

CHAPTER 103 ZONING DISTRICTS

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Sec 103.00 Purpose And Intent

This chapter is to establish districts where the comprehensive plan land uses are located and grouped together to create, protect and maintain a desirable living environment within the City of Marathon. Based on these districts the LDR also implements the goals, objectives and policies of the City Comprehensive Plan (the "Plan") and adopted maps. Zoning district uses, standards, dimensional and area requirements are established in this Chapter.

Table 103.00.1

Future Land Use Designation and Associated Zoning District

Future Land Use Designation	Zoning District
Airport	Airport (A)
Conservation	Native Area (C-NA) Offshore Island (C-OI) Residential Low - Conservation (RL-C)
Industrial	Industrial-General (I-G) Industrial-Maritime (I-M)
Mixed-use Commercial	Mixed-use (MU) Mixed-use - Maritime (MU-M)
Public Uses	Public (P)
Recreation	Park and Recreation (PR)
Residential High	Residential-MH (R-MH) Residential High (RH)
Residential Medium	Residential Medium (RM) Residential Medium - 1 (RM-1)* Residential Medium - 2 (RM-2)*
Residential Low	Residential Low (RL)

* Coco Plum subdivision only

HISTORY

Amended by Ord. [2009-15](#) on 4/14/2009

Sec 103.01 Zoning Districts

A. In order to carry out the purpose and intent of the LDRs, the City is hereby divided into the following zoning districts:

Airport (A) District

Conservation Native Area (C-NA) District

Conservation Offshore Island (C-OI) District

Industrial-General (I-G) District

Industrial-Maritime (I-M) District

Mixed-use (MU) District

Mixed-use - Maritime (MU-M) District

Parks and Recreation (PR) District

Public (P) District

Residential-Mobile Home (R-MH) District

Residential High (RH) District

Residential Medium (RM) District

Residential Medium - 1 (RM-1) District

Residential Medium - 2 (RM-2) District

Residential Low (RL) District

Residential Low-Conservation (RL-C) District

B. Natural and landscaped open spaces or transitional development and design practices shall be provided in accordance with the standards in Article 8 of Chapter 107 in order to adequately integrate development along the edges of different land use categories.

C. Standards for landscaping design practices and criteria for the required pervious open space are provided in Articles 8 and 9 of Chapter 107, "General Development Standards".

D. Allowed uses within each zoning district are established in this chapter and in Chapter 104 "Specific Use Regulations".

E. Natural and historic resource protection standards are established in Chapter 106.

F. Development review standards are established in Chapter 102 "Development Application Review Procedures".

G. Wastewater treatment facilities and wastewater treatment collection system(s) serving (a) use(s) may be located in any land use district provided that:

1. The wastewater treatment facility and wastewater treatment collection system(s) is (are) in compliance with all federal, state, and local requirements; and

2. The above ground portions of the wastewater treatment facility, wastewater treatment collection system(s), and accessory uses shall be screened by structure(s) designed to:
 - a. Be architecturally consistent with the character of the surrounding community;
 - b. Minimize the impact of any outdoor storage, temporary or permanent; and
 - c. The Director may require the installation of a solid fence.

H. All residential lot size requirements are to be calculated based upon the plat survey.

Sec 103.02 Official Zoning Map Adopted

The Official Zoning Map of the City of Marathon, Florida on file in the Department, together with all explanatory matter thereon, is hereby adopted and made a part of the LDRs.

Sec 103.03 Maintenance Of Map

The Official Zoning Map, as amended from time to time in accordance with the provisions of the LDRs, shall be kept on file and made available for public reference in the office of the Director and the City Clerk.

Sec 103.04 Application Of Regulations Within Boundaries

Except as otherwise specifically provided, a district symbol or name shown within district boundaries on the Official Zoning Map indicates that district regulations pertaining to the district extend throughout the area surrounded by the boundary line.

Sec 103.05 Interpretation Of Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the Director shall interpret the intent of the map as to location of such boundaries. The Director may rely on the Comprehensive Plan and Future Land Use Map, transcripts of minutes from any public meetings held concerning the property zoning, site inspection of the property or any other information that pertains to the determination of the boundary location. The Director shall complete the boundary interpretation pursuant to the interpretation procedures in Article 21 of Chapter 102. The written interpretation shall include findings and rationale.

ARTICLE 103-2 DESCRIPTION OF ZONING DISTRICTS

[Sec 103.06 Airport \(A\) District](#)

[Sec 103.07 Conservation Districts](#)

[Sec 103.08 Industrial Zoning Districts](#)

[Sec 103.09 Mixed-Use Districts](#)

[Sec 103.10 Parks And Recreation \(PR\) Zoning District](#)

[Sec 103.11 Public \(P\) Zoning District](#)

[Sec 103.12 Residential Zoning Districts](#)

Sec 103.06 Airport (A) District

The (A) District is intended to establish areas appropriate for airport uses and other uses that are restrictive to the general public, designated within the Airport (A) future land use category on the Future Land Use Map (FLUM).

