

CITY OF MANISTEE PLANNING COMMISSION

WORKSESSION AGENDA

Thursday, April 15, 2010 7:00 p.m.
Council Chambers, City Hall
70 Maple Street, Manistee, Michigan

I Call to Order.

II Worksession Items:

1. Manistee Golf & Country Club - Proposed Zoning Amendment
2. Proposed Ordinance Amendment Z10-05: Proposed Ordinance Amendment that changes uses and amends language in the WF Waterfront Zoning District and Amends language in Section 1880 Sports and Recreation Club.
3. Misc.

III Adjourn.

All Planning Commission Meetings and Worksessions are open to the Public.

Worksessions are scheduled to allow the Planning Commission the opportunity to discuss in a less formal manner than a regular meeting. No motions or decisions can be made during a worksession.



PLANNING AND ZONING
COMMUNITY DEVELOPMENT
231.398.2805
FAX 231.723-1546
www.ci.manistee.mi.us

MEMORANDUM

TO: Planning Commissioners

FROM: Denise Blakeslee *DB*

DATE: April 8, 2010

RE: April 15, 2010 Worksession

Commissioners, we have two items on the April 15, 2010 Planning Commission Worksession Agenda. First we have the Manistee Golf & Country Club - Proposed Zoning Amendment. Jon invited the applicant to speak to the Planning Commission about the request. The Public Hearing has been scheduled for May 6, 2010. A copy of the request is enclosed.

The Planning Commission postponed deliberation on Proposed Ordinance Amendment Z10-05 at the April 1, 2010 Meeting for further discussion at the April 15, 2010 Worksession. I have included the draft meeting minutes for your review. Staff has discussed Mr. Seng's concern about the need for a Communication Tower to operate his Marina (see enclosed memo).

PLEASE KEEP THE ENCLOSED ATTACHMENTS YOU WILL NEED THEM FOR THE MAY MEETING!

If you are unable to attend the worksession please call me at 398-2805. See you Thursday!!

:djb



Petition for Zoning Amendment

Applicant:

Manistee Golf & Country Club
500 Cherry Street
Manistee, MI 49660
231.723.2509

FOR OFFICE USE ONLY:

Case number PC-2010-05
Date Received 3.23.10
Fee Received \$1,000-
Receipt Number 20808
Hearing Date _____

FEE \$1,000.00

Please Note: All questions must be answered completely. If additional space is needed, number and attach additional sheets.

I. ACTION REQUESTED:

I (we), the undersigned to hereby request that the City of Manistee approve the following petition for Zoning Amendment:

- A. Text Amendment: **See Attached**
- B. Re-zone from **R-1 to G-C.**

A previous application for a variance, special use permit or re-zoning on this land (**has/has not**) been made with respect to these premises in the last 10 years. If a previous appeal was made, state the action requested:

On August 3, 2000 application was made to the Zoning Board of Appeals to reverse the Zoning Administrator's decision to deny the issuance of a Land Use Permit to allow removal of sand from the golf course. Request was denied.

II. PROPERTY INFORMATION:

- A. Legal Description of Property affected: **COM NE COR NW1/4 SW1/4 SEC 11, N 393FT, W 1821.6FT TO LK MICH., SLY ALG LK TO S LI SEC 10, E TO SE COR OF SW1/4 SW 1/4, N TO POB EXC HARBOR VIEW SUB. SEC 10 + 11 T21N R17W**

Parcel #51-310-400-01

Address: **500 Cherry Street**

- B. List all deed restrictions - cite Liber & Page where found and attach:
None
- C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land: **N/A**
- D. This area is **un-platted with a portion of Harbor View Subdivision**
- E. Attach a site plan drawn to the scale of one (1) inch equals (10) feet, showing all existing structures on the property, all proposed structures and marking those structures that will be removed or razed. Also, the general shape, size and location of all existing structures within 100 feet of the property along with their uses shall be depicted on the site plan, along with all abutting roads, streets alleys or easements. R **Waived by Zoning Administrator**
- F. Present use of the property is:

For the past 109 years the Manistee Golf & Country Club has been in operation on the same parcel in the City of Manistee. It is the second oldest operating club in the State of Michigan. The property includes an 18 hole golf course, club house, pro-shop, bar, restaurant, banquet facilities, outbuildings, maintenance buildings and a gas well. Facilities are open to members as well as the public.

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

- A. State specifically the reason for this Amendment request at this time:

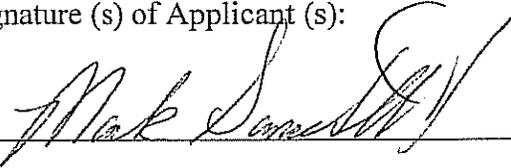
The proposed zoning is more consistent with the use of the property for the past 109 years. The change in zoning would allow more flexibility with future development.
- B. If the Amendment is a propose re-zoning, please answer the following questions.
 - 1. Will this re-zoning be in conformance with all adopted development plans of the City of Manistee? **YES** and Manistee County? **YES**
 - 2. If the proposed zone does not conform to these plans, why should the change be made?
N/A
 - 3. What do you anticipate the impacts of the proposed zone change on the adjacent property to be? What steps do you propose to take to mitigate any negative impacts associated with the proposed change?

