

ORDINANCE NO. 2018- 02

**AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA, CREATING THE ST. GEORGE ISLAND CORRIDOR OVERLAY DISTRICT FOR PROPERTY LOCATED WITHIN A 2,100-FOOT RADIUS OF THE CENTER POINT OF THE INTERSECTION OF FRANKLIN BOULEVARD AND GULF BEACH DRIVE, ON ST. GEORGE ISLAND, FLORIDA, AS DESCRIBED IN PLAT BOOK 2, PAGE 7, FRANKLIN COUNTY, FLORIDA, EXCLUDING THE AREA EAST OF THE EAST BOUNDARY OF THIRD STREET EAST AND WEST OF THE WEST BOUNDARY OF THIRD STREET WEST; PROVIDING FOR EXEMPTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, FLORIDA:**

**SECTION 1: AUTHORITY.**

The authority for the enactment of this Ordinance is Chapter 125, *Florida Statutes*, and Franklin County's Home Rule powers.

**SECTION 2: FINDINGS OF FACTS.**

WHEREAS, the County Commission of Franklin County, Florida ("County Commission"), is required to protect the public health, safety, and welfare; and

WHEREAS, the County Commission desires to establish on St. George Island, Florida, a St. George Island Corridor Overlay District for the business district which is, in general terms, bounded on the East by 3rd Street East, and on the West by 3rd Street West, with the North boundary being Apalachicola Bay and the South Boundary being the Beach, all as shown on a plat recorded in Plat Book 2, Page 7, Franklin County, Florida, excluding the area east of the east boundary of Third Street East and west of the west boundary of Third Street West, and also excluding all property therein which is publicly owned; and

WHEREAS, the County Commission's intent in establishing the St. George Island Corridor Overlay District is to welcome existing and future residents and visitors to St. George Island, Florida, and to promote the Island as a unique, attractive, vibrant, and economically prosperous community; and

WHEREAS, the County Commission finds that the establishment of the St. George Island Corridor Overlay District is necessary to protect the unique character of the Island and the reasonable development expectations of property owners; and

WHEREAS, the County Commission desires to exempt from the St. George Island Corridor Overlay District all properties that are publicly owned lands; and

WHEREAS, for purposes of this Ordinance, the phrase “publicly owned lands” shall mean all lands the title to which is vested in, or dedicated to, Franklin County, a political subdivision of the state, the State of Florida, or the United States of America; and

WHEREAS, it is the intent of the County Commission to prohibit development and/or uses that are inconsistent with the purpose of the St. George Island Corridor Overlay District, and, thereby, undermine the County’s ability to “promote St. George Island, Florida, as a unique, attractive, vibrant, and economically prosperous community”; and

WHEREAS, the County Commission finds that the creation of the St. George Island Corridor Overlay District is appropriate to protect the health, safety, and general welfare of the existing and future residents and visitors to St. George Island, Florida; and

WHEREAS, the County Commission finds that the creation of the St. George Island Corridor Overlay District is consistent with the County’s Comprehensive Plan; and

WHEREAS, the County Commission intends that, in the event of a conflict between the terms of the St. George Island Corridor Overlay District and any other provision of the Franklin County Zoning Code, the terms of the St. George Island Corridor Overlay District shall prevail.

NOW, THEREFORE, BE IT ORDAINED by the County Commission of Franklin County, Florida, that the County hereby:

1. Incorporates all of the preamble and findings into this Ordinance.
2. Creates the St. George Island Corridor Overlay District for properties located within the area described as follows:

ALL PROPERTY LOCATED WITHIN A 2,100-FOOT RADIUS OF THE CENTER POINT OF THE INTERSECTION OF FRANKLIN BOULEVARD AND GULF BEACH DRIVE, ON ST. GEORGE ISLAND, FLORIDA, AS DESCRIBED IN PLAT BOOK 2, PAGE 7, FRANKLIN COUNTY, FLORIDA, EXCLUDING THE AREA EAST OF THE EAST BOUNDARY OF THIRD STREET EAST AND WEST OF THE WEST BOUNDARY OF THIRD STREET WEST; AND ALSO EXCLUDING PUBLICLY OWNED LANDS.

