



CITY OF MARQUETTE  
**PLANNING AND ZONING**  
1100 Wright Street  
MARQUETTE, MI 49855  
(906) 228-0425  
www.marquettemi.gov

## **MEMORANDUM**

**TO:** Planning Commission  
**FROM:** David Stensaas, City Planner and Zoning Administrator  
**DATE:** March 3, 2022  
**SUBJECT:** **Public Hearing – 01-ZOA-04-2022 Land Development Code Amendments**

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The proposed amendments are the product of several months of effort by staff and the Planning Commission and have been developed, discussed, and refined during several work sessions in late 2021 and early 2022.

The draft amendments to the LDC document are attached, and they will be available to the public as part of the agenda packet that is posted on the City's website, and in the Planning-Zoning division offices prior to the meeting.

### **Recommended Action:**

The Planning Commission should conduct a public hearing to receive comments from the public regarding the draft amendments to the Land Development Code (LDC), review and discuss the proposed amendments and any concerns that may exist, and take appropriate action in the form of a motion to either:

- A. recommend approval of the draft LDC amendments to the City Commission, or
- B. request that staff facilitates further amendments of the LDC document.

It is highly recommended that any motion regarding this request include a statement such as:

After review of the draft Land Development Code (LDC) amendments presented as case 01-ZOA-04-2022, and after conducting a public hearing and careful consideration of the contents of the draft LDC amendments, the Planning Commission finds that the draft LDC amendments (**are / are not**) consistent with the recommendations, goals, and policy objectives of the Community Master Plan, comply with section 54.1405 of the Land Development Code and therefore (**are / are not**) justified and appropriate and therefore (**should / should not**) be approved by the City Commission (**as presented / and revised with the following amendments...**).



The proposed amendments to the **Land Development Code** are formatted in the following way:

1. New subsections and/or language is shown underlined and highlighted, as the example below indicates:

Example) H. Light Manufacturing

2. A subsection or language that is to be eliminated is indicated by strikethrough lines in the font, as the example below indicates:

Example) ~~F. Dwelling units must be located above the first floor.~~

Other text that is neither highlighted or lined-through is included for context.

Some text is highlighted in blue to explain features of the amended text.

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## Table of Figures

Figure 1. Basement .....	2-3
Figure 2. Building Height .....	2-5
Figure 3. Decorative Fence Examples.....	2-10
Figure 4. Lot Types .....	2-16
Figure 5. Examples of Nonconforming Use.....	2-25
Figure 6. Yard Terms .....	2-29
Figure 7. Yards of a Corner Lot.....	2-29
Figure 8. Table of Permitted Land Uses and Special Land Uses by Zoning District.....	3-3
<b>Figure 9. Downtown Marquette Waterfront District Regulating Plan .....</b>	<b>3-37</b>
<b>Figure 10. Downtown Marquette Waterfront District Table of Permitted and Special Uses.....</b>	<b>3-40</b>
Figure 9-11. Third Street Corridor Regulating Plan and Transect Districts (See City of Marquette Official Zoning Map for Adopted District Boundaries).....	3-83
<del>Figure 10</del> <b>12. Civic Space .....</b>	<b>3-89</b>
<del>Figure 11</del> <b>13. Approved Street Trees .....</b>	<b>3-90</b>
<del>Figure 12</del> <b>14. TSC T4 Standards .....</b>	<b>3-92</b>
<del>Figure 13</del> <b>15. TSC T5 Standards .....</b>	<b>3-93</b>
<del>Figure 14</del> <b>16. TSC Frontages and Elevations .....</b>	<b>3-94</b>
<del>Figure 15</del> <b>17. TSC Building Height .....</b>	<b>3-95</b>
<del>Figure 16</del> <b>18. TSC Private Frontages (Porches and Stoops).....</b>	<b>3-97</b>
<del>Figure 17</del> <b>19. TSC Private Frontages (Terraces and Common Entries).....</b>	<b>3-98</b>
<del>Figure 18</del> <b>20. TSC Private Frontages (Forecourts and Shopfronts) .....</b>	<b>3-99</b>
<del>Figure 19</del> <b>21. TSC Fence Types (Hedgerow, Post and Hedge, Picket Fence, and Metal).....</b>	<b>3-101</b>
<del>Figure 20</del> <b>22. TSC Fence Types (Masonry, and Metal and Masonry) .....</b>	<b>3-102</b>
<del>Figure 21</del> <b>23. TSC Fence Locations .....</b>	<b>3-103</b>
<del>Figure 22</del> <b>24. TSC Permitted and Special Land Uses .....</b>	<b>3-105</b>
<del>Figure 23</del> <b>25. TSC Parking Requirements (Required Number of Spaces by Use) .....</b>	<b>3-107</b>
<del>Figure 24</del> <b>26. TSC Parking Occupancy Rates.....</b>	<b>3-107</b>
<del>Figure 25</del> <b>27. TSC Public Frontage Type .....</b>	<b>3-113</b>
<del>Figure 26</del> <b>28. TSC Bicycle Parking Calculations .....</b>	<b>3-114</b>
<del>Figure 27</del> <b>29. TSC Bicycle Parking Types.....</b>	<b>3-115</b>
<del>Figure 28</del> <b>30. Schedule of Subdivision Improvements .....</b>	<b>5-26</b>
<del>Figure 29</del> <b>31. Schedule of Street Improvements for Subdivisions .....</b>	<b>5-26</b>
<del>Figure 30</del> <b>32. Separation from Off-Site Uses and/or Designated Areas.....</b>	<b>6-39</b>
<del>Figure 31</del> <b>33. Separation Distances Between Towers.....</b>	<b>6-39</b>
<del>Figure 32</del> <b>34. Clear Vision Triangle Area .....</b>	<b>7-3</b>
<del>Figure 33</del> <b>35. Clear Vision Triangle Area Where One or Both of the Intersecting Roads are Collector or Arterial Roads.....</b>	<b>7-4</b>
<del>Figure 34</del> <b>36. Clear Vision Triangle Area Where Both of the Intersecting Roads are Local Roads.....</b>	<b>7-4</b>
<del>Figure 35</del> <b>37. Example of Fences with More Than 50% of the Fence Area of Solid, Opaque Construction .....</b>	<b>7-9</b>
<del>Figure 36</del> <b>38. Light Fixture Cutoff and Shielding .....</b>	<b>8-2</b>
<del>Figure 37</del> <b>39. Canopy Recessed Lighting Elevation .....</b>	<b>8-3</b>
<del>Figure 38</del> <b>40. Maximum Illumination Levels .....</b>	<b>8-3</b>
<del>Figure 39</del> <b>41. Rain Garden Design Example .....</b>	<b>8-6</b>
<del>Figure 40</del> <b>42. Example of Slope Calculation by Percentage .....</b>	<b>8-7</b>
<del>Figure 41</del> <b>43. Parking Reduction Formula .....</b>	<b>9-5</b>
<del>Figure 42</del> <b>44. Barrier-Free Parking Requirements.....</b>	<b>9-9</b>
<del>Figure 43</del> <b>45. Minimum Parking Layout Dimension Requirements (Text) .....</b>	<b>9-9</b>
<del>Figure 44</del> <b>46. Minimum Parking Layout Dimension Requirements (Graphic).....</b>	<b>9-10</b>

Figure 45 47. Street Tree Planting List ..... 10-4  
 Figure 46 48. Example of Frontage Landscaping..... 10-5  
 Figure 47 49. Example of Interior Parking Lot Landscaping ..... 10-7  
 Figure 48 50. Required Buffer and Greenbelt Specifications..... 10-7  
 Figure 49 51. Required Review Process Based on Development Activity..... 14-3  
 Figure 50 52. Site Plan Information Required ..... 14-5

## Article 2 Definitions

### Section 54.202 Specific Terms

~~**Bed and Breakfast:** An owner-occupied dwelling where no more than 5 (five) guest rooms are made available for the temporary accommodation of the traveling or vacationing public. Such an establishment may offer meals only to those persons temporarily residing at the establishment. See also definition of “Bed and Breakfast Inn” and “Homestay.”~~

**Bed and Breakfast:** An owner-occupied residential dwelling where no more than 10 (ten) guest rooms are made available for lodgers’ sleeping accommodations. Such an establishment offers breakfast and possibly other meals or food to lodgers at no extra cost. See also definition of “Bed and Breakfast Inn” and “Homestay.”

~~**Bed and Breakfast Inn:** A structure primarily used for lodging purposes where the use as a residence is clearly secondary. A structure where more than 5 (five) but not more than 30 (thirty) guest rooms are made available for the temporary accommodation of the traveling or vacationing public. Such an establishment may offer meals to the public and persons temporarily residing at the establishment. See also definition of “Bed and Breakfast” and “Homestay.”~~

**Bed and Breakfast Inn:** A private residence constructed as a hotel and used for lodging purposes, in which more than 10 (ten) but not more than 14 (fourteen) guest rooms are made available for the lodgers’ sleeping accommodations. The innkeeper resides at the Inn and offers breakfast and possibly other meals or food to lodgers. See also definition of “Bed and Breakfast” and “Homestay.”

**Block:** A parcel or adjoining parcels of land that are bounded by local, collector, and arterial roads. Usually a block has a perimeter of roads, with roads on three or four sides of the contiguous parcels, but there may be exceptions, such as where a lake or a railroad forms a boundary.

**Block Face:** A block face is the area between intersections of the bounding/perimeter roads of contiguous parcels. A street may traverse one or two block faces, depending on if either one or two sides of the street is a parcel of land or not (e.g. undeveloped lakeshore may not constitute a block face).

**Dwelling Unit:** One (1) or more rooms, in a building, with a bathroom and usually containing principal kitchen facilities, designed or used as a self-contained unit for residential occupancy by one (1) family for such purposes as cooking, bathing, gathering, entertainment, and sleeping. A dwelling unit may be established by use in a structure or a portion of a structure that has neither a typical kitchen nor a typical bathroom, which are not always present when a person or persons are occupying space independently as renters or guests; therefore the design of the structure alone is not limiting regarding space being used as a dwelling unit. Tents, recreational vehicles (RVs) and other structures designed for temporary occupancy (14 days or less) are not to be used as dwelling units in the City of Marquette, with the exception of areas where they are specifically allowed, such as Tourist Park, commercial establishments approved for RVs, or other areas where camping may be authorized during emergencies or otherwise. See also the definition of “Occupancy, Temporary.”

**Hard Parking Surface:** For one- and two-family dwellings a hard parking surface shall comprise of compacted gravel at least six (6) inches in depth, concrete or asphalt pavement, pavers (pervious or impervious) or other products designed for parking. For all other uses, a hard parking surface shall exclude gravel with the exception that compacted gravel parking lots are allowed for *Land Intensive Recreational Uses*. The City Engineer may require minimum standards for hard parking surface (e.g., material depth, material specifications, construction techniques, etc.)

**Halfway House:** A house licensed by a State Agency for the continued care, treatment and counseling of individuals who have successfully completed institutional treatment or that have a treatment plan established with a relevant institution/agency and who will benefit from a controlled atmosphere in a residential setting. This type of home will have a manager that tracks the treatment and progress of all residents and arranges for the various health care and other needs that individual residents require to achieve their best possible health. Also known as a Sober Living House.

**Indoor Recreation:** Indoor commercial or non-commercial amusement services such as bowling alleys, skating rinks, billiard halls, stadium and sports arenas, movie theaters (excluding drive-in theaters), dance halls, event venues, reception halls, recreation assembly uses, archery ranges, and other indoor recreational facilities. "Indoor Recreation" excludes "Adult Entertainment Uses."