There will be no change or impact to adjacent properties.

IV. AFFIDAVIT

The undersigned affirms that he/she or they is (are)the (owner, lessee, authorized agent of owner) involved in the petition and that the answers and statements herein contained and the information submitted are in all respects true and correct to the best of his, her or their knowledge and belief.

Signature (s) of Applicant (s):



Dated 3/23/10

By checking this box permission is given for Planning Commission Members to make a site inspection if necessary.

Rev. July 2008

**ARTICLE TWO
DEFINITIONS AND INTERPRETATION**

Section 208 G

AMEND - Golf Course

GOLF COURSE – A tract of land laid out for at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards such as waterways, which may include accessory uses as a pro shop, a clubhouse, *banquet facility*, practice greens and service buildings.

Section 220 S

ADD - Sand Excavation

SAND EXCAVATION - *The process of altering the natural (grade) elevation by cutting or filling the earth, or any activity by which sand is dug, quarried, uncovered, removed, displaced, or relocated.*

**ARTICLE SEVEN WILL BE MOVED TO ARTICLE THREE
AND RENUMBERED**

**ARTICLE SEVEN-THREE
DISTRICTS, DIMENSIONAL STANDARDS
USES TABLE AND ZONING MAP**

City of Manistee Zoning Map
AMEND Map change Golf Course Property from R-1 to C-G
ADD C-G Golf Course to Legend

Table 3-1 - ADD G-C Golf Course standards to Table

Table 3-2 – ADD Sand Excavation to list of Uses

Table 3-2 – DELETE Golf Course as a SLU (Uses Permitted as Special Land Use) in the R-1 Low Density Residential District

Table 3-2 - ADD Colum for G-C Golf Course

In Colum for G-C Golf Course ADD the following Uses

Accessory Bldg. ≤ footprint principal structure	R (Use by Right)
Accessory Bldg. > footprint principal structure	SLU (Use Permitted as Special Land Use)
Accessory Uses, Related to uses permitted	R/SLU
Dwelling, Single Unit	R
Eating and Drinking Establishment	R
Golf Course	R
Home Occupation, Minor	R
Mixed-Use Development	SLU
Outdoor Recreation, Park	R

Planned Unit Development	SLU
Sand Excavation	R
Subdivision, Plat or Condo. (of permitted uses)	R
Uses similar to uses permitted by right or as	R/SLU
Special Land Uses	
Wells, Extraction	SLU

**ADD ARTICLE SEVEN
G-C COLF COURSE DISTRICT
(Attached)**

**ARTICLE EIGHT
R-1 LOW DENSITY RESIDENTIAL**

SECTION 800 PURPOSE AND INTENT

DELETE *Golf Course under Special Uses*

SECTION 803 USES PERMITTED BY SPECIAL LAND USE

DELETE Item *H Golf Course, subject to Section 1843*
Renumber list

**ARTICLE EIGHTEEN
STANDARDS AND REQUIREMENTS FOR SPECIAL USES**

SECTION 1843 GOLF COURSE

A. **Definition.** A tract of land laid out for at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards such as waterways, which may include accessory uses as a pro shop, a clubhouse, *banquet facility*, practice greens and service buildings.

**ARTICLE TWENTY-ONE
SIGNS**

Section 2106 Use Type 1, Low Intensity Residential

ADD G-C to Table of Uses

Zoning Districts	Permitted Sign Types	No. Signs Permitted	Cumulative Sign Area	Lighting	Conditions
G-C	Wall, Ground	1	4 sq. ft.	None	

Section 2107 Use Type 2, Residential and Residential Commercial

ADD G-C to Table of Uses

Zoning Districts	Permitted Sign Types	No. Signs Permitted	Cumulative Sign Area	Lighting	Conditions
G-C, R-1, & R-2	Wall, Ground	1	16 sq. ft.	External	

Section 2108 Use Type 3, Commercial and Office

ADD G-C to Table of Uses

ADD Golf Course to Examples of Uses

Zoning Districts	Permitted Sign Types	No. Signs Permitted	Cumulative Sign Area	Lighting	Conditions
G-C	Ground	n/a	32 sq. ft.	Either	One ground sign shall be permitted for each 600 feet of frontage.
	Window	n/a	Unlimited	Internal	No Sign Permit required
	Wall, Projecting, Marquee	n/a	64 sq. ft.	Either	

SECTION 2109 Use Type 4, Institutional and Outdoor Recreation

DELETE Golf Course from Examples of Uses

SECTION 2110 Use Type 5, Industrial

ADD G-C to Table of Uses

Zoning Districts	Permitted Sign Types	No. Signs Permitted	Cumulative Sign Area	Lighting	Conditions
G-C, R-1 & R-2	Uses of this type are normally not permitted in the G-C, R-1, or R-2 Districts				

ARTICLE THREE
DISTRICTS, DIMENSIONAL STANDARDS
USES TABLE AND ZONING MAP

SECTION 300 ESTABLISHMENT OF DISTRICTS

The City is hereby divided into the following Zoning Districts as shown on the Official Zoning Map:

A. Residential districts:

1. *G-C Golf Course*
2. R-2 Moderate Density Residential
3. R-3 High Density Residential
4. R-4 Manufactured Housing Community

B. Commercial districts:

1. C-1 Regional Commercial
2. C-2 Neighborhood Business
3. C-3 Central Business District
4. W-F Waterfront District

C. Industrial districts:

1. L-I Light Industrial
2. G-I General Industrial

D. Overlays:

1. Wellhead Protection Overlay
2. Renaissance District
3. U.S. 31 Corridor

[Annotation: Historic Overlay was repealed by Ordinance 07-04 effective 2-20-07]

SECTION 301 OFFICIAL ZONING MAP

- A. For the purposes of this Ordinance the Zoning Districts as provided in this Ordinance are bounded and defined as shown on a map entitled "Official Zoning Map of Manistee City", a copy of which accompanies this Ordinance and which, with all explanatory matter thereon, is hereby incorporated into and made a part of this Ordinance by reference.
- B. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bear the seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Manistee City", together with the effective date of this Ordinance, or any amendments thereto.
- C. If, in accordance with the procedures of this Ordinance and Michigan law a change is made in a Land Use District boundary, such change shall be made by or under the direction of the

Mayor promptly after the amendment authorizing such change shall have been adopted and published.

- D. Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the Manistee City Hall shall be the final authority as to the current zoning status of any land, parcel, lot, Zoning District, use, building or structure in the City.
- E. In the event the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made thereto, the Council may by resolution authorize the transcribing and drawing of a duplicate official zoning map which shall supersede the prior Official Zoning Map. The duplicate Official Zoning Map may correct drafting or other errors or omissions on the prior Official Zoning Map, but no such correction shall have the effect of amending the Zoning Ordinance or the prior Official Zoning Map. The duplicate Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bear the seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Manistee City duplicated on _____, which replaces and supersedes the Official Zoning Map which was adopted on _____"
- F. Where uncertainty exists as to the boundaries of Land Use Districts as shown on the Official Zoning Map, the following rules of interpretation shall apply:
1. A boundary indicated as approximately following the centerline of a highway, street, alley or easement shall be construed as following such line.
 2. A boundary indicated as approximately following a recorded parcel line or a property line shall be construed as following such line.
 3. A boundary indicated as approximately following the corporate boundary line of the city shall be construed as following such line.
 4. A boundary indicated as following a railroad line shall be construed as being the centerline of the railroad right of way.
 5. A boundary indicated as following a shoreline shall be construed as following such shoreline, and in the event of change in a shoreline shall be construed as following the actual shoreline.
 6. A boundary indicated as following the centerline of a water body shall be construed as following such centerline at the time of interpretation.
 7. A boundary indicated as parallel to, or an extension of, a feature indicated in subsections 1 through 6 above shall be so construed.
 8. A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
 9. Where a physical or cultural feature existing on the ground is at variance with that shown

on the Official Zoning Map, or in any other circumstance not covered by subsections 1 through 8 above, or question in interpreting subsections 1 through 8 above, the Zoning Board of Appeals shall interpret the Zoning District boundary.

[Annotation: City of Manistee Official Zoning Map Parcels 51-51-211-128-01, 51-51-211-200-01, 51-51-268-701-01 were Re-Zoned from R-2 Medium Density Residential to W-F Waterfront District as part of an Order of the Manistee County Circuit Court by Amendment 07-27, effective 5/29/07]

SECTION 302 APPLICATION OF REGULATIONS

The regulations established by this Ordinance within each Zoning District shall be the minimum regulations for promoting and protecting the public health, safety, and general welfare and shall be uniform for each class of land or building, dwellings and structures throughout each Zoning District.

SECTION 303 ZONING DISTRICT REGULATIONS

The Schedule of District Regulations set forth as Table 3-1 provides an overview of the dimensional requirements of this Zoning Ordinance. It is provided for expeditious reference. However, it should not be substituted for a precise reference to the specific language of this ordinance.

SECTION 304 TABLE OF LAND USES

Table 3-2, Table of Land Uses summarizes the applicable regulatory standards for the land uses governed under this Zoning Ordinance. It is provided for expeditious reference. However, it should not be substituted for careful reference to the specific language of this ordinance.

City of Manistee

Zoning Map

Effective March 27, 2006

Legend

Zoning

G-C Golf Course District

- R-1 Low Density Residential
- R-2 Medium Density with services and commercial
- R-3 High Density Residential
- C-1 Regional Commercial
- C-2 Neighborhood Commercial
- C-3 Central Business District
- W-F Waterfront
- L-I Light Industrial
- G-I General Industrial
- Key Street Segments
- US-31 Corridor Overlay
- Renaissance Overlay
- Wellhead Protection Overlay



