

ORDINANCE NO. 394

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

WHEREAS, The St. Joe Company (“Applicant”) has filed an application for planned unit development approval of the Myers Park Planned Unit Development Zoning District, which will allow for a mixture of uses and is to be located on a parcel of land in The City of Port St. Joe, Florida, owned by St. Joe Timberland Company of Delaware, LLC., and which is generally described and depicted in Exhibit “A”, attached and incorporated herein (the “Property”); and

WHEREAS, The Myers Park Planned Unit Development Zoning District will include residential units with a density not to exceed 10 units per gross acre of the Residential portion of the Property as depicted on the map attached and incorporated herein as Exhibit “B”, up to 150,000 square feet of commercial space within that Retail/Office Commercial portion of the Property depicted on Exhibit “B”, (i.e. retail, office, hospitality, etc), civic uses and/or open space; and

WHEREAS, The Myers Park Planned Unit Development Zoning District is designed to provide connectivity with surrounding uses and the Port St. Joe downtown area; and

WHEREAS, The Myers Park Planned Unit Development Zoning District will be served by Lighthouse Utilities water and City of Port St. Joe sewer facilities; and

WHEREAS, The Myers Park Planned Unit Development Zoning District will comply with the all applicable storm water management requirements for the Property; and

WHEREAS, The City of Port St. Joe Comprehensive Plan (Future Land Use Policy 1.3.3) authorizes the use of a PUD to authorize the development of mixed-use projects.

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

SECTION 1. NAME

This Ordinance shall be known as the implementing ordinance for the Myers Park 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 Myers Park Planned Unit Development Zoning District is consistent with the goals, objectives and policies of the City of Port St. Joe Comprehensive Plan. In addition, the Myers Park Planned Unit Development Zoning District is consistent with and supported by the following goals, objectives and policies of the City of Port St. Joe Comprehensive Plan:

Future Land Use Element Policy 1.2.1 (“...new development within the City will be in areas within or immediately adjacent to existing areas of public services...”);

Future Land Use Element Policy 1.2.4 (“...projected growth will occur along the existing traffic circulation network...”);

Future Land Use Element Policy 1.3.3 (“The City’s Comprehensive Plan will control land uses and densities of development within the City as well as provide for mixed land use designations and development polices,” and “Mixed use developments will be allowed in the form of Planned Unit Developments (P.U.D’s)...”);

SECTION 3. APPROVAL

The application for establishment of the Myers Park Planned Unit Development Zoning District on the Property is hereby approved subject to the conditions in this Ordinance.

SECTION 4. PERMITTED USES

The following uses shall be principal and accessory permitted uses within the Myers Park Planned Unit Development Zoning District:

A. Residential. Provides for single family and multi-family residential units. Density shall not exceed 10 units per gross acre of the Residential portion of the Property as depicted on Exhibit “B”.

B. Retail and Office Commercial. Provides for retail stores, personal service establishments or businesses, banking facilities, restaurants and lounges and other retail commercial uses allowed in the City, as well as professional and business offices. Retail and office Commercial uses shall be limited to a maximum of 150,000 square feet, and may be located within the Retail/Office Commercial portion of the Property as depicted on Exhibit "B".

C. Agricultural. Uses allowed within the Agricultural Future Land Use category of the Gulf County Comprehensive Plan, within those Agriculture portions of the Property as depicted on Exhibit "B".

D. Passive Recreation. Passive recreation means recreational lands and improvements that are natural resource oriented. Passive recreational facilities include, but are not limited to pedestrian and bike paths, storm water management facilities, fishing, docks, piers, viewing platforms, boardwalks, picnic areas, bird watching and associated ancillary structures.

E. Open Space. Open Space means lands which are designed and intended for the common use or enjoyment of the residents of the Myers Park Planned Unit Development Zoning District and their guests and may include such complementary and ancillary structures and improvements as are necessary and appropriate, including storm water management facilities active and passive parks and areas dedicated to the public.

F. Permitted Accessory and Ancillary Uses. Uses of land customarily incidental and subordinate to one of the permitted principal uses, including but not limited to a sales center, private pool club and private tennis facilities, boat and recreational vehicle storage, and other uses or facilities associated with the support of the permitted principal uses.

G. Additional Uses. Any other similar uses which are deemed consistent and compatible with the permitted uses listed in subsections A – E above, or in accordance with permissible uses for C-1A, C-1, and C-2 Subdistricts, as shown in the Port St. Joe Code, as approved by the City Manager.

