

RESOLUTION NO. -20

**A RESOLUTION
APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT
TO CONSTRUCT A 44-SLIP MARINA AND BOAT RAMP
LOCATED IN THE 800 BLOCK OF WATERWAY WEST BOULEVARD
AND SETTING FORTH FINDINGS OF FACT AND
CONCLUSIONS, IN ACCORDANCE WITH REQUIREMENTS
OF ARTICLE 3 OF ZONING ORDINANCE NO. 1584
(ZA20-000039)**

WHEREAS, the applicant seeks Conditional Use Permit (CUP) approval to construct a 44-slip private marina and boat ramp. The site is located in the 800 block of Waterway West Boulevard and is a vacant wooded lot. The marina and boat ramp are an amenity for the approved 60-lot, "Waterways" Cottage Subdivision.

WHEREAS, in accordance with the Zoning Ordinance, a facility for the docking of 10 or more boats is considered a marina, and marinas are only allowed by a CUP.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON OCTOBER 12, 2020 as follows:

Section 1. That the Conditional Use Permit to construct a 44-slip private marina and boat ramp located in the 800 block of Waterway West Boulevard and is a vacant wooded lot is hereby approved.

Section 2. That the decision of the City Council to recommend approval with conditions for the construction of a 44-slip private marina and boat ramp, based on the Standards for Approval in Articles 3-3E and 3-4 C of the Zoning Ordinance.

1. The plan is in accordance with applicable requirements of this Ordinance, including that the proposed use is designated as a Conditional Use within the Applicable District.
2. The development plan has received all required state and federal approvals and permits.
3. The proposed site development plan is compatible with the goals and stated plans of the City and other governmental agencies for the area, as applicable
4. The proposed use provides economic benefits and enhances the economic vitality of the surrounding area.
5. The proposed use, if granted, will not burden the infrastructure and street system of the City.
6. The proposed use will not diminish environmental quality of natural resources.
7. The proposed use and Site Plan is compatible with surrounding uses and buildings by virtue of its massing, height, relationship to the street, and architectural character.
8. The use will not cause any injury to the value of other property in the vicinity.

9. The use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected from any noise, vibration, odor, glare, traffic, or other impact that may be caused by the use.
10. The existing building meets the architectural standards of the City and design guidelines, as applicable.
11. Adequacy of landscaping and screening is provided to protect neighboring properties from any visual intrusions, activities or structures that would detract from the enjoyment of neighboring property.
12. Adequacy of parking and loading arrangement, including whether ingress and egress is so designed as to cause minimum interference with traffic on Abutting streets and that heavy traffic is not introduced on residential streets.

Section 3: Therefore, in accordance with the Zoning Ordinance, the City Council hereby approves the issuance of a Conditional Use Permit for ZA20-000039 to construct a 44-slip private marina and boat ramp located in the 800 block of Waterway West Boulevard and is a vacant wooded lot with the following conditions:

1. Prior to the issuance of construction approvals for the marina, all marina criteria as referenced on the applicant's response to city staff's review comments dated August 6, 2020 (educational components, waste management, cleaning of vessels, and operational regulations) shall be included in The Waterways Subdivision covenants and restrictions and approved by the City.
2. Prior to the issuance of construction approvals for the marina, all required State and Federal approvals shall be obtained.

Section 4. That this Resolution shall become effective upon its adoption.

ADOPTED this 12th day of October, 2020.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. -20 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on October 12, 2020.

City Clerk