**Lot Types:** Lot Types are as follows (See [Figure 4. Lot Types](#))

**(d) Lot, Through or Double-Frontage:** An interior lot having frontage on two more or less parallel streets as distinguished from a corner lot. All sides of said lots adjacent to streets shall be considered frontage, and front yards shall be provided as required. Properties that share a property line with a city street on one side and limited access highway on the other side are not "Through Lots." The frontage facing the limited access highway is either a side or rear yard depending on the lot layout.

**Open Structure:** An open structure is a building, or structural amenity, having the total of all walls at least eighty (80) percent open. An open building, such as a pergola, may have a roof, but the percent of walls in the building envelope shall not exceed twenty (20) percent. An open structure is considered pervious only if it has no roof.

**Open Space:** Open space is the part of a parcel (which includes required yards) that is open and unobstructed from its lowest level to the sky, except for specific permitted obstructions and access ways, and that is accessible to and usable by all persons that have rights to use the property.

**Outdoor Food and Non-Alcoholic Beverage Service:** An establishment where food and/or non-alcoholic beverages are prepared and served for consumption outdoors in a designated dining area which excludes drive-through restaurants. See definitions of "Restaurant, Indoor Service."

**Outdoor Alcoholic Beverage Service:** A service conducted by a private establishment, in a designated outdoors area, where alcoholic beverages are served or permitted to be consumed.  
See definitions of "Bar" and "Restaurant, Indoor Service."

**Outdoor Livability Space:** Any area of a site which is not covered by an enclosed structure, is not included in required parking area, and is available for use by residents and visitors.

**Shooting Range, Indoor:** Indoor Shooting Range means an indoor area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting.

**Structure:** Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, except driveways and pavement, but including but not limited to retaining walls, driveways, and pavement for patios, sidewalks, porches, etc.

**Supportive Housing Facility, Transitional and/or Permanent:** A residential facility that provides housing and supportive services to homeless persons or families for periods up to two years (transitional) and/or beyond two years (permanent) and that has as its purpose facilitating the movement of homeless persons and families into independent living. Such facility may support those transitioning from rehabilitation or corrections facilities, and provides appropriate supportive services to persons with special need conditions (homelessness, domestic violence survivors, mental health challenges, drug addiction, etc.) intended to facilitate their eventual movement to maintaining permanent independent living within 24 months.

# Article 3 Zoning Districts and Map

## Section 54.306 Permitted Uses by District

Figure 8. Table of Permitted Land Uses and Special Land Uses by Zoning District

Key: P=Permitted S=Special Land Use [blank]=Use Not Permitted

Land Use	LDR	MDR	MFR	MHP	MU	CBD	GC	RC	M	C	I-M	CR	BLP	Use Standards
<b>Residential Uses</b>														
Adult Foster Care, Family Home	P	P	P	P	P	P								
Adult Foster Care, Large Group Home			S											<a href="#">Section 54.602</a>
Adult Foster Care, Small Group Home	S P	S P	S P		S P									<a href="#">Section 54.602</a>
Child or Day Care, Family Home	P	P	P	P	P	P								
Child or Day Care, Group Home	S	S	S		S									<a href="#">Section 54.608</a>
Dwelling, Accessory Unit	S P	S P	S P		S P	S P								<a href="#">Section 54.612</a>
Dwelling, Intentional Community	S	S	S		S	S								<a href="#">Section 54.614</a>
Dwelling, Live/Work					P	P								<a href="#">Section 54.615</a>
Dwelling, Multiple-Family			P		P	P S								<a href="#">Section 54.616</a>
Dwelling, Single-Family Attached			P		P	S								
Dwelling, Single-Family Detached	P	P	P		P	S								<a href="#">Section 54.617</a>
Dwelling, Two-Family (Duplex)	S	S	P		P	P								<a href="#">Section 54.613</a>
Foster Family Group Home	S	S	S		S	S								
Foster Family Home	P	P	P		P	P								
Home Occupation	P	P	P		P	P								<a href="#">Section 54.621</a>
Home Office	P	P	P		P	P								<a href="#">Section 54.622</a>
Mobile Home Park				P										<a href="#">Section 54.630</a>
Nursing Home, Convalescent Home, Extended Care Facility, Assisted Living Facility			S		S	S								<a href="#">Section 54.632</a>
Residential Limited Animal Keeping	P	P												<a href="#">Section 54.6412</a>
<b>Lodging Uses</b>														
Bed and Breakfast			S		S	S								<a href="#">Section 54.603</a>
Bed and Breakfast Inn					S	S								<a href="#">Section 54.604</a>
Domestic Violence Abuse Shelter			S		S	S								<a href="#">Section 54.610</a>
Fraternity or Sorority House			S		S	S								
Halfway House			S		S									<a href="#">Section 54.620</a>
Homeless Shelter					S	S								<a href="#">Section 54.623</a>
Homestays and Vacation Home Rentals	P	P	P		P	P								<a href="#">Section 54.624</a>
Hospital Hospitality House			S		S	S								<a href="#">Section 54.626</a>
Hotel or Motel					S	S	P	P						
Rooming House			S		S	S								<a href="#">Section 54.6423</a>
<b>Supportive Housing Facility, Transitional and/or Permanent</b>	S	S	P		S	S								<a href="#">Section 54.646</a>

Key: P=Permitted S=Special Land Use [blank]=Use Not Permitted

	LDR	MDR	MFR	MHP	MU	CBD	GC	RC	M	C	I-M	CR	BLP	Use Standards
<b>Medical Uses</b>														
Emergency Services					P	P	P	P						
Health Services					P	P	P	P						
Hospice					P	P	P	P						
Hospital			S		S	S	S	S						<a href="#">Section 54.625</a>
Medical Hospital Related Accessory Uses					P	P	P	P						
Medical Hospital Related Office					P	P	P	P						
Medical Hospital Related Uses					P	P	P	P						
Office, Medical					P	P	P	P			P			<a href="#">Section 54.633</a>
Veterinary Clinic (Domestic Animals Only)					P	P	P	P			P			
<b>Public and Quasi-Public Uses</b>														
Cemetery	S	S	S						P	P				<a href="#">Section 54.606</a>
Public or Governmental Building	S	S	S		P	P	P	P	P	P	P	P	P	
Recreational Use, Land Intensive												S	S	<a href="#">Section 54.639</a> <sup>40</sup>
Recreational Use, Public	S	S	S		S	S	S	S	P	P		P	P	
Religious Institution	S	S	S		P	S	P	P			P			<a href="#">Section 54.640</a> <sup>1</sup>
School, Primary or Secondary	S	S	S		S	S			P	P				<a href="#">Section 54.643</a> <sup>4</sup>
School, University		S	S		S	S			P	P				<a href="#">Section 54.607</a>
<b>Commercial and Retail Uses</b>														
Adult Entertainment Uses											S			<a href="#">Section 54.601</a>
Bar					S	P	P	P						
Child Care Center or Day Care Center	S	S			P	S	P	P						<a href="#">Section 54.609</a>
Drive-Through Uses					P	S	P	P						<a href="#">Section 54.611</a>
Farmers' Markets					P	P	P	P	P	P				<a href="#">Section 54.618</a>
Gasoline Service Stations						S	P	P			P			
Indoor Recreation					P	P	P	P	P	P	P			
Office, Professional					P	P	P	P	P	P	P			<a href="#">Section 54.633</a>
Outdoor Entertainment and Community Events (Principal Use <u>or Accessory Use</u> )					S	P	S	S	P	P		P	S	<a href="#">Section 54.635(C) or (D)</a>
Outdoor Entertainment and Community Events (Temporary Use)	P	P	P	P	P	P	P	P	P	P	P	P	P	<a href="#">Section 54.635(B)</a>
<u>Outdoor Alcoholic Food and Beverage Service</u>					S	P	P	P				P		<a href="#">Section 54.636</a>
<u>Outdoor Food and Non-Alcoholic Beverage Service</u>					P	P	P	P				P		<a href="#">Section 54.637</a>
Outdoor Recreation			S		P	P	P	P	P	P		P	P	
Pet Boarding Facility							S	S			S			
Restaurant, Indoor Service					P	P	P	P						
Retail Business, Indoor					P	P	P	P			P			
Retail Business, Outdoor Permanent							S	S			S			
Retail Sales, Outdoor Temporary					P	P	P	P						<a href="#">Section 54.637</a> <sup>8</sup>
Service Establishment					P	P	P	P			P			
<u>Shooting Range, Indoor</u>							P	P			P			<a href="#">Section 54.645</a>
Storage, Open							P	P	P	P	P	P	P	<a href="#">Section 54.634</a>
Vehicle Repair and Service					S	S	S	P			P			<a href="#">Section 54.627</a>

Land Use	LDR	MDR	MFR	MHP	MU	CBD	GC	RC	M	C	I-M	CR	BLP	Use Standards
<b>Industrial Uses</b>														
Major Repair and Maintenance Operations											S		P	<a href="#">Section 54.627</a>
Manufacturing, Heavy											S			<a href="#">Section 54.627</a>
Manufacturing, Light					S	S	S	S			P			<a href="#">Section 54.627</a>
Natural Resource Extraction Operations												S		<a href="#">Section 54.631</a>
Port Facilities and Docks									S	S		S	S	<a href="#">Section 54.638</a> <sup>9</sup>
Railroad Facilities											P			
Storage, Bulk								S			S		P	<a href="#">Section 54.605</a>
Utility Electrical Power Generation													P	
Warehousing								S			P		P	
Wholesale Trade Establishment							P	P			P			
Wholesaling Operations								S			P			
<b>Other Uses</b>														
Accessory Building or Structure	P	P	P		P	P	P	P	P	P	P	P	P	<a href="#">Section 54.705</a>
Accessory Use, Non-Single Family Residential Lots	P	P	S		S	S	S	S	S	S	S	S	S	
Accessory Use, Single-Family Residential Lots	P	P	P		P	S								
Agriculture-Like Operation, including Forestry									P	P		P	P	
Food Production, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	<a href="#">Section 54.619</a>
Marihuana Designated Consumption Establishment						S	S							<a href="#">Section 54.628</a>
Marihuana Grower – Class A						S	S	S			S			<a href="#">Section 54.628</a>
Marihuana Grower – Class B							S	S			S			<a href="#">Section 54.628</a>
Marihuana Grower – Class C							S	S			S			<a href="#">Section 54.628</a>
Marihuana Grower _ Excess							S	S			S			<a href="#">Section 54.628</a>
Marihuana Microbusiness- Light Manufacturing						S	S	S			S			<a href="#">Section 54.628</a>
Marihuana Microbusiness- Heavy Manufacturing											S			<a href="#">Section 54.628</a>
Marihuana Processor- Light Manufacturing						S	S	S			S			<a href="#">Section 54.628</a>
Marihuana Processor – Heavy Manufacturing											S			<a href="#">Section 54.628</a>
Marihuana Retailer						S	S	S			S			<a href="#">Section 54.628</a>
Marihuana Safety Compliance Facilities					S	S	S	S			S			<a href="#">Section 54.628</a>
Marihuana Secure Transporters							S	S			S			<a href="#">Section 54.628</a>
Recycling Collection and Transfer Stations									S					
Structures between the shoreline of Lake Superior and the pavement of the nearest public street or highway.									S	S		S		
Wireless Telecommunications Facilities						S	S	S	P	P	P	S	P	<a href="#">Section 54.644</a> <sup>7</sup>
Marquette Downtown Waterfront District Form-Based Code (see <a href="#">Section 54.321</a> )														
Third Street Corridor Form-Based Code (see <a href="#">Section 54.322</a> )														