Sec 103.07 Conservation Districts

- A. *Conservation-Native Area (C-NA) Zoning District.* The Conservation-Native Area (C-NA) Zoning District implements the Conservation designation on the Future Land Use Map. This zoning district shall be used for properties which have natural limitations to development because of their sensitive environmental character. Development in the C-NA district shall be permitted only as provided in this article consistent with the land use designation and in accordance with natural and historic resources protections in Chapter 106.
- B. *Conservation-Offshore Island (C-OI) Zoning District.* The Conservation-Offshore Island (C-OI) Zoning District implements the Conservation designation on the Future Land Use Map and this zoning district shall be used for properties which have natural limitations to development because of their sensitive environmental character. Sewage disposal and potable water service shall comply with all applicable Health Department requirements and environmental standards.
- C. *Residential Low-Conservation (RL-C) District.* The RL-C District is intended to establish environmentally sensitive areas that to the greatest extent possible should be preserved in their natural state while allowing very limited residential uses, designated within the Conservation (C) future land use category on the Future Land Use Map (FLUM).
- D. *Sewage Disposal and Potable Water Service within the Conservation Districts.* Sewage disposal and potable water service shall comply with all applicable Health Department requirements and environmental standards. Sewage disposal systems and drainfields shall be sited in a manner to protect conservation areas from the discharge of elevated nutrients or improperly treated effluent. The dwelling unit shall be sited such that the location results in the least adverse impact to natural systems, as determined by the City Biologist.
- E. *Maximum Density within the Conservation Districts.* Based upon conditions of the Comprehensive Plan and the LDRs, or as otherwise provided in this chapter, the maximum density for each parcel that is zoned C-NA, C-OI or RL-C shall be determined by the Director based upon the nature of any proposed development activity and the results of a habitat analysis applicable to each specific parcel. This approved density may be less than is permitted in Table 103.15.02.

Sec 103.08 Industrial Zoning Districts

- A. *Industrial General (I-G) Zoning District.* The I-G zoning district is intended for lands appropriate for light industrial activities. Typical uses include assembly and fabrication industries, warehousing, distribution centers, administrative offices, business support services, affordable housing and heavy manufacturing. Commercial uses are generally limited to business support services and accessory sales for goods produced on-site.
- B. *Industrial Maritime (I-M) Zoning District.* The I-M zoning district is intended to provide for certain maritime industrial and commercial fishing uses which have limited effects upon the use of surrounding land. No maritime industrial use is to be permitted which would bring about unfavorable or offensive conditions off-site (beyond the property line) such as excessive noise, vibration, dust, heat, smoke, odor, or glare.

Sec 103.09 Mixed-Use Districts

The City of Marathon has two (2) commercial districts to accommodate commercial and retail uses. The commercial areas are divided into the *Mixed-use (MU) Zoning District* and the *Mixed-use-Maritime (MU-M) Zoning District*.

- A. *Mixed-use (MU) Zoning District.* The MU zoning district is designed to accommodate a wide variety of commercial and retail activities that will result in the most efficient and attractive use of the City's historic business district and the US 1 corridor, in an effort to recognize the role of

US1 as the City of Marathon's "Main Street". Specifically, this district provides for land uses that have a strong pedestrian-oriented character, with a mixture and concentration of specialty shopping, transient lodging, retail, personal service, restaurant, cultural, fishing industry, affordable housing and entertainment uses in the Old Town area. The MU district also provides for large-scale retail and commercial business opportunities in other areas, including larger shopping centers, specialty shopping centers, individual multi-tenant commercial buildings, automobile services and sales, fast food restaurants, affordable housing residential uses, transient lodging and other retail establishments that serve the community at large. The (MU) district is designated within the Mixed-use Commercial (MUC) future land use category on the Future Land Use Map (FLUM).

B. *Mixed-use-Maritime (MU-M) Zoning District.* The MU-M zoning district is intended to establish areas suitable for uses which are essential to the commercial maritime industry, including sales and service of fishing equipment and supplies, seafood processing, fishing equipment manufacture and treatment, boat storage, restaurants, retail and affordable housing residential uses. The MU district is designated within the Mixed-use Commercial (MUC) future land use category on the Future Land Use Map (FLUM).

Sec 103.10 Parks And Recreation (PR) Zoning District

The PR District is intended to establish areas for public or private parks and recreation purposes, designated as Recreation (R) on the Future Land Use Map (FLUM).