SEE THE ATTACHED MAP ILLUSTRATING THIS AREA. IN THE EVENT

OF A CONFLICT, THE LEGAL DESCRIPTION SHALL PREVAIL OVER THE ILLUSTRATION.

**SECTION 3: SUPPLEMENTAL REGULATIONS FOR SPECIAL DISTRICT S-6 -- THE ST. GEORGE ISLAND CORRIDOR OVERLAY DISTRICT.**

S-6 -- THE ST. GEORGE ISLAND CORRIDOR OVERLAY DISTRICT

DISTRICT INTENT: To promote St. George Island, Florida, as a unique, attractive, vibrant, and economically prosperous community, and to further regulate commercial development for property located within the St. George Island Corridor Overlay District.

PERMITTED USES AND STRUCTURES

PRINCIPAL:

1. All uses permitted or permitted as special uses in any underlying zoning district over which the St. George Island Corridor Overlay District is applied.

ACCESSORY

1. Uses of land customarily incidental and subordinate to one of the permitted principal uses, unless otherwise prohibited.
2. Fire stations.

PROHIBITED USES AND STRUCTURES:

1. All uses not expressly or provisionally permitted herein.
2. Automotive and engine repair within one thousand (1,000) feet of any body of water one (1) acre or larger.
3. Adult Entertainment.
4. Tattoo Parlors.
5. Hookah bar or lounge.
6. Adult sex toy shop.
7. Recreational vehicle parking and camping (limited stay facilities).
8. Fish Camps.
9. Billboards and signs which are larger than ten (10) feet long by five (5) feet high.
10. Telecommunication towers.
11. Commercial boat storage. This includes, but is not necessarily limited to, prohibiting commercial storage of a boat within an enclosed structure (commonly referred to as "dry stack storage"), storage underneath an open structure with a roof, and storage without a roof. The prohibition of commercial boat storage shall include, but not necessarily be limited to, the storage of a boat by any person, partnership, corporation, or other legal entity which, for another and for

compensation or other valuable consideration, rents or sales, or advertises for rent or sale, space used for the storage of a boat.

12. Commercial and non-commercial storage of boats and boat trailers on unimproved land.
13. Commercial and non-commercial storage of boats on the ground and not on a road ready boat trailer.
14. Businesses which operate inflatable bounce houses, inflatable combos, inflatable water slides, inflatable dry slides, inflatable obstacle course, inflatable ball pits, inflatable basketball games, climbing walls, bowling games, ring toss games, fish bowl games, target shooting games, dart throwing games, and all similar games and inflatables.
15. Mechanical carnival rides.
16. Massage parlors.
17. Single-family residential development on the first floor of a structure.

SPECIAL EXCEPTIONS: After public notice and hearing, and imposition of appropriate conditions and safeguards, the Board of Adjustment may permit as special exceptions:

1. Hotels, motels, and time-sharing vacation units (high impact over 50 units) subject to review as provided by Section 301.06 of zoning ordinance.
2. Churches and community houses.
3. Public utility uses that fit on a single lot, specifically limited to electrical substations, sewer lift stations, and potable water chlorination stations and pump stations.

#### GENERAL DEVELOPMENT STANDARDS

1. All development standards established by any underlying zoning district shall also apply if that district is subject to the St. George Island Corridor Overlay District, unless alternative standards are provided herein.
2. Properties within the St. George Island Corridor Overlay District shall also be subject to any additional development standards provided herein.
3. In the event of a conflict between the development standards of any underlying zoning district and the St. George Island Corridor Overlay District, the terms of the St. George Island Corridor Overlay District shall control and apply.
4. The requirements of the St. George Island Corridor Overlay District shall apply only to:  
(a) new development; and (b) an expansion or modification of an existing structure.

