ORDINANCE NO. 568

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN 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 PARCEL ID NO. 04842-100R FROM COMMERCIAL TO PUBLIC USE AND PARCEL ID NO. 04842-200R FROM RESIDENTIAL TO PUBLIC USE, AND PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3187, Florida Statutes, provides for the authority and procedure for the City Commission of Port St. Joe, Florida to amend its Comprehensive Plan utilizing procedures applicable to small scale developments; and

WHEREAS, on January 7, 2020, the Planning and Development Review Board sitting as the local planning agency for the City, recommended approval of the small scale amendment to the comprehensive plan of the City; and

WHEREAS, the City Commission desires to adopt the amendment to the current comprehensive plan to guide and control the future development of the City, and to preserve, promote, and protect the public health, safety, and welfare.

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

SECTION 1. APPROVAL

The City of Port St. Joe Comprehensive Plan Future Land Use Map and Zoning Map are hereby amended as set forth on Exhibit "A" and are hereby changed from Industrial to Mixed Use. 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 amendment is consistent with the goals, objectives and policies of the City of Port St. Joe Comprehensive Plan as amended.

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 Public Use.

SECTION 5. REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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 upon adoption as provided by law.

This Ordinance was adopted in open regular meeting after its second reading this day of

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

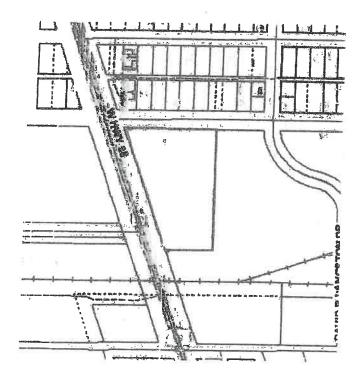
Rex Buzzett Mayor-Commissioner

Charlotte M. Pierce

City Clerk

EXHIBIT "A"

Proposed Future Land Use Map:



Appendix A:

Future Land Use Map Amendment Application Form

CITY OF PORT ST. JOE FUTURE LAND USE MAP AMENDMENT APPLICATION

	418 Cecil G. Cos			rrent Land Use:	R-2B, C-1	A
	Gulf County			posed Land Use:	PU	
Mailing Address:	100 Cecil G.	Costin	Sr. Blv	d., Port St.	Joe, FL 3	2456
Phone:						
	ent:					
Parcel Number:	1842-100R, 048	842-200R				
Owners Signature						
Sworn to and subsetoR Produced Iden Type Provided	TILL CONTRACTORS.	ais	day of		Person	ially Known
			Sign	ature of Notary		
PUBLIC NOTICE						
1. A sign wi published	ll be posted for two l in the local newsp	o weeks on the	ne property	seeking the char	nge and a notice	: will be
APPLICATION RE	QUIREMENTS					5.40
Application Fee: Sma	ill Scale Amendmen	nt - \$500.00 —	Large Scal	e Amendment \$2,	000.00	
Legal Description of l	Property					
Copy of Deed						
Copy of Survey						
Owner Signature				Date:		
Applicant Signature				Date:		

City of Port St. Joe Comprehensive Plan Future Land Use Map Small Scale Amendment for the Gulf County Sheriff's Office

Gulf County Sheriff's Office 418 Cecil G. Costin Sr. Blvd. Port St. Joe, FL 32456

November 15, 2019

2.	rroposed Changes 3			
Д	Development Analysis			
11.	Public Recilities and Services			
	Public Facilities and Services			
	A CONTRACTOR OF THE CONTRACTOR			
В.	4			
C.	Transportation			
Đ.	Stormwater 5			
E.	Solid Waste 6			
D.	Public Schools 6			
111.	Environmental Analysis			
A.	Watlande 8			
,	Wetlands8			
IV.	Urban Sprawl and Consistency Analyses10			
A.	Urban Sprawl Analysis			
₿.	Consistency Analysis14			
V.	Figures			
	17			
	ocation Map			
2. E	xisting Future Land Use Map			
3. Pr	oposed Future Land Use Map			
4. Proposed Zoning Map				
5. Flo	oodplains/ Wetlands			