### Section 54.307 LDR, Low Density Residential District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Accessory Use, Single-Family Residential Lots</li> <li>• Adult Foster Care, Family Home</li> <li>• <b>Adult Foster Care, Small Group Home</b></li> <li>• Child or Day Care, Family Home</li> <li>• <b>Dwelling, Accessory Unit</b></li> <li>• Dwelling, Single-Family Detached</li> <li>• Food Production, Minor</li> <li>• Foster Family Home</li> <li>• Home Occupation</li> <li>• Home Office</li> <li>• Homestays and Vacation Home</li> <li>• <b>Outdoor Entertainment and Community Events (Temporary)</b></li> <li>• Residential Limited Animal Keeping</li> </ul>	<ul style="list-style-type: none"> <li>• <del>Adult Foster Care, Small Group Home</del></li> <li>• Cemetery</li> <li>• Child Care Center or Day Care Center</li> <li>• Child or Day Care, Group Home</li> <li>• <del>Dwelling, Accessory Unit</del></li> <li>• Dwelling, Intentional Community</li> <li>• Dwelling, Two-Family (Duplex)</li> <li>• Foster Family Group Home</li> <li>• Public or Governmental Building</li> <li>• Recreational Use, Public</li> <li>• Religious Institution</li> <li>• School, Primary or Secondary</li> <li>• <b>Supportive Housing Facility, Transitional and/or Permanent</b></li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

### Section 54.308 MDR, Medium Density Residential District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Accessory Use, Single-Family Residential Lots</li> <li>• Adult Foster Care, Family Home</li> <li>• <b>Adult Foster Care, Small Group Home</b></li> <li>• Child or Day Care, Family Home</li> <li>• <b>Dwelling, Accessory Unit</b></li> <li>• Dwelling, Single-Family Detached</li> <li>• Food Production, Minor</li> <li>• Foster Family Home</li> <li>• Home Occupation</li> <li>• Home Office</li> <li>• Homestays and Vacation Home</li> <li>• <b>Outdoor Entertainment and Community Events (Temporary)</b></li> <li>• Residential Limited Animal Keeping</li> </ul>	<ul style="list-style-type: none"> <li>• <del>Adult Foster Care, Small Group Home</del></li> <li>• Cemetery</li> <li>• Child Care Center or Day Care Center</li> <li>• Child or Day Care, Group Home</li> <li>• <del>Dwelling, Accessory Unit</del></li> <li>• Dwelling, Intentional Community</li> <li>• Dwelling, Two-Family (Duplex)</li> <li>• Foster Family Group Home</li> <li>• Hospital Hospitality House</li> <li>• Public or Governmental Building</li> <li>• Recreational Use, Public</li> <li>• Religious Institution</li> <li>• School, Primary or Secondary</li> <li>• School, University</li> <li>• <b>Supportive Housing Facility, Transitional and/or Permanent</b></li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

### Section 54.309 MFR, Multiple Family Residential District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Accessory Use, Single-Family Residential Lots</li> <li>• Adult Foster Care, Family Home</li> <li>• <b>Adult Foster Care, Small Group Home</b></li> <li>• Child or Day Care, Family Home</li> <li>• <b>Dwelling, Accessory Unit</b></li> <li>• Dwelling, Multiple-Family</li> <li>• Dwelling, Single-Family Attached</li> <li>• Dwelling, Single-Family Detached</li> <li>• Dwelling, Two-Family (Duplex)</li> <li>• Food Production, Minor</li> <li>• Foster Family Home</li> <li>• Home Occupation</li> <li>• Home Office</li> <li>• Homestays and Vacation Home</li> <li>• <b>Outdoor Entertainment and Community Events (Temporary)</b></li> <li>• <b>Supportive Housing Facility, Transitional and/or Permanent</b></li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Adult Foster Care, Large Group Home</li> <li>• <del>Adult Foster Care, Small Group Home</del></li> <li>• Bed and Breakfast</li> <li>• Cemetery</li> <li>• Child or Day Care, Group Home</li> <li>• Domestic Violence Abuse Shelter</li> <li>• <del>Dwelling, Accessory Unit</del></li> <li>• Dwelling, Intentional Community</li> <li>• Foster Family Group Home</li> <li>• Fraternity or Sorority House</li> <li>• Halfway House</li> <li>• Hospital</li> <li>• Nursing Home, Convalescent Home, Extended Care Facility, Assisted Living Facility</li> <li>• Outdoor Recreation</li> <li>• Public or Governmental Building</li> <li>• Recreational Use, Public</li> <li>• Religious Institution</li> <li>• Rooming House</li> <li>• School, Primary or Secondary</li> <li>• School, University</li> </ul>

Where there is a discrepancy between [Section 54.306](#) and this table, [Section 54.306](#) shall prevail.

(D) Dimensional Regulations for 5+ Multiple Family Units			
Lot, Coverage, and Building Height Standards		Minimum Setbacks	
Min. Lot Area (sq. ft.)	15,000 (C)	Front Yard (ft.)	15 (A)
Min. Lot Width (ft.)	100 (D)	Side Yard (one) (ft.)	15 (H), (L), (M)
Max. Impervious Surface Coverage (%)	(S)	Side Yard (total of 2) (ft.)	30 (H), (L), (M)
Max. Building Height of Primary Building (ft.) (P)	44 (M & N)	Rear Yard (ft.)	30 (H), (L), (M)
Max. Building Height of Accessory Building	(L)		
Max. Building Height (stories)	-		
Max. Lot Coverage/ Ground Coverage	0.20		

Where there is a discrepancy between [Article 4](#) and this table, [Article 4](#) shall prevail.

(E) Dimensional Regulations for 1-4 Dwelling Units and other uses identified in Section 54.309			
Lot, Coverage, and Building Height Standards		Minimum Setbacks	
Min. Lot Area (sq. ft.)	9,000 (E)	Front Yard (ft.)	15 (A)
Min. Lot Width (ft.)	75 (E)	Side Yard (one) (ft.)	10 (H), (L), (M)
Max. Impervious Surface Coverage (%)	(R or S)	Side Yard (total of 2) (ft.)	20 (H), (L), (M)
Max. Building Height of Primary Building (ft.) (P)	44 ((M & N)	Rear Yard (ft.)	30 (H), (L), (M)
Max. Building Height of Accessory Building	(L)		
Max. Building Height (stories)	-		
Max. Lot Coverage/ Ground Coverage	0.20		

Where there is a discrepancy between [Article 4](#) and this table, [Article 4](#) shall prevail.

Note: The existing (E) will become (F) References to Additional Standards

### Section 54.310 MHP, Mobile Home Park District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Adult Foster Care, Family Home</li> <li>• Child or Day Care, Family Home</li> <li>• Food Production, Minor</li> <li>• Mobile Home Park</li> <li>• <u>Outdoor Entertainment and Community Events (Temporary)</u></li> </ul>	
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

### Section 54.311 M-U, Mixed-Use District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Accessory Use, Single-Family Residential Lots</li> <li>• Adult Foster Care, Family Home</li> <li>• <u>Adult Foster Care, Small Group Home</u></li> <li>• Child Care Center or Day Care Center</li> <li>• Child or Day Care, Family Home</li> <li>• <u>Drive-Through Uses</u></li> <li>• <u>Dwelling, Accessory Unit</u></li> <li>• Dwelling, Live/Work</li> <li>• Dwelling, Multiple-Family</li> <li>• Dwelling, Single-Family Attached</li> <li>• Dwelling, Single-Family Detached</li> <li>• Dwelling, Two-Family (Duplex)</li> <li>• Emergency Services</li> <li>• Farmers’ Markets</li> <li>• Food Production, Minor</li> <li>• Foster Family Home</li> <li>• Health Services</li> <li>• Home Occupation</li> <li>• Home Office</li> <li>• Homestays and Vacation Home</li> <li>• Hospice</li> <li>• Indoor Recreation</li> <li>• Medical Hospital Related Accessory Uses</li> <li>• Medical Hospital Related Office</li> <li>• Medical Hospital Related Uses</li> <li>• Office, Medical</li> <li>• Office, Professional</li> <li>• <u>Outdoor Entertainment and Community Events (Temporary)</u></li> <li>• <u>Outdoor Food and Non-Alcoholic Beverage Service</u></li> <li>• Outdoor Recreation</li> <li>• Public or Governmental Building</li> <li>• Religious Institution</li> <li>• Restaurant, Indoor Service</li> <li>• Retail Business, Indoor</li> <li>• Retail Sales, Outdoor Temporary</li> <li>• Service Establishment</li> <li>• Veterinary Clinic (Domestic Animals Only)</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• <del>Adult Foster Care, Small Group Home</del></li> <li>• Bar</li> <li>• Bed and Breakfast</li> <li>• Bed and Breakfast Inn</li> <li>• Child or Day Care, Group Home</li> <li>• Domestic Violence Abuse Shelter</li> <li>• <del>Dwelling, Accessory Unit</del></li> <li>• Dwelling, Intentional Community</li> <li>• Foster Family Group Home</li> <li>• Fraternity or Sorority House</li> <li>• <u>Halfway House</u></li> <li>• Homeless Shelter</li> <li>• Hospital</li> <li>• Hospital Hospitality House</li> <li>• Hotel or Motel</li> <li>• Manufacturing, Light</li> <li>• Marihuana Safety Compliance Facility</li> <li>• Nursing Home, Convalescent Home, Extended Care Facility, Assisted Living Facility</li> <li>• Outdoor Entertainment and Community Events (Principal or Accessory Use)</li> <li>• Outdoor <del>Alcoholic Food and Beverage Service</del></li> <li>• Recreational Use, Public</li> <li>• Rooming House</li> <li>• School, Primary or Secondary</li> <li>• School, University</li> <li>• <u>Supportive Housing Facility, Transitional and/or Permanent</u></li> <li>• Vehicle Repair and Service</li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

