

6.05.16      C-1M - Marina District

A. Purpose: This district is designed to accommodate watercraft and limited commercial services and facilities oriented to users of docks, moorings and watercraft.

The marina district is intended to be utilized primarily for the docking, servicing, repairing, and storage of watercraft. Watercraft sales and rentals may also be accommodated in the district. However, major repair involving reconstruction or substantial alterations are not permitted within the district. The district is intended to accommodate a limited number of motel units and restaurants as an adjunct or accessory to the docking and storage of watercraft. The scale of such facilities should be directly proportional to the scale of the primary marine craft docking and storage facility. Community facilities and services, including appropriate utilities, are intended to be accommodated within the district. Bulk Regulations, Performance Standards and other site plan criteria shall regulate marine related activities to protect the public's general health, safety, and welfare. The County Planning and Zoning Division shall consider the rules and regulations governing the following areas in their planning and zoning processes:

1. Aquatic preserves;
2. Outstanding Florida Waters;
3. Class I Waters;
4. Marine Sanctuaries;
5. Estuarine Sanctuaries;
6. Areas approved or conditionally approved by Department of Natural Resources for shellfish harvesting;
7. Other highly productive or unique habitats as determined by Department of Natural Resources, based on vegetation or wildlife species; and
8. Areas designated on the Department of Community Affairs' Oil Spill Sensitivity Atlases as sensitive to oil spills.

B. Permitted Uses: In this district a building or premises may only be used for the following purposes:

1. Commercial activities limited to:
  - a. Marina activities as herein defined and including minor repair, servicing and routine maintenance of marine watercraft such as bottom cleaning and painting, and minor topside work only in an enclosed structure except where impractical. In addition, sale and rental of watercraft and accessories are

permitted. Rental watercraft may be kept in wet storage. All marina activities must conform to the following provisions:

- 1) There shall be no permanent docking within thirty (30) feet of fuel pumps or other fueling equipment.
  - 2) Except as provided in this section (below), there shall be no dry land storage of watercraft or trailers, except under a permanent roof. No watercraft shall be stacked upon the other except under a permanent roof. Parking facilities shall be provided on the basis of one (1) space for each (3) watercraft storage slots and, in addition, all other parking requirements and design specifications in Article 7 of this Ordinance shall be satisfied.
  - 3) All docks and structures erected over the water shall be on piers permitting the free flow of water; no bulkhead shall be permitted to extend in public water to such a distance as to interfere with navigation and commerce.
  - 4) No on-shore engine repair shall be allowed except in designated repair areas screened from the public view.
  - 5) No fish (except bait) shall be kept or sold.
  - 6) Facilities such as restaurants and bait-and-tackle shops shall be situated on uplands, except where the location of such facilities over public lands is found to be clearly in the public interest.
  - 7) Roofed dockage (which for emphasis does not include vertical walls) and wet storage of marine pleasure craft when roof does not exceed one-half of the total dockage area. Roofs over all slips in any marina shall be of uniform height not to exceed thirty-five (35) feet above mean high water line and shall only cover the end of the pier nearest shore.
  - 8) Major repairs such as construction or rebuilding of watercraft, installation of new bottoms or substantial structural additions or alterations are prohibited as these are industrial in nature.
  - 9) Storage of all motors not attached to watercraft shall be within buildings. Storage of watercraft on trailers, with or without outboard motors, shall be permitted only for sale or rental purposes without permanent roofing or screening. Trailers with or without watercraft thereon for sale, rental or repairs shall be located within a parking area screened from the public view by ornamental fence, wall or landscape enclosure not to exceed six (6) feet in height. Parking areas shall be approved through site plan approval process by the County Planning and Zoning Division.
- b. Restaurants which may include the serving of alcoholic beverages as allowed

by law but only as an accessory use to the restaurant. Lighted parking areas shall be designed in such a way so as not to pose a hazard to public streets or be offensive to adjacent properties.

2. Accessory uses or structures to any principal use permitted in the district and including, but not limited to, the following:
  - a. A mobile lift capable of lifting marine small craft and said lift to have a capacity not to exceed twenty (20) tons.
  - b. Storage of oil and fuel for servicing of craft in marinas. However, underground storage of gasoline or other fuel shall not exceed twenty-five thousand (25,000) gallons capacity.
  - c. Utilities which are incidental to principal use such as water lines and power lines for servicing watercraft and providing fire protection.
  - d. Motels when incidental to a principal use and limited to the provisions of a maximum of one (1) motel unit for every two (2) watercraft slips provided in the marina and only if all other regulations of the district are satisfied.

C. Conditional Uses: In this district, as a conditional use, a building or premises may be used only for the following purposes upon determination by the County Board of Adjustment (Zoning Review and Appeals Board) that the respective use complies with the site plan approval requirements listed in Section 4.04.00: recreation and park areas; public and private utilities and public facilities; commercial outdoor amusement activities; and recreational activities.

D. Site Plan Approval: Site plan review, as provided in Section 4.04.00, is required for all uses in this district.

E. Subdivision Conformance: Any land or lot within a plat or record (or not) on the effective date of this ordinance shall not be re-divided into two (2) or more lots unless the provisions of the Subdivision Regulations of Santa Rosa County, Florida (Section 4.03.00 et. seq.) have been met.