Appendix A: Future Land Use Map Amendment Application

Proposed Changes

The proposed small-scale amendment changes the land use designation on the parcel id #04842-100R from C1-A, Commercial to Public Use and parcel id #04842-200R from R-2B, Residential to Public Use. The parcels are located at the intersections of Cecil G. Costin Sr. Blvd and Long Avenue as well as Long Avenue and 6th Street. The Gulf County Sheriff's Office building is located on parcel id #04842-100R and parking for the Sheriff's Office, as well as vacant land, is located on parcel id #04842-200R.

A. Development Analysis

The current land use designations do not properly suit the existing governmental agency on-site. The proposed land use amendment change would not only allow for the proper land use designation to be applied to the property, but would also allow for expansion of the current facility on parcel id #04842-200R due to an increase in the impervious surface ratio allowance (40% to 60%). The Public Use land use designation will help to promote the desired facility expansion as well as foster development flexibility within the area.

II. Public Facilities and Services

The public facilities analysis is based on the increase in density and intensity on the site. Both existing and proposed land uses were evaluated.

The following analysis is based upon the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The analysis evaluates the effect of the demands on the level of service standards adopted within the City of Port St. Joe Comprehensive Plan and identifies any anticipated facility improvements. Facilities and services include potable water, sanitary sewer, solid waste, transportation, and school facilities.

A. Potable Water

Development proposed at the amendment site would not impact the potable water system.

8. Sanitary Sewer

Development proposed at the amendment site would not impact the sanitary sewer system.

C. Transportation

The proposed development scenario for the site will not result in a net change in trip generation potential as additional office space is not proposed.

D. Stormwater

City of Port St. Joe has adopted Level of Service (LOS) standards within the Comprehensive Plan that apply to water quantity and water quality for evaluating impacts associated with developments. The LOS standards for water quantity indicate that post-development runoff shall be no greater than predevelopment runoff.

The City's LOS standards for stormwater management are as follows:

Infrastructure Element Policy 1.1.5: The following level of service Stormwater Management standards shall be used as the basis for determining the availability of facility capacity and the demand generated by a development:

- * 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; and
- o 3-yr. frequency, 24-hr. duration storm event for those areas designated as agricultural, conservation, and recreation land use on the Future Land Use Map.
- All new and re-development projects shall comply with the stormwater design and performance standards and stormwater retention and detention standards contained within section 62-346 F.A.C.

Development of the amendment site will comply with the groundwater quality and quantity protection requirements set forth in the City's Comprehensive Plan.

E. Solid Waste

The City of Port St. Joe requires all residential households to have garbage pickup. This service is provided by BCC in partnership with the City of Port St Joe. BCC, collects all household solid waste within the City and disposes the solid waste at the Bay County Waste to Energy Facility (Incinerator). The facility is a 500 Tons per Day Waste to Energy facility located in Bay County (just north of Panama City, Florida). The facility produces about 13 Megawatt per hour of electricity that is utilized throughout the state of Florida and has sufficient long-range capacity.

The City adopted a residential level of service standard for solid waste of 8 pounds per person per day. The proposed land use change will not result in a solid waste demand increase.

D. Public Schools

The proposed amendment site is being planned for additional parking area. The proposed land use change will not result in an increase of school age children.

III. Environmental Analysis

The entirety of the site is within a previously developed residential and commercial area. There are minimal previously undeveloped areas to house natural resources.

A. Wetlands

There appear to be no wetlands on the subject site. Please see the Wetlands and Flood Zones Map in Appendix A. Wetlands are protected by the following policies within the Conservation Element of the Comprehensive Plan:

Objective 1.7 Wetlands within the City of Port St. Joe shall be conserved through the combined use of the City's Comprehensive Plan standards, and state and federal wetlands permitting programs involving the Florida Department of Environmental Protection (FDEP), Northwest Florida Water Management District, and the United States Army Corps of Engineers (ACOE). Major wetlands and wetland systems are identified on Map 7 of the adopted plan.