## Section 54.312 CBD, Central Business District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Adult Foster Care, Family Home</li> <li>• Bar</li> <li>• Child or Day Care, Family Home</li> <li>• <b>Drive-Through Uses</b></li> <li>• Dwelling, Live/Work</li> <li>• <b>Dwelling, Accessory Unit</b></li> <li>• <b>Dwelling, Multiple-Family</b></li> <li>• Dwelling, Two-Family (Duplex)</li> <li>• Emergency Services</li> <li>• Farmers’ Markets</li> <li>• Food Production, Minor</li> <li>• Foster Family Home</li> <li>• Health Services</li> <li>• Home Occupation</li> <li>• Home Office</li> <li>• Homestays and Vacation Home</li> <li>• Hospice</li> <li>• Indoor Recreation</li> <li>• Medical Hospital Related Accessory Uses</li> <li>• Medical Hospital Related Office</li> <li>• Medical Hospital Related Uses</li> <li>• Office, Medical</li> <li>• Office, Professional</li> <li>• Outdoor <del>Alcoholic Food and Beverage Service</del></li> <li>• Outdoor Entertainment and Community Events (Principal, <b>Temporary</b>, or Accessory Use)</li> <li>• <b>Outdoor Food and Non-Alcoholic Beverage Service</b></li> <li>• Outdoor Recreation</li> <li>• Public or Governmental Building</li> <li>• Restaurant, Indoor Service</li> <li>• Retail Business, Indoor</li> <li>• Retail Sales, Outdoor Temporary</li> <li>• Service Establishment</li> <li>• Veterinary Clinic (Domestic Animals Only)</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Accessory Use, Single-Family Residential Lots</li> <li>• Bed and Breakfast</li> <li>• Bed and Breakfast Inn</li> <li>• Child Care Center or Day Care Center</li> <li>• Domestic Violence Abuse Shelter</li> <li>• <del>Drive Through Uses</del></li> <li>• <del>Dwelling, Accessory Unit</del></li> <li>• Dwelling, Intentional Community</li> <li>• <del>Dwelling, Multiple-Family</del></li> <li>• Dwelling, Single-Family Attached</li> <li>• Dwelling, Single-Family Detached</li> <li>• Foster Family Group Home</li> <li>• Fraternity or Sorority House</li> <li>• Gasoline Service Stations</li> <li>• Homeless Shelter</li> <li>• Hospital</li> <li>• Hospital Hospitality House</li> <li>• Hotel or Motel</li> <li>• Manufacturing, Light</li> <li>• Marijuana Designated Consumption Establishment</li> <li>• Marijuana Grower – Class A</li> <li>• Marijuana Microbusiness – Light Manufacturing</li> <li>• Marijuana Processor – Light Manufacturing</li> <li>• Marijuana Retailer</li> <li>• Marijuana Safety Compliance Facility</li> <li>• Nursing Home, Convalescent Home, Extended Care Facility, Assisted Living Facility</li> <li>• Recreational Use, Public</li> <li>• Religious Institution</li> <li>• Rooming House</li> <li>• School, Primary or Secondary</li> <li>• School, University</li> <li>• <b>Supportive Housing Facility, Transitional and/or Permanent</b></li> <li>• Vehicle Repair and Service</li> <li>• Wireless Telecommunications Facilities</li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

## Section 54.313 GC, General Commercial District

<b>(B) Permitted Principal Uses</b>	<b>(C) Special Land Uses</b>
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Bar</li> <li>• Child Care Center or Day Care Center</li> <li>• Drive-Through Uses</li> <li>• Emergency Services</li> <li>• Farmers’ Markets</li> <li>• Food Production, Minor</li> <li>• Gasoline Service Stations</li> <li>• Health Services</li> <li>• Hospice</li> <li>• Hotel or Motel</li> <li>• Indoor Recreation</li> <li>• Medical Hospital Related Accessory Uses</li> <li>• Medical Hospital Related Office</li> <li>• Medical Hospital Related Uses</li> <li>• Office, Medical</li> <li>• Office, Professional</li> <li>• Outdoor <u>Alcoholic Food and Beverage Service</u></li> <li>• <u>Outdoor Entertainment and Community Events (Temporary Use)</u></li> <li>• <u>Outdoor Food and Non-Alcoholic Beverage Service</u></li> <li>• Outdoor Recreation</li> <li>• Public or Governmental Building</li> <li>• Religious Institution</li> <li>• Restaurant, Indoor Service</li> <li>• Retail Business, Indoor</li> <li>• Retail Sales, Outdoor Temporary</li> <li>• Service Establishment</li> <li>• <u>Shooting Range, Indoor</u></li> <li>• Storage, Open</li> <li>• Veterinary Clinic (Domestic Animals Only)</li> <li>• Wholesale Trade Establishment</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Hospital</li> <li>• Manufacturing, Light</li> <li>• Marihuana Designated Consumption Establishment</li> <li>• Marihuana Grower – Class A</li> <li>• Marihuana Grower – Class B</li> <li>• Marihuana Grower – Class C</li> <li>• Marihuana Grower – Excess</li> <li>• Marihuana Microbusiness Light Manufacturing</li> <li>• Marihuana Processor – Light Manufacturing</li> <li>• Marihuana Retailer</li> <li>• Marihuana Safety Compliance Facility</li> <li>• Marihuana Secure Transporters</li> <li>• <u>Outdoor Entertainment and Community Events (Principal &amp; Accessory Use)</u></li> <li>• Pet Boarding Facility</li> <li>• Recreational Use, Public</li> <li>• Retail Business, Outdoor Permanent</li> <li>• Vehicle Repair and Service</li> <li>• Wireless Telecommunications Facilities</li> </ul>

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

## Section 54.314 RC, Regional Commercial District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Bar</li> <li>• Child Care Center or Day Care Center</li> <li>• Drive-Through Uses</li> <li>• Emergency Services</li> <li>• Farmers’ Markets</li> <li>• Food Production, Minor</li> <li>• Gasoline Service Stations</li> <li>• Health Services</li> <li>• Hospice</li> <li>• Hotel or Motel</li> <li>• Indoor Recreation</li> <li>• Medical Hospital Related Accessory Uses</li> <li>• Medical Hospital Related Office</li> <li>• Medical Hospital Related Uses</li> <li>• Office, Medical</li> <li>• Office, Professional</li> <li>• Outdoor <del>Alcoholic Food and Beverage Service</del></li> <li>• <b>Outdoor Entertainment and Community Events (Temporary Use)</b></li> <li>• <b>Outdoor Food and Non-Alcoholic Beverage Service</b></li> <li>• Outdoor Recreation</li> <li>• Public or Governmental Building</li> <li>• Religious Institution</li> <li>• Restaurant, Indoor Service</li> <li>• Retail Business, Indoor</li> <li>• Retail Sales, Outdoor Temporary</li> <li>• Service Establishment</li> <li>• <b>Shooting Range, Indoor</b></li> <li>• Storage, Open</li> <li>• Vehicle Repair and Service</li> <li>• Veterinary Clinic (Domestic Animals Only)</li> <li>• Wholesale Trade Establishment</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Hospital</li> <li>• Manufacturing, Light</li> <li>• Marihuana Grower – Class A</li> <li>• Marihuana Grower – Class B</li> <li>• Marihuana Grower – Class C</li> <li>• Marihuana Grower – Excess</li> <li>• Marihuana Microbusiness – Light Manufacturing</li> <li>• Marihuana Processor – Light Manufacturing</li> <li>• Marihuana Retailer</li> <li>• Marihuana Safety Compliance Facility</li> <li>• Marihuana Secure Transporters</li> <li>• <b>Outdoor Entertainment and Community Events (Principal &amp; Accessory Use)</b></li> <li>• Pet Boarding Facility</li> <li>• Recreational Use, Public</li> <li>• Retail Business, Outdoor Permanent</li> <li>• Storage, Bulk</li> <li>• Warehousing</li> <li>• Wholesaling Operations</li> <li>• Wireless Telecommunications Facilities</li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

### Section 54.315 M, Municipal District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Agriculture-Like Operation, including Forestry</li> <li>• Cemetery</li> <li>• Farmers’ Markets</li> <li>• Food Production, Minor</li> <li>• Indoor Recreation</li> <li>• Office, Professional</li> <li>• Outdoor Entertainment and Community Events (Principal, <b>Temporary</b>, or Accessory Use)</li> <li>• Outdoor Recreation</li> <li>• Public or Governmental Building</li> <li>• Recreational Use, Public</li> <li>• School, Primary or Secondary</li> <li>• School, University</li> <li>• Storage, Open</li> <li>• Wireless Telecommunications Facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Port Facilities and Docks</li> <li>• Recycling Collection and Transfer Stations</li> <li>• Structures between the shoreline of Lake Superior and the pavement of the nearest public street or highway.</li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

### Section 54.316 C, Civic District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Agriculture-Like Operation, including Forestry</li> <li>• Cemetery</li> <li>• Farmers’ Markets</li> <li>• Food Production, Minor</li> <li>• Indoor Recreation</li> <li>• Office, Professional</li> <li>• Outdoor Entertainment and Community Events (Principal, <b>Temporary</b>, or Accessory Use)</li> <li>• Outdoor Recreation</li> <li>• Public or Governmental Building</li> <li>• Recreational Use, Public</li> <li>• School, Primary or Secondary</li> <li>• School, University</li> <li>• Storage, Open</li> <li>• Wireless Telecommunications Facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Port Facilities and Docks</li> <li>• Structures between the shoreline of Lake Superior and the pavement of the nearest public street or highway.</li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

### Section 54.317 IM, Industrial/Manufacturing District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Food Production, Minor</li> <li>• Gasoline Service Stations</li> <li>• Indoor Recreation</li> <li>• Manufacturing, Light</li> <li>• Office, Medical</li> <li>• Office, Professional</li> <li>• <b>Outdoor Entertainment and Community Events (Temporary)</b></li> <li>• Public or Governmental Building</li> <li>• Railroad Facilities</li> <li>• Religious Institution</li> <li>• Retail Business, Indoor</li> <li>• Service Establishment</li> <li>• <b>Shooting Range, Indoor</b></li> <li>• Storage, Open</li> <li>• Vehicle Repair and Service</li> <li>• Veterinary Clinic (Domestic Animals Only)</li> <li>• Warehousing</li> <li>• Wholesale Trade Establishment</li> <li>• Wholesaling Operations</li> <li>• Wireless Telecommunications Facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Adult Entertainment Uses</li> <li>• Major Repair and Maintenance Operations</li> <li>• Marihuana Grower – Class A</li> <li>• Marihuana Grower – Class B</li> <li>• Marihuana Grower – Class C</li> <li>• Marihuana Grower – Excess</li> <li>• Marihuana Microbusiness – Light Manufacturing</li> <li>• Marihuana Microbusiness – Heavy Manufacturing</li> <li>• Marihuana Processor – Light Manufacturing</li> <li>• Marihuana Processor – Heavy Manufacturing</li> <li>• Marihuana Retailer</li> <li>• Marihuana Safety Compliance Facility</li> <li>• Marihuana Secure Transporters</li> <li>• Manufacturing, Heavy</li> <li>• Pet Boarding Facility</li> <li>• Retail Business, Outdoor Permanent</li> <li>• Storage, Bulk</li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

### Section 54.318 CR, Conservation and Recreation District

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Agriculture-Like Operation, including Forestry</li> <li>• Food Production, Minor</li> <li>• <b>Outdoor Entertainment and Community Events (Accessory, Temporary, and Principal)</b></li> <li>• <b>Outdoor Alcoholic Beverage Service</b></li> <li>• <b>Outdoor Food and Non-Alcoholic Beverage Service</b></li> <li>• Outdoor Recreation</li> <li>• Public or Governmental Building</li> <li>• Recreational Use, Public</li> <li>• Storage, Open</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Natural Resource Extraction Operations</li> <li>• <del>Outdoor Entertainment and Community Events (Principal or Accessory Use)</del></li> <li>• Port Facilities and Docks</li> <li>• Recreational Use, Land Intensive</li> <li>• Structures between the shoreline of Lake Superior and the pavement of the nearest public street or highway.</li> <li>• Wireless Telecommunications Facilities</li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

## Section 54.319 BLP, Board of Light and Power District

<b>(B) Permitted Principal Uses</b>	<b>(C) Special Land Uses</b>
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Agriculture-Like Operation, including Forestry</li> <li>• Food Production, Minor</li> <li>• Major Repair and Maintenance Operations</li> <li>• <b>Outdoor Entertainment and Community Events (Temporary)</b></li> <li>• Outdoor Recreation</li> <li>• Public or Governmental Building</li> <li>• Recreational Use, Public</li> <li>• Storage, Bulk</li> <li>• Storage, Open</li> <li>• Utility Electrical Power Generation</li> <li>• Warehousing</li> <li>• Wireless Telecommunications Facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-Single Family Residential Lots</li> <li>• Port Facilities and Docks</li> <li>• Recreational Use, Land Intensive</li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	

**Note: (D) Dimensional Regulations will be updated to reflect the new footnotes in 54.403**

## Section 54.321 Marquette Downtown Waterfront District Form-Based Code

### (B) The Downtown Waterfront District Regulating Plan.

**(2) Rules for New Development.** New development in the Downtown Waterfront District shall integrate street (roadway) design and land development to create a complementary and connected pattern for growth and development. The rules below will establish/create a compact, mixed-use district and provide flexible opportunities for residential, employment, commerce, and recreational uses.

