

**CITY OF THE VILLAGE OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
ORDINANCE NO. 04-2021**

**AN ORDINANCE TO AMEND THE ZONING MAP OF
THE CITY OF THE VILLAGE OF DOUGLAS – REZONE 201 WASHINGTON STREET,
ZONED C-2 GENERAL COMMERCIAL DISTRICT, TO R-3 NEIGHBORHOOD
CONSERVATION DISTRICT; AND SPECIAL USE STANDARDS, SECTION 26.20
“MARINAS AND MINOR MARINA” OF THE ZONING ORDINANCE**

Councilmember Van Loon, supported by Councilmember Donovan, moved the adoption of the following ordinance:

WHEREAS, the City of the Village of Douglas received on December 4, 2021 an application for rezoning, on behalf of the City of the Village of Douglas (“Applicant”) whom maintains an ownership interest, for rezone of 201 Washington Street, located in Douglas, Michigan, from its current zoned C-2 General Commercial District to R-3 Neighborhood Conservation District status;

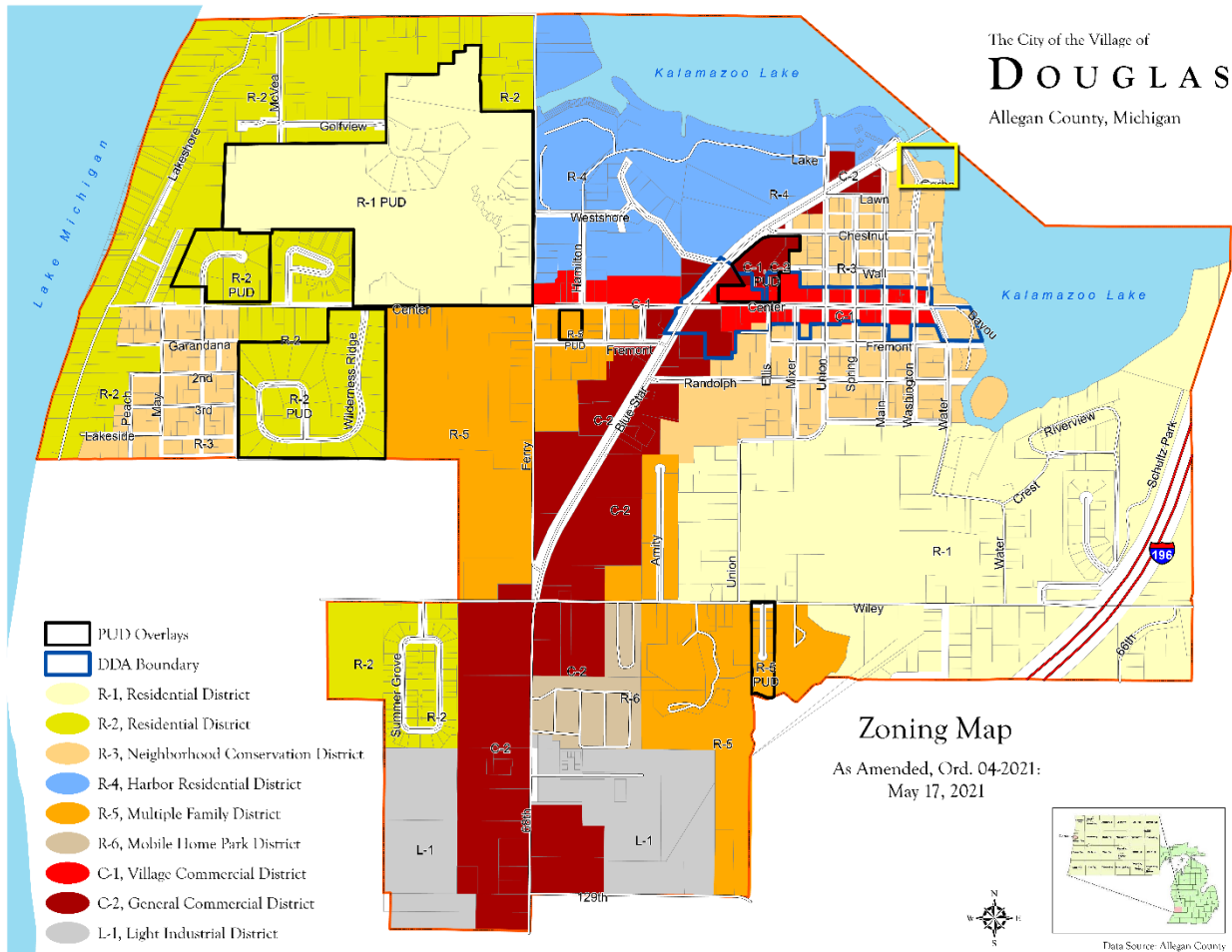
WHEREAS, the Planning and Zoning Administrator “Petitioner” of the City of the Village of Douglas joined the application with formal petition to clarify/amend the Special Use Standards, Section 26.20 “Marinas and Minor Marina” of the City of the Village of Douglas Zoning Ordinance;