Sec 103.11 Public (P) Zoning District

The P District is intended to establish areas appropriate for public service facilities, government facilities and institutions, designated within the Public Facilities (PF) future land use category on the Future Land Use Map (FLUM).

Sec 103.12 Residential Zoning Districts

The purpose for the residential districts is to provide for a variety of residential densities while protecting environmentally sensitive areas. The districts will also provide areas for higher densities and more affordable housing opportunities.

A. *Residential-Mobile Home (R-MH) District.* The R-MH District is intended to establish areas of high-density residential uses characterized by mobile homes in mobile home parks, permanent RVs, and transient RVs where they have previously existed in the District, designated within the Residential High (RH) future land use category on the Future Land Use Map (FLUM).

B. *Residential High (RH) District.* The RH District is intended to establish areas of high-density residential uses characterized by multi-family dwellings and mobile homes designated within the Residential High (RH) future land use category on the Future Land Use Map (FLUM).

C. *Residential Medium (RM) District.* The RM District is intended to establish areas of low- to medium-density residential uses characterized principally by single-family detached and two-family dwellings, designated within the Residential Medium (RM) future land use category on the Future Land Use Map (FLUM).

D. *Residential Medium-1 (RM-1) District.* The RM-1 District is intended to establish an area in the Coco Plum subdivision to ensure that the traditional lot sizes are maintained for single-family detached dwellings, through additional limitations as noted within this subsection, designated within the Residential Medium (RM) future land use category on the Future Land Use Map (FLUM).

E. Residential Medium-2 (RM-2) District. The RM-2 District is intended to establish areas in the Coco Plum subdivision of low- to medium-density residential uses characterized principally by single-family detached and two-family dwellings, designated within the Residential Medium (RM) future land use category on the Future Land Use Map (FLUM).

F. Residential Low (RL) District. The RL District is intended to establish areas of low-density residential uses characterized by single-family detached dwellings, designated within the Residential Low (RL) future land use category on the Future Land Use Map (FLUM).

HISTORY

Amended by Ord. [2009-11](#) on 3/31/2009

ARTICLE 103-3 USE AND INTENSITY TABLES

[Sec 103.13 Applicability](#)

[Sec 103.14 Types Of Uses](#)

[Sec 103.15 Standards](#)

Sec 103.13 Applicability

Permitted, conditional, accessory and prohibited uses are established in the following table by "Uses by Zoning District" of this article. The maximum floor area intensity per type of use is established in Tables 103.15.2 and 103.15.3 of this article. The use of all new or existing structures and properties shall conform to the requirements of the use and intensity tables and all other applicable requirements of the LDRs.

A use not listed in the use table, but possessing similar characteristics, including, but not limited to; size, intensity, density, operating hours, demands for public facilities such as water and sewer, traffic and environmental impacts, and business practices, may be allowed upon approval by the Director. Such uses will be determined based on the use category tables and definitions in Chapter 110 "Definitions". Similar uses shall be subject to all requirements of the uses to which they are similar.

Sec 103.14 Types Of Uses

- A. *Permitted Use by Right (P).* A "P" indicates a use that is permitted by right.
- B. *Conditional Use Approval (C).* A "C" indicates that a use is permitted only where approved with a conditional use approval by the City Council in accordance with the procedures in Article 13 of Chapter 102 "Conditional Use".
- C. *Limited Use Approval (L).* An "L" indicates that a use is permitted only where approved through an administrative process such as issuance of a license.
- D. *Accessory Use Approval (A) to a principle Structure.* An "A" indicates that the use is only permitted as an accessory use.
- E. *Prohibited Uses (Blank Cell).* A blank cell in the use table indicates that a use is not permitted in the respective district.

The following Codes are used in this table:

"P" = Permitted As of Right

"C" = Conditional Use

"L" = Limited (Special Standards/License Required)

"A" = Accessory to a Principle Structure

"Blank Cell" = Prohibited

Sec 103.15 Standards

A. **Uses.** Certain uses, whether permitted as of right, limited, accessory or conditional uses may affect adjacent properties, the neighborhood, or community, even if the site planning and development standards of the applicable zoning district are satisfied. Uses in bold on Table 103.15.1 have special criteria contained in [Article 1 of Chapter 104](#) "Specific Use Regulations", which are intended to mitigate potential problems and hazards, and to ensure consistency with the Plan.

B. **Zoning Districts.** The density, intensity, setbacks, and dimensional standards relative to each parcel are subject to the limitations of the zoning district as reflected in Tables 103.15.1 and 103.15.2.

