Jacksonville Waterways Commission

Downtown River and Waterfront Activation Task Force

Agenda

Conference Room A 4th Floor, City Hall Wednesday, February 28, 2018

9:00 A.M.

Jed Davis, Chair

Jake Gordon

Christian Harden

John Ream

Brian Shell

Ryan Tiedeberg Hensel

Philip Zamarron, Legislative Assistant

Paige Johnston, Office of General Counsel

Brian Burket, Jax Waterfront Project Manager

Bob Skalitzky, Chief, Natural & Marine Resources

Jim Suber, Dockmaster

Visiting JWW Commissioners:

CM Lori Boyer

Matt Brockelman

Meeting Convened: A.M. 900 Meeting Adjourned: A.M. 1000

If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting, such person will need a record of the proceedings, and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

PARKING: If you park in the Library Garage (Entry on Duval St, W of Main St), Please see the Council Receptionist for ticket validation.

- 1. Welcome, Introductions and opening comments
- 2. CM Boyer General Update on activities of the JWC
- 3. Discussion of CM Boyer's Waterways Activation Presentation
- 4. Brief Discussion of Planning & Development Department 2030 Comprehensive Plan Major Issues Committee
- 5. Past meeting task assignment reports
- 6. Next Steps
- 7. Adjournment

Attendance:



St. John's River & Its Tributaries

Issue Summary: The St. Johns River is an important asset and there needs to be a greater focus on development and its effects on the river.

Ordinance Code Changes:

1. Adopt an ordinance creating an "all-county" riverfront zoning overlay to provide guidelines for waterfront development that incorporate both criteria for public access and riverfront design. The zoning overlay should be administered by the City's Planning Department with input from the Jacksonville Waterways Commission.

The zoning overlay should:

- a. Extend at least 500 feet from the river's edge and be made a part of the City's Comprehensive Land Use Plan;
- b. Increase the amount of permanently set-aside general public access spaces;
- c. Identify the transportation needs (pedestrian, bicycle, and vehicular) for those public access areas:
- d. Determine appropriate setbacks for distance from the river;
- e. Provide criteria to protect, preserve, and encourage recreational water dependent activities;
- f. Outline design elements that respect the natural environment in harmony with their riverfront surroundings (via landscape architecture and amenities);
- g. Incorporate restrictions provided in the Manatee Protection Plan as a basis for identifying critical riverfront issues;
- h. Coordinate with existing zoning overlays; and
- i. Coordinate with existing land use development plans and orders.
- 2. Adopt an ordinance directing the Downtown Investment Authority to implement the "Celebrating the River" downtown master plan, particularly the elements that affect the St. John's River and its tributaries, so as to revitalize McCoy's and Hogan's Creeks, provide critical links to downtown's "Emerald Necklace," and expand the amount and type of public access and recreational opportunities available along the river system.

<u>DISCUSSION TOPIC: ST JOHNS RIVER & ITS TRIBUTARIES (BPII)</u> 2030 COMPREHENSIVE PLAN POLICES AND REGULATORY FRAMEWORK

St. John's River & Its Tributaries

Issue Summary: The St. Johns River is an important asset and there needs to be a greater focus on development and its effects on the river.

2030 Comprehensive Plan

RECREATION AND OPEN SPACE ELEMENT

GOAL 4

Capitalize on the scenic and recreational quality of the St. Johns River and its tributaries, the Atlantic Ocean, the Intracoastal Waterway and other significant bodies of water in Duval County.

Objective 4.1

The City shall provide greater public accessibility to the St. Johns River and develop appropriate recreational uses of its shorelines.

Policy 4.1.1

The City, through the Recreation and Community Services Department, will maintain a plan for the acquisition of acreage along the St. Johns River and its major navigable tributaries for public recreational use to accommodate the growing population and its desire to enjoy the river.

Policy 4.1.2

The City's Land Development Regulations shall include site design standards for new and redeveloped areas bordering major waterways in order to provide waterfront areas for recreational use and increase public access.

Policy 4.1.4

The City shall encourage new and protect existing public access to the St. Johns River in the Downtown Zoning Overlay district.

Policy 4.1.5

The City shall promote public use and enjoyment of the St. Johns River through the coordination of the Recreation and Community Services, Downtown Vision Inc., the Office of Economic Development (OED), the Downtown Investment Authority (DIA) and other public and private agencies to provide special events focusing on the river.

