

2012-R-010

Project Name:	n/a
Applicant and/or Property Owner:	Kelly Seay
Representative:	n/a
Existing Zoning:	C-1M (Marina District)
Requested Zoning:	P-2 (Public Park District)
Existing FLUM:	Marina
Requested FLUM:	No Change
Zoning Board Recommendation	Approval with a vote of 8 – 0



## STAFF ANALYSIS

### Part I. General Information:

<b>Applicant:</b>	Kelly Seay
<b>Representative:</b>	n/a
<b>Project Location:</b>	4109 Driskell Road
<b>Parcel Number:</b>	<b>19-1N-27-0000-03606-0000</b>
<b>Parcel Size:</b>	<b>1.00 (+/-)</b>
<b>Purpose:</b>	RV park and marina
<b>Requested Action:</b>	Amendment of the Land Development Code Official Zoning Map changing the zoning district <b>from C-1M (Marina District) to P-2 (Active Park District)</b> .

**Existing Zoning Description:** 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.

Density: Maximum allowable density is not addressed per se; however, it is limited to the residential occupancy of marine craft where adequate on-shore sanitary facilities are provided in accordance with the plumbing requirements within the Florida Building Code.

**Proposed Zoning Description:** P-2 Park (Active Park District) is intended for lands used for active recreational functions. These districts are also intended for outdoor sports and recreational activities in which the participants are actively engaged but which may also provide entertainment for spectators.

Density: Maximum allowable density is not addressed per se; permanent residential uses are not allowed within this district.

**Proposed FLUM:** No change

**Current Use of Land:** Non-conforming RV park

**Surrounding Zoning:** The subject property is bounded by R-2M (Medium Density Mixed Residential) on the north, east, and west with R-1 (Single Family Residential) approximately 200 feet east. The subject property is located on Blackwater Bay.

**Rezoning History:** In 06/2003 (2003-R-023), .253 acres of a 4.158 acre parcel was zoned from R-1 (Single Family Residential District) to R-1M (Mixed Residential Subdivision District) approximately 500 feet northeast of the subject property.

## **Part II. Data and Analysis (Consistency with the Santa Rosa County Comprehensive Plan):**

### **A. Infrastructure Availability:**

#### **(1) Potable Water:**

Potable water in the general vicinity is serviced by the East Milton Water.

#### **(2) Sanitary Sewer:**

Sanitary sewer is not available at this location. The applicant indicates that sewer will be handled by private septic tanks (subject to required permits from the County Health Department).

#### **(3) Solid Waste:**

Although a private hauler will likely be used to transport solid waster material from the site, the applicant has not indicated how the solid waste will be disposed of. The County has adequate solid waste capacity for the next 75 years.

#### **(4) Parks, Recreation and Open Space:**

A rezoning to P-2 will not increase demand on recreation facilities.

**B. Compatibility:**

Policy 5.1.C.8 of the Comprehensive Plan states:

*“the County shall continue to utilize the Future Land Use Map amendment, rezoning, conditional use and special exception approval process to assure that new proposed land uses are compatible with existing residential uses, and will not significantly contribute to the degradation of residential neighborhoods.”*

The site is bounded by R-2M (Medium Density Mixed Residential District) on the north, east, and west. R-1 (Single Family Residential District) is approximately 200 feet to the east. The subject property is located directly on Blackwater Bay.

The site has been a non-conforming RV park. The applicant is seeking the rezoning request to allow the continued use and upgrades to the site.

**C. Suitability:**

Policy 3.1.E.6 of the Comprehensive Plan states:

*“the County shall use the latest version of the Flood Damage Prevention Ordinance promulgated by the FEMA to determine the location of the 100-year floodplain and flood prone areas and development shall be limited in those areas, consistent with FEMA requirements.”*

The property is located within a FEMA Zone AE 9 BFE and VE 12BFE. New development shall comply with current FEMA and Florida Building Code construction standards and will be limited in flood prone areas to ensure compliance with this policy and all applicable regulations.

Policy 3.1.A.2 of the Comprehensive Plan states:

*“the maximum densities and intensities permitted on a given parcel of land shall be based upon the suitability of topography and soil types for septic drainfield systems, potable water wells, and ability to physically support buildings and improvements, as determined by the Santa Rosa County Soils Map, the Department of Health, DEP, COE, and appropriate engineering manuals, in the review of proposed development projects.”*

The National Wetlands Inventory Map indicates there are limited wetlands on this site; however, the applicant has indicated the proposed development will not impact these wetlands.

**D. Urban Sprawl**

Policy 3.1.G.4 of the Comprehensive Plan states:

*“no future land use category may be changed and no rezoning may be approved unless a finding is made that the change in land use or land use classification or zoning category*

*will promote compact development and discourage urban sprawl. The Santa Rosa County Board of County Commissioners shall be responsible for making such finding upon receipt of a report from the LPA.”*

This rezoning application would not result in a finding of urban sprawl under the proposed P-2 (Active Park District) zoning classification. The request is, therefore, consistent with this policy.

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