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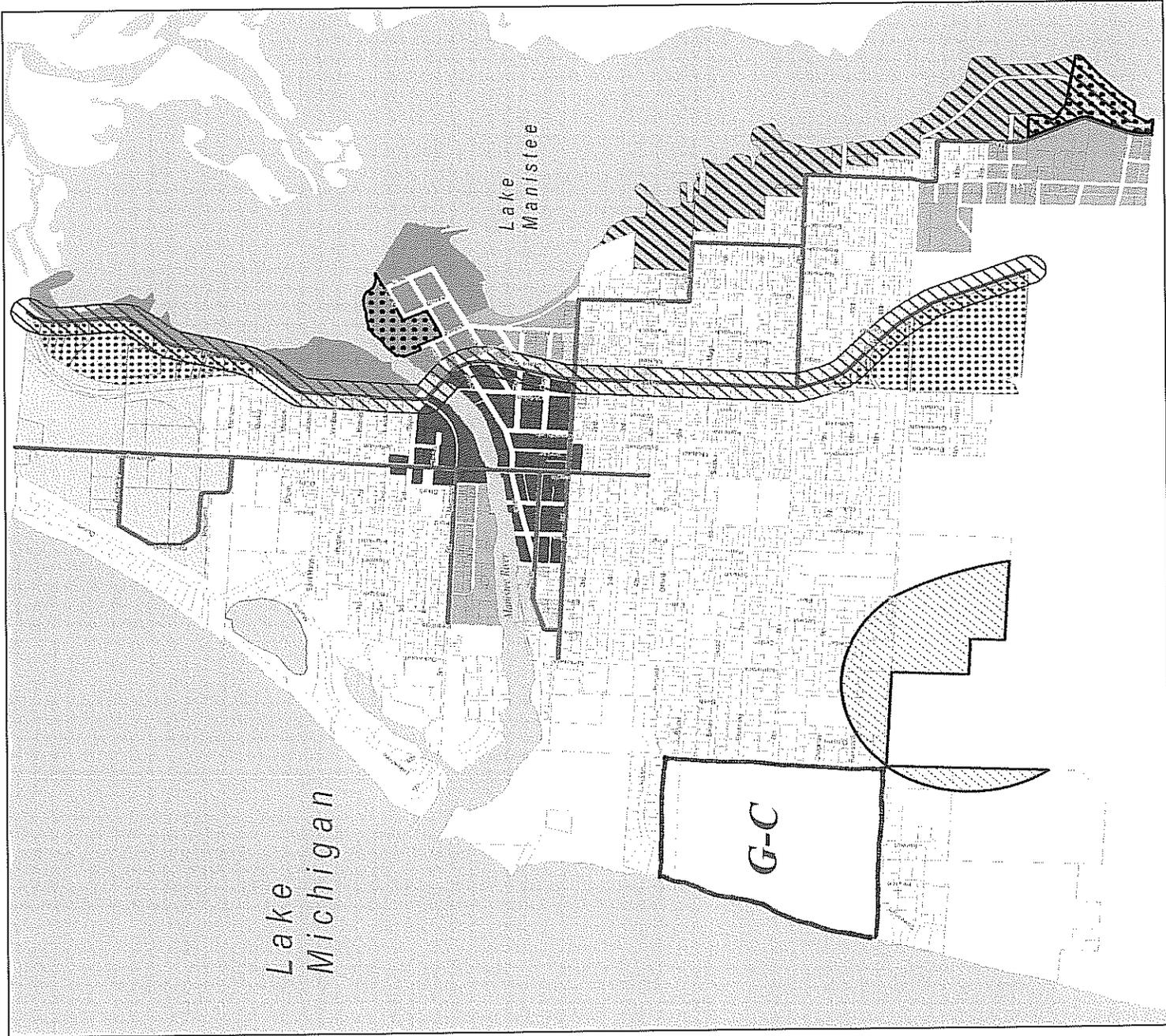


Table 3-1 - City of Manistee Schedule of Regulations⁵

District	Minimum Lot Dimensions		Maximum Lot Coverage (%) of gross lot area ^(b)	Minimum Yard Requirements (feet)			Maximum Density DU/Acre	Maximum Height Feet/stories (Principal Bld)	Minimum Floor Area Per Dwelling and Width (Sq.Ft. & Ft)
	Area (sq. ft.)	Width (feet)		Front ^(a)	Side	Rear/ Waterfront ^(b)			
G-C	15,000	100	40%	30	10	10/100	4	35/2½	1,500/25
R-1	15,000	100	40%	30	10	10/100	4	35/2½	1,500/25
R-2 Single Unit Duplex or Comm. Multi Unit.	6,000 10,000 10,000 10,000 ^(a)	60 80 80	40%	15	10	10/20	8	35/2½	960/20
R-3 Single Unit Duplex or Comm. Multi Unit.	6,000 10,000 10,000 10,000 ^(a)	60 80 80	60%	15	10	10/20	17	35/2½ 35/2½ 35/2½	960/20 (for single family) 500/20 (for multi-family)
R-4 Single Unit Duplex or Comm. Mfg Hsg	6,000 10,000	60 80	40%	15	10	10/20	8	35/2½	750/20
C-1	20,000 ^(c)	120	60%	30	10 ^(b)	20	17	40/3	500/20
C-2	6,000 ^(c)	60	90%	4	0 or 4 ^{(b)(c)}	10/20	17	35/2½	500/no min. width
C-3	2,500	25	100%	0	0 or 4 ^{(b)(c)}	6/20	(g)	50/4	500/no min. width
W-F Single Unit Duplex or Comm. Multi Unit.	6,000 10,000	60 80	60%	15	10	10/20	17	35/2½	500/20
L-1	12,000	120	70%	25	10 ^(b)	10 ^(b)	N/A	50/4 ^(b)	N/A
G-1	12,000	120	70%	45	10 ^(b)	10/50 ^(b)	N/A	50/4 ^(b)	N/A

