

AN ORDINANCE REGULATING RESIDENTIAL DOCK AND PIER CONSTRUCTION IN FRANKLIN COUNTY, FLORIDA.

ORDINANCE NO. 2004- 17A

WHEREAS, the Franklin County Board of County Commissioners is concerned with the impact residential docks and piers are having on the traditional uses along the shore; and

WHEREAS, the Franklin County Board of County Commissioners recognizes the need for local regulations governing private residential dock and pier construction; and

NOW, THEREFORE, BE IT ORDAINED by the Franklin County Board of County Commissioners that the following definitions, site plan requirements, and construction standards shall govern both private dock and pier construction:

A. DEFINITIONS:

- 1 - DOCK: a fixed or floating structure in, on, or over submerged lands, including moorings used for the purpose of berthing buoyant vessels. Docks for single family use may moor no more than 2 vessels which are used for private recreational or leisure purposes. Docks shared by two single family residences can provide moorings for no more than four vessels. Multi-family residential docks can be built for the use of three or more single family dwelling units whose owners hold riparian rights. Owners must have recorded documentation of easement across the entire shoreline of each parcel that gives each of the involved riparian rights owners' access across the shoreline and a recorded agreement that no other docks can be built on these parcels. A multi-family dock can provide mooring for no more than two vessels per dwelling unit.
- 2 - PIER: a structure in, on, or over submerged lands which is used for fishing, swimming, or observation and has no facilities for mooring of vessels. A pier shall not include a dock. A sign stating, "No Docking Facility" shall be posted on both sides of the pier.

B. SITE PLAN REQUIREMENTS:

1. Docks built on canals are permitted to be no larger than 25% of the width of the canal including the boat mooring site.
2. The lot for the dock or pier must be large enough to accommodate a single family dwelling; or be a lot separated from the single family dwelling by a right-of-way and owned by the same owner; or the lot may be eligible for a variance from the Board of Adjustment if a hardship exists.
- 3 - No dry dock facilities, gasoline or fuel pumps are allowed on a residential lot other than boat lifts connected to a dock.
- 4 - Boat ramps may be allowed so long as the property contains adequate size for the parking of trailers on the property. No commercial boat docking or launching allowed.

5 - No parking of vehicles is allowed within the Critical Habitat Zone, which is the first 50 feet from mean high water.

6 - The lot must be kept in natural vegetation within the Critical Habitat Zone.

C. CONSTRUCTION STANDARDS:

1 - Comply with the permitting requirements for all other governmental agencies having jurisdiction over the project. (Evidence of an exemption from such compliance must be furnished by the homeowner before approval can be granted.)

2 - Be elevated a minimum of five (5) feet above mean high water, except that the terminal platform may be lower at the owner's discretion. This requirement shall not apply to docks running parallel to the shoreline provided they extend no further than 25 feet from the edge of the water. (*This will allow pedestrians to cross under the dock at the water's edge).

3 - Be constructed on pilings set a minimum of eight (8) feet apart center to center.

4 - No dusk to dawn lights. Must be able to switch off or on by motion detector, or be activated by a 3-way switch.

5 - Lights limited to one on the terminal platform and one on the landward end of the dock or pier, and one every 100 feet between the terminal platform and the landward end of the dock, except where a hardship exists.

6 - All lights must be downward directed and have adequate shielding to prevent light trespass and minimize light pollution from light scatter.

7 - Type and location of fixtures must be included on diagram of dock or pier and submitted with permit application.


8 - Must have amber colored night time reflectors set at a minimum of one at each side in the middle and one at each side of the terminal.

9 - Application for a dock or pier must contain a survey prepared by a professional surveyor which indicates riparian rights, unless the dock is built at least 25 feet from existing property lines.


10. Existing docks are required, within 180 days of enactment of this ordinance, to comply with Sections (C) 4, 5, 6, and 8.

This Ordinance adopted in open regular meeting this 18 day of May, 2004, after such notice of intent to consider such an Ordinance has been made and kept in the Ordinance book of the Clerk for the Board for at least 15 days exclusive of Sundays and legal holidays, and the title and substance hereof published according to law in the Apalachicola Times, a newspaper of general circulation within the county.

THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, FLORIDA

BY: 
Cheryl Sanders, Chairman

ATTEST:


Kendall Wade, Clerk