Policy 1.7.1 The protection of wetlands shall be accomplished through the use of the Comprehensive Plan, including the Future Land Use Map, and shall take into account the type, intensity or density, extent, distribution and location of allowable land uses and the types, values, functions, sizes, conditions and locations of affected wetlands. Land uses that are incompatible with the protection of wetlands and wetland functions shall be directed away from wetlands.

Policy 1.7.2: The City shall continue to conserve wetlands through the implementation of its Land Development Regulations in accordance with Sec. 4.11 through Sec. 4.16.

Policy 1.7.3: The plan amendment process and the development review process shall require that the location and extent of wetlands (as defined by the Northwest Florida Water Management District [NWFWMD], FDEP, and ACOE) within the development site be identified.

Policy 1.7.4: Low quality wetlands shall mean those wetlands that do not have habitat for federally threatened or endangered species or state classified rare, critically imperiled or species of special concern, and that meet at least one of the following criteria:

- a) Any wetland planted in pine or otherwise disturbed by silviculture activities
- b) Any wetland consisting of a ditch, man-made canal or and borrow pit
- c) Any wetland containing timber roads or utility rights-of-way
- d) Any wetlands that are degraded due to the prevalence of exotic vegetation evidenced by the majority of the wetland containing exotic or non-native invasive species.

As of the adoption of Ordinance No. 344, in May 2007, the planting of pines,

creation of new timber roads or utility right of ways within wetlands shall not result in a previously classified high-quality wetland from being re-classified as low-quality.

Policy 1.7.5: Impacts to low quality wetlands may be authorized on a case by case basis in conjunction with and as approved by applicable regulatory agencies unless such impacts are contrary to the interest of the public. When encroachments, alterations or removal of low-quality wetlands are permitted, it shall be mitigated based on the appropriate regulatory agency including FDEP, NWFWMD, and ACOE. 4

Policy 1.7.6: High quality wetlands shall mean all wetlands that do not qualify as a low quality wetland. High quality wetlands shall be protected with a 25-foot wide naturally vegetated buffer landward from the identified edge of the wetland except for those wetlands as provided in Policy 1.7.11. High quality wetlands reviewed as part of amendments to the Future Land Use Map shall be designated as Conservation on the Future Land Use Map series.

Policy 1.7.7: Development within high quality wetlands and their associated buffers shall be prohibited except for uses approved by the appropriate permitting agency involving passive recreational trails, water access, wetland maintenance and restoration. All encroachments into the 25-foot buffer shall be those that do not adversely affect the predevelopment hydrology of the wetland including water quality or quantity. Further, impacts to high quality wetlands shall be limited to cases where no other feasible and practicable alternative exists that will permit a reasonable use of the land as described in Policy 1.7.8.

Policy 1.7.8: The Technical Advisory Committee (TAC) or the Local Planning Agency (LPA) may use the site plan and biological assessments performed by a qualified professional to determine that no reasonable alternative (such as clustering development on upland portions of the site, shifting development within the site, using variance of lot and setback requirements etc.) is available to avoid proposed impacts to high quality wetlands, and that the nature and degree of disturbance is the minimum possible to achieve development that is otherwise compliant with the goals, objectives, and policies of the Plan. A finding that no reasonable alternative is available shall only be provided when the impact is identified as beneficial to an overriding public interest. Local government approval shall not substitute for state and federal regulatory review or recommendations for preservation and mitigation.

Policy 1.7.9: New development shall be clustered on upland portions of a development site, which are not otherwise environmentally sensitive. To facilitate the clustering of development out of and away from wetlands, deviations from minimum lot sizes and density transfers on a one-to-one basis (based on density and intensity of the current land use designation) to the buildable portion of the site, may be authorized. In no case shall the density exceed the designated gross density on the future land use map.

Policy 1.7.10: Wetlands within the current city limits of the City of Port St. Joe, which are located on property which is subject to already approved existing plats,

development orders or Planned Unit Developments (P.U.Ds) approved as of January 1, 2007 shall not be subject to Conservation Element policies 1.7.1 -1.7.9.