SECTION 5. DEVELOPMENT STANDARDS

A. All permanent residential, commercial and non-residential uses shall be served by central potable water facilities and central wastewater facilities, as provided by Lighthouse Utilities and the City of Port St. Joe.

B. All development shall be in compliance with all applicable land development regulations of the City of Port St. Joe and Articles 1, 2 and 3 of the Gulf County Subdivision Ordinance, except as otherwise contained in this Ordinance. The City will conduct review and approval of all preliminary and final plats.

C. The minimum setbacks for residential uses shall be 10 feet from road rights of way and 5 feet from other property lines. Minimum set backs for residential garage structures shall be 5 feet from road rights of way, alley or property lines. Rear setbacks for any structure may be reduced to 0 feet to protect natural features on the property if the lot adjoins a natural area included as common open space or natural area. These set back requirements shall not apply to residential uses which are contained with commercial uses in mixed-use structures. There shall be no minimum setbacks for commercial uses or residential uses contained with commercial uses in mixed-use structures. Balconies, overhangs, steps, stairs, eaves and bays will be allowed in the setbacks.

D. Within the residential use category, there shall be a minimum lot size of 2,000 square feet for single family units and no minimum lot size for multi-family units, including townhomes. There shall be no minimum block size, width, depth, frontage or other dimensional requirements. Flag lots are permitted.

E. Within the Residential use category, maximum impervious coverage for single family units shall be 65% and multi-family units, including townhomes shall be 90%. Maximum impervious coverage for Retail and Office Commercial use categories shall be 90%.

F. Internal traffic circulation shall be designed to promote pedestrian and bicycle opportunities for residents and guests by providing a functional and integrated system of pedestrian and bicycle paths. The paths can be of an impervious or pervious surface material.

G. The storm water management system will be designed to comply with the standards of Chapter 62-25, F.A.C. and all other applicable regulations.

H. Streets may be privately owned and maintained and shall be built in accordance with a 50 foot minimum right of way dimension, and may include one-way streets and two-way alleyways having less than a 50 foot right of way dimension. Roadway base and asphalt thickness shall be designed by a registered professional engineer taking into consideration recommendations by a geotechnical engineer for site-specific design parameters. All streets shall be inspected and certified by a registered professional engineer.

I. Signs visible from U.S. Highway 98, which are not otherwise subject to stricter standards imposed on the Property, shall be consistent with applicable City law. Offsite signage will be permissible in the Commercial Land Use district, and the maximum size of any individual sign cannot exceed 400 square feet of surface area.

J. The Myers Park Planned Unit Development Zoning District shall comply with applicable City regulations regarding on-site and off-site parking for single-family residential areas, except that on street parking will be allowed with a minimum width of on street parking of eight (8) feet, and 1.2 parking spaces per multi-family residential unit, including townhomes,

shall apply. Any other deviations to the City parking regulations may be granted by the City Manager if it is established by a parking study certified by a traffic consultant that use of different standards would be acceptable, especially in the case of the use of shared spaces for adjacent uses.

K. All construction shall meet the standards in the Florida Building Code, latest edition.

L. Section 5.04 of the City of Port St. Joe Land Development Regulation Code (the "Code"), as well as any other provisions with respect to buffer zones shall not apply to any portion of the Myers Park Planned Unit Development Zoning District.

M. Sidewalks within the PUD zoning district may be required on only one side of residential streets

N. No minimum height standards shall apply to street lighting.

SECTION 6. DEVELOPMENT PLAN/PRELIMINARY PLAT/PLAT PHASING

The Myers Park Planned Unit Development Zoning District may be developed through a series of individual projects, with the submission of development plans and preliminary plats per project. All development plans will be reviewed as a Level 2 Major Development as such term is defined in the Code. The City will review preliminary plats as part of the development review process. The development plan, preliminary plat and appropriate application fees for each phase of development shall be initially submitted to the City Manager for review. Applicants may simultaneously obtain approval of the preliminary plat, development order and development permit with respect to each phase of development.

SECTION 7. CREATION OF ZONING DISTRICT

The purpose of this Ordinance is to create the text of the Myers Park 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. The Myers Park Planned Unit Development Zoning District may be developed by separate parties. The specific nature of the Myers Park Planned Unit Development Zoning District's development will be a function of the development plans and preliminary plats submitted for approval.

