

ORDINANCE NO. : 533

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND THE FUTURE LAND USE MAP 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 PARCEL ID#04865-005R, FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL; PROVIDING FOR THE AMENDMENT OF THE ZONING MAP OF THE CITY OF PORT ST. JOE; AND PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; 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, 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 public hearings to be held on June 6, 2017 and July 6, 2017, for the adoption of the amendment to the Future Land Use Map;

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 as LOTS 15-22 ORB 577/427 FR FIRST ALLIANCE BLK 35 MAP 50A, Gulf County, Florida, Parcel I. D. No. 04865-005R and more particularly 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 Low Density Residential (R-1) to **High Density Residential (R-3)**. The application and all documentation submitted by the Applicant in support of it are hereby incorporated by reference. Specifically approved is the sub area policy related to allowable density as set forth in the application

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. 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 **High Density Residential(R-3)**. The City Manager is hereby directed to revise the City of Port St. Joe Future Land Use Map to reflect this designation.

SECTION 5. ZONING

The Zoning map of the City of Port St. Joe is hereby amended to show the property described in Exhibit "A" as High Density Residential.

SECTION 6. SEVERABILITY

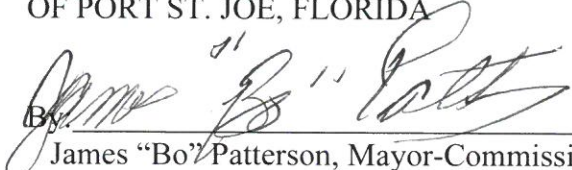
The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without 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 this 6th day of July, 2017.

THE CITY COMMISSION OF THE CITY
OF PORT ST. JOE, FLORIDA

By: 
James "Bo" Patterson, Mayor-Commissioner

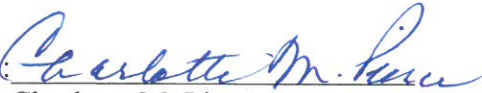
Attest: 
Charlotte M. Pierce
City Clerk

Exhibit "A"
(Property Description and Map)

Property Description:



The City of Port St. Joe

June 8, 2017

Mr. Ray Eubanks
Division of Community Planning and Development
Department of Economic Opportunity
107 East Madison Street MSC 160
Tallahassee, Florida 32399

RE: City of Port St Joe – Small Scale Amendment
Knowles Avenue property – Ordinance No. 533

Dear Mr. Eubanks:

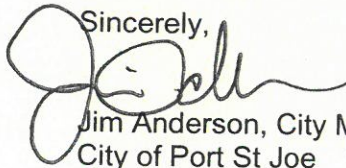
Enclosed please find the above referenced adopted Small Scale Amendment for the Knowles Avenue Property. The City Commission held a public hearing to formally adopt the above mentioned amendment on June 6, 2017 and adopted Ordinance No. 533. The ad for the public hearing was published in the Star Newspaper in accordance with the Statutes. Enclosed is a certified copy of Ordinance No. 533 amending the FLUM designation of the site from Low Density Residential R-1 to High Density Residential R-3 and a related text amendment, new FLUE Policy 1.3.14, to address neighborhood comments.

The City is submitting the adopted small scale amendment in accordance with Section 163.3187(1), Florida Statutes.

The amendment site is approximately 2.479 acres, located on Knowles Avenue adjacent to the Gulf County Courthouse. The cumulative total of acres for small scale amendments the City has approved for this calendar year is approximately 2.479 acres. The adopted amendment is not located within an area of critical state concern.

If you have any questions, or need additional information, please call Marina G. Pennington at (850) 766-6108; she can also be reached at marina.pennington@comcast.net.

Sincerely,



Jim Anderson, City Manager
City of Port St Joe

Enclosures

Cc: Ralph Rish, Dewberry
Marina G. Pennington, Planning Consultant

CITY OF PORT ST. JOE

Small Scale Future Land Use Map (FLUM) Amendment Application

Applicant: Ms. Kelli Newman

Parcel Number: 04865-005R

Acres: 2.479 acres

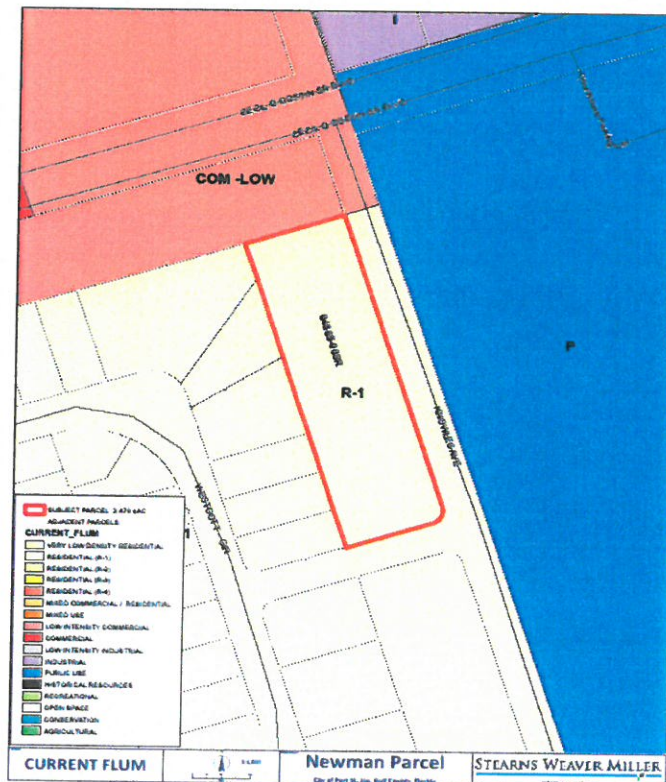
Current FLUM Designation: Low Density Residential (R-1)