Objective 4.2

The City shall increase the number of public boating and fishing facilities along the St. Johns River and its tributaries.

Policy 4.2.1

New boat ramps constructed by the City shall include multiple ramps, adequate parking areas, lighting, restrooms, and drinking water and launch preparation areas with clear overhead for masted vessels.

Policy 4.2.2

The Recreation and Community Services Department shall continuously examine all proposed and existing bridge crossings for inclusion of major boat ramps, either under or adjacent to the structure, and fishing catwalks along the span.

Policy 4.2.4

The Recreation and Community Services Department, shall evaluate the desirability of fishing piers in existing as well as all future waterfront parks.

Policy 4.2.5

The Recreation and Community Services Department shall utilize the Future Opportunities, Continuous Upgrade Strategy (FOCUS) plan to identify land and prioritize waterfront locations for the development of boat ramps, buffer zones and/or public access to the St. Johns River and its tributaries.

Policy 4.2.6

The City shall apply for grants to maximize city funding which allow for the acquisition, development, expansion, or renovation of water access parks and preserves.

TRANSPORTATION ELEMENT

Policy 1.7.10

The South Bank District is located south of the river and north of Interstate 95. The District has the second highest concentration of employment, exceeded only by the Central Civic Core District. Additional commercial and residential development of the District is planned in addition to other types of new development. Several new residential mixed-use projects are proposed for the South Bank. This includes continuing office construction south of Prudential Drive and building around Treaty Oak Park with mixed uses. This would also include continuing the development of waterfront entertainment and hotels, developing a new residential neighborhood on the JEA station site and other residential units along the waterfront, and developing new riverfront parks that connect with the neighborhoods located south of Interstate 95.

FUTURE LAND USE ELEMENT

Policy 2.3.5

The DIA, through adoption of "Celebrating the River: A Plan for Downtown Jacksonville" and the Downtown Zoning Overlay streetscape and landscape sections, has implemented through appropriate departments and agencies, landscaping plans adjacent to arterial road rights-of-way in the downtown and its peripheral redevelopment areas. Include Tree planting and landscaping is required in all redeveloped public areas in the CBD. Detailed requirements are included in the Transportation Element.

Policy 2.3.6

"Celebrating the River: A Plan for Downtown Jacksonville" and the Downtown Zoning Overlay require a network of pedestrian linkages and open spaces between offices, retailing, entertainment and other related areas in plans for revitalization of the CBD.

The pedestrian and open space system should take takes advantage of the riverfront, making it more accessible to the general public and include a well-designed pedestrian linkage between Hemming Plaza and the Jacksonville Landing on the St. Johns River. Detailed requirements are included in the Transportation Element.

Policy 2.3.7

The DIA, through adoption of "Celebrating the River: A Plan for Downtown Jacksonville", the Downtown Zoning Overlay and the Downtown Signage Overlay has established urban design, site design and building form guidelines that create high quality site designs, and will require that landscaped buffer areas, pedestrian walkways and other pedestrian and public transit use amenities are provided in site development plans. Detailed requirements are included in the Transportation Element.

Objective 2.7

Protect and enhance the City's shoreline areas, particularly for recreational uses, in order to improve quality of life and ensure continued function of these critical environmental systems, and enhance the City's economic development efforts.

Policy 2.7.1

Establish specific guidelines and standards for shoreline and coastal area development and redevelopment that will at a minimum:

- 1. Aid in the creation of a river corridor open space system accessible to the public in urban and suburban areas:
- 2. Promote visual access to waterways and their related vistas; and
- 3. Promote recreational uses of shoreline and related areas.

Policy 2.7.2

Develop and implement open space/public access plans through the Recreation and Community Services Department to provide public access to the waterfront through a coordinated, functional system of public and private easements, rights-of-way, and open space.

Policy 2.7.3

Pursue the dedication of public access/visual easements along waterfront property by providing incentives to land owners in the development review process to provide public vistas, edications of land interests, and pedestrian/bike paths that link public and private property within river corridors into a linear greenbelt system.

Policy 2.7.4

Require clustering of water oriented uses along the St. Johns River and its major tributaries, in order to avoid strip development.

