

Article 10

Marina District

Section 10.01 Intent

- (a) **MD Marina District.** The MD Marina District is to be applied to the waterfront areas of Michigan City, including Washington Park and Marina, as well as development along the Trail Creek. Michigan City has forged a collective vision for the redevelopment of the downtown and waterfront and this district is intended to facilitate a transformative change to Michigan City's downtown and waterfront area.
- (b) This district is intended to provide for a mixture of uses ranging from boating and recreation to tourism-related businesses. Moderate density residential uses are also permitted to provide a range of housing opportunities, stimulate mixed-use environments and support redevelopment of the Michigan City North End. It is also the intent of this district to maintain visual and physical access to waterfront, which provides recreational opportunities, enhances economic development of the downtown and helps define a strong sense of place for Michigan City.

Section 10.02 Uses

Use and development of land and buildings shall only be for the following specified uses, unless otherwise provided for in this Ordinance. Uses are grouped into major categories and only those uses listed under each category are permitted. Land and/or buildings in the districts indicated at the top of the Table may be used for the purposes denoted by the following abbreviations:

- P: Permitted Use.** Land and/or buildings in this District may be used for the purposes listed by right, subject to any use limitations set forth in this ordinance.
- S: Special Exception Use.** Land and/or buildings in this District may be used for this purpose by obtaining Special Exception approval when all applicable standards cited in Article 24 Special Exception Review Requirements and Procedures are met, subject to any use limitations set forth in this ordinance.
- : Not Permitted.** The use is not permitted in the district. Uses not listed in the table are also not permitted. Uses that are not listed in any district of the zoning ordinance, as shown in Appendix 1, may be allowed based upon a similar use determination in accordance with section 02.06.

Table 10.02
Schedule of Permitted Uses

Use	MD	Use Requirements
P = Permitted by Right		
S = Requires special exception approval		
Residential limited to the following:		
Single-family attached/townhouses	P	
Multiple-family dwellings	P	
Dwelling units for watchmen and operating personnel and their families	P	
Home occupations	P	14.01(b)
Retail trade limited to the following:		
Retail uses up to 40,000 square feet gross floor area, except where otherwise listed	P	
Bait shops	P	
Convenience stores	P	

Table 10.02
Schedule of Permitted Uses

Use	MD	Use Requirements
P = Permitted by Right		
S = Requires special exception approval		
Convenience stores with marine gasoline sales	S	
Gift, souvenir handicraft stores	P	
Grocery stores/super markets	P	
Liquor stores	P	
Marine accessory shops	P	
Newsstands	P	
Open air markets and outdoor sales	P	
Pharmacies	P	
Produce markets	P	
Services limited to the following:		
Dry cleaners, pick-up	P	
Laundries	P	
Motor vehicle dealers and service limited to the following:		
Marine gasoline service stations	S	
Accommodation and food services limited to the following:		
Banquet halls	P	
Bed/breakfasts	P	
Cafeterias (as an accessory use)	P	
Candy and ice cream shops	P	
Delicatessens	P	
Hotel-miniums	P	
Hotels/motels	P	
Restaurants, carryout	P	
Restaurants, standard not including drive-thru/in	P	
Restaurant and taverns with outdoor seating	P	
Taverns and bars	P	
Health care and social assistance limited to the following:		
Day care centers, commercial/preschools	P	
Day care homes, residential licensed for 12 or fewer children	P	
Entertainment and recreation limited to the following:		
Amusement parks	P	
Boat clubs	P	14.09(b)
Boat harbors / public marinas, including service, storage, and fuel sales	P	14.09(b)
Boat sales, including service	P	14.09(b)
Boat storage	P	14.09(b)
Canoe rental	P	
Casinos	S	14.09(c)
Commercial outdoor recreation facilities such as batting cages, driving ranges and putt-putt golf	S	
Campgrounds	S	
Forestry/wildlife preserve	P	
Golf course and country clubs	S	
Health and athletic clubs	P	
Ice skating rinks	P	
Parks/playgrounds	P	
Stadiums/arenas	S	
Theaters	S	
Public administration limited to the following:		
Government buildings excluding correctional facilities	P	