Proposed FLUM Designation: High Density Residential (R-3)

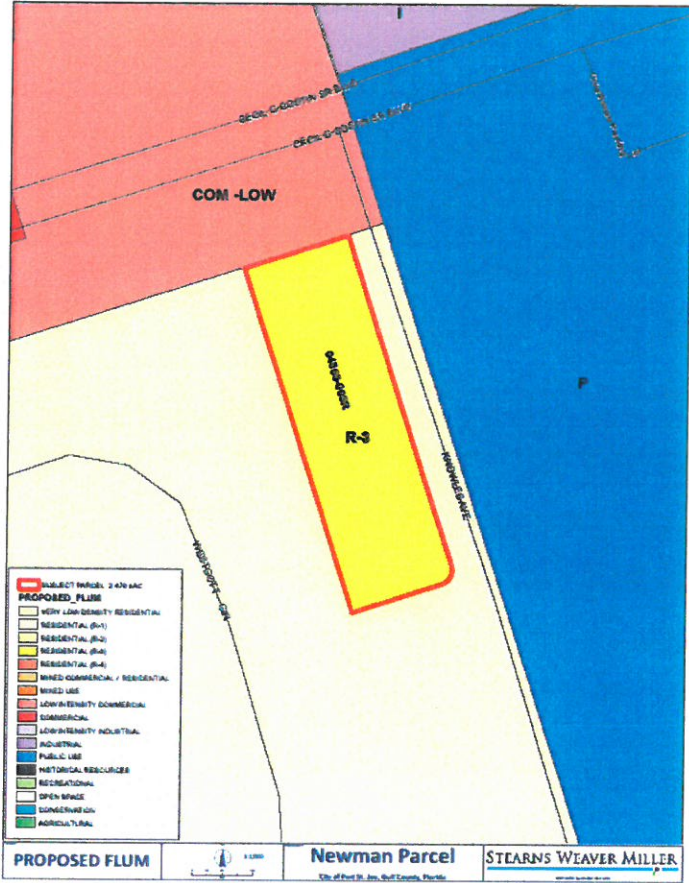
Proposed Ordinance No. **533**

I. SUMMARY

The proposed Future Land Use Map (FLUM) amendment involves a small parcel of land, approximately 2.479 acres, located on Knowles Avenue adjacent to the Gulf County Courthouse. The property is currently designated Low Density Residential R-1 which allows no more than 5 dwelling units per acre. The current FLUM designation would allow approximately 12 dwelling units on the property (see Current FLUM).



The applicant proposes to change the FLUM designation of the 2.479-acre site to High Density Residential (R-3) which allows 7 to 15 dwelling units per acre. The proposed FLUM designation would allow a maximum of 37 dwelling unit on the property (see Proposed FLUM).



The applicant is also seeking to change the Zoning District designation of the site from Residential District R-1 to Residential District R-3 to allow higher density residential development.

II. DATA AND ANALYSIS

a. Site Information

The subject property is located near the eastern boundary of the City, south of SR 71, and it is currently undeveloped as shown in the following aerial:



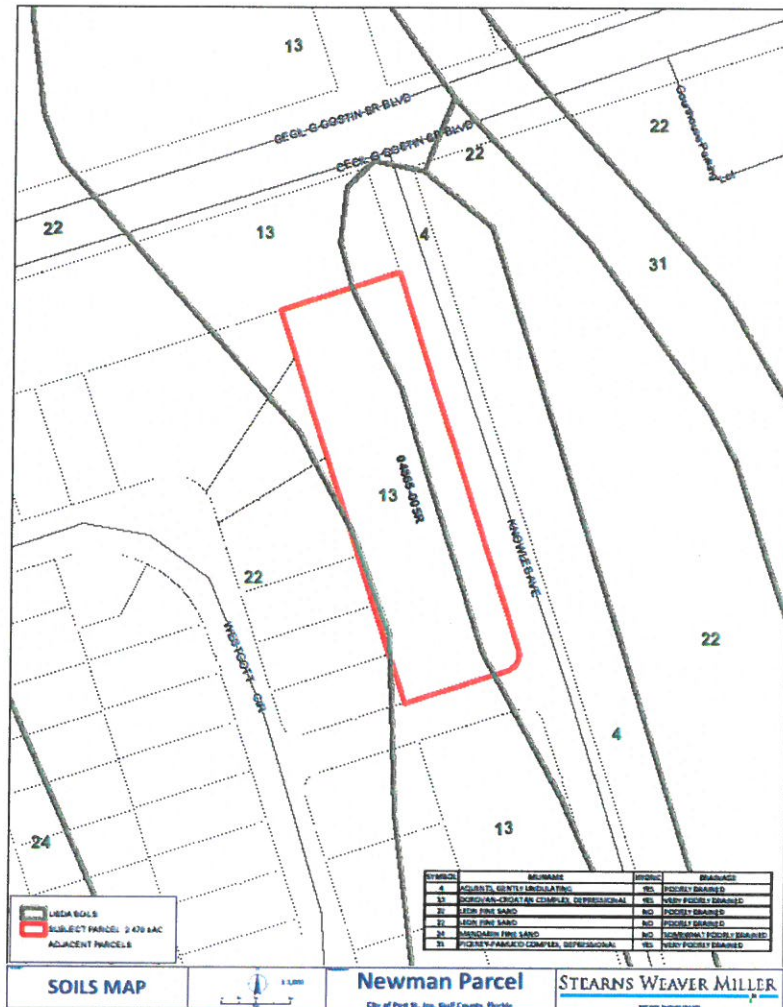
The site backs up to a residential subdivision on the west side of the property where it is buffered by vegetation and fences. The following table shows adjacent future land use map designations:

NORTH	Low Intensity Commercial
SOUTH	Low Density Residential R-1
EAST	Public Use
WEST	Low Density Residential R-1

b. Site Suitability

Soils

The soils of the site are Dorovan-Croatan complex, depressional and Aquents, gently undulating. 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 not suited to urban development. The client has indicated that the parcel was filled over 10 years ago and now is primarily uplands with exception of a sliver on the back that parallels the boundary line.



Dorovan-Croatan complex, depressional

These very deep, very poorly drained soils are in depressions. Slopes range from 0 to 2 percent. This map unit consists of about 55 percent Dorovan soil and 40

percent Croatan soil. Individual areas of these soils are so intermingled on the landscape that it was impractical to separate them at the scale selected for mapping. Mapped areas are irregular in shape and range from 10 to 500 acres in size. Typically, the upper part of the surface layer of the Dorovan soil, to a depth of 2 inches, is very dark brown mucky peat. The lower part, to a depth of 54 inches, is black and very dark gray muck.

The underlying material is gray sand to a depth of 80 inches or more. Typically, the upper part of the surface layer of the Croatan soil, to a depth of 42 inches, is dark brown, very dark brown, and very dark grayish brown muck. The lower part of the surface layer, to a depth of 46 inches, is very dark grayish brown mucky sandy loam. The substratum extends to a depth of 80 inches. It is grayish brown sandy clay loam in the upper part and gray clay loam in the lower part. Dorovan, Croatan, and similar soils make up 85 to 100 percent of the map unit in 90 percent of the areas mapped as Dorovan-Croatan complex, depressional. Included in mapping are very poorly drained Pantego and Surrency soils on slight rises, commonly near the edges of the mapped areas.

The seasonal high water table is 12 inches above the surface to a depth 6 inches year around in the Dorovan soil and at the surface to a depth of 12 inches from November through May in the Croatan soil. Permeability is moderate in the Dorovan soil and moderately slow in the Croatan soil. These soils are in the Swamp Hardwoods ecological community (USDA, 1989). In most areas the natural vegetation includes blackgum, cypress, sweetbay, swamp tupelo, black titi, sawgrass, and scattered slash pine. Most areas still support the natural vegetation. Areas of these soils provide cover for deer and excellent habitat for wading birds and other wetland wildlife. These soils are not suited to cultivated crops, woodland, pasture, hay, or urban or recreational development. Ponding, wetness, and low bearing strength are severe limitations.

Aquents, gently undulating

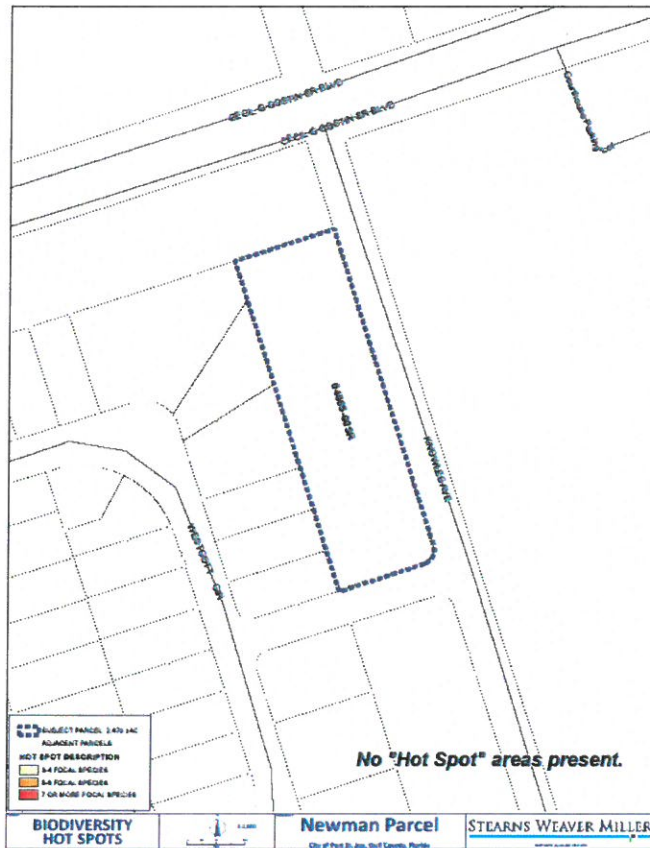
These somewhat poorly drained to very poorly drained, modified soils are on low landscapes adjacent to canals, coastal bays, and marshes and in shallow excavated areas. These soils formed in loamy and sandy dredge spoil, reworked natural soils, and fill of variable composition. In some areas they formed in the subsoil and underlying material where fill material had been excavated. Slopes generally range from 0 to 5 percent.