Table 103.15.1

Uses by Zoning District

ZONING DISTRICT	Uses in bold have specific conditions listed in Chapter 104															
	C-N A	C-OI	R-L-C	R-L	R-M	R-M-1	R-M-2	R-M-H	R-H	M-U	M-U-M*	I-G	I-M*	A	P	P-R
Accessory buildings and accessory uses****			P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Business /Professional Office												A	A	A		
Adult day care— Section 104.02			C	C	C	C	C	C	C							
Adult uses including product sales and entertainment— Section 104.51												C				
Affordable Housing Unit— Section 104.03	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P
Airport public uses < 5,000 square feet— Section 104.04															P	
Airport public uses > 5,000 square feet— Section 104.04														C		
Alcohol Beverage— Section 104.05											L	L	L	L		
Amusement or Sea life parks											C	C		C		C
Artisan and photography studios and galleries											P	P				
Auto, RV, and truck storage											C		C	C	C	
Bars and taverns— Section 104.06											C	C	C	C		
Beekeeping****	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Boardwalk/Observation Platform— Section 104.64	A	A	A	A	A	A	A	A	A	A	A	A	A	A	P	P
Boat Ramp— Section 104.06					C	C	C	C	C	C	C	C	C	C	C	C
Boat storage + 10 units, Dry — Section 104.08											C	P	P		P	
Boat storage + 10 units, wet — Section 104.08											C	P	P		P	
Boat storage < 10 units, dry — Section 104.08										C	P	P	P		P	
Boat storage < 10 units, wet — Section 104.08										C	P	P	P			
Boat Yard— Section 104.09										C		P				
Boat/ship dockage (noncommercial) 10+ slips — Section 104.08								A	A							
Boat/ship (commercial) dockage or charter— Section 104.08										A	A	A	A	A	C	C
Boat/ship dockage (noncommercial) + 100' in length: 1-9 slips— Section 104.08	L	L	L	L	L	L	L	L	L							
Boat/ship dockage (noncommercial) up to 100' in length: 1-9 slips— Section 104.08	A	A	A	A	A	A	A	A	A							
Bowling alley										C						
Broadcasting or Communications Tower— Section 104.10	C	C								C	C	C	C	C	C	P
C & D Debris Transfer Facility— Section 104.13.1											C					
Campground— Section 104.11										C					C	C
Car wash										C						
Cemeteries										C						
Child care center— Section 104.12										C	C					
Child care homes (up to 10 car trips per day)— Section 104.12				C	C	C	C	C	C							
Clubs: Social, fraternal and lodges										P	P					

Community Housing	Workforce Unit	Section							A	A	A	A	A	A		A	A	
Convenience store		Section 104.14								P	C	C	C					
Dormitory		Section 104.15								A								
Dry cleaning										P								
Duplex dwellings					C	C	P	P	C									
Equipment, establishments with outdoor storage	rental	Section 104.16								C	C	C	C					
Equipment, establishments without outdoor storage	rental									P	P	P	P					
Financial services (without drive through)		Section 104.17								P		C				P		
Financial services (w/drive through)		Section 104.17								C								
Food catering										P	P							
Fuel Sales		Section 104.18								C	C		C					
Funeral homes (no crematory)		Section 104.19								C								
Golf courses										C							C	
Group Homes (<7 residents)		Section 104.20			P	C												
Group Homes (7—14 residents)		Section 104.20			C													
Hazardous Waste Small Generator		Section 104.21									C		C	C			C	
Health and membership clubs											P							
Heavy equipment sales										C		P						
Heavy equipment Sales, Marine										C	P	P	P					
Helicopter Landing Pad		Section 104.22									C					P	P	
Home occupations		Section 104.23		L														
Hospitals		Section 104.24									P						P	

Hotel/Motel/Resort lodging — Section 104.25									C									C		
Incidental Food Sales— Section 104.26												A	A							
Junk, Salvage, or Recycled Metal Yard— Section 104.27												C								
Laundromats										P	C									
Live-aboard Vessels— Section 104.28										C	C		C							
Manufacturing, assembly, storage, fabrication or distributions of goods and materials— Section 104.29										C	C	P	P							
Manufacturing, Heavy— Section 104.29												C								
Marina— Section 104.30										C	P		P		P	C				
Massage Therapist— Section 104.31										L										
Media Sales and Rental— Section 104.32										P										
Medical Marijuana Dispensing Facility— Section 104.33.1										C	C									
Medical and dental offices and clinics— Section 104.33										C				C	C					
Mineral resource processes and sales establishment													P							
Mobile Home Park— Section 104.35										P	C	C								
Mobile Home: New Placement— Section 104.34										P		C								
Mobile Home: Replacement — Section 104.34									P											
Model Home— Section 104.36										A	A	A								
Modular Home— Section 104.48	P	A																		
Multi-family (<5) dwellings — Section 104.37										P	P	C	P					C		
Multi-family (5+) dwellings — Section 104.37										C	C	C	C					C		
Multi-tenant retail < 10,000 sf FA— Section 104.38										P	P									