SECTION 8. AMENDMENTS TO THE MYERS PARK PLANNED UNIT DEVELOPMENT ZONING DISTRICT

A. Requests for an amendment to this Ordinance shall be made to the City Manager, and must be accompanied by, or supplemented by, such documents as may be reasonably required by the City Manager to clearly depict the impacts of the proposed amendment, if any. Upon review of the amendment request, the City Manager shall determine if the request is a Major Amendment or a Minor Amendment. An amendment shall be deemed a Major Amendment if the amendment purports to (i) change the number of housing units by more than 5%, (ii) change the amount of retail or office square footage by more than 10%, (iii) add land uses not contemplated by the Myers Park Planned Unit Development Zoning District, or (iv) substantially decrease Open Space.

B. If the request is determined to be a Major Amendment, the City Manager shall refer the request to the Board of City Commissioners for review and consideration. The Board of City Commissioners shall approve, approve with conditions, or deny the request within 30 calendar days from submittal of a complete application. If the Board of City Commissioners requests additional information in writing, the time for final action on the application shall be tolled until the information is supplied or the Applicant in writing declines to provide the additional information. Once the Applicant supplies the additional information requested by the Board of City Commissioners, or declines in writing to supply the additional information, the Board of City Commissioners shall approve, approve with conditions or deny the request within the balance of the time remaining before time was tolled. The decision of the Board of City Commissioners shall be based on consistency with the Code.

C. If the request is determined to be a Minor Amendment, the City Manager shall approve, approve with conditions, deny the request or request additional information within 15 calendar days from submittal of a complete application. The City Manager shall notify the Applicant in writing within the specified 15 days, or the request shall be deemed approved. If the City Manager requests additional information in writing, the time for final action on the application shall be tolled until the information is supplied or the Applicant in writing declines to provide the additional information. Once the Applicant supplies the additional information requested by the City Manager, or declines in writing to supply the additional information, the City Manager shall approve, approve with conditions or deny the request within the balance of the time remaining before time was tolled, or the request shall be deemed approved. The decision of the City Manager shall be based on consistency with the Code.

SECTION 9. ENFORCEMENT

The City may enforce this Ordinance as authorized by law.

SECTION 10. 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 11. 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 Myers Park Planned Unit Development Zoning District. The City Manager hereby directed to revise the City of Port St. Joe Zoning Map to reflect this designation.

SECTION 12. 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 13. EFFECTIVE DATE

This Ordinance shall become effective as provided by law.

This Ordinance was adopted in open regular meeting after its second reading this 6th day of November, 2007, after due notice in accordance with Florida Statute Section 166.041.

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


Mel C. Magidson, Jr., Mayor

Attest :


City Clerk

EXHIBIT "A"

(Property)

DESCRIPTION: (AS SURVEYED AND WRITTEN)

PARCEL "A"

A parcel of land lying in Section 19, Township 8 South, Range 10 West, and in Section 24, Township 8 South, Range 11 West, Gulf County, Florida, being more particularly described as follows:

Beginning at a found 4 inch square concrete monument (St. Joe Paper Company), marking the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 19, Township 8 South, Range 10 West, Gulf County, Florida for the POINT OF BEGINNING. Said point also being the Northwest corner of Jonesville Subdivision, as recorded in plat book 1, page 57, of the public records of Gulf County, Florida; thence proceed North 01 degrees 25 minutes 08 seconds West, on the West line of said Section 19, for a distance of 2,242.26 feet; thence leaving said West line, proceed South 88 degrees 34 minutes 52 seconds West, for a distance of 99.80 feet; thence North 01 degrees 24 minutes 49 seconds West, for a distance of 1,477.92 feet to a point on the South Right of Way line of State Road 30A (U.S. Highway 98, 200 foot Right of Way); thence South 89 degrees 23 minutes 39 seconds East, on said South Right of Way line, for a distance of 844.99 feet to the intersection of said line with the West Right of Way line of Jones Homestead Road (66 foot Right of way); thence leaving said South Right of Way line, proceed South 00 degrees 29 minutes 21 seconds West, on said West Right of Way line, for a distance of 3,710.95 feet to a point on the North line of aforesaid Jonesville Subdivision; thence leaving said West Right of Way line, proceed North 89 degrees 42 minutes 26 seconds West, on said North line, for a distance of 621.52 feet to the POINT OF BEGINNING.

Containing 2,684,359.11 square feet or 61.62 acres, more or less.

