

ORDINANCE 2017-15

AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA, AMENDING POLICY 2.2 OF THE FUTURE LAND USE ELEMENT OF THE FRANKLIN COUNTY COMPREHENSIVE PLAN TO CREATE THE CARRABELLE EAST VILLAGE FUTURE LAND USE CATEGORY; AMENDING POLICY 11.11.5 OF THE FUTURE LAND USE ELEMENT TO DELETE BOAT RAMP AS A PROHIBITED USE THEREIN; AMENDING THE FUTURE LAND USE MAP OF THE FRANKLIN COUNTY COMPREHENSIVE PLAN TO APPLY THE CARRABELLE EAST VILLAGE FUTURE LAND USE CATEGORY TO CERTAIN PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Part II, *Florida Statutes*, establishes the Community Planning Act (“Act”); and

WHEREAS, the Act authorizes a local government to exercise comprehensive planning authority over territory within its jurisdiction; and

WHEREAS, pursuant to the Act, Franklin County (“County”) has adopted a comprehensive plan; and

WHEREAS, the Act authorizes a local government desiring to revise its comprehensive plan to prepare and adopt comprehensive plan amendments; and

WHEREAS, in April 2009, the County adopted Ordinance 2005-20, which, in pertinent part, amended the Franklin County Comprehensive Plan to add four new Future Land Use Categories: Rural Village, Conservation Residential, Marina Village Center, and Carrabelle East Village; and

WHEREAS, pursuant to the foregoing amendment to the Franklin Comprehensive Plan, the County amended the Future Land Use Map designation of approximately 200 acres owned by The St. Joe Company from Agricultural (181.12 acres), Residential (9.88 acres) and Commercial (9 acres) to Carrabelle East Village; and

WHEREAS, in December 15, 2009, the County adopted Ordinance 2009-17, thereby repealing the Carrabelle East Village Future Land Use Category and changing the Future Land Use Map designation for The St. Joe Company's Carrabelle property back to the original designations of Residential for 9.88 acres, Agricultural for 181.12 acres and Commercial for 9 acres; and

WHEREAS, on December 13, 2013, The St. Joe Company filed an action pursuant to the Bert J. Harris, Jr., Private Property Rights Protection Act, Section 70.001, *Florida Statutes*, against the County in Franklin County Circuit Court, said case being styled as The St. Joe Company v. Franklin County, Case No. 2013-CA-435 ("Litigation"); and

WHEREAS, on or about June 6, 2017, the County and The St. Joe Company entered into a Settlement and Forbearance Agreement to resolve the Litigation; and

WHEREAS, the County has prepared an amendment to the Future Land Use Element and the Future Land Use Map of the Franklin County Comprehensive Plan as described herein; and

WHEREAS, after due public notice, the County has held the requisite public hearings pursuant to Sections 163.3174 and 163.3184, *Florida Statutes*, to afford an opportunity for public comments concerning the proposed amendment to the Future Land Use Element and the Future Land Use Map as set forth herein; and

WHEREAS, the County finds that the proposed amendment to the Future Land Use Element and the Future Land Use Map contained herein furthers the purposes of, and is consistent with, the Franklin County Comprehensive Plan, and is consistent with and compliant with State law, including, but not limited to, the Act, and Chapter 187, *Florida Statutes*.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Future Land Use Element of the Franklin County Comprehensive Plan is hereby amended to include the text amendments as set forth in Exhibit "A," which is attached hereto and incorporated herein by reference, and which: (1) adds Policy 2.2(o) to the Future Land Use Element to establish the "Carrabelle East Village" Future Land Use Category; and (2) amends Policy 11.11.5 of the Future Land Use Element by deleting "boat ramp" as a prohibited use therein.

Section 2. The Future Land Use Map of the Franklin County Comprehensive Plan is hereby amended to apply the "Carrabelle East Village" Future Land Use Category to the ±200 acres of property more particularly described in Exhibit "B" and depicted in Exhibit "C," attached hereto and incorporated herein by reference.