The underlying material, to a depth of 28 inches, is very pale brown and light brownish gray fine sand that contains shell fragments and woody debris. A buried surface layer of black sandy muck extends to a depth of 39 inches. Below this to a depth of 80 inches are buried underlying layers of very dark gray and gray sand. Included in mapping are gently undulating to steep, well drained soils on dikes and levees.

This map unit cannot be categorized into an ecological community. In many areas, the vegetation includes species that typically occur in abandoned sites in North Florida or it resembles that of plant communities on adjacent landscapes. Most areas of this map unit are idle. This map unit is not suited to cultivated crops, pasture, hay, or woodland. Wetness is a severe limitation. This map unit is not suited to urban or recreational development. Wetness is a severe limitation.

Vegetation and Wildlife

Based on available data from the Florida Fish and Wildlife Conservation Commission, there are no listed species on the property. The proposed amendment will not result in additional impacts to vegetation and wildlife resources.



Wetlands

According to the National Wetlands Inventory, the entire site appears to contain wetlands. As stated earlier, the client has indicated that the parcel was filled over 10 years ago and now is primarily uplands with exception of a sliver on the back that parallels the boundary line. Wetlands shall be

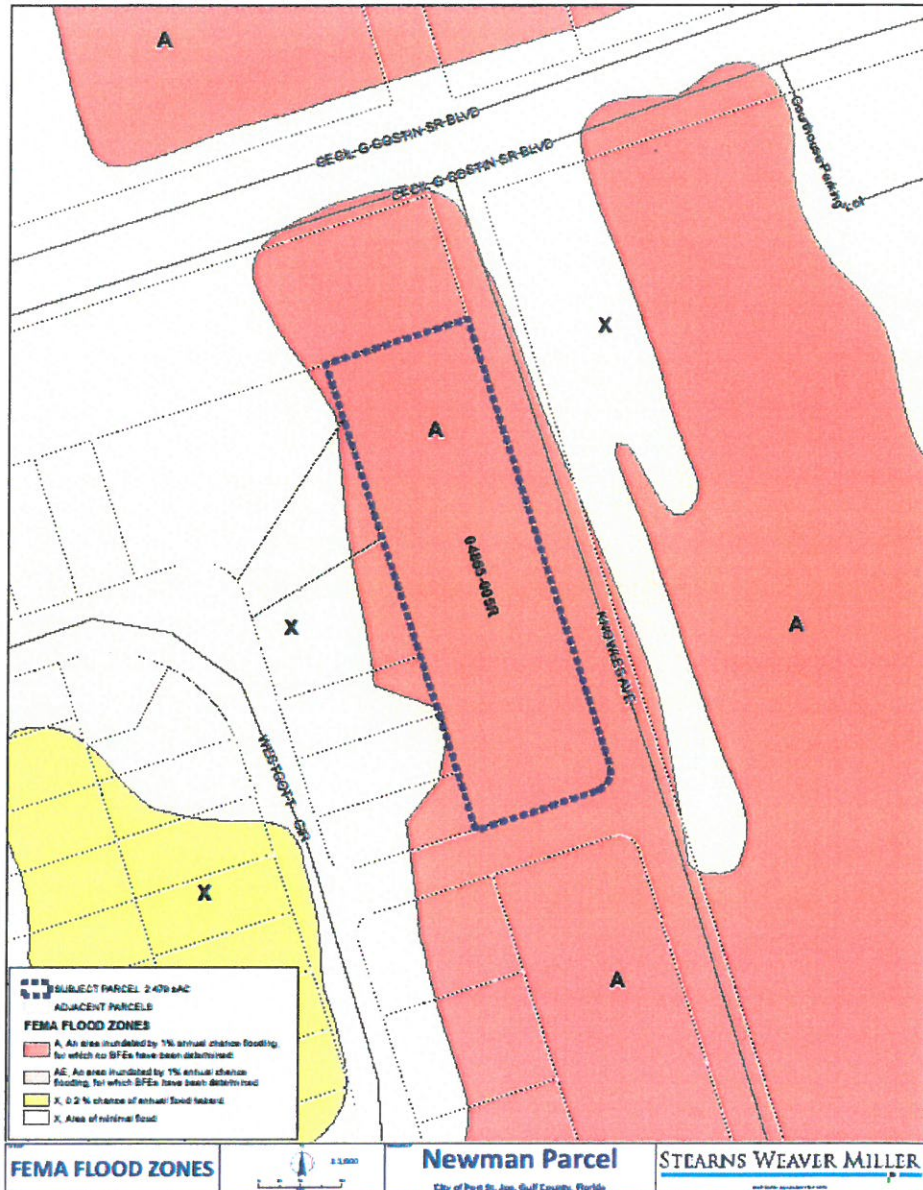
delineated and classified as part of the development review process and protected consistent with Objective 1.7 and implementing policies of the City's comprehensive plan and Section 4.11, Wetland protection provisions in the Land Development Code. Prior to undertaking any development on the site, the necessary federal and state permits and approvals will be required.