Table 10.02
Schedule of Permitted Uses

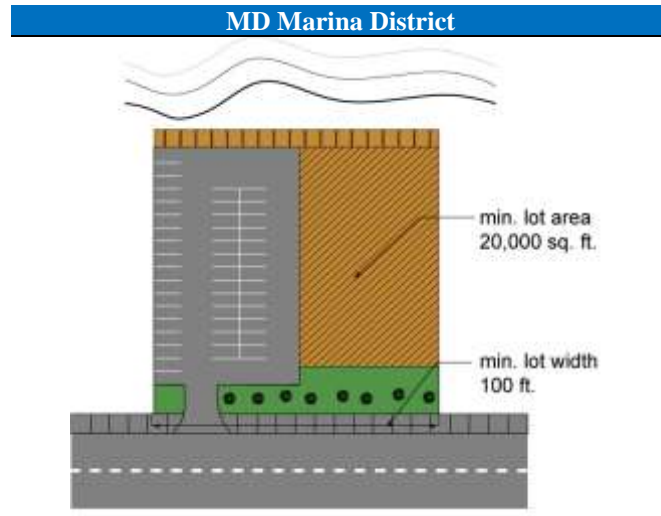
Use	MD	Use Requirements
P = Permitted by Right S = Requires special exception approval		
Museums, civic buildings and landmarks preserved for public inspection	P	
Transportation and warehousing limited to the following:		
Marinas	P	
Parking structures as a principal use	P	
Utilities limited to the following:		
Public utility buildings	P	
Telephone exchange buildings	P	
Transmission lines for gas, oil and electricity	P	
Utility substations	P	
Single accessory wind energy conversion systems	S	14.15(b)
Wireless communication facility - collocation	P	14.15(c)
Wireless communication facility on institutional site	S	14.15(c)

Section 10.03 Lot Area and Width Requirements

All lots shall meet the following minimum area and width requirements. No new lots shall be created or altered in a manner that does not comply with the following requirements.

Table 10.03
Lot Area And Width Requirements

District (a)	Lot area(sq. ft.) (c)	Min. lot size (b)(f)(g) Lot width(ft.)(d)(e)
MD Marina District	20,000	100



- (a) **Subdivision of Land.** All divisions to land shall be subject to the requirements set forth in the Subdivision Regulations of Michigan City.
- (b) **Lot Size Reduction.** The lot area and lot width may be reduced below the amounts indicated in Table 10.03 where driveway spacing requirements of Section 18.04 can be met and the lot has a recorded easement for a shared driveway, and cross circulation with parking lots on all adjacent lots zoned or planned for business use, meeting the requirements of Section 18.04.

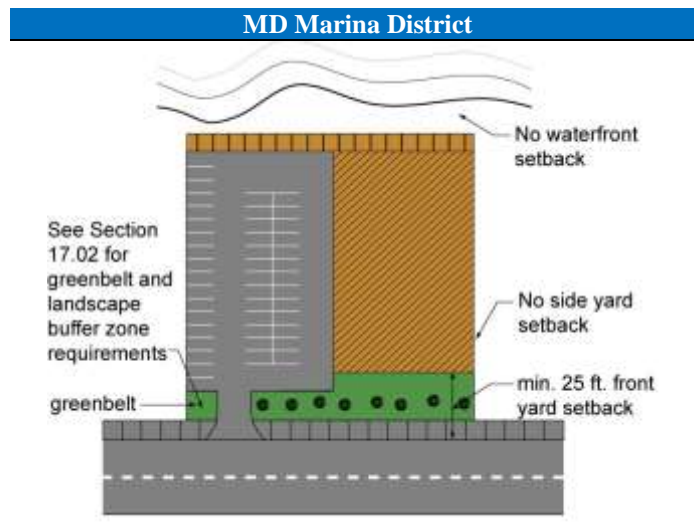
- (c) **Lot Area Calculation.** Lot area is calculated based upon the net area of the lot, measured in the horizontal plane, exclusive of any area that is part of a public road right-of-way, private road easement or submerged land beneath the ordinary high water mark of a lake, river or stream.
- (d) **Lot Width and Frontage.** Lot width shall be measured as a straight line between the side lot lines at the minimum front yard setback of the district. All lots shall have frontage along a public road or street. The width along the road shall be sufficient to meet the lot width requirement at the minimum front yard setback. This requirement shall not apply to individual lots that have access by a shared service drive system within a shopping center or shared access with adjacent uses.
- (e) **Dominant Parcel.** The dominant tract or parcel from which any newly created lot has been divided from must also maintain the required lot width.
- (f) **Residential Buildings.** Residential uses shall be subject to the density restrictions of the R3B - High-Rise Multiple Family Residential District.
- (g) **Nonconforming Lots.** Lots of record that were in existence prior to the effective date of this ordinance may be used subject to the provisions of the nonconforming lot regulations of Section 29.03.