PARCEL "B"

A parcel of land lying in Section 19, Township 8 South, Range 10 West, Gulf County, Florida, being more particularly described as follows:

Commence at a found 4 inch square concrete monument (St. Joe Paper Company), marking the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 19, Township 8 South, Range 10 West, Gulf County, Florida. Said point also being the Northwest corner of Jonesville Subdivision, as recorded in plat book 1, page 57, of the public records of Gulf County, Florida; thence proceed South 89 degrees 42 minutes 26 seconds East, on the North line of said Jonesville Subdivision, for a distance of 621.52 feet to the intersection of said line with the West right of way line of Jones Homestead Road (66' right of way); thence proceed North 89 degrees 55 minutes 23 seconds East, for a distance of 66.00 feet to a point on the East right of way line of said Jones Homestead road; thence North 00 degrees 29 minutes 21 seconds East, on said East right of way line, for a distance of 3710.16 feet to the intersection of said line with the South right of way line of State Road 30A (U.S. Highway 98, 200' right of way); thence leaving said East right of way line, proceed South 89 degrees 23 minutes 39 seconds East, on said South right of way line, for a distance of 85.00 feet to the centerline of an existing ditch; thence leaving said South right of way, proceed South 07 degrees 54 minutes 27 seconds East, on said centerline of ditch and the extension thereof, for a distance of 3746.14 feet to the Northeast corner of aforesaid Jonesville Subdivision; thence North 89 degrees 52 minutes 26 seconds West, on the North line of said Jonesville Subdivision, for a distance of 632.04 feet to the Point of Beginning.

Containing 1,329,910 square feet or 30.53 acres, more or less.

Exhibit A

**Myers Park
Planned Unit
Development
Zoning District
Boundary Map**

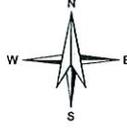
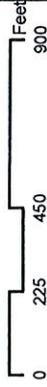
Gulf County, Florida

96.15 +/- Acres in Sections
19 & 24 of T8S, R10W

LEGEND



Approx. Boundary of
Subject Property



Jones Homestead Road

267

98

DISCLAIMER
This drawing is the property of The St. Joe Company.
© The St. Joe Company 2007. All Rights Reserved.
Unless otherwise provided for by contract, the contents
of this drawing are confidential and shall not be transmitted
to any other party except as agreed to by The St. Joe
Company. It may not be copied or reproduced in any
manner without the written permission of The St. Joe
Company.

The information shown, attached or contained herein is
believed accurate but is not warranted or guaranteed,
is subject to errors, omissions and changes without notice
and should be independently verified. The availability
and pricing of The St. Joe Company property (through
any of its affiliates or subsidiaries) is also subject to change
without notice. Access to this property is prohibited without
the express consent of The St. Joe Company or its agent.
"ST. JOE" and the "Taking Flight" design are service marks
of The St. Joe Company. Void where prohibited by law.
Equal Housing Opportunity.



EXHIBIT "B"

(Map)

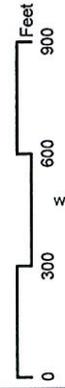
Exhibit B

Myers Park Planned Unit Development Zoning District Underlying Land Use Map

Gulf County, Florida
96.15 +/- Acres in Sections
19 & 24 of T8S, R10W

LEGEND

-  Approx. Boundary of Subject Property
-  Agriculture
-  Residential
-  Retail/Office/Commercial