Per Requirements of Section 1105 and the Rules and Regulations of the Manufactured Housing Commission

Notes:

- a. In areas where the majority of parcels do not meet the setback requirements, the Zoning Administrator may establish a reduced setback requirement in accord with **Section 502, G.**
- b. For multiple unit buildings in the R-2 district, a minimum of 10,000 square feet shall be provided for the first two units, plus 5,500 square feet for each additional dwelling unit.
- c. For multiple unit buildings, a minimum of 10,000 square feet shall be provided for the first two units, plus 2,000 square feet for each additional dwelling unit up to twenty (20), plus 2,500 square feet for each additional dwelling unit in excess of 20.
- d. A commercial use contiguous to an existing residential use may be required to provide additional buffering
- e. A building may be located on one or both side lot lines when both structures are designed to accommodate zero-lot line construction. All other structures shall be located a minimum of four (4) feet from the side lot line.
- f. This standard shall not apply to walkways, boat docks, boat slips, boat houses and boat launches. In the C-3 District, the waterfront setback shall be twenty (20) feet, provided the Planning Commission may approve a lesser setback in response to site conditions or surrounding uses and structures.
- g. [Annotation: Notes: Item F was changed by amendment 07-07, effective 5/29/07]
- g. Not more than one (1) unit for each 1,500 square feet of building envelope
- h. In no instance shall the maximum lot coverage exceed the buildable area of a parcel as defined herein.
- i. Industrial uses that abut parcels in the R-1, R-2, R-3, R-4, W-F and C-2 districts shall provide an additional fifteen (15) feet of side and/or rear yard setback along property lines abutting such other districts. In the alternative, the Planning Commission may approve a berm, wall, fence or landscaped buffer sufficient in the judgment of the Planning Commission to buffer and screen neighboring properties from industrial impacts.
- j. Structures in the L-1 and G-1 Districts may be erected or altered to a height of sixty (60) feet, provided that a fire lane shall be provided within twenty (20) feet of the building or structure. Said fire lane shall be paved and shall have a minimum width of twenty (20) feet.
- k. This Schedule of Regulations is intended to provide a quick summary of dimensional standards found in this ordinance. Dimensional standards may be modified by the Planning Commission in accord with the Planned Unit Development standards set forth in **Section 1870.** In the event of a conflict between the standards set forth in this Table 7-1 and other sections of this Ordinance, the Zoning Administrator shall determine which requirement shall be applied.

Table 3-2, Table of Land Uses summarizes the applicable regulatory standards for the land uses governed under this Zoning Ordinance. It is provided for expeditious reference. However, it should not be substituted for careful reference to the specific language of this ordinance.

CITY OF MANISTEE - Table of Land Uses

Table 3-2 Uses Permitted by Right and Special Land Use Permit (R=Use by Right; SLU=Use Permitted as Special Land Use; * Indicates Use Permitted as Special Land Use on Key Street Segment)

USES	G-C Golf Course	R-1 Low Density	R-2 Med. Density	R-3 Hi. Density	R-4 Mfg. Hsing	W-F Waterfront	C-1 Reg'l Com.	C-2 Neigh. Bus.	C-3 Central Bus.	L-I Light Industrial	G-I Gen'l Industrial
Accessory Bldg. ≤ footprint principal structure	R	R	R	R	R	R	R	R	R	R	R
Accessory Bldg. > footprint principal structure	SLU	SLU	SLU	SLU	SLU	SLU	R	SLU	SLU	R	R
Accessory Uses, Related to uses permitted	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU
Adaptive Reuse		SLU	SLU	SLU		SLU	SLU	SLU	SLU		
Adult Foster Care Facility			SLU	SLU			R	SLU			
Animal Grooming								SLU			
Assembly Operation						SLU				R	R
Automobile Repair Facility							R	SLU		R	
Bed & Breakfast		SLU	SLU	SLU		SLU			SLU		
Billboard							SLU				
Car Wash							SLU	SLU			
Cemetery										SLU	
Communication Tower				SLU		SLU	SLU			SLU	
Contractor's Facility				SLU			SLU	SLU	SLU	SLU	R
Convenience Store, w/ fuel pumps							SLU	SLU			
Convenience Store, w/o fuel pumps			SLU*	SLU*		SLU	R	R	R	SLU	SLU
Day Care, Commercial				SLU		SLU	SLU	SLU	SLU	SLU	SLU

