

TOWN OF CINCO BAYOU
"COUNCIL AS COMMITTEE"
March 10, 1977

- I. STREETS - Mr. Overstreet
- II. UTILITIES - Mr. Usrey
 1. Sewer Tap, Lot 12, Block 14.
- III. FINANCE - Mr. Peek
 1. Employee's Raises.
 2. Personnel Policy #1 - Pertaining to Annual Leave, Sick Leave & Paid Holidays.
- IV. PARKS, RECREATION, ENVIRONMENT & BEAUTIFICATION - Mrs. Balsley
- V. HEALTH, WATERFRONT & BAYOU - Mr. Johnston
 1. Francis Park.
- VI. GENERAL
 1. Zoning Ordinance Change - To allow Marinas in C-2.
 2. Barnett Bank's Anticipated Building.

ORDINANCE NO. _____

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ADOPTED AUGUST 3, 1964, BY THE TOWN OF CINCO BAYOU, FLORIDA, AS AMENDED, BEING AN ORDINANCE ESTABLISHING A ZONING PLAN WITHIN THE TOWN OF CINCO BAYOU, FLORIDA; CREATING THREE DISTRICTS, REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCES OR OTHER PURPOSES, THE HEIGHT AND SIZE OF STRUCTURES, THE SIZE OF OPEN SPACES FOR LIGHT AND VENTILATION; ADOPTING A MAP OF SAID DISTRICTS, DEFINING TERMS USED; PROVIDING FOR THE ADJUSTMENT, ENFORCEMENT AND AMENDMENT THEREOF, DESCRIBING PENALTIES FOR VIOLATIONS THEREOF; SAID AMENDING ORDINANCE ADDING TO SECTION 7, C-2 GENERAL COMMERCIAL DISTRICT, SUBSECTION (A) "USES PERMITTED", A NEW PARAGRAPH NUMBERED (13), PERMITTING, DEFINING AND REGULATING MARINAS AND ADDING TO SECTION 8, OFF-STREET PARKING AND LOADING REGULATIONS, SUBSECTION (B) OFF-STREET PARKING REQUIREMENTS, A NEW PARAGRAPH NUMBERED (16) PRESCRIBING PARKING REQUIREMENTS FOR MARINAS; SEVERING INVALID PORTIONS OF SAID AMENDING ORDINANCE; REPEALING ORDINANCES INCONSISTENT WITH SAID AMENDING ORDINANCE; AND PRESCRIBING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED by the Town Council of the Town of Cinco Bayou, Florida, as follows:

SECTION 1: Section 7, C-2 General Commercial District, subsection (a) "Uses permitted" of an ordinance enacted on the 3rd day of August, 1964, by the Town Council of the Town of Cinco Bayou, Florida, as previously amended, enumerates in paragraphs numbered (1) through (12), inclusive, uses permitted within such zoning district.

SECTION 2: Section 7, C-2 General Commercial District, subsection (a) "Uses Permitted" of the above-described ordinance is hereby amended to add the following paragraph numbered (13) and to read as follows:

"(13) Marina--defined as a boat basin with facilities providing dockage, supplies and provisions for small pleasure crafts and regulated as follows:

(A) Marina boat slips, docks, or mooring or dolphin poles shall not be constructed or erected in the Town to extend into Cinco Bayou more than one hundred and fifty feet (150') beyond the recorded property line. Such measurement shall commence from that point of property closest to the middle of the Cinco Bayou waterway. Permits for the erection of docks and slips shall be obtained from the Town and all applicable federal,

state and county agencies, including but not limited to the United States Corps of Engineers, Florida Department of Environmental Regulations, and the Okaloosa County Board of County Commissioners. Notwithstanding the requirements of subsection (B) of Section 6, all docks shall be erected so that a minimum distance of fifteen feet (15') setback zone shall be established between the property lines if extended into the waterway at the angle recorded in the plat of such property and the docks as erected. No boat shall be docked or moored so that its projection into the waterway would extend beyond such extended property lines or the one hundred and fifty feet (150') dock projection permitted above. Further, it shall be necessary that before a Town permit is issued to any person to construct a dock, the person shall certify that he either owns the land abutting the water upon which the dock will be constructed or produce written consent of the owner, be it an individual, corporation or governmental agency, to construct such dock in the waterway.

(B) Each individual boat slip shall contain four hundred and fifty (450) square feet of area, with each such slip limited to occupancy by one boat.

(C) In accordance with coastal plains flooding requirements, all finished floor elevations of buildings shall be eight feet (8') above the mean high water mark.

(D) No boat house or permanent or temporary covering shall be constructed or erected on the dockage premises, i. e. seaward of the mean high water mark.

(E) No building shall be constructed closer than thirty feet (30') landward of the mean high water mark.

(F) No dry storage buildings, marine rail facilities or commercial repair or manufacturing operations shall be constructed or conducted on the marina premises.

(G) Habitation on watercraft moored, docked or anchored in a marina is prohibited.

(H) All marinas where docks or slips or portions thereof are located more than one hundred fifty feet (150') from a public street providing access to such marinas shall be provided with approved fire hydrants connected to a water system capable of supplying the fire flow required by the fire official. The location and number of such hydrants shall be as designated by the fire official so as to have a hydrant available within five hundred feet (500') of any dock or slip.

There shall be installed and maintained in good repair 3-1/4 inch stand pipes connected to water mains to which shall be permanently affixed a hose no greater than one hundred feet (100') in length with a nozzle. Such hose shall be enclosed in a cabinet approved by the fire authority having jurisdiction and plainly marked "For Fire Only". A sufficient number of these stand pipe units shall be installed so that at least one nozzle will reach each boat slip.

(I) No advertising signs shall be erected on the dockage premises larger than 18" x 36" nor higher than five feet (5') above the dock floor.

(J) The owner of marina dockage premises destroyed by any casualty including acts of God shall be responsible for removing all debris from the waterway.

Periodic inspection of all marina docks shall be made by an appointed or contracted representative of the Town to insure that all docks are maintained in good condition. In the event any dock shall be found in an unsafe or unsatisfactory condition, the owner shall be notified in writing giving a period of thirty (30) days to correct the condition. If the condition has not been corrected in thirty (30) days, the Town shall have the power to remove the dock or cause it to be repaired and the owner assessed for the cost of such removal or repair."

SECTION 3:

Section 8, Off-Street Parking and Loading Regulations, subsection (B), Off-Street Parking Requirements of an ordinance enacted on the 3rd day of August, 1964, by the Town Council of the Town of Cinco Bayou, Florida, as previously amended,

enumerates in paragraphs numbered (1) through (15), inclusive, certain parking requirements for designated structures.

SECTION 4:

Section 8, Off-Street Parking and Loading Regulations, subsection (B) Off-Street Parking Requirements of the above-described ordinance is hereby amended to add the following paragraph numbered (16) and to read as follows:

"(16) Marinas, the space requirements provided in paragraph (6) plus one (1) space for each boat slip and one (1) space for every five (5) employees. Notwithstanding the minimum net area requirements of subsection (A), for this paragraph the minimum net area of Three Hundred (300) square feet of appropriate dimensions and not less than nine feet (9') in width for the parking of an automobile. "

SECTION 5: Should any section, clause or provision of this ordinance be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: This ordinance shall become effective immediately upon its passage and approval of the Mayor.

ADOPTED: _____

APPROVED:

Mayor

ATTEST:

Town Clerk