Policy 1.7.11: With the exception of water dependent uses consistent with the master plan of the port of Port St. Joe and water dependent uses that serve as public access, the required setback or minimum buffer for all areas along St. Joseph Bay and coastal and riverine wetlands shall be a minimum of 50 feet as measured from the mean high water line (MHWL). Predevelopment water flow and quality shall be maintained (see Section 3.15 of the Existing LDRs as of October 1, 2006).

IV. Urban Sprawl and Consistency Analyses

A. Urban Sprawl Analysis

Chapter 163.3177(6)(9)(a), Florida Statutes, provides a thirteen-point list of indicators to help in the evaluation of whether a proposed FLU change would constitute urban sprawl. An analysis of the thirteen points as applied to the City of Port St. Joe Comprehensive Plan amendment is provided below:

163.3177(6)(9)(a)(1): Promotes, allows or designates for development of substantial areas of the jurisdiction to develop as low-intensity, low density, or single-use development or uses in excess of demonstrated need.

The proposed amendment is located within the urbanized area of the City of Port St. Joe and will actually limit development opportunities for the proposed parcels.

The proposed amendment will be more appropriate for the existing and future developments of the property as the site of the Gulf County Sheriff's Office. Therefore, the proposed amendment will not promote, allow or designate for development of substantial areas of the jurisdiction to develop as low-intensity, low density, or single-use development or uses in excess of demonstrated need.

163.3177(6)(0)(a)(II): Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

The proposed amendment does not promote, allow or designate significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development. The proposed amendment is located within an urbanized area of the City of Port St. Joe on a previously developed site.

163.3177(6)(0)(a)(III): Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from

existing urban development.

The proposed amendment does not promote, allow, or designate urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban development. The proposed development will be adjacent to other Public Use zoned parcels.

163.3177(6)(0)(a)(IV): As a result of premature or poorly planned conversion of rural land or other uses, fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The proposed amendment is not located within a rural area and does not fail to adequately protect and conserve natural resources. The amendment site does not contain any wetlands or known endangered or protected species.

163.3177(6)(9)(a)(V): Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.

The amendment site is located within the incorporated and urbanized area of the City of Port St. Joe and does not consist of any significant agriculture or silvicultural areas. Therefore, the proposed amendment does not fail to adequately protect adjacent agricultural areas and activities, including silviculture.

163.3177(6)(9)(a)(VI): Fails to maximize use of existing public facilities and services.

The proposed amendment will maximize the use of public facilities by making both parcels zoned public use.

163.3177(6)(0)(a)(VII): Fails to maximize use of future public facilities and services.

The proposed amendment will maximize the use of future public facilities by making both particels zoned public use.

163.3177(6)(0)(a)(VIII): Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

The proposed map amendment does not allow for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services. Municipal services are available to the proposed amendment area including, roads, central potable water and sewer services, law enforcement, education, health care, fire and emergency response, and general government of the City.

163.3177(6)(a)(a)(IX): Fails to provide clear separation between rural and urban uses.

The proposed amendment area is already within an urban area that is not adjacent to rural areas.

163.3177(6)(9)(a)(X): Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

The proposed amendment area is not within an existing neighborhood and lot 484592-200R is previously undeveloped, and therefore will not inhibit infill development or redevelopment of existing neighborhoods.

163.3177(6)(9)(a)(XI): Fails to encourage an attractive and functional mix of uses.

The proposed amendment will introduce a Public Use into an area of Commercial and Residential, therefore encouraging an attractive and functional mix of uses.

163.3177(6)(9)(a)(XII): Results in poor accessibility among linked or related land uses.

The proposed land use change does not result in poor accessibility among linked or related land uses.

163.3177(6)(0)(a)(XIII): Results in loss of significant amounts of functional open space.

The proposed amendment will allow for an additional 20 % impervious surface on one parcel which would not be considered a significant amount of open space. The existing Stormwater Management Facility will remain open space.