Effective March 27, 2006
As Amended thru December 11, 2008

USES	G-C Golf Course	R-1 Low Density	R-2 Med. Density	R-3 Hi. Density	R-4 Mfg. Hsing	W-F Water-front	C-1 Reg'l Com.	C-2 Neigh. Bus.	C-3 Central Bus.	L1 Light Industrial	G-1 Gen'l Industrial
Day Care, Group		SLU	SLU	R	SLU	SLU	SLU	R			
Drive-through Establishment							SLU	SLU	SLU		
Duplex		SLU	R	R	SLU	R		SLU	SLU		
Dwelling - Accessory			SLU	SLU							
Dwelling - Multiple Unit			SLU	SLU	SLU	SLU	SLU	SLU	SLU		
Dwelling - Single Unit	R	R	R	R	SLU	R		SLU			
Dwelling - Upper Story Accessory									R		
Eating and Drinking Establishment	R		SLU*	SLU*		SLU	R	SLU	R	SLU	
Educational Facility			SLU*	SLU*				SLU		SLU	SLU
Financial Institution				SLU*		SLU*	R	R	R	R	
Gallery or Museum		SLU*	SLU*	SLU*		R	R	R	R		
Gasoline Station							SLU				
Golf Course	R	SLU									
Greenhouse and Nursery							SLU*			R	
Home Based Business		SLU	SLU	SLU		SLU		SLU			
Home Occupation, Minor	R	R	R	R	R	R		R	R		
Home Occupation, Major		SLU	SLU	SLU	SLU	SLU		SLU	SLU		
Hotel			SLU*	SLU		SLU	R		R	SLU	
Laundry and Dry Cleaning Establishment							SLU	SLU*	SLU	R	
Manufactured Housing Community					R						
Marina		SLU	SLU	SLU		SLU		SLU	SLU		SLU
Medical or Dental Office			SLU*	SLU*			R	R	R	R	
Mini/Self-Storage Facility				SLU*			SLU			R	R

Effective March 27, 2006
As Amended thru December 11, 2008

USES	G-C Golf Course	R-1 Low Density	R-2 Med. Density	R-3 Hi. Density	R-4 Mfg. Hsg	W-F Water-front	C-1 Reg'l Com.	C-2 Neigh. Bus.	C-3 Central Bus.	L-1 Light Industrial	G-1 Gen'l Industrial
Tattoo Parlor							SLU				
Theater						SLU*	R	SLU*	R	SLU*	
Urgent Care Facility							R				
Uses similar to uses permitted by right or as special land uses	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU
Veterinary Clinic							R	SLU		R	
Warehouse, Public						SLU	SLU			R	R
Wells, Extraction	SLU									SLU	R
Wholesale Facility							R			R	
Wind Energy Conversion System				SLU						SLU	SLU
Windmill, Accessory, subject to Section 515.G										R	R

- [Annotation: Mine, Sand and Gravel was deleted as a SLU in the L-1 Light Industrial by amendment 07-10, effective 5/29/07]
- [Annotation: Wells Extraction was changed from a SLU to R in the G-1 General Industrial District by amendment 07-11, effective 5/29/07]
- [Annotation: Medical or Dental Office was added as a R (Permitted Use) in the L-1 Light Industrial District by amendment 07-79, effective 12/14/07]
- [Annotation: Adaptive Ruse was deleted as a SLU in the F-4 Manufactured Housing Community District by amendment 08-03, effective 2/29/08]
- [Annotation: Adaptive Ruse was deleted as a SLU in the G-1 General Industrial District by amendment 08-03, effective 2/29/08]
- [Annotation: Parking Facility, Public was changed to Parking Facility by amendment 08-02, effective 2/29/08]
- [Annotation: Parking Facility was added as a SLU* (requires key street frontage) in the R-2 Medium Density Residential District by amendment 08-02, effective 2/29/08]
- [Annotation: Parking Facility was added as a SLU* (requires key street frontage) in the R-3 High Density Residential District by amendment 08-02, effective 2/29/08]
- [Annotation: Parking Facility was added as a SLU in the C-2 Neighborhood Commercial District by amendment 08-02, effective 2/29/08]
- [Annotation: Parking Facility was added as a SLU in the G-1 General Industrial District by amendment 08-02, effective 2/29/08]
- [Annotation: Windmills, Accessory was added as a R (Permitted Use) in the L-1 Light Industrial District and in the G-1 General Industrial District by amendment 08-08, effective 12/11/08]

Effective March 27, 2006
As Amended thru DATE

**ARTICLE SEVEN
G-C GOLF COURSE DISTRICT**

**ARTICLE SEVEN
G-C GOLF COURSE DISTRICT**

SECTION 700 PURPOSE AND INTENT

It is the intent of this District is to provide for and regulate development in association with a Golf Course. The G-C District is intended to maintain and enhance open space, promote recreational opportunities and provide for a variety of residential housing developed with the natural and scenic elements of the property.