Flood Prone Areas

The property is designated A, an area inundated by 1% annual chance (100-year) flooding, for which based flood elevations (BFEs) have NOT been determined, and in a special flood hazard area. Development of the site will be subject to specific standards, floodplain protection requirements and general

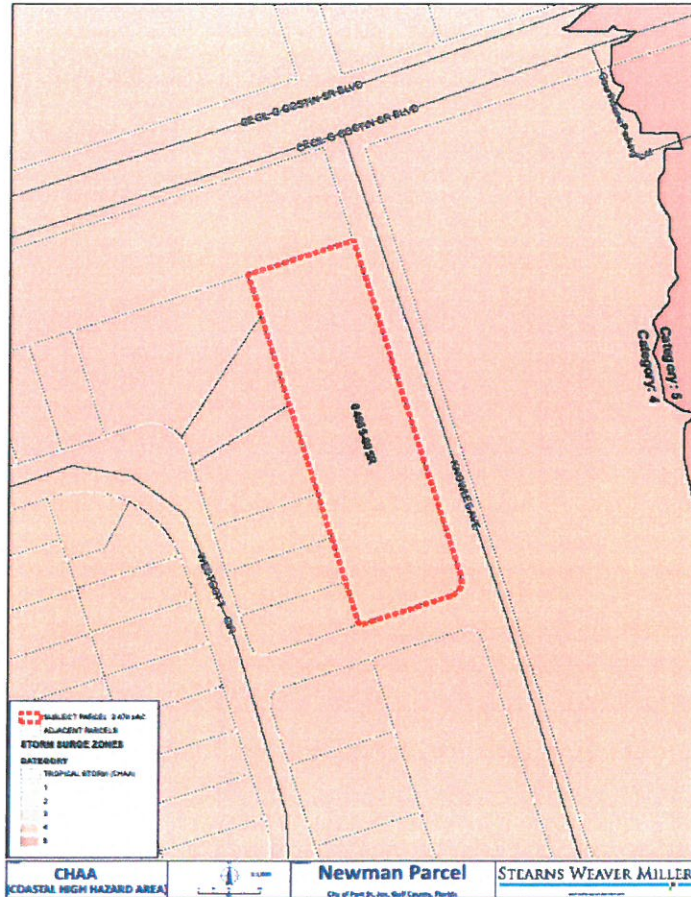
provisions for flood hazard reduction as described in the City's land development regulations.



c. Coastal High Hazard Area (CHHA)

The subject property is located outside the Coastal High Hazard Area. The following map shows that the site is located within a Category 4 hurricane evacuation zone. As described in the Regional Evacuation Study prepared by the Apalachee Regional Planning Council, a Category 4 hurricane has winds

between 131 and 155 mph and would usually be expected to cause 100 times the damage of the Category 1 storm.



d. Availability of Public Facilities

Potable Water Facilities

The subject property is located within the City of Port St Joe water service area. The City has a 6-MGD surface water treatment facility which utilizes the Fresh Water Canal as its source of water. The facility has been designed with adequate storage and pumping facilities to meet future demands of residents of the City and surrounding area.

The City's 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".

The following table shows projected Water Supply Demand, Capacity and Surplus based on the permit and operation of the new surface water treatment facility:

	2010	2017	2020
Total Population Served	13,165	13,836	2% Change 14,111
Demand per Capita (GPD)	130	111	111
Average Daily Demand (GPD)	1,711,395	1,540,000	2% Change 1,570,800
Available Facility Capacity (GPD)	6,000,000	6,000,000	6,000,000
Facility Capacity Surplus (Deficit) *	4,288,605	4,460,000	4,429,200
Permitted Amount (GPD Annual Average)	3,147,000	3,000,000	3,000,000
Permitted Surplus (Deficit) **	1,603,305	1,460,000	1,429,200

Source: City of Port St Joe Water Plant Manager, April 2017.

* Calculated by subtracting Average Daily Demand from Available Facility Capacity

** Calculated by subtracting Average Daily Demand from Permitted Amount

As shown in this table, the City has sufficient capacity to provide central water services to its residents and nearby unincorporated communities through 2020.

Wastewater Treatment Facilities

The site will be served by the City central sewer system consistent with the adopted City comprehensive plan which 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”.

The existing wastewater treatment facility has capacity to treat 10 MGD and permitted to treat 3.1 MGD. Current flows are between 0.8 and 1.0 MGD. Therefore, the City has available capacity to serve the property.

Solid Waste Collection and Disposal Services

The site will be served by the City. The City's 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".

The City has the responsibility for collection of solid waste and currently contracts out to WastePro USA.

Stormwater Treatment Facilities

The City's Comprehensive Plan identifies the level of service for stormwater management standards shall be used "25-yr. frequency, 24-hr. duration storm event for those areas designated as residential, commercial, mixed commercial/residential, public, and industrial land use on the Future Land Use Map".