Section 10.04 Building Dimensional Requirements

All structures shall be subject to the dimensional regulations of the following table.

Table 10.04
Building Dimensional Requirements (a)
 Min. setbacks (ft.)
 (c, d, e, f, g, h, i)

District	Max. building height		Min. setbacks (ft.) (c, d, e, f, g, h, i)		% Lot coverage (l)	
	Height (ft.)	Height (st.)	Front yard (street)	Side and rear yard	Building	Imper. surface
MD Marina District	none	none	25 (j)	0 (k)	65%	90%



- (a) **Accessory Structures.** Accessory structures shall be regulated under the requirements of Article 16.
- (b) **Projections into Yards.** Accessory structures and architectural features that are allowed to extend or project into required setbacks under Section 15.01.

- (c) **Yards Maintained as Open Space.** Setback areas may include parking lots, walkways or other pavement, but shall be provided landscape greenbelts and buffer zones where required in Section 17.02.
- (d) **Outdoor Storage.** Outdoor storage shall be screened in accordance with sections 17.02 and 17.03. Storage areas shall meet the applicable building setback requirements from each lot line.
- (e) **Setback from Road.** The front yard setback shall be measured from the road right-of-way or private road easement. Detention/retention ponds shall be prohibited in the required front yard setback, unless there is no reasonable alternative due to existing topography and natural drainage problems. This restriction shall not apply to rain gardens, bio-retention swales, irrigation trench planters and other similar stormwater management alternatives to retention or detention ponds.
- (f) **Corner Lots.** Corner lots shall provide the minimum front yard setback from both road frontages.
- (g) **Double Frontage Lots.** In all districts, where a double frontage lot backs-up to a roadway, the minimum required front or roadside setback shall be required from both road rights-of-way.
- (h) **Parking Side and Rear Yard Setback.** The parking setback shall not be required from a side or rear lot line that is adjoining another non-residential lot. Where a parking lot or loading area borders on a residential district, there shall be provided a buffer and screening from the residential district as required by sections 17.02 and 17.03. Parking lots may be located in the front yard setback with the provision of landscaping between the parking lot and right-of-way as required by section 17.02(d)(2)b.
- (i) **Front Yard Setback.** The front yard setback requirement may be waived where the building is designed with a pedestrian-oriented front façade towards the sidewalk meeting the requirements of section 13.05.
- (j) **Loading Areas.** All loading and unloading shall be provided off-street in the rear yard or interior side yard, and shall in no instance be permitted in a front yard. Where an alley exists or is provided at the rear of buildings, the rear building setback and loading requirements may be computed from the center of the alley. Loading and unloading areas located in a side yard shall be fully screened from view from a public street. No overhead doors shall be permitted in the front elevation of the building. All residential districts and uses must be screened from truck loading and unloading activities in accordance with section 17.03.
- (k) **Building Side and Rear Yard Setback.** There shall be no side yard setback required where the side wall is a fire rated wall with no windows. There shall be no setback requirement from the waterfront.
- (l) **Maximum Lot Coverage.** The maximum lot coverage for buildings and impermeable surface shall be measured as follows:
- (1) The building coverage shall be calculated as the ratio of the footprint of all buildings, including the principal building, garages and detached accessory buildings, to the net area of the lot.
 - (2) The total impermeable surface coverage shall be calculated as the ratio of the ground area covered by all buildings, accessory structures, decks, pools, pavement, parking, loading and storage areas, normal pool area of wet detention basins to the net lot area.

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