#### OVERLAY DEVELOPMENT STANDARDS

1. Building Orientation: All primary structures shall face the front of the lot on which they are located. No loading docks, overhead service doors, or trash collection bins may be placed on or adjacent to any façade which faces a public street. The front of a lot which is a corner lot shall be the narrower lot line abutting a public street.
2. Outdoor Storage, Truck Dock, Mechanical Equipment, and Waste Containers: Outdoor

storage of unfinished products or supplies shall be prohibited. All outdoor storage of finished products and materials for sale, all trash and recycling containers and materials, all truck docks, and all mechanical equipment shall be completely enclosed on all sides at ground level by a fence or a wall constructed of similar materials as the primary structure on the lot; as follows:

- a. Stored materials, seasonal and other outdoor sales areas, mechanical equipment, and waste containers located on the ground shall be enclosed on all sides at ground level by a fence or wall constructed of similar materials as the primary structure on the lot.
    - i. The enclosure shall not exceed eight (8) feet in height.
    - ii. No stored products or waste containers or material may exceed the height of the enclosure.
    - iii. An opaque wooden gate, painted consistent with the main color of the primary structure on the lot, shall be provided at all access points to the enclosed area.
  - b. Mechanical equipment located on the roof shall be screened by a parapet or other building feature, provided that the top of the parapet shall not exceed the height limitation.
  - c. No area for the storage of waste materials shall be located within twenty (20) feet of any public street, right-of-way, or public sidewalk.
  - d. All truck docks shall be screened from view from all public areas, including parking lots and public streets. The screening enclosure shall consist of a fence or wall constructed of similar materials as the exterior of the primary structure on the lot.
3. Landscaping: Landscaping shall be provided: (a) along the perimeter of all parking areas, which include five (5) or more parking spaces; (b) along the perimeter of the property; and (c) within three (3) feet of the primary structure located on the lot. The landscaping shall be five (5) feet in width and shall provide coverage for at least 70% of the perimeter of the parking lot, the perimeter of the property, and the primary structure on the lot, respectively. Shrubs and hedges shall be a minimum of two (2) feet in height when measured immediately after planting. Such landscaping shall utilize plants and trees approved by the Florida Friendly Landscaping Guide to Plant Selection and Landscape Design only. The planting of any plants and trees not approved by such Guide shall be prohibited.
4. Lighting: Lighting shall be designed to reduce light pollution while providing the minimum light necessary for safety and security of pedestrian traffic, vehicular traffic, and customers. Lighting may not exceed fifteen (15) feet in height and shall be shielded downward.
5. Signage: Except as permitted by a special use permit issued by the Franklin County Board of County Commissioners, no directory signs may be placed into the right-of-way of any County road. Animated signs are prohibited. No more than one (1) illuminated sign is allowed on a commercially developed lot which has at least one walled and roofed structure in use and an ongoing lawful business concern. Signs are not allowed on undeveloped commercial lots.

6. Grade: Alteration of the natural grade of the lot shall be governed by the Franklin County Flood Control Ordinance (#2013-04)
7. Non-Commercial Boat Storage: A maximum of two boats on road ready boat trailers may be allowed on an improved parcel of land which is a deed of record as of February 20, 2018. Regardless of the number of lots described in a deed of record or the number of owners, no more than two boats on road ready boat trailers may be stored, parked or placed on a parcel of improved land which is described in a deed of record. Future subdivision of a deed of record shall not increase the number of boats which may be stored on an improved parcel of land which is a deed of record. A deed of record shall be defined as land described in a deed recorded in the official records of Franklin County, Florida, as of February 20, 2018.
8. Single-Family Residential Use. Single-family residential use is allowed, provided that it shall not be allowed on the first floor of any structure and any structure including single family residential use shall be required to have a first floor that shall be exclusively for commercial uses.

**SECTION 4: SEVERABILITY.**

If any section, phrase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.


**SECTION 5: EFFECTIVE DATE.**

This Ordinance shall take effect as provided by law.

Passed on Second Reading the 20<sup>th</sup> day of February, 2018.

PASSED and ADOPTED, in regular session, with a quorum present and voting, by the County Commission, upon second and final reading this 20th day of February, 2018.

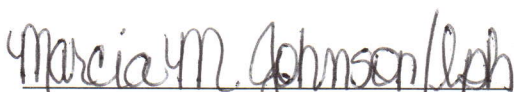
FRANKLIN COUNTY, a political  
subdivision of the State of Florida

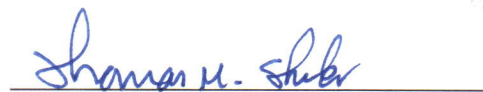
  
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Joseph A. Parrish, Chairman



ATTEST:

APPROVED AS TO FORM

  
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Marcia M. Johnson, Clerk

  
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Thomas M. Shuler, County Attorney