#### (a) Streets, ~~and~~ Blocks and Alleys

- (v) ~~Where designated on the REGULATING PLAN~~ In the case of an existing alley/access easement, except where lots are on a perimeter common to non-developable, lakeshore, or conservation lands:
- a. ALLEYS shall provide access to the rear of all lots ~~and are~~ ALLEY construction is required as part of the redevelopment project within the rear setback, ~~unless an ALLEY already exists~~. ALLEYS shall be ~~constructed~~ reconstructed if existing, to meet the City construction standards in order to be suitable for emergency and service vehicle access.
  - b. ALLEYS shown on the REGULATING PLAN represent suggested & approximate configurations. Access through the BLOCK and to the rear of lots within the BLOCK is required to be maintained by existing alleys/access easements. The specific configuration may include shared parking areas and other uses so long as reasonable service access is relatively unimpeded.
  - ~~c. Where an alley does not exist and is not feasible to construct at the time of redevelopment of any property, the applicant is required to maintain the area within the rear setback by, at a minimum:~~
    - ~~i. Sodding and providing routine landscape maintenance to the area.~~
    - ~~ii. Keeping the area clear of debris, stored materials, and vehicles.~~
- (~~vi-v~~) Stub streets shown on the REGULATING PLAN are not considered to be established until the City of Marquette obtains the property. Until this occurs, the RBL/RBZ will be the current property line.

#### (b) Buildings

- (vi) Cladding materials shall be of typical wood finish materials, typical masonry materials (e.g. brick, stone, concrete, cement, tile, stucco, granite, limestone, cast stone), and non-polished metals, unless otherwise designated by the individual building form standards. Glass curtain walls, reflective glass, and other materials of greater than 30% reflectance are prohibited due to the undesirable blinding effect compounded by snow. Metal cladding shall be limited to not more than 40% of the non-fenestrated façade area, except in the Working Waterfront and Workshop Flex subdistricts.
- (vii) Cladding may consist of no more than fifty (50) percent white-grey-black coloration; at least fifty (50) percent of cladding coloration must be any primary, secondary, or tertiary colors, or combinations and hues of these colors.
- (~~vii-viii~~) Mechanical and electrical equipment including, but not limited to, air

compressors, pumps, exterior water heaters, water softeners, private garbage cans (not including public sidewalk waste bins), and storage tanks must be screened in accordance with [Section 54.1003\(F\)](#) and [Section 54.1003\(G\)](#).

**(d) Parking**

**(iii) Achieving Parking:**

- a. Parking requirements may be met either on-site or within a ~~600~~ **2,000** foot radius of the development parcel.
- b. Shared parking shall be designated by appropriate signage and markings as required by City policy.
- c. Vehicular parking spaces may not be placed over a public utility easement without the approval of the City Engineer and the Zoning Administrator, except where Planning Commission approval is required.

**(C) Building Form Standards.**

**(3) Limited and Prohibited Uses (within the Downtown Waterfront District). The items below have been placed into Figure 10, which is shown on the following page.**

~~(a) Uses Permitted By Right. See the individual Building Form Standard pages.~~

~~**(b) SPECIAL LAND USES (RESIDENTIAL USE areas – see definitions):**~~

- ~~(i) Group Day Care Home (Section 54.608)~~
- ~~(ii) Foster Family Group Home~~
- ~~(iii) Halfway House (Section 54.620)~~
- ~~(iv) Homeless Shelter (Section 54.623)~~

~~**(c) SPECIAL LAND USES (COMMERCE and Other)**~~

- ~~(i) Wireless Telecommunications Facilities (Section 54.644)~~
- ~~(ii) Outdoor Entertainment and Community Events (Section 54.635)~~
- ~~(iii) Recreation Use, Public~~
- ~~(iv) Marihuana Microbusiness – Light Manufacturing (Section 54.628)~~
- ~~(v) Marihuana Retailer (Section 54.628)~~
- ~~(vi) Marihuana Processor – Light Manufacturing (Section 54.628)~~
- ~~(vii) Marihuana Safety Compliance Facility (Section 54.628)~~

~~**(d) SPECIAL LAND USES in the G3 and G5 sub-districts**~~

- ~~(i) Marihuana Designated Consumption Establishment (Section 54.628)~~

**Figure 10. Downtown Marquette Waterfront District Table of Permitted and Special Uses**

Key: P=Permitted

S=Special Land Use

[blank]=Use Not Permitted

USE	G3	G5	NL	WWZ	WF	F5
<b>A. RESIDENTIAL</b>						
Dwelling Units (see <a href="#">Article 6</a> )	P	P	P	P	P	P
Bed and Breakfasts (see <a href="#">Section 54.603</a> )	P	P	P	P	P	P
Bed and Breakfast Inns (see <a href="#">Section 54.604</a> )	P	P	P	P	P	P
Adult Foster Care Family Home	P	P	P	P	P	P
Family Day Care Homes	P	P	P	P	P	P
Foster Family Homes	P	P	P	P	P	P
Domestic Violence Shelter (see <a href="#">Section 54.610</a> )	P	P	P	P	P	P
Homestays (see <a href="#">Section 54.624</a> )	P	P	P	P	P	P
Vacation Home Rentals (see <a href="#">Section 54.624</a> )	P	P	P	P	P	P
Home Office (see <a href="#">Section 54.622</a> )	P	P	P	P	P	P
Home Occupation (see <a href="#">Section 54.621</a> )	P	P	P	P	P	P
Group Day Care Home ( <a href="#">Section 54.608</a> )	S	S	S	S	S	S
Foster Family Group Home	S	S	S	S	S	S
Halfway House ( <a href="#">Section 54.620</a> )	S	S	S	S	S	S
Homeless Shelter ( <a href="#">Section 54.623</a> )	S	S	S	S	S	S
<b>B. RETAIL</b>						
Retail Service	P	P		P	P	P
Retail Specialty	P	P		P	P	P
Retail Trade	P	P		P	P	P
<b>C. CIVIC</b>						
Community uses open to the public including: meeting halls; libraries; schools; police and fire stations; post offices (retail operations only, no primary distribution facilities); places of worship; museums; cultural, visual and performing art centers; and government functions open to the public.	P	P		P	P	P
<b>D. COMMERCE</b>						
Executive, Administrative, and Professional Offices (See <a href="#">Section 54.633</a> )	P	P		P	P	P
Medical and Dental Offices, and Clinics (See <a href="#">Section 54.633</a> )	P	P		P	P	P
Day Care Centers (See <a href="#">Section 54.609</a> )	P	P		P	P	P
On-premise Alcohol Sales	P	P		P	P	P
Outdoor Alcoholic Beverage Service (See <a href="#">Section 54.636</a> )	P	P		P	P	P
Outdoor Food and Non-Alcoholic Beverage Service (See <a href="#">Section 54.637</a> )	P	P		P	P	P
All of the Civic Use Categories Except Passenger Terminals	P	P		P	P	P
All of the Retail Use Categories	P	P		P	P	P
Parking Facilities and Structures, including a parking lot attendant shelter.	P	P		P	P	P
<b>E. LIGHT INDUSTRIAL</b>						
Light Manufacturing (See <a href="#">Section 54.627</a> )	P	P		P	P	P
Waterfront Related Repair and Maintenance	P	P		P	P	P
Mooring and Docking of Boats	P	P		P	P	P
Winter Storage of Watercraft Between the Dates of October 1st and May 30th	P	P		P	P	P
<b>F. OTHER</b>						
Wireless Telecommunications Facilities (See <a href="#">Section 54.647</a> )	S	S		S	S	S
Outdoor Entertainment and Community Events (See <a href="#">Section 54.635</a> )	S P	S P		S	S	S
Recreation Use, Public	S	S		S	S	S
Marihuana Microbusiness – Light Manufacturing (See <a href="#">Section 54.628</a> )	S	S		S	S	S
Marihuana Retailer (See <a href="#">Section 54.628</a> )	S	S		S	S	S
Marihuana Processor – Light Manufacturing (See <a href="#">Section 54.628</a> )	S	S		S	S	S
Marihuana Safety Compliance Facility (See <a href="#">Section 54.628</a> )	S	S		S	S	S
Marihuana Designated Consumption Establishment (See <a href="#">Section 54.628</a> )	S	S				

<b>(D) Marquette Waterfront – General 3</b>
<b>(4) GROUND STORY Height: Residential Units (General 3)</b>
<p>(a) The finished floor elevation shall be no more than 7 feet above the exterior sidewalk elevation at the REQUIRED BUILDING LINE.</p> <p>(b) The first STORY shall have an interior clear height (floor to ceiling) of at least 8 feet and a maximum floor to ceiling <b>or mezzanine floor</b> height of 12 feet.</p>
<b>(6) Mezzanines (General 3)</b>
Mezzanines having a floor area greater than 1/3 of the floor area of the story in which the mezzanine is situated shall be counted as full stories.

<b>(E) Marquette Waterfront – General 5</b>
<b>(4) GROUND STORY Height: Residential Units (General 5)</b>
(b) The first STORY shall have an interior clear height (floor to ceiling) of at least 8 feet and a maximum floor to ceiling <b>or mezzanine floor</b> STORY HEIGHT height of 12 feet.

<b>(I) Marquette Waterfront - Founders 5</b>
<b>(4) GROUND STORY HEIGHT: RESIDENTIAL Units (Founders 5)</b>
(b) The first STORY shall have an interior clear height (floor to ceiling) of at least 8 feet and a maximum floor to ceiling <b>or mezzanine floor</b> STORY HEIGHT height of 12 feet.

## Section 54.322 Third Street Corridor District Form-Based Code

### (A) Third Street Corridor District Form-Based Code Introduction.

- (1) Intent.
- (2) Conflicting Ordinances.
- (3) Pre-Existing Conditions.** (moved up from item B.2 for greater clarity)
- ~~(3)~~**(4)** Transect Districts.
- ~~(4)~~**(5)** Approval Process.
- ~~(5)~~ Appeals.
- (6)** Third Street Corridor Form-Based Code General Standards.
  - (1) Instructions. (moved up from item B.1 for greater clarity)

### ~~(6)~~**(7)** The Third Street Regulating Plan.

#### (d) Parking and access:

##### ~~(iii)~~ Where designated on the regulating plan:

- a. Alleys shall provide access to the rear of all lots. Alley construction within the rear setback is required as part of a redevelopment project. Alleys shall be constructed to meet the City construction standards in order to be suitable for emergency and service vehicle access.
- b. Alleys shown on the regulating plan represent suggested & approximate configurations. Access through the block and to the rear of lots within the block is required. The specific configuration should include shared parking areas and other uses so long as reasonable service access is unimpeded.