PERMITTED USES

- ❖ Accessory building with footprint less than or equal to the footprint of the principal structure.
- ❖ Accessory use to uses permitted by right
- ❖ Dwelling, Single Use
- ❖ Eating and Drinking Establishment
- ❖ Golf Course
- ❖ Home Occupation, Minor subject to Section 1847, B,1
- ❖ Outdoor Recreation, Park
- ❖ Sand Excavation
- ❖ Subdivision and condominium subdivision consisting of permitted uses, clustered, or traditional subject to the Subdivision Control Ordinance.
- ❖ Use similar to uses permitted by right, subject to Section 530

SPECIAL USES

- ❖ Accessory building with footprint greater than the footprint of the principal structure.
- ❖ Mixed-Use Development
- ❖ Planned Unit Development
- ❖ Wells, Extraction

ADDITIONAL STANDARDS

- ❖ Site Plan requirements subject to Section 2203
- ❖ Vehicular Parking Space, Access and Lighting subject to Section 514.
- ❖ Landscape requirements subject to Section 531
- ❖ Signage requirements subject to Article 21
- ❖ Outdoor Lighting requirements, subject to Section 525.

DISTRICT REGULATIONS ^(d)

Minimum Lot Area:	15,000 sq. ft	Minimum Lot Width	100 ft.
Maximum Dwelling Units/Acre	4	Maximum Building Height	2½ stories, or 35'
Minimum Building Setbacks		Maximum Lot Coverage	40%
Front ^(a)	30 ft.	Minimum Living Area	1,500 sq. ft.
Side	10 ft. (each side)	Minimum Dwelling Width	25 ft.
Rear	10 ft.	Accessory Building Minimum Setbacks:	
Waterfront	100 ft. ^(b)	Side	3 ft.
		Rear	3 ft. ^(c)

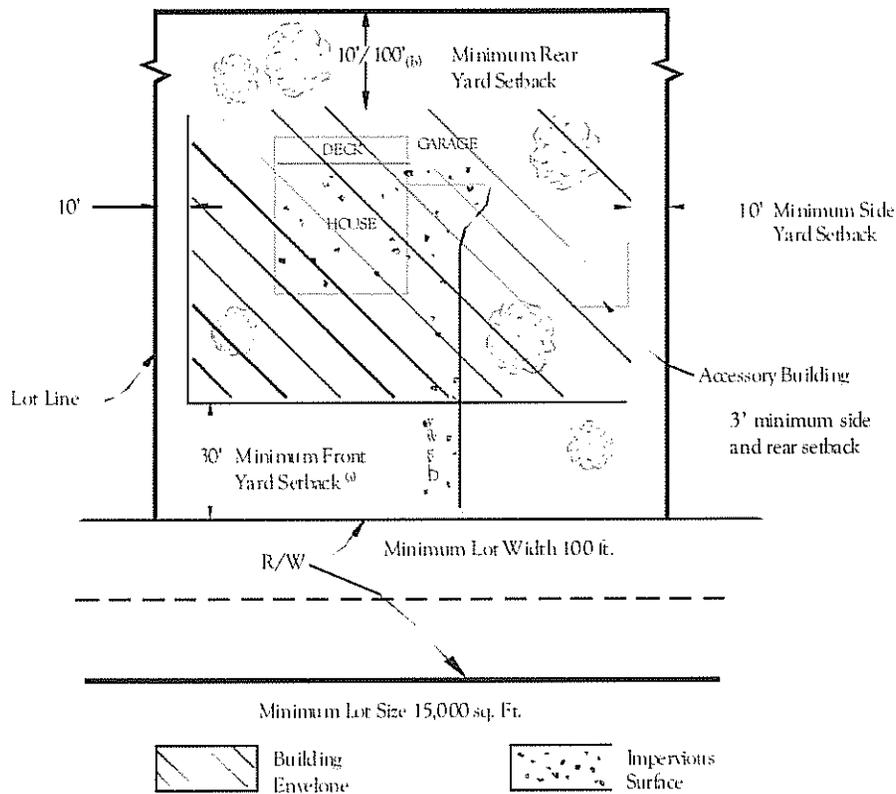
^(a) Subject to Section 502, G

^(b) As measured from the ordinary high water mark, except where a greater distance is required by the Department of Natural Resources.

^(c) Provided that garages fronting on platted alleys shall be set back the greater of 3 feet from the rear property line or 20 feet from property line on the opposite side of the alley.

^(d) Except as may be permitted pursuant to Section 1870, Planned Unit Development.

G-C DISTRICT



SECTION 701 USES PERMITTED BY RIGHT

The following uses of buildings and land shall be permitted within the G-C District subject to the provisions of **Article 22**, Site Plan Approval.

- A. Accessory building with footprint less than or equal to the footprint of the principal structure.
- B. Accessory use to uses permitted by right
- C. Dwelling, Single Use
- D. Eating and Drinking Establishment
- E. Golf Course
- F. Home Occupation, Minor subject to **Section 1847, B,1**
- G. Outdoor Recreation, Park
- H. Sand Excavation
- I. Subdivision and condominium subdivision consisting of permitted uses, clustered, or traditional subject to the Subdivision Control Ordinance.
- J. Use similar to uses permitted by right, subject to **Section 530**

SECTION 702 USES PERMITTED BY SPECIAL LAND USE PERMIT

The following uses of buildings and land may be permitted within the R-5 District, as special land uses subject to the provisions of **Article 18**, Special Land Use Approval.