Treatment of the storm water runoff will be in accordance with the Department of Environmental Protection (DEP)/Northwest Florida Water Management District (NFWFMD) criteria for Environmental Resource Permitting (ERP) (Chapter 62-330 F.A.C and Chapter 62-312 F.A.C) and comply with applicable provisions of Chapters 62-4 and 62.520 F.A.C.

e. Transportation

It is estimated that the current FLUM designation of Low Density Residential R-1, which allows approximately 12 dwelling units on the property, may generate the following number of trips:

Average Daily Trips: $12 \text{ du} \times 9.57 = 115 \text{ trips}$

PM Peak Hour Trips: $12 \text{ du} \times 1.01 = 12 \text{ trips}$

Category 210 (Single Family Detached Housing) trip generation rates from the ITE Trip Generation Manual, 7th Volume, was applied

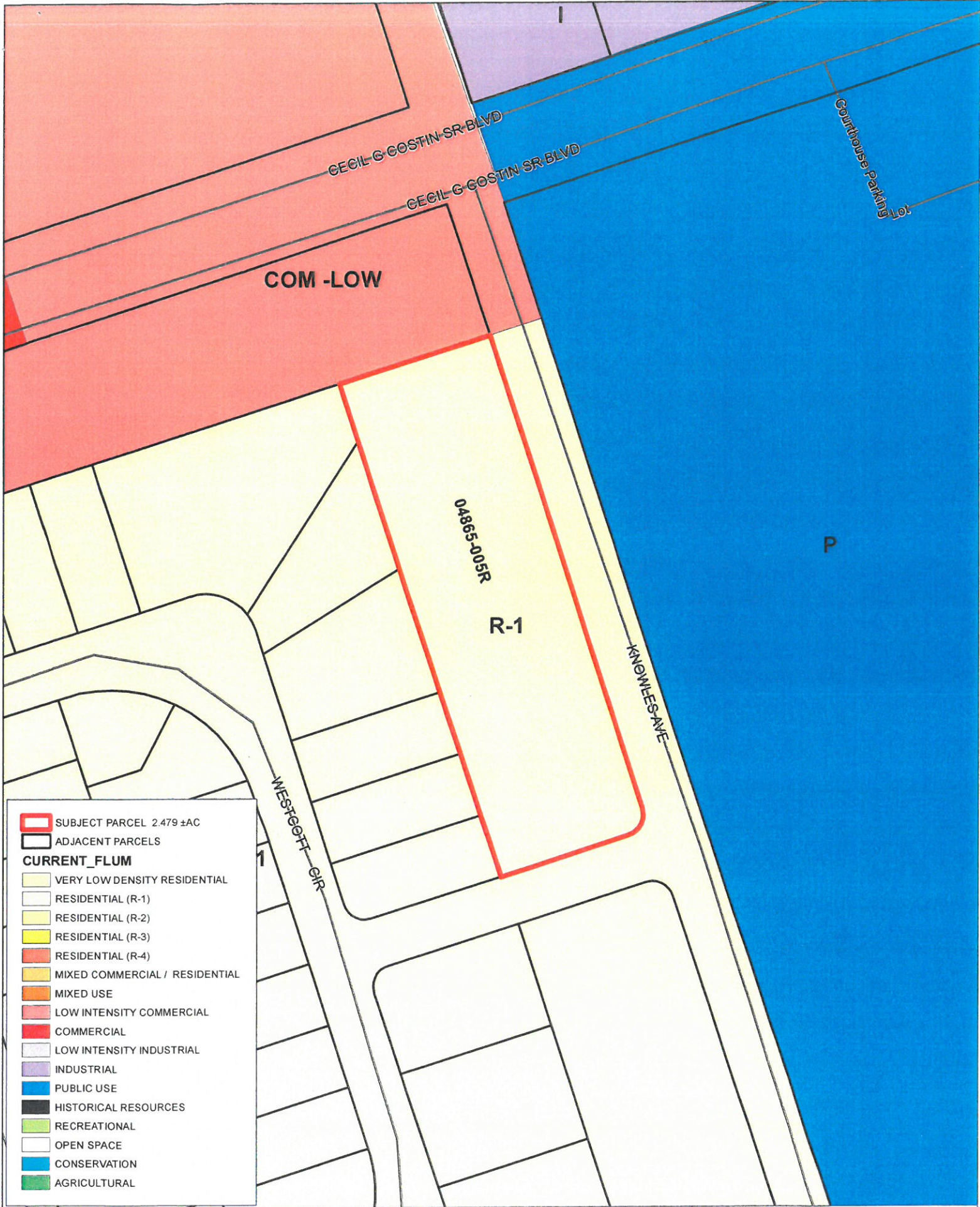
The proposed High Density Residential (R-3) which would allow a maximum of 37 dwelling unit on the property, may generate the following number of trips:

Average Daily Trips: $37 \text{ du} \times 6.72 = 248 \text{ trips}$

PM Peak Hour Trips: $37 \text{ du} \times 0.62 = 22 \text{ trips}$

Category 220 (Apartment) trip generation rates from the ITE Trip Generation Manual, 7th Volume, was applied

The proposed FLUM amendment would result in an increase of 133 average daily trips and 10 additional pm peak hour trips; therefore, no additional impacts are anticipated as a result of such change. The proposed amendment will not adversely impact the LOS on transportation facilities in the City.

