

Section 3.120 A-1 AQUATIC NATURAL

Section 3.121 Purpose. To provide for aquatic areas which should be managed for resource protection, preservation and restoration. These areas may include areas of significant or extension salt marshes or tide flats which because of a combination of factors, such as biological productivity and habitat value, play a vital role in the functioning of the estuarine ecosystem. Natural aquatic areas may also include ecologically important water areas which lack significant alteration.

Section 3.122 Uses and Activities Permitted with Review. In an A-1 Zone, the following uses and their accessory uses, and activities are permitted if no major alterations of the estuary are necessary and the Planning Commission determines that the development plans comply with the provisions of Section 3.124 through 3.128.

1. Navigation Aids.
2. Research and Education observation.
3. Passive restoration measures.
4. Dredging or fill necessary for on-site maintenance of existing structures or facilities.
5. Riprap for protection of uses existing as of October 7, 1977, unique natural resources, historical and archeological values, and public facilities.
6. Bridge crossings.
7. Undeveloped low-intensity water-dependent recreation.
8. Vegetative shoreline stabilization.

Section 3.123 Conditional Uses and Activities Permitted. In an A-1 Zone, the following uses and their accessory uses, and activities are permitted subject to the provisions of Article 6.

1. Boat ramps for public use where no dredging or fill for navigational access is needed.
2. Communication facilities.
3. Active restoration of fish and wildlife habitat or water quality and estuarine enhancement.
4. Pipelines, cables and utility crossings.
5. Temporary alterations.
6. Bridge crossing support structures.
7. Tidegate installation in existing functional dikes.
8. Incidental dredging, fill or piling installation in conjunction with uses 2 through 7 above.

Section 3.124 Review Uses and Activities.

Section 3.125 Purpose. The purpose of the review use process is to provide the Planning Commission with an opportunity to insure that the use conforms with policies and standards for natural aquatic areas, and that the development plans overcome any locational limitations resulting from an estuarine location. Unlike conditional uses, no public hearing is required.

Section 3.126 Planning Commission Authority. The Planning Commission shall have the authority to approve, approve with alterations, or disapprove Review Uses in accordance with Sections 3.127 and 3.128.

Section 3.127 Review Uses. shall be reviewed and administered using the same procedures as set forth in Sections 6.032 through 6.050, excepting Sections 6.034 and 6.042.

Section 3.128 Standards for Aquatic Natural Zone.

1. Evidence will be presented to the City through the state or federal permit processes that the structure(s) will not negatively affect currents, flushing characteristics, adjacent shorelines, marshes or fish habitat. Aesthetic factors shall be considered.
2. Applicants for in-water structures will present evidence why other means of addressing the problem are not feasible, such as rip rap on the shoreline, or floating structures.
3. All structures shall be of minor scale, and shall make no major alteration to the estuarine ecosystem.
4. Structures, parking lots, roads, fills, utilities and other activities except decks, walkways, and bridges shall be setback from the estuary boundary a distance of at least 25 feet.