- A. Accessory building with footprint greater than the footprint of the principal structure.
- B. Mixed-Use Development
- C. Planned Unit Development
- D. Wells, Extraction

SECTION 703 DIMENSIONAL STANDARDS.

Within the G-C District, the following dimensional standards shall apply:

- A. Parcel Area - No building or structure shall be established on any parcel less than fifteen thousand (15,000) square feet in area.
- B. Parcel Width - The minimum parcel width shall be one hundred (100) feet and it shall front on a public street.
- C. Yard and Setback Requirements - The following requirements shall apply to every parcel, building or structure.

1. Front Yard: The minimum setback shall not be less than thirty (30) feet from front property line. In established neighborhoods, where a majority of the buildings do not meet the required front yard setback, the Administrator may establish an alternate setback, pursuant to Section 502, G.
2. Side Yards: The minimum width of either yard shall not be less than ten (10) feet. For accessory buildings, the minimum rear yard and side yard setback shall be three (3) feet;
3. Rear Yard: The minimum setback shall not be less than ten (10) feet. For accessory buildings, the minimum rear yard and side yard setbacks shall be three (3) feet, excepting garages which front on a platted alley. Such garages shall be set back a minimum of twenty (20) feet from the property line on the opposite side of the alley, to provide a minimal turning radius for vehicles, but at no time shall the structure be closer than three (3) feet to the rear property line. The side yard for such garage shall be the same as for other accessory structures, as outlined above.
4. Waterfront Yard: The minimum setback shall not be less than one hundred (100) feet from the ordinary high water mark, provided such setback shall not apply to walkways, boat docks, boat slips, boat launches and boat houses. Provided, further that the waterfront setback shall not be less than the setbacks required by the Department of Natural Resources in a High Risk Erosion Control area.
[Annotation: Section 804.4 was changed by amendments 07-05 and 07-07, effective 5/29/07]
5. Dwelling Width: No dwelling shall be constructed in the R-1 District which is less than twenty-five (25) feet wide.
6. Living Area: No dwelling unit shall be constructed in the R-1 District which has less than fifteen hundred (1,500) square feet of living area.
7. Lot Coverage: Not more than forty percent (40%) of the parcel area shall be covered by buildings.
8. Height: The maximum height of principal buildings in the R-1 district shall be the lesser of thirty-five (35) feet or two and one-half (2½) stories. The maximum height of accessory buildings shall be eighteen (18) feet with side walls not to exceed twelve (12) feet in height.



MEMORANDUM

TO: Planning Commissioners

FROM: Jon Rose/Denise Blakeslee DB

DATE: April 8, 2010

RE: Marina - vs- Communication Tower

Commissioners, we have discussed the concerns that Mr. Seng had in regards to the need for a Communication Tower for his Marina. This resulted in reviewing the definitions of both a Communication Tower and a Marina. Review of the ordinance also revealed that Mr. Seng would have to apply for a Special Use Permit for both a Marina and Communication Tower. The definitions are as follows:

Communication Tower: A monopole, lattice and/or guyed structure in excess of thirty-five (35) feet in height, intended or used to support one or more antennae or other equipment to transmit and/or receive radio, telephone, cellular telephone, television, microwave or any other form of telecommunication signals.

Marina: A facility, including three (3) or more waterfront boat slips, which provides for the servicing, storing, fueling, berthing, and securing of boats and that may include eating, sleeping, and retail facilities intended primarily for the owners, crews, and guests of boat owners using the marina.

We then reviewed the Table of Uses to determine where each was allowed Communication Towers and Marina are Special Uses each of those districts.

Uses	R-1	R-2	R-3	R-4	W-F	C-1	C-2	C-3	L-I	G-I
Communication Tower			SLU		SLU	SLU			SLU	
Marina	SLU	SLU	SLU		SLU		SLU	SLU		SLU

This review showed that Marinas in the R-1, R-2, C-2, C-3 and G-I districts would not be permitted a radio tower over 35 feet in height. This is what was proposed for the W-F District.

The City Marina is in the C-3 Zoning District. Because of the need to be able to communicate with boaters via radio and a radio tower is a necessary part of their operation. The City Marina has a radio tower which meets the definition of a Communication Tower.

Since radio communication is a necessary function of a Marina and this may require a radio tower in excess of 35 feet in height communication tower should be allowed for marina's. We are proposing amending the definition as follows:

Marina: A facility, including three (3) or more waterfront boat slips, which provides for the servicing, storing, fueling, berthing, and securing of boats and that may include *a communication tower*, eating, sleeping, and retail facilities intended primarily for the owners, crews, and guests of boat owners using the marina.

The addition of "a communication tower" to the definition as a normal part of operating a marina would allow Mr. Seng the use of radio tower that he currently uses.

The second tower appeared to be for his trucking operation. In the event that it is not used for the marina it is a legal non-conforming use ("grandfathered") and would be allowed continue and runs with the land in the event of a sale.

We will discuss this at the Worksession. Formal action could not take place until the May meeting.

If you are unable to attend the worksession please call me at 398-2805. See you Thursday!!

:djb