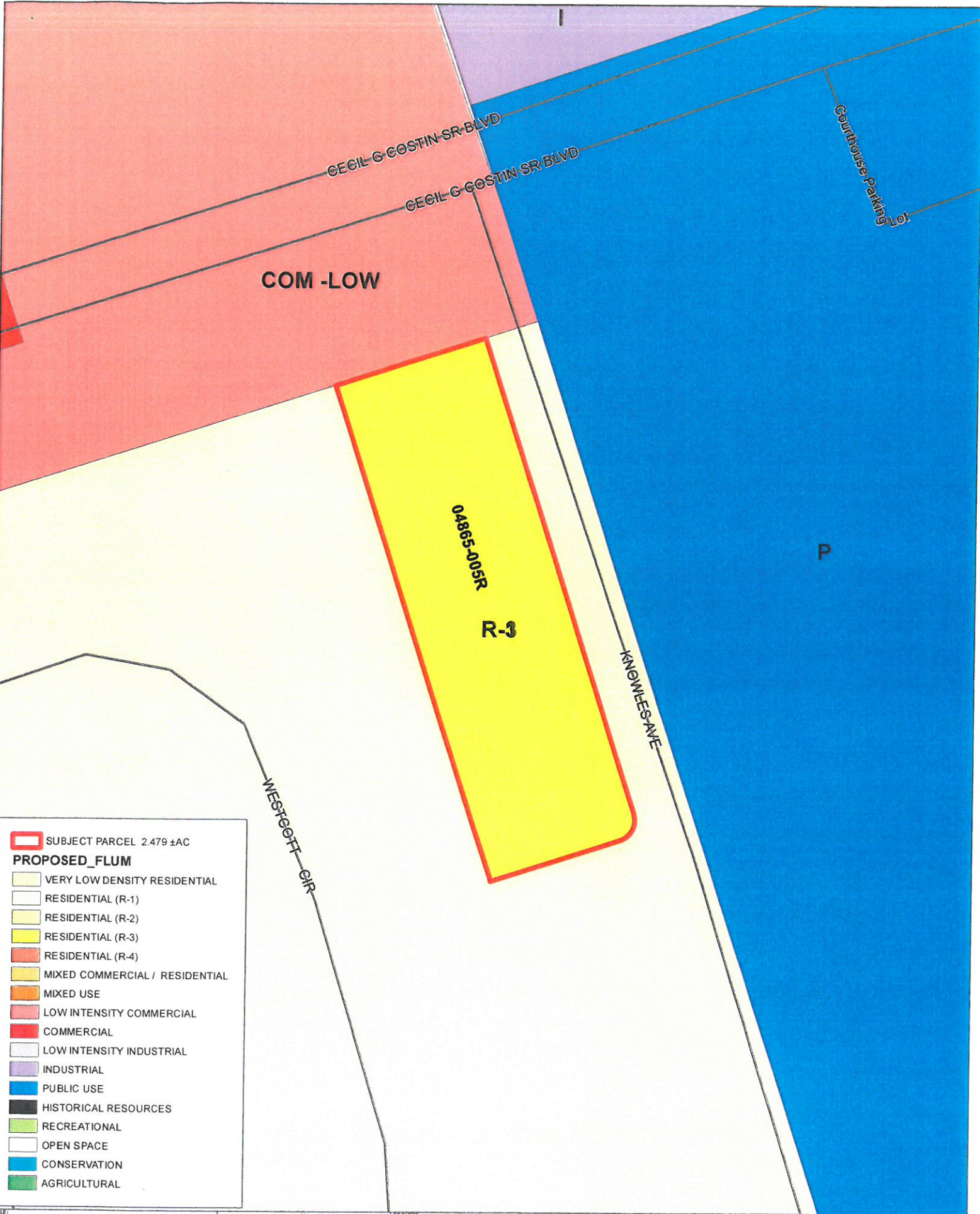


SUBJECT PARCEL 2.479 ±AC

ADJACENT PARCELS

CURRENT_FLUM

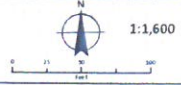
- VERY LOW DENSITY RESIDENTIAL
- RESIDENTIAL (R-1)
- RESIDENTIAL (R-2)
- RESIDENTIAL (R-3)
- RESIDENTIAL (R-4)
- MIXED COMMERCIAL / RESIDENTIAL
- MIXED USE
- LOW INTENSITY COMMERCIAL
- COMMERCIAL
- LOW INTENSITY INDUSTRIAL
- INDUSTRIAL
- PUBLIC USE
- HISTORICAL RESOURCES
- RECREATIONAL
- OPEN SPACE
- CONSERVATION
- AGRICULTURAL



PROPOSED_FLUM

- SUBJECT PARCEL 2.479 ±AC
- VERY LOW DENSITY RESIDENTIAL
- RESIDENTIAL (R-1)
- RESIDENTIAL (R-2)
- RESIDENTIAL (R-3)
- RESIDENTIAL (R-4)
- MIXED COMMERCIAL / RESIDENTIAL
- MIXED USE
- LOW INTENSITY COMMERCIAL
- COMMERCIAL
- LOW INTENSITY INDUSTRIAL
- INDUSTRIAL
- PUBLIC USE
- HISTORICAL RESOURCES
- RECREATIONAL
- OPEN SPACE
- CONSERVATION
- AGRICULTURAL

