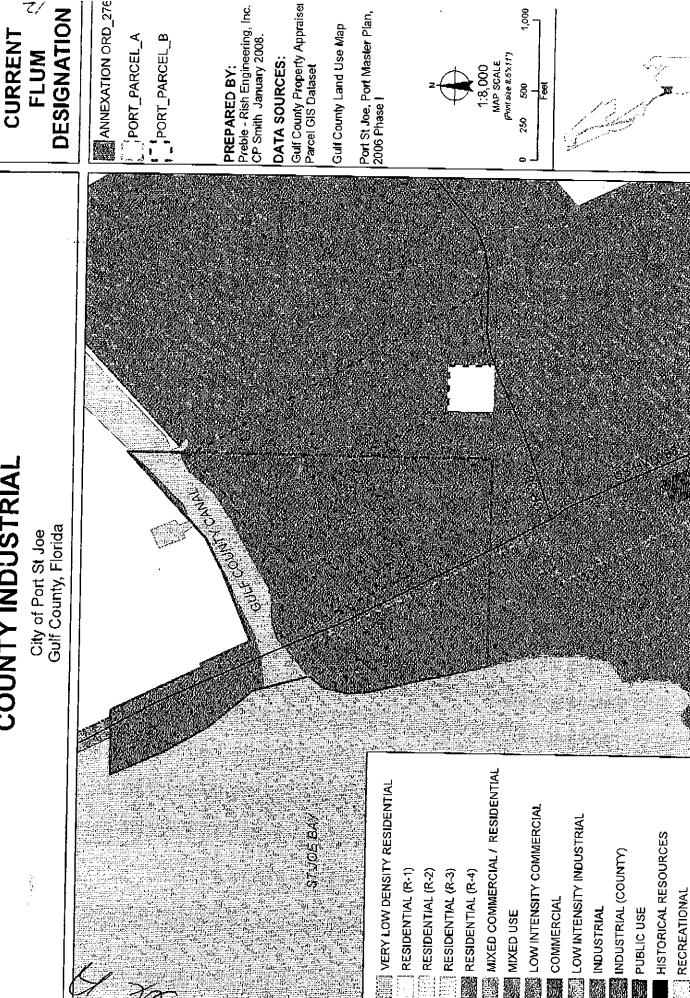
MEL C. MAGIDSON, JR., Mayor

ATTEST:

PAULINE PENDARVIS, City Clerk

First Reading: July 1, 2008 Second Reading: July 15, 2008

COUNTY INDUSTRIAL



Location with respect to City Limits

CONSERVATION

OPEN SPACE

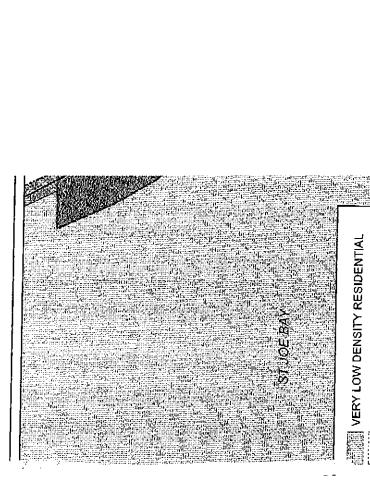
PUBLIC USE

INDUSTRIAL

COMMERCIAL

MIXED USE

AGRICULTURAL



RESIDENTIAL (R-1) RESIDENTIAL (R-2) RESIDENTIAL (R-3)

MIXED COMMERCIAL / RESIDENTIAL RESIDENTIAL (R-4)

MIXED USE

LOW INTENSITY COMMERCIAL

COMMERCIAL

LOW INTENSITY INDUSTRIAL INDUSTRIAL

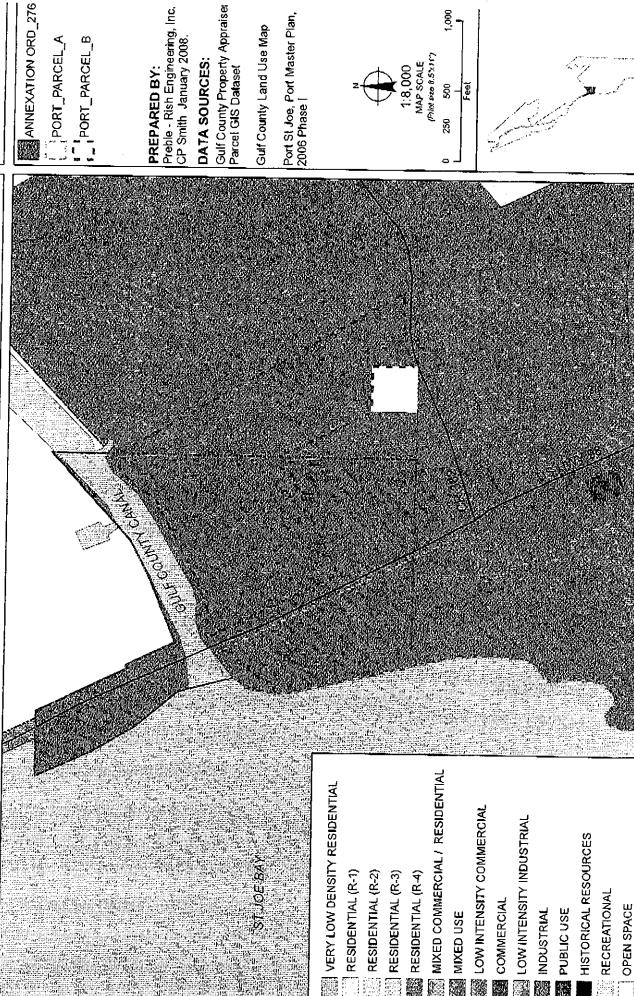
HISTORICAL RESOURCES PUBLIC USE

RECREATIONAL OPEN SPACE

CONSERVATION AGRICULTURAL

CITY INDUSTRIAL

City of Port St Joe Gulf County, Florida



PROPOSED (%) **DESIGNATION** FLUM

PORT_PARCEL_A

PORT_PARCEL_B

PREPARED BY:

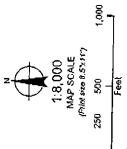
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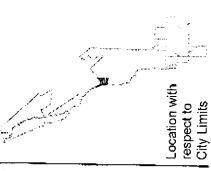
DATA SOURCES:

Gulf County Property Appraiser Parcel GIS Dataset

Gulf County Land Use Map

Port St Joe, Port Master Plan, 2006 Phase I





CONSERVATION

AGRICULTURAL