In addition to 163.3177(6)(9)(a), F.S., Chapter 163.3177(6)(9)(b) of the Florida Statutes provides an eight-point list of development patterns and urban forms. If the proposed amendment incorporates four or more of the development patterns or urban forms, it is determined to discourage the proliferation of urban sprawl. The four patterns and/or forms that best describes the proposed amendment are listed below.

163.3177(6)(9)(b)(I): Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The proposed amendment does not have an adverse impact on natural resources and ecosystems. Development of the site will not impact any environmentally sensitive areas such as wetlands or protected and endangered species.

<u>163.3177(6)(9)(b)(II)</u>: Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

The proposed map amendment promotes the efficient and cost-effective provision or extension of public infrastructure and services by changing the parcels to Public Use.

163.3177(6)(9)(b)(V): Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

The proposed map areas are not near any agricultural areas or activities and therefore will not fail to preserve agricultural areas.

163.3177(6)(0)(b)(VII): Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The site currently exists as public use and is balancing the nonresidential needs of the area. Therefore the amendment to Public Use will continue to balance the nonresidential needs.

B. Consistency Analysis

The proposed FLUM amendment is consistent with the Future Land Use Element and other affected elements of the City of Port St. Joe Comprehensive Plan. The following is a specific description of how the proposed FLUM amendment is consistent with the significant subject areas of Future Land Uses, Natural Resources, and Public Facilities and Services of the 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 (sanitary sewer, solid waste, drainage and potable water).

The amendment area is located within the City of Port St. Joe and has public services available to serve the site.

Policy 1.2.4: As with public services, projected growth will occur along the existing traffic circulation network, owing to the availability and accessibility of vacant/undeveloped land within this network. The City will enforce land development regulations which address abutting incompatible land uses by requiring vegetative screening to create buffer zones between incompatible land uses if they occur.

The amendment area is located along Cecil G. Costin Blvd. which is part of the City's overall street grid network and is within walking distance to public parks, schools and churches.

Policy 1.7.2: Approval of annexation will require that there are provisions to insure that infrastructure be in place at or above adopted levels of service at the time of development.

The City of Port St. Joe has available public services available with adequate capacity to serve the amendment site.

CONSERVATION ELEMENT

Policy 1.3.2: The City shall minimize land use disturbance, clearing of native vegetation and removal of top soil. The City shall encourage utilization of Low Impact Design (LID) strategies and techniques and construction best management practices (BMPs), such as use of silt fences and sediment basins to retain sediment onsite during development.

Policy 1.3.3: The following general requirements shall apply to stormwater management systems throughout the City: a) No direct discharge of stormwater to waterways or waterbodies; b) When soil and water table conditions allow, require the use of offsite retention systems for stormwater treatment. c) Promote the use of BMPs and the "Treatment Train" concept by promoting the use of swales and landscape infiltration systems; d) Swale conveyances shall be used to the greatest extent possible; e) Projects in areas zoned for Industrial land uses shall assure that industrial pollutants do not enter the stormwater system or come in contact with the surface or ground water.

Development of the proposed amendment area will adhere to the above requirements.

SANITARY SEWER, SOLID WASTE, STORMWATER MANAGEMENT POTABLE WATER AND GROUNDWATER AQUIFER RECHARGE ELEMENT

Policy 1.1.6: All future development and re-development shall protect the functions of natural Stormwater Management features by complying with the level of service as listed within this Plan and by obtaining proper approved Stormwater Management permits from the Florida Department of Environmental Protection, Northwest Florida Water Management District, and requirements of Policy 1.1.5.

Development of the proposed amendment area will adhere to the above requirement.

Policy 1.1.16: Consistent with the urban growth policies of the Future Land Use element of this plan, provision of centralized sanitary sewer and potable water service shall be limited to the service areas shown for these facilities in the support documents of this plan and to areas where the City has legal commitments to provide facilities and services as of the date of adoption of this plan.

The amendment site is located within an area of the City that has existing public services available to serve the site with adequate capacity. The proposed amendment will assist the City in implementing a more efficient development pattern by implementing a land use category that is more appropriate the parcels current use.