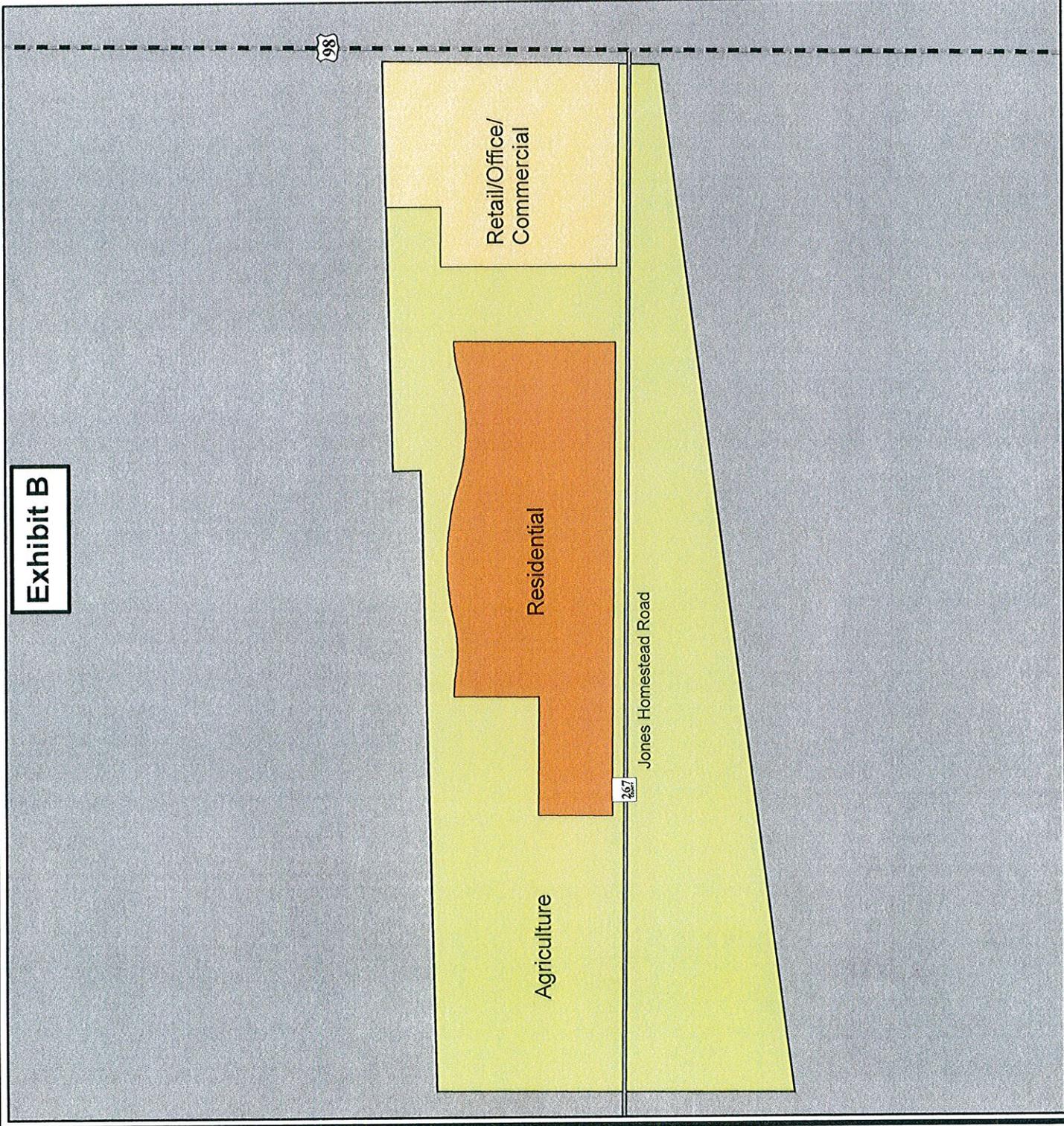
DISCLAIMER

This drawing is the property of The St. Joe Company. © The St. Joe Company 2007. All Rights Reserved. Unless otherwise provided for by contract, the contents of this drawing are confidential and shall not be transmitted to any other party except as agreed to by The St. Joe Company. It may not be copied or reproduced in any manner without the written permission of The St. Joe Company.

The information shown, attached or contained herein is believed accurate but is not warranted or guaranteed, is subject to errors, omissions and change without notice, and should be independently verified. The availability and pricing of The St. Joe Company property (through any of its affiliates or subsidiaries) is also subject to change without notice. Access to this property is prohibited without the express consent of The St. Joe Company or its agent. "ST. JOE" and the "Taking Flight" design are service marks of The St. Joe Company. Void where prohibited by law. Equal Housing Opportunity.



Penny Ford 10/11/07
m:\Projects\MAX\Small_Scale_Changes\Myers Park
PUD Preliminary Plat Exhibit B 101107.mxd



NOTICE OF CITY OF PORT ST. JOE CITY COMMISSION MEETING FOR APPROVAL OF MYERS PARK PLANNED UNIT DEVELOPMENT

The City of Port St. Joe City Commission proposes to hold a public hearing to consider adoption of an Ordinance which will approve the Myers Park Planned Unit Development Zoning District. The title of the ordinance is as follows:

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

The public hearing for the adoption of the Ordinance will be held on Tuesday, November 6, 2007 at 6:00 p.m. at City of Port St. Joe City Hall located at 305 Cecil G. Costin, Sr. Blvd, Port St. Joe, Florida 32456. A first reading of the Ordinance will occur at the same location on October 16, 2007. Copies of the Ordinance are available for public inspection at City of Port St. Joe City Hall located at 305 Cecil G. Costin, Sr. Blvd, Port St. Joe, Florida 32456.

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 of the City of Port St. Joe at City of Port St. Joe City Hall 305 Cecil G. Costin, Sr. Blvd, Port St. Joe, Florida 32456. 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 that a verbatim record is made, including the testimony on which the appeal is based. Any person who wishes to attend and requires assistance may call the City Clerk's Office at (850) 229-8261 ext. 114.