F. Density: The residential occupancy of marine craft in marinas is prohibited unless adequate on-shore sanitary facilities are provided in accordance with the locally adopted plumbing code. The use of marine sanitary facilities is prohibited. The adequacy of on-shore sanitary facilities shall be determined by the County Engineer.

G. Lot Size: A minimum land area of five (5) acres, with a minimum of two hundred fifty (250) feet on a navigable waterway and minimum street frontage of two hundred fifty (250) feet for marina facilities.

H. Building Height: No building shall exceed fifty (50) feet in height above the required minimum finished floor elevation, exclusive of chimneys, elevator shafts, air conditioning condensing units and cooling towers, except as provided for antennas in

Section 2.10.01.

I. Minimum Required Setbacks:

1. Setbacks Along Collector or Arterial Roads: The minimum required building setback along a collector or arterial road, as described in Section 4.04.03(D), shall be as follows:
  - a) Along a collector road, the minimum required building setback shall be twenty-five (25) feet.
  - b) Along an arterial road, the minimum required building setback shall be fifty (50) feet.

If any other setback requirement of this Code conflicts with the above requirements, the more restrictive requirement will apply.

2. Front Setback: Except as provided in Section 2.10.02, there shall be a front building setback having a depth of not less than twenty-five (25) feet.
3. Side Setback: There shall be a five (5) foot side building setback required for commercial uses, provided, however, that on any side of a lot which abuts a residential district, there shall be a side building setback equal to two (2) times the side yard required for the residential district which it abuts. See Section 2.10.04 for exceptions.
4. Rear Setback: There shall be no rear building setback required in this district for commercial uses except when a commercial use abuts a residential use, in which case there shall be a rear building setback of twenty-five (25) feet. See Section 2.10.03 for exceptions.

J. Performance Standards

1. Open Area/Landscaping: Every lot used in this district shall have a minimum of fifteen percent (15%) of the total parcel area set aside for open landscaped area. All landscaped areas shall be planted and maintained in lawn, sod or natural foliage. And, no part of any open area shall be used for driveways or parking area. Landscaping shall be provided in accordance with Article 7.
2. Off-Street Parking: Off-street parking spaces shall be provided in accordance with Article 7.
3. Adequate Uplands Access: Marina facilities shall have sufficient upland area to accommodate all needed utilities and marina support facilities. If insufficient uplands exist, or if significant sensitive natural systems would be damaged by siting of support facilities, adequate access to all needed facilities shall be provided. Preference will be given to facilities which provide parking areas

consisting of pervious materials.

4. Lighting: Exterior lighting is permitted in accordance with the requirements set forth in Article 7.
5. Fences and Walls: Fences and walls are permitted in accordance with the requirements set forth in Article 7.
6. Signage: Signage is permitted in accordance with the requirements set forth in Article 8 this ordinance.
7. Refuse Collection: Facilities for the collection and removal of solid wastes shall be provided in accordance with Article 7.
8. Adequate Traffic Capacity: Marinas shall be sited in locations where area and on-site roadways have the capacity to accommodate the projected vehicular traffic associated with the marina (see Article 5).
9. Sewage Capacity: All new marinas shall provide adequate capacity to handle sewage in accordance with state standards, either by means of on-site pump-out and treatment facilities or connection to a treatment plant. Marinas shall have available the above sewage facilities with the capacity to handle the anticipated volume of wastes. All marinas with fueling facilities shall provide pump-out facilities at each fuel dock. Commercial marinas and those which serve live-aboard or overnight transient traffic shall provide upland sewage facilities. Facilities of 100 slips or more shall provide permanent pump-out facilities.
10. Spill Containment: All marinas shall have the capability to respond to contain any spills of petroleum or other hazardous materials within the boundaries of the leased area.
11. Environmental Restoration: New docking facilities or existing leased facilities shall provide ways to improve, mitigate, or restore unacceptable environmental conditions or eliminate impacts caused by their proposed facilities. This may include shallowing dredged areas, restoring wetland or submerged vegetation, or making navigational channels.
12. Cultural Resource Protection: New docking facilities shall have no adverse impact on archaeological or historic properties as defined by the Florida Department of State.
13. Access Markers: Immediate access (ingress and egress) points shall be delineated by channel markers, indicating speed limits and any other applicable regulations.
14. Public Access: Preference will be given to facilities which will be open to the public on a "first come, first served" basis.
15. Erosion Prevention: On sites with historically erosion prone shorelines, marinas

shall ensure that appropriate shoreline protection measures (as determined by Department of Natural Resources and Department of Environmental Regulations) will be taken.

16. Hurricane Evacuation and Protection: Marinas should have the capacity to provide maximum practicable protection of the contents of the proposed premises from damage caused by wind and wave forces resulting from hurricanes. Structures shall comply with all applicable coastal construction codes. Marinas shall also have the ability to evacuate persons and vessels by area roadways (by documenting traffic capacities) and by area waterways.
17. Water Quality: Marinas shall maintain water quality standards as provided by Chapter 403, Florida Statutes.
18. Water Depth: Docking facilities shall be sited in locations having adequate water depths to accommodate the proposed boat use without disturbing bottom habitats.
19. Access/Dredging: Docking facilities should require minimal or no dredging or filling to provide access by canal, channel, or road: This restriction shall also apply to widening or deepening any existing canal or channel, but not to regular maintenance dredging and filling to meet depth standards of existing canals or channels. Preference will be given to marina sites with natural channels.