TRANSPORTATION ELEMENT

Policy 1.2.4: The City shall adopt design standards in the Land Development Regulations relating to control of connections and access points of driveways to roads and roadways. The standards need to address issues such as access control, number of access points and location of access points.

Policy 1.7.2: The City shall require through development regulations the dedication of needed right-of-way and necessary improvements from all new developments.

Policy 1.7.3: All building setbacks shall be measured from the new right-ofway lines for all new construction including the setbacks for additions to existing structures.

Development of the proposed amendment area will adhere to the above requirements.

CAPITAL IMPROVEMENTS ELEMENT

Policy 2.1.1: Development orders or permits will not be issued, or they will be specifically conditioned, upon the availability of public facilities which meet the LOS standards and must be available concurrent with the impact of the development.

Policy 2.1.2: The availability of public facilities shall be determined and measured for the required public facility types using the adopted Level of Service (LOS) standards contained in the following elements of the Comprehensive Plan: Traffic Circulation Infrastructure, including Solid Waste, Drainage, Potable Water and Sanitary Sewer Recreation and Open Space Public School Facilities Element

A complete public facilities analysis is included in Section II of this report.

V. Figures

- 1. Location Map
- 2. Existing Future Land Use Map
- 3. Proposed Future Land Use Map
- 3. Proposed Zoning Map
- 4. Floodplains/ Wetlands