Policy 2.7.5

Utilize public rights-of-way that adjoin the water for public access (e.g., street stub-outs), wherever economically and in accordance with the Recreation and Open Space Element.

Policy 7.1.1

February 28, 2018

The Planning and Development Department shall consider the land use impact on the St. Johns River and its tributaries by reviewing the future land use designation and land development regulations of those properties that are contiguous with and immediately adjacent to a water body. The following concerns will be considered for those properties:

| Planning and Development Department | 3 Page |
|---|----------|
| □□Septic Tank Failure Areas | |
| □□Coastal High Hazard Area (CHHA) | |
| □□Impervious surface potential | |
| □□Wetlands | |
| to a water body. The following concerns will be considered for those property | erties: |
| development regulations of those properties that are contiguous with and | |

| □□Environmentally Sensitive Areas | š |
|-----------------------------------|---|
| □□Flood zones | |
| □□Aquifer recharge zones | |
| □□Wellhead protection areas | |

Objective 8.1

Establish regulatory criteria to recognize, promote and protect public access to all navigable waters of the City of Jacksonville, and to ensure the economic viability of recreational and commercial working waterfronts.

Policy 8.1.1

If conversion of recreational and commercial working waterfront uses, as defined in this element, is requested through a Land Use or Zoning change for land located outside of the Downtown Overlay Zone, the Planning Department will encourage designation of the site as a PUD zoning district. The developer will be encouraged to maintain a recreational or commercial working waterfront component on the subject site or establish such uses on another adjacent site; in either instance a similar level of operation as prior to the proposed conversion is preferred. However, consideration will be granted when proposing conversion from one RCWW use to another RCWW use, and to marinas with dry-dock service off-site. Land use and zoning changes for conversion of RCWW uses within the Downtown Overlay shall be reviewed by the Downtown Investment Authority (DIA) in accordance with the provisions of Sections 656.361.1 - 656.361.22, City of Jacksonville Municipal Code. It is not the intent of the City of Jacksonville to force land owners to keep their lands in uses they no longer support, but to see a minimal loss of recreational and working waterfront uses.

Every three (3) years at minimum, the background data with respect to marina occupancy rates shall be updated. If the overall County-wide occupancy rate exceeds 90% prior to conversion from a marina use, landowners must demonstrate that either an economic or practical hardship will result from maintaining the use, or that a public benefit will result from converting the use. Hardship or public benefit shall be determined by the Planning Director, and will be evaluated through the applicable entitlement process in addition to standard Land Use or Zoning criteria.

Policy 8.1.5

In order to support recreational facilities in accordance with Recreation and Open Space Element (ROS) Policy 1.2.2, the City shall examine all possibilities for waterfront land acquisition including but not limited to purchase of fee simple or easement rights, eminent domain, open space zoning, tax concessions, property exchange, and lease of private lands, and community and private donation.

Policy 8.1.7

In accordance with ROS Policy 4.1.4, the City shall encourage new and protect existing public access to the St. Johns River in the Downtown Zoning Overlay district.

Policy 8.2.4

The City shall continue to implement as a program the Downtown Overlay and Zone and Downtown District Regulations as set forth in Section 656.361 of the City's Zoning Code which established the Riverwalk.

CONSERVATION COASTAL MANAGEMENT ELEMENT

Policy 6.5.2

The City shall encourage the preservation and enhancement of public access to the river and its recreational opportunities in the Downtown Zoning Overlay district.

Policy 6.5.3

As contained in the Recreation and Open Space Element of the 2030 Comprehensive Plan, the Recreation and Community Services Department shall utilize the Future Opportunities, Continuous Upgrade Strategy (FOCUS) plan to identify land prioritize waterfront locations for the development of boat ramps, buffer zones and/or public access to the St. Johns River and its tributaries.

Policy 6.5.4

The City shall accept donations of shoreline lands and River and its tributaries access lands suitable for use as public access, public parks, buffer zones or parking sites.

Policy 6.5.5

All public access facilities within the coastal area and the River and its tributaries shall be subject to the policies relating to public access contained in the Recreation and Open Space Element of the 2030 Comprehensive Plan.

Policy 6.5.6

Where appropriate, the City shall participate in intergovernmental agreements with federal and State agencies regarding the use of land and access to government-owned properties in the coastal area and the River and its tributaries for public use.