Multi-tenant retail > 10,000 sf FA— Section 104.38										C						
Museum— Section 104.39										P	P			P	P	P
Night clubs— Section 104.06										C	A					
Nursing Home— Section 104.40										C	C					
Open-air markets										L	L			L		
Outdoor display— Section 104.41										A	A		A			
Outdoor Storage— Section 104.42										C	C	C	C			
Paint and body shop— Section 104.43										C		C	C			
Parking lots and parking garages (as a principle use)										P		C		P		
Parks and recreational open space— Section 104.44	C		C	C	C	C	C	C	C	P				P	P	
Personal and service business shops										P	C					
Pharmacy— Section 104.45										C	C					
Place of worship or assembly— Section 104.46					C	C	C	C	C	P						
Plant nurseries and greenhouses										P						
Platting and/or Subdivision of land which would result in three (3) or more parcels	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Plumbing, electrical and carpenter shops										P	P	P	P			
Print shops										P	P	P	C			
Private educational and training facilities— Section 104.47										C	C	C	C	C	P	C
Private schools for elementary, intermediate and high school education— Section 104.47			C	C	C	C	C	C	C					C		
Professional offices										P	P				P	

Public schools for elementary, intermediate and high school education <u>— Section 104.47</u>			C	C	C	C	C	C	C	C					P		
Public use or public facilities w or w/o business offices; with repair and storage											C	C	C	C	C	P	P
Public use or public facilities w or w/o business offices; without repair and storage— Section 104.47	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	
Recreational Vehicle (RV) Park								C		C						C	
Recycling facilities													P				
Research/Lab											C	C	C	C		C	
Restaurants with drive-throughs— Section 104.49											P	C					
Restaurants/stand and fast food without drive throughs											P	P	P	P	A		
Retail and supply yard establishments with outdoor storage											C	C	P	P			
Retail establishments up to 2,500 square feet FA											P	P				P	
Retail establishments 2,500—10,000 square feet FA											P	P					
Retail Establishment exceeding 10,000 square feet FA											C						
Safe house for battered or abused adults or children of up to eight (8) families											P	P					
Sales and leasing of heavy equipment and heavy excavation equipment														P	P		
Seafood Processing & Packaging— Section 104.50											C	P	C	P			
Sexually Oriented Business <u>— Section 104.51</u>													C				
Single-family dwellings (6 Bedrooms or less)	P	P	P* **	P	P	P	P	P	P	P	P	P	P	P		A	
Single-family dwellings (7 Bedrooms or more)					C	C	C		C								

Small animal shelters/boarding kennels — Section 104.52										C	C	C	C			C	
Small Grocery Stores										P							
Sport Shooting and Training Ranges— Section 104.52.1										C	C	C	C			C	
Storage (Indoor self)— Section 104.53										C	C	P					
Storage, Auto, RV, or Boat— Section 104.54										C	C	P	P				
Storage (Outdoor)— Section 104.54										C	C	C	C				
Submerged Mooring Facilities**— Section 104.65										C	C		C			C	
Temporary Placement			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Use— Section 104.56										L	L	L	L			L	L
Theatre (indoor)										C							
Trap Storage and Repair										C	P	C	P				
Triplex dwellings										P	P						
Utilities - Major— Section 104.57			C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Utilities - Minor— Section 104.58			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Vacation Rental units	L	L	L	L	L	L	L	L	L	L	L	L					
Vehicle, Vessel Repair— Section 104.60										C	C	P	P				
Vehicle, Vessel sales— Section 104.61										P	P	P	P				
Vendor Carts/Mobile Food Unit— Section 104.62										L	L	L	L				
Veterinary facilities, small animal clinics/hospitals; including boarding— Section 104.63										C	C						
Veterinary facilities, small animal clinics; no boarding— Section 104.63										P	P						
Waterfront Walkways and docks— Section 104.64	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Wireless - New Tower— Section 104.66										C	C	C	C	C	C	C	C

Wireless Replacement Section 104.66	Tower-existing—	C							P	P	P	P	P	P	P	P	P	C
Wireless - Satellite Earth Station— <u>Section 104.66</u>		C									C	C	P	P				
Wireless Attached facility— <u>Section 104.66</u>		C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wireless - Stealth Facility— <u>Section 104.66</u>										C	C	P	P			P		
Zero Lot lines (affordable units)									C	C								

*Permitted uses are limited to those which are related to the maritime industry

**Submerged Mooring Facilities may only be permitted in association with upland areas whose zoning is shown as having a "C"

***Existing Single-Family Residences may be repaired, modified, or replaced. Individual vacant Lots within Blocks defined within the Plat subject to RL-C zoning may be built upon IF the sum of all Lots within an individual Block are over 90 percent developed with single family residences as of the date that DEO accepts the Ordinance.