**(f) Civic Spaces (CS)** (moved up from item B.3 for greater clarity)

~~(7)~~**(8) How to Use this Section.**

~~(8)~~**(9) Definitions**

~~(5)~~**(10) Appeals.**

**(B) Third Street Corridor Form-Based Code General Standards.**

~~(1) Instructions.~~ (Moved to item A.6 for greater clarity)

~~(a)~~ Site and buildings plans submitted under this Section require administrative approval by the Planning Department.

~~(b)~~ Building and site plans submitted under this Section shall show the following, in compliance with the standards described in this Section:

~~(i)~~ For site and building approval:

~~a.~~ Building Placement

~~b.~~ Building Specifications

~~c.~~ Building Use

~~d.~~ Parking Standards

~~e.~~ Fencing Standards

~~f.~~ Landscape Standards

~~g.~~ Signage Standards

~~(2) Pre Existing Conditions.~~ (Moved to item A.3 for greater clarity)

~~(a)~~ Existing buildings and appurtenances that do not conform to the provisions of this Section may continue in use as they are until a *substantial modification* is requested.

~~(b)~~ The modification of existing buildings is permitted by right if such changes result in greater conformance with the specifications of this Section.

~~(3) Civic Spaces (CS)~~ (Moved to item A.7 for greater clarity)

~~(a)~~ Civic spaces shall be generally designed as described in [Figure 192](#). Civic Space.

**(C) Third Street Corridor Form-Based Code Parcel Standards**

**(4) Fencing Standards.**

**(c)** No single *frontage* fence horizontal panel shall exceed 42 inches in height along a *frontage* lot line. *Frontage* fence horizontal panels must be of open construction.

**(d)** Private lot line fences, fences in the front or side yard, as well as fences completely on private property, must be of fifty-percent open construction (see examples in [Figure 1921](#)), with the following conditions and exceptions:

**(i)** A fence in a front yard serves as a decorative landscape element, and must have at least 50% of the area of its vertical plane open to light and air from both sides. Picket fences, wrought iron fences, wood lattice, and combinations thereof are appropriate. Split-rail, wire-woven, mesh-like and other similar appearing fences, including those commonly referred to as cyclone and chain-link fences, and mesh-like fences commonly used to contain farm animals are prohibited.

**(ii)** Private lot line fences in the **side yard shall not exceed 48 inches in height; in a rear yard private lot line fences shall be between 48 and**

72 inches in height and may be of open or closed construction. See [Figure 2-3. Fence Locations.](#)

- (iii) A fence and/or wall in the side or rear yard for an approved commercial Outdoor Food and **Alcoholic** Beverage Service Use, and for Outdoor Entertainment and Community Events uses approved by a Special Land Use permit, may be up to eight (8) feet in height and of solid/opaque construction for the purposes of visual and noise screening of that particular use.
- (iv) **A solid/screening fence is allowed along the lot line that has a commercial off-street parking lot abutting a residential use.**

**(3) Building Specifications: Frontage Requirements**

(c) Where building façades do not occupy the entire frontage length in T5, a *street screen* may be erected as follows, **provided it meets Section 54.704 Clear Vision Triangle:**

- (i) *Street screens* shall be between 3 and 6 feet in height.
- (ii) Openings in the *street screen* for vehicular access may be no wider than 24 feet.

**(6) Architectural Standards.** This section does not apply to single-family and two-family edge yard and side yard residential unit building types.

**(a) Façade Standards:**

- (ii) The *shopfront private frontage* shall be no less than 70% **30%** glazing (i.e., windows).
- (v) Exterior building materials shall be masonry, concrete, tile, stone, and wood, unless otherwise designated by the individual building form standards; glass curtain walls and reflective glass of greater than 30% reflectance are prohibited due to the undesirable blinding effect compounded by snow.
- (viii) **Cladding may consist of no more than fifty (50) percent white-grey-black coloration; at least fifty (50) percent of cladding coloration must be any primary, secondary, or tertiary colors, or combinations and hues of these colors.**

**(7) Use.** Buildings, as the primary element of town planning, are subject to variations in use, placement and configuration.

**(d) General to all sub-districts:**

- (i) All buildings in each transect district shall conform to the use and types on [Figure 2-4. Use Table of Permitted Land Uses and Special Land Uses in the TSC Districts](#)
- (ii) **No commercial use is permitted above a residential use.**

Figure 22- Use 24. Table of Permitted Land Uses and Special Land Uses in the TSC District

Key: P=Permitted S=Special Land Use [blank]=Use Not Permitted

USE	T4	T5	USE	T4	T5
<b>A. RESIDENTIAL</b>			<b>E. INSTITUTIONAL</b>		
Mixed-use building	P	P	Conference center		P
Multi-family dwelling ( <a href="#">Section 54.616</a> )	P	P	Live theater	S	P
Live-work unit ( <a href="#">Section 54.615</a> )	P	P	Movie theater	S	P
Two-family dwelling ( <a href="#">Sections 54.613 &amp; 54.403(C &amp; D)</a> )	P	P	Museum	P	P
Townhouse	P	P	Religious assembly ( <a href="#">Section 54.640</a> )	P	P
Mixed-use building	P	P	<b>F. AUTOMOTIVE</b>		
Multi-family dwelling ( <a href="#">Sections 54.616 &amp; 54.403(E)</a> )	P	P	Gasoline	P	P
Live-work unit ( <a href="#">Section 54.615</a> )	P	P	Service	P	P
Two-family dwelling ( <a href="#">Section 54.613</a> )	P	P	Sales	P	P
Townhouse	P	P	Truck maintenance ( <a href="#">Section 54.627</a> )		
Single-family dwelling ( <a href="#">Section 54.617</a> )	P	P	Drive-through facility ( <a href="#">Section 54.611</a> )	P	P
Group day care home ( <a href="#">Section 54.608</a> )	S	S	<b>G. CIVIL SUPPORT</b>		
Foster family home	S	S	Funeral home	P	P
Halfway house ( <a href="#">Section 54.620</a> )	S	S	Hospital ( <a href="#">Section 54.625</a> )		S
Home occupation ( <a href="#">Section 54.621</a> )	P	P	Medical clinic	P	P
Home office ( <a href="#">Section 54.622</a> )	P	P	Veterinary clinic	P	P
Dwelling, Intentional Community ( <a href="#">Section 54.614</a> )	S	S	Pet boarding facility	S	S
Family Day Care Home	P	P	Cemetery ( <a href="#">Section 54.606</a> )	S	S
Adult Foster Care Family Home	P	P	Public or Governmental Building	P	P
Domestic Violence Shelter ( <a href="#">Section 54.610</a> )	S	S	Recreational Use, Public	S	S
<b>B. LODGING</b>			<b>H. EDUCATION</b>		
Hotel or Motel	S	P	High school	S	S
Bed & Breakfast Inn (up to 12 rooms) ( <a href="#">Section 54.604</a> )	P	P	Elementary school	P	P
Bed & Breakfast (up to 6 rooms) ( <a href="#">Section 54.603</a> )	P	P	Day care center	P	P
Rooming Houses ( <a href="#">Section 54.6423</a> )	S	S	<b>I. INDUSTRIAL</b>		
Hospital Hospitality Houses ( <a href="#">Section 54.626</a> )	S	S	Heavy industrial facility ( <a href="#">Section 54.627</a> )		
Homestays and Vacation Home Rentals ( <a href="#">Section 54.624</a> )	P	P	Light industrial facility ( <a href="#">Section 54.627</a> )	S	S
<b>C. OFFICE</b>			Laboratory facility	S	S
Office building ( <a href="#">Section 54.633</a> )	P	P	Warehouse	S	S
Mixed-use building	P	P	Mini-storage		S
Live-work unit ( <a href="#">Section 54.615</a> )	P	P	Marihuana Safety Compliance Facility ( <a href="#">Section 54.628</a> )	S	S
<b>D. RETAIL</b>			<b>J. OTHER USES</b>		
Outdoor Entertainment and Community Events(Temporary Use) ( <a href="#">Section 54.635(B)</a> )	P	P	Accessory Building or Structure (See <a href="#">Figure 124</a> , <a href="#">Figure 135</a> , and ,as applicable, <a href="#">Section 54.705</a> )	P	P
Outdoor Entertainment and Community Events (Accessory or Principal Use) ( <a href="#">Section 54.635(C) or (D)</a> )	S	S	Accessory Use, Non-Single Family Residential Lots	S	S
Retail building	P	P	Accessory Use, Single-Family Residential Lots	P	P
Gallery	P	P	Commercial Service Establishment	P	P
Restaurant, Indoor Service and with or without Outdoor Food and Non-Alcoholic Beverage Service ( <a href="#">Section 54.637</a> )	P	P	Food Production, Minor	P	P
Restaurant, with Outdoor Food and Alcoholic Beverage Service ( <a href="#">Section 54.636</a> )	S	S	Outdoor Recreation	P	P
Mixed-use building	P	P	Wireless Telecom Facilities ( <a href="#">Section 54.6447</a> )	S	S
Open/outdoor market building	P	P			
Retail Sales, Outdoor Temporary ( <a href="#">Section 54.638</a> )	P	P			
Indoor Recreation	P	P			
Farmers' Markets ( <a href="#">Section 54.618</a> )	P	P			
Kiosk	P	P			
Push cart	P	P		Permitted Use	P
Marihuana Retailer ( <a href="#">Section 54.628</a> )		S		Special Land Use	S

**(8) Parking Location and Access.**

- (a)** Parking shall not be located within 25 20 feet of the primary *frontage*.
- (b)** Required parking may be fulfilled in the following locations:
  - (i)** Parking spaces provided within the lot.
  - (ii)** Parking spaces provided along a parking lane (on-street) corresponding to lot *frontages*.
  - (iii)** Parking spaces may be leased from a private or public parking facility within ~~500~~ 2,000 feet of the lot.