Section 3. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance and the Franklin County Comprehensive Plan shall remain in full force and effect.

Section 4. All existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Upon final passage and adoption of this Ordinance, the County shall forward a copy hereof to the Florida Department of Economic Opportunity and any other governmental agency in the State as required by law.

Section 6. The effective date of the plan amendment adopted by this Ordinance shall be thirty-one (31) days after the Florida Department of Economic Opportunity notifies the County that the adoption package is complete or the date a final order is issued by the Department or the Administration Commission finding the amendment in compliance in accordance with Section 163.3184, *Florida Statutes*, whichever is applicable. No development orders, development permits, or land uses dependent on the amendment may be issued or commence before the plan amendment has become effective.

Section 7. This Ordinance shall take effect immediately upon its adoption.

DONE, ORDERED, AND ADOPTED at the regular meeting of the Franklin County Board of County Commissioner, this 7th day of November, 2017.

FRANKLIN COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: Joseph A. Parrish
Joseph A. Parrish, Chairman

ATTEST: Marcia M. Johnson
Marcia M. Johnson, Clerk



EXHIBIT A

The Franklin County Comprehensive Plan shall be amended to add Policy 2.2(o) to the Future Land Use Element to read:

Policy 2.2(o) Carrabelle East Village: This category is generally intended to create a self-sustaining community with a mixture of functionally integrated land uses anchored by a Village Center. This category will complement the existing community of Carrabelle and create places to live, work and shop in the context of promoting moderately priced housing and economic development opportunities. Complementary activities for the enjoyment of village residents, including recreational, leisure, cultural, religious, and educational activities are also components of this district. The residential components of the village will include various density ranges and housing types, but the overall density in this category will be between 1 and 3 dwelling units per gross acre. Village residential, cottage residential, and estate/conservation residential opportunities will be created in a manner to maximize vehicular and pedestrian linkages to shopping, employment, recreational and other complementary activities while at the same time promoting compatibility among land uses. Clustering development on portions of a site that do not have high environmental sensitivity in order to minimize disturbance and preserving large open spaces in order to provide shared access are requirements of this category. Flexibility in design techniques is also promoted in order to achieve the goals and objectives of this category.

Allowable Uses within the Carrabelle East Village land use shall be limited to (1) Residential Single-family, (2) Residential Multi-family, (3) Retail Commercial, (4) Service-oriented Commercial, (5) Office, (6) Business and Industrial Park, (7) Passive and active recreational, (8) Schools and other Civic Facilities, (9) Public and Private Utilities, (10) Houses of Worship.

The performance standards for the Carrabelle East Village land use category are: Gross Residential Density: 1- 3 du/gross acre, Maximum Non-Residential intensity of .25 Floor Area Ratio (FAR), Commercial and Business Park Intensity: .25 Floor Area Ratio (FAR), Minimum Common Open Space – 25%, Minimum Civic Space – 10%, and other Applicable Provisions of the Franklin County Zoning Code.

The Carrabelle East Village land use shall be served by central water and wastewater. Developer shall provide central sewer and water unless the capital improvements element of a local government is amended to provide such service.

Clustering is allowed as provided by the Franklin County Zoning Code or by Planned Unit Development Ordinance (PUD). The minimum lot size that applies to the cluster development shall be determined at the time of zoning or PUD review. The total number of dwelling units allowed within a cluster development shall not exceed the number of dwelling units allowed under this

land use category. Areas which are not included within lots or used for roads, accessways, bodies of water, common recreation facilities, service facilities or infrastructure shall be designated by the developer as common open space.

A stormwater management system will be designed to comply with the standards for Outstanding Florida Waters (OFW).