PROPOSED FLUM



Newman Parcel
City of Port St. Joe, Gulf County, Florida

STEARNS WEAVER MILLER
MAP DATE: Apr-01-2017 BY: CPE

FLUE Policy 1.3.14: In addition to the density restrictions set forth for the High-Density Residential (R-3) future land use category within Policy 1.3.4, the following sub-area policies shall apply to the development of the Property subject to City of Port St Joe Ordinance No. 533:

- (a) Development of the property is limited to a maximum of 24 townhouses. No density bonus allowable pursuant to the City of Port St. Joe Land Development Regulations shall be allowed on the property described herein.
- (b) Stormwater facilities will be designed to meet and exceed level of service standards and protect the functions of natural stormwater management features consistent with Infrastructure Policies 1.1.5 and 1.1.6 of this Plan.
- (c) The boundaries of wetlands on the western portion of the site shall be delineated, classified and protected consistent with Conservation Element Objective 1.7 and implementing policies of the City's comprehensive plan and Section 4.11, Wetland protection provisions in the Land Development Code.
- (d) Building heights of the property shall be limited to 35 ft. The developer of the subject property will maintain a 40 ft undisturbed natural vegetative buffer on the western boundary of the property.

AFFIDAVIT OF
PROOF OF PUBLICATION
(S.50.051, FS)

THE STAR
Published Weekly
Port St Joe, Gulf County Florida
STATE OF FLORIDA
COUNTY OF GULF

Before the undersigned authority personally appeared
That he/she is Advertising Sales Rep of the The Star

Robin Hoxie

who on oath says a weekly newspaper published at
135 W. Hwy 98 Gulf County, Florida; that the attached
copy of advertisement, being in the matter of

SEE ATTACHED

was published in said newspaper in the

Issue(s) of May 11th 2017

Affiant further says *The Star* is a newspaper published at
135 W. Hwy 98, in said Gulf County
Florida and that said newspaper has heretofore been
Continuously published in said Gulf County, Florida,
And each Thursday and has been entered as second class
mail matter at the post office in Port St Joe, Gulf County,
for a period of 1 year next preceding the first
Publication of the attached copy of advertisement; and
Affiant further says that he or she has neither paid nor
promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing
this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

7th day of June, 2017

By Robin Hoxie, who is

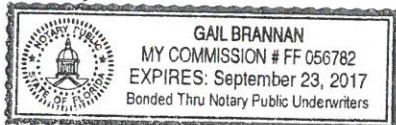
personally known to me or _____ who has produced

_____ (type of identification),

As Identification.

Gail Brannan

Signature of Notary



Print, Type, or Stamp Commissioned
Name of Notary Public

NOTICE OF HEARING

FOR PURPOSES OF ADOPTING AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND AUTHORIZING TRANSMITTAL OF THE COMPREHENSIVE PLAN AMENDMENT TO APPROPRIATE STATE AGENCIES

The Planning and Development Review Board sitting as the local
planning agency will hold a hearing at 4:00 p.m., EST, at City Hall,
305 Cecil G. Costin., Sr., Blvd. on May 31, 2017, to review the
amendment and recommend it to the City Commission of the City
of Port St. Joe and the Board of City Commissioners will hold a
meeting on June 6, 2017, at 6:00 p.m., at 2775 Garrison Avenue,
Port St. Joe, Florida for the purposes of reading the Ordinance
by title and authorizing transmittal of the Comprehensive Plan
Amendment to appropriate state agencies.

The title of proposed Ordinance is as follows:

Ordinance No. 533

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN
AND THE FUTURE LAND USE MAP OF THE CITY OF PORT
ST. JOE, FLORIDA BY AND THROUGH PROCEDURES
REQUIRED FOR SMALL-SCALE MAP AMENDMENTS
PURSUIT TO AUTHORITY UNDER STATE STATUES SECTION
163.3187, SPECIFICALLY CHANGING A PORTION OF
PARCEL ID#04865-005R FROM LOW DENSITY RESIDENTIAL
(R-1) TO HIGH DENSITY RESIDENTIAL (R-3); PROVIDING
FOR THE AMENDMENT OF THE ZONING MAP OF THE
CITY OF PORT ST. JOE; AND PROVIDING FOR REPEAL
OF ANY CONFLICTING ORDINANCES; PROVIDING FOR
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Copies of the Ordinance are available for public inspection
at the City of Port St. Joe City Hall, located at 305 Cecil G.
Costin, Sr., Blvd., Port St. Joe, Florida.

The hearing may be continued from time to time as may be
necessary.

Interested persons may attend and be heard at the
public hearing or provide comments in writing to the City
Commissioners. City of Port St. Joe City Hall, 305 Cecil G.
Costin, Sr. Blvd., Port St. Joe, Florida. Transactions of the
public hearing will not be recorded. Persons wishing to appeal
any decision made during the hearing will need a record of
the proceeding and should ensure a verbatim record is made,
including the testimony on which the appeal is based.

Any person requiring a special accommodation at this
hearing because of a disability or physical impairment should
contact the City Clerk's Office at (850)229-8261, at least five (5)
calendar days prior to the hearing.

CITY COMMISISON OF THE CITY
OF PORT ST. JOE, FLORIDA