## Article 4 Schedule of Regulations

### Section 54.402 Schedule of Regulations

Zoning District	Minimum Lot Dimensions		Minimum Setback Requirements <u>(T)</u>				Maximum Height of Structures <u>(P)</u>		Maximum Impervious Surface Coverage of the Lot
	Size (sq. ft.)	Width (feet)	Front Yard (feet)	Side Yards (feet)		Rear Yard (feet)	Primary Building (feet)	Accessory Building (feet)	
				Smallest Side	Total of Two Sides				
LDR, Low Density Residential	8,100	60	20, <u>(B)</u>	10 <u>(L)</u>	20 <u>(L)</u>	30 <u>(L)</u>	31.5	<u>(L)</u>	<u>(R)</u>
MDR, Medium Density Residential	4,500 <u>(C)</u>	37.5 <u>(D)</u>	15 <u>(A)</u> , <u>(B)</u>	5 <u>(L)</u>	13 <u>(L)</u>	20 <u>(L)</u>	31.5	<u>(L)</u>	<u>(R)</u>
MFR, Multi-Family Residential <u>(+K)</u> 5+ Multiple Family Units	15,000 <u>(C)</u>	100 <u>(D)</u>	15 <u>(A)</u>	15 <u>(H)</u> , <u>(L)</u> , <u>(M)</u>	30 <u>(H)</u> , <u>(L)</u> , <u>(M)</u>	30 <u>(H)</u> , <u>(L)</u> , <u>(M)</u>	44 <u>(M)</u> <u>(N)</u> 36.5	<u>(L)</u>	<u>(R or S)</u>
MFR, 1-4 Units and other uses identified in 54.309 <u>(K)</u>	9,000 <u>(E)</u>	75 <u>(E)</u>	15 <u>(A)</u>	10 <u>(H)</u> , <u>(L)</u> , <u>(M)</u>	20 <u>(H)</u> , <u>(L)</u> , <u>(M)</u>	30 <u>(H)</u> , <u>(L)</u> , <u>(M)</u>			
MHP, Mobile Home District	See <a href="#">Section 54.630</a>								
M-U, Mixed-Use	4,800 <u>(C)</u> <u>(E)</u>	40 <u>(D)</u> <u>(E)</u>	0 <u>(E)</u> , <u>(F)</u> , <u>(G)</u>	5 <u>(I)</u> , <u>(L)</u> , <u>(N)</u>	13 <u>(I)</u> , <u>(L)</u> , <u>(N)</u>	20 <u>(I)</u> , <u>(L)</u> , <u>(N)</u>	44 <u>(N)</u>	<u>(L)</u>	<u>(R or S)</u>
CBD, Central Business District	None	None	0	5 <u>(I)</u>	10 <u>(I)</u>	10 <u>(I)</u>	60	18	<u>(R or S)</u>
GC, General Commercial	None	None	0 <u>(F)</u> , <u>(G)</u>	15 <u>(I)</u>	30 <u>(I)</u>	20	40	18	<u>(S)</u>
RC, Regional Commercial	None	None	30	15	30	20	40	18	<u>(S)</u>
M, Municipal	None	None	None	None	None	None	None	None	<u>(S)</u>
C, Civic	None	None	None	5	10	20	60	24	<u>(S)</u>
IM, Industrial/Manufacturing	None	None	40	20	40	40	80 <u>(O)</u>	60 <u>(O)</u>	<u>(S)</u>
CR, Conservation/Recreation	None	None	15	50	100	20 <u>(O)</u>	36.5	18	<u>(S)</u>
BLP, Board of Light and Power	None	None	40	20	40	40	None	None	<u>(S)</u>
Marquette Downtown Waterfront District Form-Based Code (see <a href="#">Section 54.321</a> )									
Third Street Corridor Form-Based Code (see <a href="#">Section 54.322</a> )									

### Section 54.403 Footnotes to Schedule of Regulations

**(B) Reduced Minimum Front Yard Setback in the LDR and MDR Districts.** If the average front yard setback of the principal buildings on the same block are less than the minimum front yard setback of the district, the minimum front yard setback of a subject lot in the LDR district or MDR district may be reduced to that average, provided the principal buildings used in the average are on the same side of the street and in the same zoning district on the same block as the subject lot.

**(C) Minimum Lot Area for Two-Family Dwellings (Duplexes) in the MDR, M-U, TSC and MFR Districts.** In the MDR, M-U, TSC, and MFR District, the minimum lot area for a two-family dwelling (duplexes) is 6,000 sq. feet.

- (1) 6,000 sq. ft. for lots created prior to the adoption of this Ordinance.
- (2) 9,000 sq. ft. for lots created after the adoption of this Ordinance.

**(D) Minimum Lot Width for Two-Family Dwellings (Duplexes) in the MDR, M-U, TSC, and MFR Districts.** In the MDR, M-U, TSC, and the MFR District, the minimum lot width for a two-family dwelling (duplex) is 50 feet.

- (1) 50 feet for lots created prior to the adoption of this Ordinance.
- (2) 75 feet for lots created after the adoption of this Ordinance.

**(E) Minimum Lot Area and Width for Three Family and Four Family Dwellings in the M-U, TSC, and MFR Districts.**

**(1) In the MDR, M-U, TSC, and the MFR District, the minimum lot area for a three-family and four family dwellings is 9,000 sq. feet.**

**(2) In the MDR, M-U, TSC, and the MFR District, the minimum lot width for a three-family and four family dwellings is 75 feet.**

Existing items E-S would need to be moved up one letter place if item (E) above, which would become (F), is adopted. The item below is currently item E.

**(E) Minimum Front Yard Setback in the M-U and GC Districts.** In the M-U and GC districts, the minimum front yard setback is 0 ft. if there is at least a 10-foot distance between the front lot line and the curb/edge of the street. If there is not at least a 10-foot distance between the front lot line and the curb/edge of the street in these districts, the minimum front yard setback shall be increased accordingly so that the minimum separation distance between a structure and the curb/edge of the street is at least ten (10) feet.

**(M N) Height Exceptions and Increased Setbacks for Principal Buildings in the MFR and M-U Districts.** If the subject lot is adjacent to a lot zoned LDR, MDR, C, or CR, any portion of the building higher than 36.5 feet must be setback at least 8 feet from a minimum front yard setback line and at least 10 feet from any other minimum yard setback line.

**(O P) Height Exemptions.** There shall be no height restriction on chimneys, flagpoles, public monuments, and wireless telecommunications facilities except when they are part of a special land use. Items attached to a building such as chimneys, weather vanes, lightning arrestors, etc. may be exempt as well.

## Article 5 Supplemental Zoning District Standards

### Section 54.503 Condominium Developments

#### (G) Design and Engineering Standards and Required Improvements for Condominium Developments.

The design and engineering standards for condominium developments, as well as required improvements for condominium developments, shall be the same as those required for subdivisions in *Section 54.501(E)*.

**(1) Exception:** If there are no other public streets within 1,500 feet of the nearest site condominium parcel line, then the site condominium parcel can have private road frontage and any of the street development standards do not have to be met in *Section 54.501(E) (1), (2), (6), (7), and (8) items*. The standards in *Section 54.401(E) (3), (4), (5), and (6)* do have to be met, however any reference to “street” will be replaced with “private road”.

## Article 6 Standards Applicable to Specific Land Uses

### Section 54.603 Bed and Breakfast Home

- (A) Room Size.** A minimum room size of 70 Sq. Ft. for the first occupant and an additional 50 Sq. Ft. for each occupant thereafter shall be provided.
- (B) Length of Stay.** No one guest’s stay is to exceed 14 consecutive days.
- (C) Parking.** In Residential Districts and the M-U District, there must be at least one (1) space per room, plus two (2) spaces for the owner. In Commercial Districts, parking shall be provided in accordance with the requirements provided in the Zoning Ordinance for hotels and motels.
- (D) Signage.** A Bed and Breakfast Home licensed under the ordinance shall be allowed one additional sign on the property. The sign shall be non- illuminated, mounted flush against the building, with a maximum size of five (5) square feet. Other signage shall be regulated by [Article 11](#).
- (E) Proximity.** In Residential Districts, a Bed and Breakfast Home shall not be located within 300 lineal feet measured along the street right-of-way of another Bed and Breakfast Home or Bed and Breakfast Inn.
- (F) Transferability.** Special land use permits for Bed and Breakfast Homes in a Residential District may not be transferred from owner to owner without Planning Commission approval.
- (G) Code Compliance.** A Bed and Breakfast Home shall not commence or continue to operate without compliance with all applicable code requirements. Owners shall submit to inspections of both the exterior and interior of the dwelling to ensure compliance with health, safety, and welfare regulations pursuant to all applicable city code requirements.
- (H) Structure.** Building modifications or additions shall be architecturally designed to blend with the character of the existing structure and neighborhood.
- (I) Site Plans.** A site plan meeting the specifications of the Land Development Code shall be submitted with the application prior to a public hearing for a Bed and Breakfast Establishment.
- (J) Review Considerations.** The Planning Commission shall be guided by the standards set forth in [Section 54.1402\(E\)](#).

**(K) Serving Full Breakfast.** If the bed and breakfast has 8 or fewer rooms (including owner and family rooms), a full breakfast can be served without a food service license as long as it is a packaged deal. A bed and breakfast that has 9 or more rooms should be licensed with the County health Department, when serving a full breakfast. (changed to conform with state health department standards)

## Section 54.604 Bed and Breakfast Inn

- (A) Room Size.** A minimum room size of 70 sq. ft. for the first occupant and an additional 50 sq. ft. for each occupant thereafter shall be provided.
- (B) Length of Stay.** No one guest's stay is to exceed 14 consecutive days.
- (C) Parking.** In non-Commercial Districts, one space per room, plus two (2) spaces for the owner. In Commercial Districts, parking shall be provided in accordance with the requirements provided in the Zoning Ordinance for hotels and motels.
- (D) Signage.** Signage regulated by [Article 11](#).
- (E) Proximity.** In Residential Districts, Bed and Breakfast Inns shall not be located within 300 lineal feet measured along the street right-of-way of another Bed and Breakfast Inn or Bed and Breakfast Home.
- (F) Transferability.** Special land use permits for Bed and Breakfast Inns in a Residential District may not be transferred from owner to owner without Planning Commission approval.
- (G) Code Compliance.** A Bed and Breakfast Inn shall not commence or continue to operate without compliance with all applicable code requirements. Owners shall submit to inspections of both the exterior and interior of the dwelling to ensure compliance with health, safety, and welfare regulations pursuant to all applicable city code requirements.
- (H) Structure.** No main building shall be removed in order to allow for a Bed and Breakfast Inn in residential districts nor shall such a structure be removed in order to provide parking for such an establishment. Building modifications or additions shall be architecturally designed to blend with the character of the existing structure and neighborhood in residential districts.
- (I) Site Plans.** A site plan meeting the specifications of the Land Development Code shall be submitted with the application prior to a public hearing for a Bed and Breakfast Establishment.
- (J) Review Considerations.** The Planning Commission shall be guided by the standards set forth in [Section 54.1402\(E\)](#) and, if applicable, [Section 54.1403\(C\)](#) if the Bed and Breakfast Inn is a special land use.

**(K) Serving Full Breakfast.** If the bed and breakfast has 8 or fewer rooms (including owner and family rooms), a full breakfast can be served without a food service license as long as it is a packaged deal. A bed and breakfast that has 9 or more rooms should be licensed with the County health Department, when serving a full breakfast. (changed to conform with state health department standards)

## Section 54.611 Drive-Through Uses

- (A) Building Design.** Drive-through uses must be built as an integral architectural element of the primary structure and use. Building materials shall be the same as those used in the primary structure. Drive through facilities and structures separate from the primary structure are prohibited.
- (B) Drive-Through Setback.** Drive-through uses, including the drive-through window and any canopies, must be located to the rear or side of the primary structure, except that corner parcels may use one (1) frontage of the building for drive-through window service. All drive-through service windows must be set back a minimum of eight (8) feet from the front building wall of the primary structure.
- (C) Traffic and Pedestrian Safety.** A curb opening for a driveway is prohibited where the driveway would create a safety or traffic hazard because of its location in relation to pedestrian entrances or crossings.
- (D) Stacking Lane Location.** Stacking lanes may not be located in a required front yard setback and must not create hazardous conditions for pedestrians or other users on the site or in any adjacent right-of-way.
- (1)** For new construction, the payment or pickup window must be at least 40 feet from the closest point of the sidewalk vehicles were required to cross to access the window in order to accommodate two waiting motor vehicles.
- (2)** Existing sidewalk shall not be replaced with a driveway apron in new construction.
- (3)** Customers on foot, bicycle, in a wheelchair, etc. may not be prohibited from use.
- (E) Headlight Glare.** Drive-through uses must be designed and configured and screened such that glare from the headlights of vehicles waiting in the stacking lane is obstructed from shining into neighboring residential or commercial uses, and so that glare does not create a driving hazard on streets or roads abutting the drive-through use.
- (F) Landscaping.** A landscape buffer meeting the requirements of [Section 54.1003](#) shall be provided along rear and side lot lines of a drive-through use located adjacent to a residentially zoned or used property
- (G) Screening.** Where a drive-through/stacking lane is adjacent to a residential zoning district or a property being used primarily for residential dwelling a six-foot (6') screening fence shall be placed on the commercial property for the length of the drive-through/stacking lane and to the end wall of the building in which the pick-up window resides.