Policy 11.11.5 of the Future Land Use Element of the Franklin County Comprehensive Plan shall be amended to read:

5. No marina, ~~boat ramp~~, or associated facilities shall be allowed on the land subject to this amendment.



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CARRABELLE EAST VILLAGE

A portion of Fractional Sections 21 and 28, Township 7 South, Range 4 West, described in the instrument recorded in Official Records Book 288, Page 1 of the Public Records of Franklin County, Florida, described for land planning purposes as follows:

COMMENCE at the South Quarter corner of Fractional Section 21, Township 7 South, Range 4 West, a private division of the John Forbes & Company Land Grant in Franklin County, Florida and run thence North 00 degrees 00 minutes 00 seconds East 228.84 feet to the southerly right-of-way of Kenneth B. Cope Avenue and the POINT OF BEGINNING.

From said POINT OF BEGINNING, run thence North 52 degrees 53 minutes 54 seconds East along said right-of-way 41.38 feet;

Thence run North 00 degrees 00 minutes 00 seconds East along the east right-of-way of Kenneth B. Cope Avenue 546.20 feet to the south boundary of that parcel of land described in the instrument recorded in Official Records Book 231, Page 184 of said public records;

Thence leaving said east right-of-way and run North 90 degrees 00 minutes 00 seconds East along said south boundary 646.29 feet to the east boundary of said parcel;

Thence run North 00 degrees 00 minutes 00 seconds East along said east boundary 1261.14 feet to the northeast corner of said parcel;

Thence leaving said east boundary and run North 00 degrees 00 minutes 31 seconds East along the east boundary of that parcel of land described in the instrument recorded in Official Records Book 797, Page 466 of said public records 107.84 feet;

Thence run South 89 degrees 57 minutes 28 seconds West along the north boundary of said parcel 937.14 feet;

Thence run South 00 degrees 02 minutes 21 seconds East along the west boundary of said parcel 107.84 feet to the north boundary of the aforesaid parcel described in Official Records Book 231, Page 184;

Thence leaving said west boundary and run North 90 degrees 00 minutes 00 seconds West along said north boundary 421.55 feet to the northwest corner of said parcel and the northeast corner of a parcel of land described in Official Records Book 627, Page 196 of said public records;

Thence leaving the boundary of said parcel described in Official Records Book 231, Page 184 and run North 90 degrees 00 minutes 00 seconds West along the north boundary of said parcel described in Official Records Book 627, Page 196, a distance of 210.00 feet;

Thence run South 00 degrees 00 minutes 00 seconds East along the west boundary of said parcel 765.23 feet to the north boundary of that parcel of land described in Official Records Book 753, Page 497 of said public records;

Thence leaving said west boundary and run North 90 degrees 00 minutes 00 seconds West along the north boundary of said parcel described in Official Records Book 753, Page 497 of said public records 1763.19 feet, more or less to the west boundary of said Fractional Section 21, Township 7 South, Range 4 West;

Thence leaving said north boundary and run North 00 degrees 50 minutes 32 seconds East along the west boundary of said Section 21, a distance of 4089.28 feet to the northwest corner of said

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section;

Thence leaving said west boundary and run South 89 degrees 04 minutes 51 seconds East along the north boundary of said Section 21, a distance of 2606.02 feet to the North Quarter corner of said Section 21;

Thence run South 88 degrees 44 minutes 40 seconds East along said north boundary of Section 21, a distance of 148.98 feet;

Thence leaving said north boundary and run South 00 degrees 11 minutes 13 seconds West 506.18 feet;