H O W A R D

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Figure 1: Location Map

Gulf County Sheriff's Office Land Use Amendment - Location Map

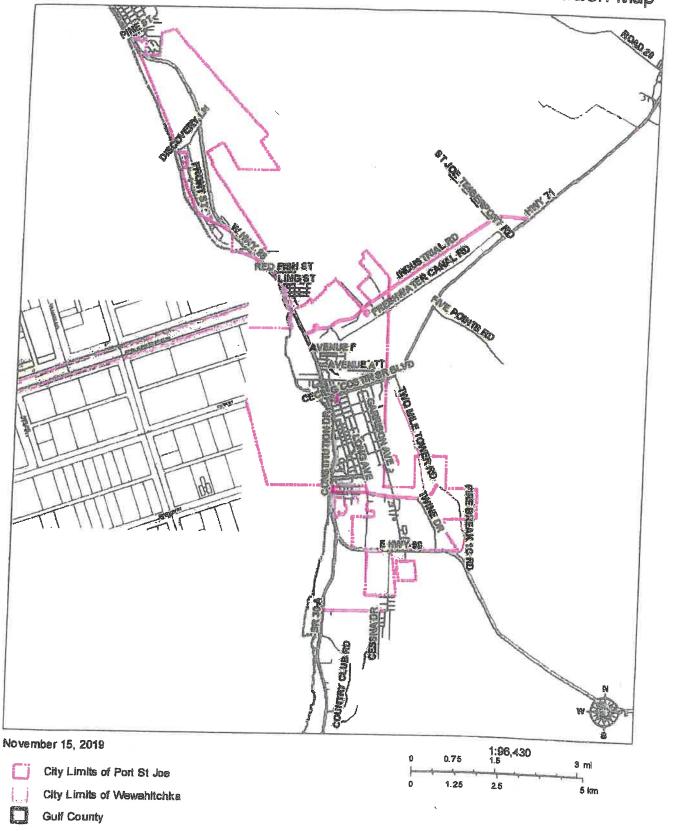


Figure 2:
Existing Future Land Use Map

Gulf Co. Sheriff's Office Land Use Amendment - Existing Future Land Use

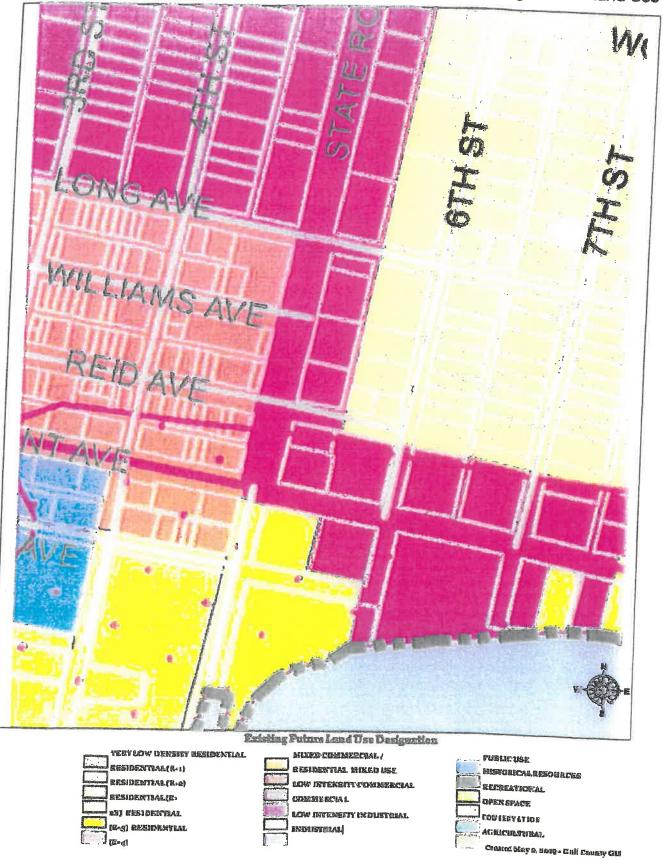
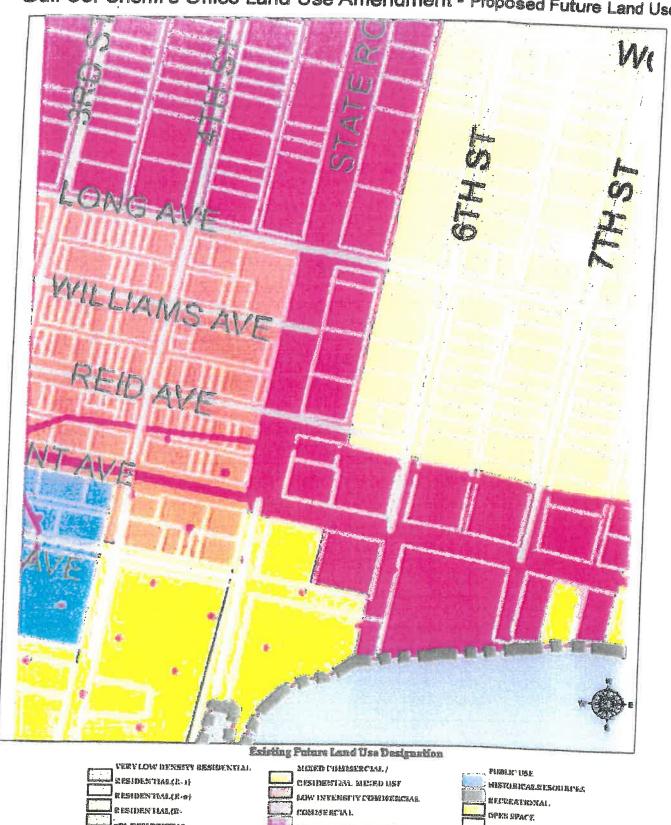