**** Limited to Florida Registered Beekeepers with the Florida Department of Agriculture and Consumer Services (FDACS).

*****In the event that an accessory structure and associated use is located or proposed to be located on one of two adjacent or contiguous properties in common ownership one of which contains a principal structure and use, the other of which contains or will contain the accessory structure and use, the two properties do not need to be combined into one property (specifically excluding pools on adjacent properties). However, should the ownership of the two properties be divided into two different ownerships, the accessory structure and use shall cease, and any accessory structures shall be demolished until such time that a principal structure is approved and placed on the property.

Note: Uses may be subject to additional requirements, see [Chapter 104](#), Specific Use Regulations.

Table 103.15.2

DENSITY, INTENSITY AND DIMENSIONS FOR ZONING DISTRICTS

	A	C-NA	C-OI	I-G	I-M	MU	MU-M	P	PR	RH	R-MH	RM	R-M-1	RM-2	RL	RL-C
Density Range (units per acre) ****		.25	0.1	5—10	5—10	6—15	6—15	10—25	1/4 ac	8—25	8—25	5—10	4	5	0.5	.25 4
Market Rate (maximum)		.25	0.1			6	6		.25	8	8	5	4	5	0.5	0.2 5
Affordable (maximum) 3		.25	0.1	5—10	5—10	15	15	10—25	.25	15—25	25	10	4	5	0.5	.25
Transient						5—25		3—25	10	0	0	0	0	0	0	0

Min area per unit (square feet)																	
Market Rate		4 acres	10 acres			7,260	7,260		4 acres	5,445	5,445	8,712	10,000	8,712	2 acre	4 acres	
Affordable		4 acres	10 acres	4,356	4,356	2,904	2,904	1,742	4 acres	1,742	1,742	4,356	10,000	8,712	2 acre	4 acres	
FAR	0.15 -0.50	0.05-0.10	0.05-0.10	0.85	0.85	0.15-0.61	0.15-0.61	0.15-0.75	0.15-0.50							N/A	
Setbacks																	
Front, min	200	25	25	10	10	0-30	20	15	15	10	10	20	20	20	25	25	
Rear, min	200	25	25	10	10	20	20	10	10	10	10	20	20	20	25	25	
Side 1, min		10	10			0-10	10			5	5	5	10	10	10	10	
Interior Side Min	200			5	5	10		5	5				10	5			
Side 2, min		10	10			0-10	10			5	5	5	10	10	10	10	
Street Side Min	200			5	5	0-5		5	5								
Height Limit ³	42	42	42	42	42	42	42	42	42	42	42	42	42	42	42	42	
Units Per Building***										10	N/A						
Max Lot Coverage**		5,000 ft ²	5%														
Open Space, Min. (%)**	0.20	0.50	0.95	0.20	0.20	0.20	0.20	0.20	0.20	.20	.20	.20	.20	0.50	0.50		
Minimum Street-front Lot Width										75'			100'	100'	100'		

Footnotes for Table 103.15.2

* Determined by the Director, based upon Habitat Analysis

** Subject to Table 106.16.1 "Open Space Requirements per Habitat Type"

*** Affordable dwelling units not subject to this limitation

**** Allocated densities for all zoning districts are subject to the following additional requirements:

- Salt marsh/buttonwood association wetlands that are either undisturbed or of high functional capacity as defined in Article 4, of Chapter 106 shall be assigned a density of 0.25 units per acre for the sole purpose of transferring the density out of these habitats.
- Submerged lands, salt ponds and mangrove wetlands shall not be assigned density for any purpose (i.e., allocated density = 0).

¹ The FAR for mixed-use developments may be increased to .75 if mitigated by the development of affordable/workforce housing is provided

² Density bonus limited to deed-restricted affordable housing as established in Article 1, "Affordable Housing" of [Chapter 104](#).

³ Subject to the additional height restrictions of [Article 5, Chapter 107](#).

⁴ Existing Single-Family Residences may be repaired, modified, or replaced. Individual vacant Lots within Blocks defined within the Plat subject to RL-C zoning may be built upon IF the sum of all Lots within an individual Block are over 90 percent developed with single family residences as of the date that DEO accepts the Ordinance.