Objective 6.7

The City shall consider the impact of development on the river and its tributaries during the land development review process.

Policy 6.7.1

The City of Jacksonville shall require a Low Maintenance Zone (LMZ) to be established between developed areas contiguous to any pond, stream, water course, lake, wetland or seawall in accordance with Chapter 366, Part 6, Ordinance Code.

GOAL 10

To provide for the siting and operation of boat facilities in such a manner as to protect water quality, maintain propagation of fish and wildlife, and maintain fishing, recreation, and swimming in a manner consistent with the Future Land Use Element, the Recreation and Open Space Element and Conservation/Coastal Management Element of the 2030 Comprehensive Plan, and the Manatee Protection Plan, dated November 2017 (MPP) as adopted by the City Council and approved by Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (USFWS).

Objective 10.1

Boat facilities shall be sited in a manner which is compatible with existing and future land uses and consistent with the Boat Facilities Siting Plan of the MPP.

Policy 10.1.4

The City shall review the application for any proposed boat facility to ensure consistency with Conservation/Coastal Management Element policies and objectives and with respect to the MPP. Development orders will not be issued for boat facilities that are not consistent with the MPP and the 2030 Comprehensive Plan.

Policy 10.6.1

Construction and operation of boat facilities shall be designed to minimize or eliminate adverse impacts on fish and wildlife habitat. Special attention and consideration shall be given to endangered and threatened species habitat.

Policy 10.6.5

The City shall provide regulatory protection zones for the protection of the manatee and its habitat in areas frequented by manatees.

Sec. 615.101. - Northbank and Southbank Riverwalk docking.

- (a) This section applies to vessels 80 feet in length or longer or registered at 100 gross tons or larger docked along the Northbank Riverwalk over submerged lands leased by the City from the State, unless other contractual arrangements have been made between the City and the vessel owner, agent or other authorized representative. Dockage on the Southbank Riverwalk shall be governed by the terms of a revocable permit and a hold harmless agreement between the City and the vessel owner or agent that need not be consistent with the terms hereof.
- (b) The use of the docking facilities under the jurisdiction of the Dockmaster shall constitute a consent to the terms and conditions herein, and evidence an agreement on the part of the owners, agents and consignees of vessels docking on City property, to pay all charges and be governed by this ordinance.
- (c) Charges for ancillary services (such as, but not limited to line handling, crane service, sewage removal and facilities security) shall be assessed on and collected from all vessels, barges or other watercraft using such services while the receiving vessel is moored at the Northbank Riverwalk. All services rendered must be requested in writing by the user at time of scheduling of dockage.
 - (1) Where electrical service is available, an additional charge shall apply, if used.
 - (2) Trash, fueling, telecommunications and security services are available through City approved third party contractors who will invoice the vessel for any services provided.
 - (3) Any foreign foods on board the ship must be inspected by U.S. Department of Agriculture. If the Agriculture Department requires disposal of such foods, disposal shall be conducted as directed by the Department's agent.
- (d) The master, owner and agent of any vessel docked at the Northbank Riverwalk shall be responsible for operating the vessel in compliance with all applicable City, State and Federal statutes, ordinances, rules and regulations including, but not limited to rules and regulations promulgated by the Occupational Safety and Health Agency, the U.S. Department of Homeland Security, the United States Coast Guard, the U.S. Environmental Protection Agency, and the Florida Department of Environmental Protection, and shall be held responsible for any violations thereof. This responsibility includes any clean up cost incurred as a result of a spill of sanitary wastes, oils and/or hazardous substances as defined in applicable environmental rules and regulations.