Figure 3:
Proposed Future Land Use Map

Gulf Co. Sheriff's Office Land Use Amendment - Proposed Future Land Use



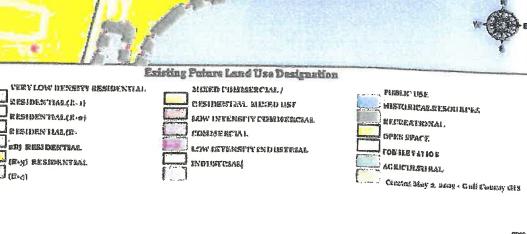


Figure 4:
Proposed Zoning Map

Gulf County Sheriff's Office Land Use Amendment - Proposed Zoning

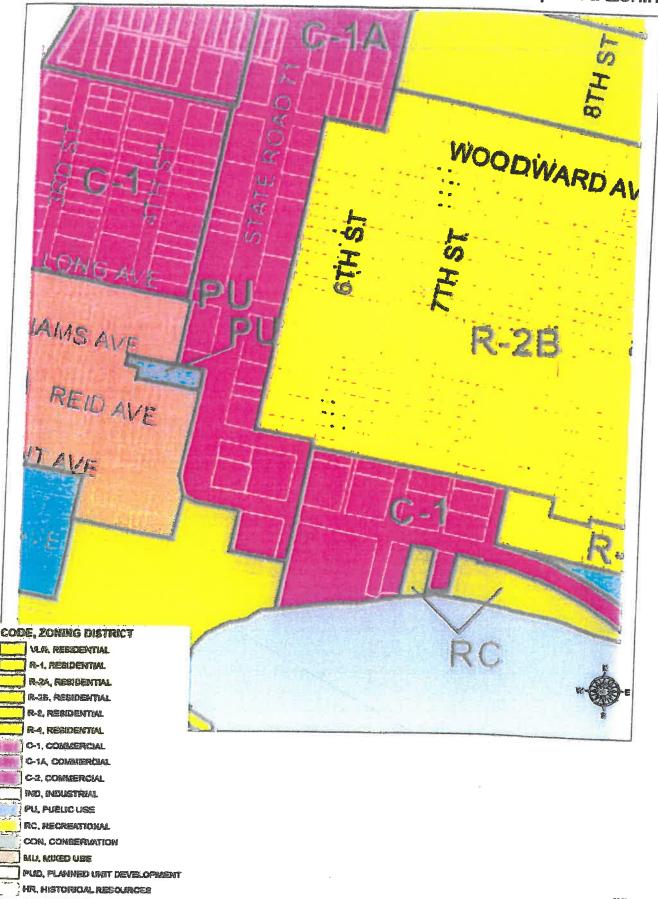
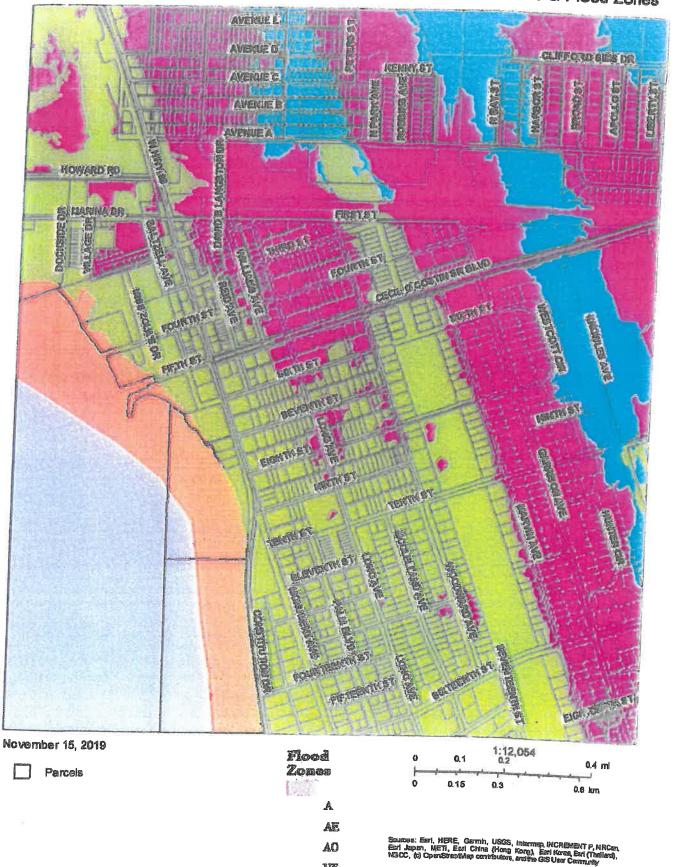


Figure 5: Wetlands & Flood Zones Map

Gulf Co.Sheriff's Office Land Use Amendment - Wetlands & Flood Zones



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