- Thence South 62 degrees 17 minutes 27 seconds West 189.25 feet;
- Thence South 68 degrees 35 minutes 34 seconds West 1792.75 feet;
- Thence South 35 degrees 04 minutes 12 seconds West 151.60 feet;
- Thence South 04 degrees 33 minutes 04 seconds West 175.28 feet;
- Thence South 37 degrees 25 minutes 26 seconds West 358.51 feet;
- Thence South 24 degrees 36 minutes 45 seconds West 208.52 feet;
- Thence South 20 degrees 41 minutes 24 seconds West 767.63 feet;
- Thence South 07 degrees 33 minutes 40 seconds West 155.75 feet;
- Thence South 06 degrees 09 minutes 05 seconds East 204.51 feet;
- Thence South 18 degrees 01 minutes 08 seconds East 132.45 feet;
- Thence South 45 degrees 18 minutes 39 seconds East 144.32 feet;
- Thence South 84 degrees 31 minutes 57 seconds East 146.72 feet;
- Thence North 89 degrees 46 minutes 27 seconds East 197.10 feet;
- Thence North 87 degrees 10 minutes 49 seconds East 160.76 feet;
- Thence North 84 degrees 35 minutes 39 seconds East 161.26 feet;
- Thence North 27 degrees 21 minutes 09 seconds East 13.02 feet;
- Thence South 72 degrees 37 minutes 35 seconds East 70.26 feet;
- Thence North 28 degrees 20 minutes 24 seconds East 386.72 feet;
- Thence North 49 degrees 15 minutes 23 seconds East 179.24 feet;
- Thence North 52 degrees 27 minutes 00 seconds East 208.07 feet;
- Thence North 75 degrees 16 minutes 51 seconds East 271.43 feet;
- Thence North 68 degrees 01 minutes 51 seconds East 141.67 feet;
- Thence South 88 degrees 40 minutes 56 seconds East 192.10 feet;
- Thence South 85 degrees 02 minutes 48 seconds East 120.94 feet;
- Thence South 81 degrees 12 minutes 46 seconds East 243.91 feet;
- Thence South 72 degrees 31 minutes 54 seconds East 143.67 feet;
- Thence South 63 degrees 43 minutes 46 seconds East 134.59 feet;
- Thence South 76 degrees 13 minutes 46 seconds East 112.85 feet;
- Thence North 73 degrees 52 minutes 23 seconds East 199.24 feet;
- Thence North 67 degrees 12 minutes 51 seconds East 71.14 feet;
- Thence North 89 degrees 46 minutes 26 seconds East 71.17 feet;
- Thence North 06 degrees 55 minutes 06 seconds East 132.03 feet;
- Thence North 20 degrees 23 minutes 02 seconds East 186.62 feet;
- Thence North 10 degrees 06 minutes 25 seconds East 61.04 feet;

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Thence North 10 degrees 25 minutes 22 seconds East 88.87 feet;
Thence North 00 degrees 13 minutes 40 seconds West 65.50 feet;
Thence North 06 degrees 35 minutes 12 seconds West 49.43 feet;
Thence North 18 degrees 42 minutes 50 seconds West 86.34 feet;
Thence North 01 degree 55 minutes 56 seconds East 80.72 feet;
Thence North 26 degrees 51 minutes 46 seconds West 43.42 feet;
Thence North 24 degrees 44 minutes 05 seconds West 117.32 feet;
Thence North 18 degrees 42 minutes 49 seconds West 36.22 feet;
Thence North 50 degrees 34 minutes 12 seconds East 28.17 feet;
Thence North 00 degrees 13 minutes 40 seconds West 65.50 feet;
Thence North 14 degrees 18 minutes 15 seconds West 67.53 feet;
Thence North 00 degrees 13 minutes 40 seconds West 163.76 feet;
Thence North 23 degrees 27 minutes 48 seconds East 95.37 feet;
Thence North 81 degrees 40 minutes 03 seconds East 116.13 feet;
Thence South 83 degrees 54 minutes 16 seconds East 49.58 feet;
Thence North 89 degrees 46 minutes 26 seconds East 180.67 feet;
Thence South 81 degrees 05 minutes 25 seconds East 171.90 feet;
Thence South 65 degrees 31 minutes 00 seconds East 156.69 feet;
Thence South 54 degrees 46 minutes 10 second East 141.15 feet;
Thence South 45 degrees 18 minutes 44 seconds East 154.62 feet;
Thence South 25 degrees 29 minutes 40 seconds East 102.62 feet;
Thence South 00 degrees 13 minutes 41 seconds East 109.17 feet;
Thence South 03 degrees 08 minutes 55 seconds West 185.92 feet;
Thence South 12 degrees 36 minutes 48 seconds West 123.17 feet;
Thence South 51 degrees 56 minutes 44 seconds West 41.99 feet;
Thence South 59 degrees 46 minutes 41 seconds West 24.92 feet;
Thence North 87 degrees 56 minutes 32 seconds West 136.98 feet;
Thence South 89 degrees 46 minutes 26 seconds West 98.55 feet;
Thence South 51 degrees 11 minutes 52 seconds West 105.05 feet;
Thence South 47 degrees 20 minutes 51 seconds West 89.00 feet;
Thence South 42 degrees 33 minutes 57 seconds West 96.70 feet;
Thence South 63 degrees 16 minutes 36 seconds West 61.17 feet;
Thence South 44 degrees 51 minutes 35 seconds West 85.04 feet;
Thence South 89 degrees 46 minutes 26 seconds West 60.22 feet;
Thence South 20 degrees 22 minutes 57 seconds West 93.31 feet;
Thence South 10 degrees 06 minutes 26 seconds West 122.07 feet;
Thence South 08 degrees 22 minutes 55 seconds East 77.20 feet;
Thence South 10 degrees 33 minutes 46 seconds East 61.04 feet;
Thence South 76 degrees 13 minutes 44 seconds East 45.14 feet;
Thence South 87 degrees 22 minutes 20 seconds East 109.64 feet;
Thence North 89 degrees 46 minutes 26 seconds East 213.52 feet;
Thence South 78 degrees 29 minutes 35 seconds East 134.20 feet;