- (e) Before docking along the Northbank Riverwalk, the vessel's master, owner or agent, shall furnish the City Director of Finance and Administration or his designee and the City Waterways Coordinator/Dockmaster, a certificate of insurance evidencing general liability insurance and protection indemnity insurance, at no expense to the City, in an amount not less than \$1,000,000 combined single limit per occurrence, or the equivalent thereof and hull insurance, and any other amounts and types the City deems necessary as determined by the City Director of Finance and Administration or designee. The insurance shall include personal injury liability coverage and liquor liability and products liability coverage if alcoholic beverages, foods, or other products are consumed, dispensed or vended by officers, directors, employees, invitees, licensees, subleassees, assignees, performers, exhibitors, or others contracting with the vessel. The policy of insurance shall name the City as an additional insured; shall remain in full force and effect throughout the period the vessel is docked along the Northbank Riverwalk; and, shall be endorsed with an agreement to notify the City at least 10 days prior to any cancellation or change affecting coverage. No vessel shall dock along the Northbank Riverwalk until the Director of Finance and Administration or his designee has approved the sufficiency of such insurance.
- (f) The masters, owners and/or agents of vessels docked along the Northbank Riverwalk shall be responsible for any damage to the dock resulting from their use. The City reserves the right to repair or otherwise cause to be repaired any and all damages to docks or dock-related facilities, water supply and electrical connections, lights, and other fixtures at the expense of the vessel.

The Waterways Coordinator/Dockmaster may detain any vessel or other watercraft responsible for any damage to the facilities until sufficient security has been given for the amount of the damage.

- (g) All stevedoring firms and/or vessel agents or subcontractors used by them shall provide evidence to the Waterways Coordinator/Dockmaster that they have in force the following insurance coverage pertaining to their operations on City property or facilities:
 - (1) Workmen's compensation coverage (including coverage appropriate for U.S. Longshoremen & Harbor Workers Act and Jones Act), and in addition, provide insurance required by law for other benefits to all persons in their employ.
 - (2) Public Liability and auto liability coverage for a combined single limit of

\$1,000,000 for bodily injury and property damage.

- (3) Legal liability insurance, protecting firms against damage resulting from loading and unloading vessels in the amount of \$1,000,000 per occurrence.
- (4) Other coverage as may be determined to be required by the City for special circumstances.

The above insurance policies shall remain in full force and effect and shall not be cancelled, or allowed to lapse without 30 days written notice to the City Director of Finance and Administration.

- (h) Application for credit should be made in advance to the Waterways Coordinator/Dockmaster, Office of the Director, Department of Recreation and Parks, 851 North Market Street, Jacksonville, Florida, 32202. The Director of Finance and Administration, or designee will evaluate credit applications and user credit limits will be established. At the discretion of the Director of Finance and Administration or designee, an indemnity bond may also be required before credit is established. The cost of requested City services that exceed the credit limit established by the Finance and Administration Director shall be paid in advance.
- (i) Charges accrued to the vessel shall be invoiced to the agent of the vessel and identified by individual items or to the party requesting the services. Any request for changes to the invoicing procedure must be made in writing to the Waterways Coordinator/Dockmaster, at the above address, prior to service rendered. User fees are subject to applicable taxes in addition to charges published herein.

Payments shall be made payable to the City of Jacksonville and sent to Dockmaster, Office of the Director, Department of Recreation and Parks, 851 North Market Street, Jacksonville, Florida, 32202. All invoices are due and payable 15 days after the invoice date. Any invoice remaining unpaid 45 days after the date of the invoice will be delinquent.

Delinquent accounts will be assessed a penalty charge at a rate of 1 1/25 per month (0.000493 per day) calculated from the date of the invoice, for as long as the account remains delinquent. The City reserves the right to refuse the use of City facilities and services to any user who is delinquent and to demand payment of charges in advance before further services will be performed or facilities used. Sixty days from date of invoice, collections proceedings may be instituted.

Material errors or discrepancies on an invoice shall be reported with specificity and in writing to the Waterways Coordinator/Dockmaster within 10 days after receipt thereof. If not reported within that period, the invoice shall be considered correct and due.

(j) Masters, owners and/or agents desiring a berth along the Northbank Riverwalk for their vessel, shall, as far as possible in advance of the preferred docking date, should apply in writing for berthing space to the City Waterways Coordinator/Dockmaster. The letter application should specify the expected date and time of arrival, the length and gross registered tonnage, and the ancillary services desired.

Submission of an application to the Waterways Coordinator/Dockmaster is an acknowledgement of the insurance, fees, payment procedure, and damage liability requirements set out herein.

(k) The regular working hours of the docks shall be from 7:30 a.m. to 4:30 p.m. on Monday through Friday, holidays excluded. When at the request of the master, the owner or the owner's agent for berth on Saturdays, Sundays, holidays, charges for services will be at rates of operation to recover labor expenses of municipal employees.