⁵ This Footnote applies ONLY to properties and/or developed RV or Mobile Home sites which have been or would be recognized as having a Permanent RV structure, as defined in Policy 1-3.2.8 which are located in the Residential High or Mixed Use Commercial Land Use Categories or in other Zoning Districts as determined and reviewed on a case by case basis, Operable Road Ready RVs may be placed on the site of a Permanent RV once the Permanent RV structure is demolished and ONLY if it is determined that the property or site has retained its Transferable Building Right and the Right hasn't been previously transferred to another location within the City. Otherwise, said Permanent RV properties or sites will retain their Market Residential Building Right or allocation. Said Market Rate Building Rights may be retained on-site as Market Rate residential units with the redevelopment of a Florida Building Code compliant residential structure. If the Development Right is transferred, it shall only be transferred as an Affordable Building Right. Though an operable Road Ready RV may utilize Permanent RV properties or sites, it shall not be assumed that the site has a Transient Residential Unit which can be transferred as such.

a. This provision shall sunset three (3) years after the effective date of this footnote, August 11, 2020, and shall not be available thereafter.

b. This provision shall only be available to those individuals who chose to utilize this provision to occupy property in their individual ownership – no rental of the site or an associated Operable Road Ready RV is allowed under this provision as shall be enacted through the City LDRs.

Table 103.15.3

Commercial-Industrial Intensity Table

Type of Use	FAR ¹
Retail	
<i>Low Intensity</i>	.60
<i>Med Intensity</i>	.45
<i>High Intensity</i>	.25
Office	.60
Commercial Recreation	.15
Institutional	.30

Outdoor Recreational	.15
Public Buildings and Uses	.45
Restaurant/Bar	.60
Industrial	.85
Light Industrial in MU	.30

¹ The FAR for mixed-use developments may be increased to .75 if mitigated by the development of affordable/workforce housing is provided.

HISTORY

Amended by Ord. [2009-11](#) on 3/31/2009
 Amended by Ord. [2009-15](#) on 4/14/2009
 Amended by Ord. [2010-15](#) on 1/11/2011
 Amended by Ord. [2014-08](#) on 6/24/2014
 Amended by Ord. [2014-10](#) on 7/8/2014
 Amended by Ord. [2014-19](#) on 10/28/2014
 Amended by Ord. [2015-02](#) on 6/16/2015
 Amended by Ord. [2017-04](#) § 2 on 8/8/2017
 Amended by Ord. [2017-07](#) § 2 on 11/14/2017
 Amended by Ord. [2018-04](#) § 1 on 7/20/2018
 Amended by Ord. [2019-01](#) § 3 on 1/22/2019
 Amended by Ord. [2019-09](#) § 2 on 8/13/2019
 Amended by Ord. [2019-14](#) § 3 on 1/14/2020
 Amended by Ord. [2020-02](#) § 2 on 8/11/2020
 Amended by Ord. [2022-09](#) on 7/12/2022
 Amended by Ord. [2023-14](#) on 9/12/2023
 Amended by Ord. [2024-05](#) on 4/9/2024

ARTICLE 103-4 SPECIAL REQUIREMENTS WITHIN THE ZONING DISTRICTS

[Sec 103.16 Occupational Licenses](#)

[Sec 103.17 Animals](#)

[Sec 103.18 Abandoned Vehicles](#)

[Sec 103.19 Abandoned Watercraft](#)

[Sec 103.20 Storage Of Flammable Liquids](#)

[Sec 103.21 Aviation Hazards](#)

[Sec 103.22 Parking Of Travel Trailers, Trailers And Trucks In Residential Districts](#)

[Sec 103.23 Redevelopment Of Tourist/Resort/Campground Facilities](#)

Sec 103.16 Occupational Licenses

Applications for occupational licenses must be approved by the Department prior to applying to the Monroe County Tax Collector. As a condition for approval, the applicant must have a permanent Monroe County address and the property for which the license is being applied must be situated in a land use district permitting the proposed use.

Sec 103.17 Animals

- A. No livestock, such as cows, goats, sheep or pigs, barnyard animals such as chickens, ducks, or geese, shall be kept either penned or loose in any residential zoning district in the City. Domesticated pets (dogs, cats, etc.) shall be kept as provided in this section. Animals considered wild shall not be allowed in any residential zoning district in the City.
- B. A maximum of four (4) domesticated pets shall be allowed on any residential property or in any residential unit.

C. All animals shall be kept in such a manner that complies with all sanitary regulations of the Department of Health. All food and water for such animals shall be kept in suitable covered containers and shall not be left exposed to flies, vermin or birds, shall not be left exposed to the sun and heat so as to cause putrescence and shall not be allowed to cause any offensive odors.

Sec 103.18 Abandoned Vehicles

The storage of abandoned vehicles which are inoperative and/or unlicensed for a period of ten (10) working days shall be prohibited on any public right of way or on private property except within a completely enclosed garage except in the I-G zoning district.