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Thence South 56 degrees 36 minutes 55 seconds East 98.61 feet;
Thence South 40 degrees 44 minutes 14 seconds East 193.85 feet;
Thence South 13 degrees 30 minutes 22 seconds East 153.11 feet;
Thence South 64 degrees 16 minutes 42 seconds West 80.74 feet;
Thence South 32 degrees 35 minutes 08 seconds West 161.65 feet;
Thence South 35 degrees 41 minutes 29 seconds West 215.69 feet;
Thence South 04 degrees 03 minutes 13 seconds East 145.89 feet;
Thence South 21 degrees 00 minutes 30 seconds East 80.21 feet;
Thence South 20 degrees 57 minutes 53 seconds East 936.72 feet;

Thence South 22 degrees 40 minutes 09 seconds East 179.43 feet to the northerly maintained right-of-way of State Road 30 (US Highway 98) as depicted on the Maintained Right-of-way Map recorded in Road Plat Book 3, Page 60 of said public records;

Thence run South 75 degrees 10 minutes 47 seconds West along said northerly maintained right-of-way 396.45 feet;

Thence run South 14 degrees 49 minutes 13 seconds East along said maintained right-of-way 2.00 feet to a point lying on a curve concave Southeasterly;

Thence run Southwest along said right-of-way and curve having a radius of 1624.55 feet, through a central angle of 13 degrees 55 minutes 14 seconds, for an arc distance of 394.70 feet (the chord of said arc bears South 68 degrees 13 minutes 10 seconds West 393.73 feet), more or less to the northeasterly boundary of that parcel of land described in the instrument recorded in Official Records Book 903, Page 755 of said public records;

Thence leaving said northerly maintained right-of-way and run North 45 degrees 02 minutes 23 seconds West along said northeasterly boundary 300.00 feet, more or less to the northeast corner of said parcel;

Thence run South 57 degrees 48 minutes 55 seconds West along the northerly boundary of said parcel 300.65 feet more or less to the northwest corner of said parcel;

Thence run South 45 degrees 02 minutes 23 seconds East along the southwesterly boundary of said parcel 300.00 feet, more or less to the aforesaid northerly maintained right-of-way of State Road 30 (US Highway 98), said point lying on a curve concave Southeasterly;