The following are the holidays as referred to elsewhere herein and will be considered as overtime days with a minimum guarantee of eight hours pay:

New Year's Day

M. L. King, Jr. Birthday

Presidents' Day

Memorial Day

Independence Day

Labor Day

Veterans' Day

Thanksgiving Day

Day after Thanksgiving Day

Christmas Eve

Christmas Day

If the berths become congested and a time limit is set by the Waterways Coordinator/Dockmaster for removal of the vessel and should the vessel fail to vacate the berth, the Waterways Coordinator/Dockmaster shall have the right, authority and privilege to move the vessel at the vessel's own risk and expense.

(I) The term dockage as used herein means the charges made or assessed against a vessel for berthing or making fast to any dock, wharf, pier mooring device, or other facility of the terminals and shall apply to vessels so berthed, except for barges moored alongside vessels at the piers for the sole purpose of transferring cargo, bunkers and/or ship's stores to or from such vessels.

Dockage fees shall be as provided in <u>Section 123.102(d)(5)</u>, Ordinance Code.

(m) U. S. Government vessels or foreign naval vessels making infrequent visits of short duration for recreation, research or open house shall not incur dockage. U.S. Government owned vessels include, but are not limited to, those operated by the National Oceanic and Atmospheric Administration, the United States Navy and Coast Guard, the U.S. Environmental Protection Agency, the United States Drug Enforcement Agency, and the United States Army Corps of Engineers.

Vessels owned and operated by nonprofit organizations or emergency relief vessels are eligible for courtesy berthing up to five days subject to berthing availability with Waterways Coordinator/Dockmaster's approval. Periods over 5 days require the approval of the Waterways Coordinator/Dockmaster and the Chairman of the Jacksonville Waterways Commission, pending availability of docking space.

(Ord. 2004-708-E, § 2; Ord. 2011-732-E; Ord. <u>2016-140-E</u>, § 16)

Editor's note— Ordinance 2007-839-E, § 18, authorized updated department/division names pursuant to reorganization.

Sec. 28.706. - Closure or restriction of areas.

Except as otherwise specifically provided in this Chapter, in accordance with the rules adopted by the Director, any park, beach, dock, marina or other recreational facility, or any section or part thereof, may be closed to the public by the Director, or any duly authorized agents, at any time and for any interval of time, whether temporarily or at regular and stated intervals (daily or otherwise), and whether entirely or merely to certain uses, as the Director shall find reasonably necessary. It shall be unlawful to swim, boat or otherwise enter or go upon any area or part of any park, beach, dock, marina or other recreational facility when it is closed to the public by the Director or any duly authorized agent.

(Ord. 2007-839-E, § 7)

Sec. 28.715. - Fishing.

Fishing shall be permitted at designated fish management areas. It shall be unlawful for a person to fish, use a seine, or cast or use drag nets from City-owned property posted "NO FISHING" by the Director or other authorized official. The following areas shall be posted "NO FISHING": adjacent to boat approaches to boat ramps and within 30 feet along the shoreline on either side of the ramp; pedestrian ways and picnic tables; within 15 feet of playgrounds and other planned active recreation areas; and, floating docks designated for boat mooring, and attached gangways.

Sec. 28.723. - Boating.

(a)

It shall be unlawful for any person to bring into or operate any boat, raft or other water craft, whether motor-powered or not, upon any property owned or controlled by the City except at places and during such hours as may be designated for boating by the Director. Such activity shall be in accordance with applicable rules as are now or may hereafter be adopted. This Section shall not be construed to exclude the operation of model watercraft, if such operation is otherwise permitted under <u>Section 28.721(c)</u>.

(b)

Docking at any City dock is subject to the provisions of Chapter 615 (Docking), Ordinance Code.

(c)

It shall be unlawful for any person to navigate, direct or handle any boat in a reckless, careless or unsafe manner.

(d)

It shall be unlawful for any person to dive from a City dock or any vessel tied to a City dock, unless the event has been authorized by City permit.

(Ord. 2007-839-E, § 7; Ord. 2015-213-E, § 1)

Vessels are not allowed to dock at any designated facility longer than 72 hours. Sovereign Submerged Land Leases for Docks and Marinas determine the use of the facility.