Sec 103.19 Abandoned Watercraft

The storage of abandoned watercraft which are inoperative and or unlicensed for a period of 30 days and appear to be in a state of decay and/or abandonment, as determined by the City Manager or designee, shall be prohibited on any waterway, shore, private or public property unless contained in a completely enclosed building except in the I-G and I-M zoning districts.

Sec 103.20 Storage Of Flammable Liquids

No buildings, structures or premises shall be used for the storage, sale or use of gasoline or any other liquefied gases with a flashpoint of 60 degrees Fahrenheit or less where any of the boundaries of the lot upon which such gasoline or other liquid is stored, used nor sold are within 200 feet, measured in a straight line, of the nearest boundary line of any building or structure used as a church, school, hospital, home for aged, nursing home, orphanage, auditorium or theater, except open air theaters. This provision shall not prevent the use of liquefied gases for domestic heating purposes. Any storage of flammable liquids shall be subject to the requirements of the American Insurance Association.

Sec 103.21 Aviation Hazards

No use shall be made of the land or water within the City in such a manner as to interfere with the operation of airborne aircraft. The following special requirements shall apply to each permitted use:

- A. All lights and illumination for streets, parking, signs or use of land and structures shall be arranged and operated in such a manner that it is not misleading or dangerous to aircraft operating from a public or military airport or in the vicinity of an airport.
- B. No operations from any use shall produce smoke glare or other visual hazards thin three (3) statute miles of a useable runway of the airport, unless approved by the Director and the Marathon Airport Aviation Director.
- C. No operations from anywhere in the City shall produce electronic interference with navigation signals or radio communication between the airport and aircraft.
- D. Notwithstanding the foregoing, the owner of any structure over 200 feet above ground level must install on that structure lighting in accordance with FAA Advisory Circular 70-7460-1C and 749 feet above mean sea level must install on that structure high intensity obstruction lights which must be in accordance with FAA Advisory Circular 70-7460-1C and amendments.

Sec 103.22 Parking Of Travel Trailers, Trailers And Trucks In Residential Districts

- A. Within any residential district, no trucks, trailers or wagons of greater than one and one-half (1 1/2) ton capacity or motor homes or motor coaches in excess of 40 feet in length and in excess of eight and one-half (8 1/2) feet in width shall be parked for storage purposes, including overnight, on any public right of way or on private property except within a completely enclosed

garage. Trailers of less than one and one-half (1 1/2) ton capacity, pleasure boat trailers, regardless of capacity, collapsible camping trailers and cargo trailers may be parked on private property in any district provided that such trailers are parked only within areas approved by the Director of Planning. Only one (1) travel trailer, motor coach, motor home or recreational vehicle, as defined in Fla. Stat. § 513.01 shall be permitted on any one (1) residential or mobile home lot for storage purposes as provided in this section. Trucks, trailers, wagons, motor homes or motor coaches may only be parked on the same lot with and after the principal structure is erected.

- B. All trailers, motor homes or motor coaches parked in accordance with this Ordinance shall not be parked within any required setback, unless otherwise approved by the Director.
- C. Trailers, motor homes or motor coaches that are parked for storage shall not be used as a place of habitation.
- D. Vehicles approved for parking under this section must be registered in the name of the owner or the tenant of the property where they are parked.

Sec 103.23 Redevelopment Of Tourist/Resort/Campground Facilities

These Land Development Regulations provide incentives and encourage the redevelopment of existing resort and tourist facilities in the City. These Regulations include, but are not be limited to:

A. Mandatory hurricane evacuation.

- 1. All operable Recreational Vehicles (RVs) shall be "Road Ready." Road Ready means that such units shall be fully licensed, shall have wheels on, be on an internal jacking system. And only be affixed to the site by quick disconnect-type utilities commonly utilized in campgrounds and trailer parks and shall not have any permanent attachments such as Florida rooms or porches.
- 2. In the event of a mandatory evacuation, all RVs shall be removed from their location and evacuate as required under a Monroe County and City of Marathon emergency declaration whether or not the RV is being used as a dwelling at the time of the emergency declaration. If the RV is not removed, the owner of the property or RV/Mobile Home site will be subject to a potential fine of \$250.00 per day by the City of Marathon, from the day after the evacuation order is given through the day that RVs are allowed to return to the City.
- 3. This provision shall be enacted through the Land Development Regulations (LDRs) with a routine inspection program, agreed to by the City and carried out within respective Mobile Home/RV Parks. It shall be carried at a minimum prior to the beginning of each hurricane season (June 1). The program shall be audited by the City at least once per year at a time prior to the beginning of hurricane season.

HISTORY

Adopted by Ord. [2020-02](#) § 3 on 8/11/2020