

ORDINANCE 2015-1

AN ORDINANCE OF THE TOWN OF ST. LUCIE VILLAGE, FLORIDA, AMENDING AND CLARIFYING SECTION 3.2.4, TITLED "MARINE COMMERCIAL (MC) DISTRICT", OF THE 1995 ZONING ORDINANCE OF THE TOWN OF ST. LUCIE VILLAGE, FLORIDA, INCLUDING THE USES PERMITTED AND PROHIBITED THEREBY, AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, the Village Marina ("the Village Marina" or "the marina") is located on the Indian River at Torpey Road and has existed in St. Lucie Village since approximately 1975; and

WHEREAS, the Village Marina is surrounded by residentially zoned districts and is adjacent to existing residences within the Town of St. Lucie Village; and

WHEREAS, prior to the adoption of Ordinance 88-4, the Town of St. Lucie Village and the owners of the Village Marina had a number of agreements to insure that the operation of the marina was compatible with the residential use of the adjacent properties; and

WHEREAS, the Board of Aldermen adopted Ordinance 88-4 on June 21, 1988 in order to codify those agreements and define the use and operation of the marina facilities to insure that continued operation of the marina would be compatible with the residential use of adjacent properties; and

WHEREAS, the 1995 Zoning Ordinance, adopted pursuant to Ordinance 95-3 and originally amended pursuant to Ordinance 96-3, incorporated similar provisions in Section 3.2.4 and established a zoning district pertaining to the Village Marina, that is the Marine Commercial (MC) District; and

WHEREAS, the Zoning Ordinance of the Town of St. Lucie Village, Florida, was subsequently amended pursuant to Ordinances 2005-1, 2006-11, 2012-3, 2012-4 and 2013-8;

WHEREAS, issues have arisen periodically concerning the operation of the Village Marina, including those which were addressed in the adoption of Resolution 2002-1; and

WHEREAS, it has become apparent that there are provisions in Section 3.2.4 of the Zoning Ordinance which could benefit from clarification and that there are other issues, which have not been addressed in the ordinance, which should be addressed; and

WHEREAS, the Board of Aldermen desires to revise Section 3.2.4 in order to amend and clarify the operational parameters of the Village Marina and insure that the continued operation of the marina facilities will be compatible with residential use and zoning of adjacent properties; and

WHEREAS, the ordinance has been preceded by the meetings/hearings and advertising required by law.

NOW, THEREFORE, the Board of Aldermen of the Town of St. Lucie Village, Florida hereby ordains:

1. That the text of Section 3.2.4 of the St. Lucie Village Zoning Ordinance is hereby amended to read as follows:

**Section 3.2.4 Marine Commercial (MC) District**

(A) Intent.

The intent of the MC district is to provide an area for commercial uses which provide limited goods and services for the recreational boating needs of Village residents.

- (1) There shall be no increase in the size, operation or scope of services offered at the existing marina facilities.

(B) Restrictions.

- (1) Docking and storage of marine craft at the marina facilities shall be limited as follows:

- (a) pleasure craft only shall utilize the marina facilities. There shall be no utilization of the facilities by any type of commercial marine craft except that such craft may be launched and recovered at the boat ramp.

- ~~(b) no marine craft larger than 35 feet shall utilize the marina facilities.~~

- (be) there shall be no enlargement of the marina basin except with approval of the Board of Aldermen after public hearing and obtaining approval and/or permits from any required local, state or federal agencies. There shall be no additional dredging and filling of the existing marina property except for periodic maintenance of the existing facilities.

- (ce) no more than 41 boat slips shall be maintained at the marina and no more than 41 boats shall be docked or stored in the water at the marina at any one time.

- (2) There shall be no commercial retail sales on the marinae property except that the marina operator may maintain an ice vending machine and a soda vending machine at the location of the boat ramp.

- (3) There shall be no major maintenance, repair or restoration of marine craft on the marina property. Minor or routine maintenance, repair or restoration is permitted by boat owners and outside contractors, provided that it takes place (a) in the owner's boat slip or in the portion of the marina property lying east of Hagan Drive and west of the boat ramp

(hereinafter, "the boat storage area"), and (b) during the hours from 8:00 a.m. to 6:00 p.m.

Major maintenance, repair or restoration includes grinding, blasting, scraping, sanding or painting of marine craft, and removing or overhauling engines.

Minor maintenance, repair or restoration includes pressure cleaning, changing spark plugs, minor engine repairs and tune-ups, removing lower units, canvas work, and electronics work.

(4) Sale or storage of fuel or lubricants is not permitted.

(53) Out-of-the-water storage of marine craft shall be limited to the boat storage area; and, all stored marine craft must be stored on trailers. no more than twenty marine craft at any one time stored on trailers.

(64) In the event that any heavy mechanical equipment is utilized at the marina facilities, such equipment shall only be operated The boat ramp and boat slips may, subject to the limitations in paragraph 3 above, be used at any time of day (24 hours a day) but, absent extraordinary circumstances, marina operations, including mowing, pressure cleaning the facilities, using other power equipment, moving boats/trailers, other maintenance and any construction, shall take place only between the hours of 8:00 a.m. and 6:00 p.m. daily (hereinafter "regular business hours").

(75) Any plan to modify, improve or alter the marina facilities shall be subject to administrative review.

(86) No person shall be permitted to live or reside on any marine craft within the marina facility.

(9) Lighting on the marina property shall be shielded so as to minimize illumination outside the marina property to the extent practical.

(10) The marina's dumpster and port-o-let shall be located north of the pump house location, or a minimum of 50 feet north of the marina's southern property boundary. Foam stripping or a slow-closing device shall be utilized on the port-o-let door to reduce noise to the extent practical.

(11) The marina property may not be rented for events, such as weddings or parties. This does not limit the marina owner from permitting, without charge, family, friends or others to have such events or use the property during regular business hours.

(127) The requirements of this Ordinance shall be in addition to any other Ordinances or Resolutions previously adopted by the Town of St. Lucie Village.

(C) Permitted Uses.

Uses permitted within this district are identified in **Section 3.5.0.**

(D) Accessory Uses.

Accessory uses and accessory use regulations are identified in **Section 3.5.0.**

(E) Reversion to R-1 District

Because the MC District is established to acknowledge an existing use and because the existence of this district is inconsistent with the overall zoning plan of having all property east of the Florida

East Coast Railway zoned residential, the MC district will revert to an R-1 district in the event that its use as a marina is discontinued for a period of 12 months.

2. This ordinance shall become effective immediately upon passage or as soon thereafter as is permissible by law.

3. Except as amended hereby, the St. Lucie Village Zoning Ordinance as adopted by Ordinance 95-3, and subsequently amended, shall remain in full force and effect.

PASSED AND APPROVED by the Board of Aldermen of the Town of St. Lucie Village on this 16<sup>th</sup> day of June, 2015.



APPROVED:  
BOARD OF ALDERMEN OF THE TOWN OF  
ST. LUCIE VILLAGE, FLORIDA

By: William G. Thiess  
William G. Thiess, Mayor

ATTESTED:  
By: Diane C. Orme  
Diane C. Orme, Clerk

I, DIANE C. ORME, Clerk of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, do hereby certify that this is a true and accurate copy of Ordinance 2015-1 which was duly introduced, read and adopted at the regular meeting of the Board of Aldermen of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, held this 16<sup>th</sup> day of June, 2015.

Diane C. Orme  
DIANE C. ORME, CLERK