WHEREAS, pursuant to and in compliance with Act 110 of 2006 of the Public Acts of Michigan, as amended, being the Zoning Enabling Act, the City’s Planning Commission conducted a public hearing concerning the rezoning and petition on May 12, 2021, after proper publication of a notice first published on April 27, 2021 in the Holland Sentinel, and on April 29, 2021 in the Commercial Record; both newspapers of general circulation in the City;

WHEREAS, the City’s Planning Commission arrived at findings of fact in support of the “Petitioner” and “Applicant,” recommending the approval of the clarification/amendment of Section 26.20 of the Zoning Ordinance and the rezoning at its meeting of May 12, 2021.

THE CITY OF THE VILLAGE OF DOUGLAS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Zoning Map Amendment. The City of the Village of Douglas Zoning Map is hereby amended in its entirety as follows:



Section 2. Zoning Ordinance Amendment. Section 26.20 of the City of the Village of Douglas Zoning Ordinance is hereby amended in its entirety as follows:

Section 26.20 Marinas and Minor Marina

1) Locational Requirements:

- a) Marinas shall be located in the R-4 Harbor Residential District.
- b) Minor Marinas shall be located in the R-3 Neighborhood Conservation District.
- c) Expansion of Marinas/Minor Marinas lawfully in existence on the effective date of this Ordinance may be permitted by Special Use Permit if compliance with the standards of this Section is achieved.
- d) Marinas/Minor Marinas established after the effective date of this Ordinance shall be located on a major thoroughfare so that access to the site can be provided without imposing significant traffic on local residential streets.

2) Site Requirements:

- a) The minimum parcel area for a Marina and maximum parcel area for a Minor Marina shall be two (2) acres.
- b) Marina buildings, docks, and parking areas shall be located no closer than thirty-five (35) feet from any residential property line.
- c) Adequate standing and parking facilities shall be provided at the site so that no loaded vehicle at any time stands on a public right-of-way awaiting entrance to the site.
- a) Accessory uses shall occupy no more than four hundred (400) square feet of building area.

3) Buffering Requirements:

- a) Fences and screening in accordance with Article 21 of this Ordinance may be required to mitigate potential negative impacts on adjacent properties.
- b) The outdoor storage of trash or rubbish shall be screened in accordance with Section 21.01 (10) of this Ordinance.

4) Performance Standards:

- a) Sanitary facilities (restrooms) shall be provided on the site.
- b) Adequate secondary containment shall be employed if any petroleum or other such products are sold on the premises.
- c) Any materials listed on the Michigan Critical Materials Register (gasoline and solvents) require secondary containment and a Pollution Incident Protection Plan filed with the Michigan Department of Natural Resources.
- d) There shall be no externally visible evidence of commercial activity from accessory uses.
- e) A permit to erect, maintain, or operate a marina shall be secured from the Michigan Department of Natural Resources, in conjunction with any other approvals.
- f) All such uses shall conform with the Marine Safety Act, the Inland Lakes and Streams Act, and all other county, state, and federal regulations.
- g) All such uses shall comply with City ordinances regulating Environmental Protection Standards and Waterfront Construction.
- h) All exterior lighting shall be in accordance with Section 19.05(6) and 24.03(9) hereof.

Section 3. Publication. Within fifteen (15) days of its adoption, this Ordinance or a summary thereof, as required by law, shall be published by the City Clerk in a newspaper of general circulation in the City.

Section 4. Effective Date. This Ordinance shall be effective twenty (20) days after its publication, or a publication of a summary thereof, in a newspaper of general circulation in the City.

Ordinance Offered by: Van Loon

Ordinance Supported by: Donovan

Ayes: Donovan, Miller, Mooradian, North, Seabert, Van Loon, Lion

Nays: None

Abstain: None

Absent: None

ORDINANCE DECLARED ADOPTED.

Patricia Lion, Mayor

Date: _____

Pamela Aalderink, City Clerk

Date: _____

Ordinance Adoption Date: May 17, 2021.

Ordinance Effective Date: 20 days after adoption and publication