Thence leaving said southwesterly boundary and run Southwesterly along the maintained right-of-way of State Road 30 (US Highway 98) and curve having a radius of 15390.78 feet, through a 00 degrees 55 minutes 55 seconds, for an arc distance of 250.58 feet (the chord of said arc bears South 56 degrees 19 minutes 40 seconds West 250.58 feet), more or less to the point of tangency as depicted on the aforesaid maintained right-of-way map;

Thence run South 55 degrees 51 minutes 41 seconds West along said maintained right-of-way 46.40 feet to a point of curve to the right;

Thence run Southwesterly along said curve having a radius of 2830.95 feet, through a central angle of 06 degrees 21 minutes 38 seconds, for an arc distance of 314.28, feet more or less, to the northeasterly boundary of that parcel of land described in the instrument recorded in Official Records Book 222, Page 582 of said public records;

Thence leaving said northerly maintained right-of-way and run North 42 degrees 40 minutes 22 seconds West along the northeasterly boundary of said parcel described in Official Records Book 222,

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Page 582 of said public records 100.00 feet to the northeast corner of said parcel;

Thence run South 63 degrees 13 minutes 39 seconds West along the northerly boundary of said parcel 100.00 feet to the northwest corner of said parcel;

Thence run South 42 degrees 41 minutes 42 seconds East along the southwesterly boundary of said parcel 100.00 feet, more or less to the aforesaid northeasterly maintained right-of-way of State Road 30 (US Highway 98), said point lying on a curve concave Northwesterly;

Thence run Southwesterly along said curve having a radius of 2830.95 feet, through a central angle of 06 degrees 26 minutes 21 seconds, for an arc distance of 318.16 feet (the chord of said arc bears South 67 degrees 27 minutes 54 seconds West 317.99 feet);

Thence leaving said northerly maintained right-of-way and run North 29 degrees 22 minutes 41 seconds West 437.75 feet, more or less, to the southerly right-of-way of Kenneth B. Cope Avenue;

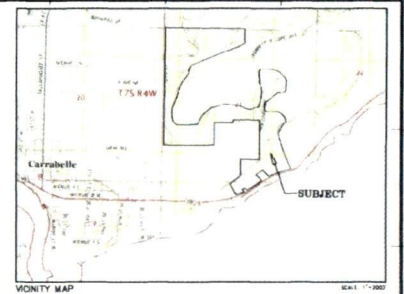
Thence run North 52 degrees 53 minutes 54 seconds East along said southerly right-of-way 426.23 feet to the POINT OF BEGINNING, containing 221.15 acres, more or less.

SURVEYOR'S CERTIFICATE

I hereby certify that this description meet the Standards for Surveying and Mapping as set forth by the Florida Board of Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

M. Kevin Mears
Professional Surveyor and Mapper
Florida License Number 5459
NOBLES CONSULTING GROUP, INC.
2844 Pablo Avenue
Tallahassee, Florida 32308
Office: 850-385-1179
Florida Licensed Business Number 3293

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



THIS IS NOT A BOUNDARY SURVEY
 THIS MAP COMPILED FROM INSTRUMENTS AND MAPS OF
 RECORD. ADDITIONAL RECORDS OR INSTRUMENTS
 INSTRUMENTS MAY EXIST AND COULD AFFECT THE
 BOUNDARY OF THE PARCELS DEPICTED.

SKETCH OF DESCRIPTION
CARRABELLE EAST VILLAGE

FOR
The ST JOE COMPANY
 Sections 21 and 28 Township 7 South, Range 4 West
 FRANKLIN COUNTY

SHEET 1 of 1

DATE	7-20-07	PROJECT NO.	070307
DRAWN BY	3812-200	DATE PLOTTED	08/09/2007
CHECKED BY	3812-200	DATE CHECKED	08/09/2007
SCALE	AS SHOWN	SCALE	AS SHOWN



SPR. MAP 83 (2007) FLORIDA NORTH
 100 100 0 300
 SCALE IN FEET 1"=300'
 SPR. AERIAL PHOTOGRAPHY FROM
 FLORIDA DEPARTMENT OF TRANSPORTATION
 OFFICE OF SURVEYING AND MAPPING