## Section 54.612 Dwelling, Accessory Unit

Accessory dwelling units (ADU) shall comply with all of the following standards:

**(H) Attachment Options.** The ADU may be attached to the single-family dwelling ~~or~~ and constructed on ~~the second~~ **any** story of a conforming detached accessory building on the site, **including the basement level**. If the ADU is attached to the single-family dwelling, the ADU may be located within the existing footprint or added to the existing footprint, provided all of the requirements of this Ordinance are met.

## Section 54.635 Outdoor Entertainment and Community Events

**(B) Outdoor Entertainment and Community Event as a Temporary Use Requiring a Permit.**

**(3) Development Standards.** The following must be addressed to the satisfaction of the Zoning Administrator or Planning Commission, as applicable:

- (a)** Adequate access and off-street parking must be provided. Vehicle circulation and traffic control may be subject to Police Department approval. **Parking space requirements may be reduced per section 54.902(I).**

## Section 54.636 Outdoor ~~Food and~~ **Alcoholic Beverage Service**

**(A) Outdoor Food and ~~/or Alcoholic Beverage Service on Public Property.~~** Outdoor food and beverage service **(including alcoholic beverages)** on public property is subject to the requirements of Chapter 12 (Business), Article 6 (Sidewalk Café Permits) of the City Code of Ordinances.

**(B) Outdoor ~~Food and~~ **Alcoholic Beverage Service on Private Property.** Outdoor food and **alcoholic beverage service** on private property is subject to the following requirements:**

- (1) Accessibility.** Outdoor ~~food and~~ **alcoholic beverage service** on private property shall be located in a manner that will not interfere with vehicular or pedestrian mobility or access, and shall meet Michigan barrier-free requirements. Outdoor ~~food and~~ **alcoholic beverage service areas** shall not obstruct the entrance to any building or sidewalk, nor shall they obstruct any barrier-free ramp or access aisle. If outdoor ~~food and~~ **alcoholic beverage service areas** are located on a private sidewalk, a minimum five (5) foot wide unobstructed pathway shall be maintained on the sidewalk, for pedestrian traffic.
- (3) Location of Outdoor ~~Food and~~ **Alcoholic Beverage Service Areas.** Tables and chairs must remain within a well-defined and clearly marked area. The City may require enclosures consisting of metal railing, brick walls, landscape planters or other suitable materials using decorative, wrought iron fencing, or other suitable materials. The City may permit temporary enclosure structures, provided the temporary enclosure structures meet the requirements of [Section 54.705\(F\)](#).**

**(D) Vehicle Parking Requirements.** **Parking space requirements may be reduced per section 54.902(I).**

## **Section 54.637 Outdoor Food and Non-Alcoholic Beverage Service**

**(A) Outdoor Food and Non-Alcoholic Beverage Service on Public Property.** Outdoor food and non-alcoholic beverage service on public property is subject to the requirements of Chapter 12 (Business), Article 6 (Sidewalk Café Permits) of the City Code of Ordinances.

**(B) Outdoor Food and Non-Alcoholic Beverage Service on Private Property.** Outdoor food and non-alcoholic beverage service on private property is subject to the following requirements:

- (1) Accessibility.** Outdoor food and beverage non-alcoholic service on private property shall be located in a manner that will not interfere with vehicular or pedestrian mobility or access, and shall meet Michigan barrier-free requirements. Outdoor food and non-alcoholic beverage service areas shall not obstruct the entrance to any building or sidewalk, nor shall they obstruct any barrier-free ramp or access aisle. If outdoor food and non-alcoholic beverage service areas are located on a private sidewalk, a minimum five (5) foot wide unobstructed pathway shall be maintained on the sidewalk, for pedestrian traffic.
- (2) Mobile Food Vending Units.** Mobile Food Vending Units per Chapter 35 of the City Code are not considered Outdoor Food and Beverage Service.
- (3) Location of Outdoor Food and Non-Alcoholic Beverage Service Areas.** Tables and chairs must remain within a well-defined and clearly marked area. The City may require enclosures consisting of metal railing, brick walls, landscape planters or other suitable materials using decorative, wrought iron fencing, or other suitable materials. The City may permit temporary enclosure structures, provided the temporary enclosure structures meet the requirements of [Section 54.705\(F\)](#).

**(C) Outdoor Entertainment and Community Events.** See [Section 54.635](#).

**(D) Vehicle Parking Requirements.** Parking space requirements may be reduced per section 54.902(I).

## **Section 54.637~~8~~ Outdoor Temporary Retail Sales**

- (A)** Temporary retail sales areas, [for approved commercial land uses](#), may be permitted to occupy not more than twenty-five percent (25%) of the existing or required parking spaces on the site, for a total of not more than 90 days in any 12-month period. The location of sales merchandise and/or temporary structures shall not interfere with pedestrian accessibility, traffic patterns, or access to remaining parking spaces. Prior to placement of merchandise or erection of temporary structures, the Zoning Administrator must be notified of the date of removal. The location and construction of all temporary structures (including tents) erected in association with the temporary sale of merchandise shall require the approval of the Zoning Administrator and the Fire Administrator. It is the responsibility of the business owner to contact the Building Code Administrator to determine if a building permit is required.
- (B)** Mobile Food Vending Units per Chapter 35 of the City Code are exempt from [Section 54.637\(A\)](#).
- (C)** Temporary sales areas that require a person to obtain a license from the City Clerk's Office are exempt from obtaining a Zoning Compliance Permit, but must meet the requirements of [Section 54.637\(A\)](#).
- (D)** Temporary outdoor sales and display of merchandise in conjunction with Marquette Downtown Development Authority sanctioned events are exempt from [Section 54.637\(A\)](#)

but must be removed at the conclusion of the event.

- (E) Temporary outdoor sales for non-commercial land uses which are an accessory use of property, such as yard/garage sales and children’s lemonade sales, are authorized with the permission of the property owner. Such sale events may occur on a singular property up to 10 times per year and no more than 4 times per month.

### **Section 54.645 Shooting Range, Indoor**

**(A) Indoor Shooting Ranges must comply with the following:**

- (1) The building and method of operation shall comply with the “generally accepted operating practices” adopted Michigan Department of Natural Resources for Sport Shooting Ranges per P.A. 250 of 1994.
- (2) No ammunition shall be used in the range that exceeds the certified design and construction specifications of the range.
- (3) No range shall sell or dispense alcoholic beverages, marihuana, or other controlled substances, nor shall they be in a building which contains a business that sells or dispenses these substances. Alcoholic beverages, marihuana, or other controlled substances are not allowed on the premises of the range at any time.
- (4) The range shall conform with all Federal, State and Local requirements related to the use, sale, rental, and transport of firearms.
- (5) The structure must be constructed and maintained such that noise from the structure during use will not cause any disturbance to those across the real property boundary of the structure.
- (6) The owner or operator of a commercial indoor range shall have on the premises at all times during range operation an individual certified as a firearm or range instructor.

### **Section 54.646 Supportive Housing Facility, Permanent and Transitional**

The applicant shall provide a narrative account of how the facility will comply with each of the following conditions for development and operation:

- (A) On-site Facility Manager and Staffing, including accessory support services such as arrangements for resident counseling, physical and mental health care, child-care, employment assistance, job training, life-skills training, alcohol/drug abuse programs, case management, etc.
- (B) Affiliation with a Charitable Organization or Governmental Agency. The facility must be associated with a charitable association such as a 501 (c) organization, or a governmental agency, and will preferably have internal oversight of finances and operations by a board of directors.
- (C) Site Plan and Property Maintenance Requirements. Existing structures shall meet all the minimum, site plan and parking requirements for licensing. Applications for new building shall include a site plan, floor plan and elevations.
- (D) How routine and irregular property maintenance will be conducted.
- (E) Occupancy limits/capacity and sanitary facilities for residents.
- (F) How many *transitional* (up to 2 years in residence) vs. *permanent* residents (more than two years in residence) the facility intends to house.
- (G) Register. Operators shall keep a list of the names of all persons staying at the facility and the register shall be available for inspection by City Officials at any time.
- (H) There shall be a minimum separation between similar facilities of five hundred feet (500’).

- (I) Pre-Application. Prior to application for zoning approval, the applicant must meet with the Planning Department to discuss the project and standards for development and is strongly encouraged to inform the neighbors of plans for the rooming house.

## Section 54.644~~7~~ **Wireless Telecommunications Facilities**

- (A) **Purpose.** The purpose of this Ordinance is to establish general guidelines for the siting of wireless communications towers and antennas. The goals of this Ordinance are to:
- ~~(1) Protect residential areas and land uses from potential adverse impacts of towers and antennas;~~  
Encourage location of towers and antennas, to the extent possible, in areas where the adverse impact on the community is minimal.
  - (2) Encourage the location of towers in non-residential areas;
  - (3) Minimize the total number of towers throughout the community;
  - (4) Strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers;
  - ~~(5) Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;~~
  - (6) Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques;
  - (7) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently;
  - ~~(8) Consider the public health and safety of communication towers; and~~
  - ~~(9)~~ **(8)** Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures. In furtherance of these goals, City of Marquette shall give due consideration to the City's master plan, zoning map, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.
- (E) **Towers Requiring Special Land Use Permits.**
- (2) **Towers**
- (b) **Factors Considered in Granting Special Land Use Permits for Towers.** In addition to any standards for consideration of special land use permit applications pursuant to [Section 54.1403](#) of the Land Development Code, the Planning Commission shall consider the following factors in determining whether to issue a special land use permit, although the Planning Commission may waive or reduce the burden on the applicant of one or more of these criteria if the Planning Commission concludes that the goals of this Ordinance are better served thereby:
- (i) Height of the proposed tower;
  - (ii) Proximity of the tower to residential structures and residential district boundaries;
  - ~~(iii) Nature of uses on adjacent and nearby properties;~~

- ~~(iv)~~ **iii**) Surrounding topography;
- ~~(v)~~ **iv**) Surrounding tree coverage and foliage;
- ~~(vi)~~ **v**) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- ~~(vii)~~ **vi**) Proposed ingress and egress; and
- ~~(viii)~~ **vii**) Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures, as discussed in [Section 54.644\(E\)\(2\)\(c\)](#) of this Ordinance.

## Article 7 General Provisions

### Section 54.702 Permitted Encroachments into Required Yard Setbacks

The following features may be located within required yard setbacks to the extent indicated. Unless explicitly permitted, under no circumstances shall any structure or attachment to a structure protrude to within five (5) feet of a right-of-way line and/or rear property line, or closer than three (3) feet to the side yard property line.

**(A) Sidewalks and Landscaping.** Sidewalks and landscaping may be located in any yard setback.

**(B) Architectural Features.** Cornices, canopies, eaves, or similar architectural features may project into required yard setback areas to a maximum of two and one-half (2.5) feet from the property line.

**(C) Access Ways.** Unenclosed stairs, steps, fire escapes, and access ramps may project into yard setbacks, provided that they are set back at least ~~five (5) feet~~ **twelve (12) inches** from the front **lot line**, ~~five (5) feet~~ **from the** rear lot lines, and three (3) feet from the side lot lines; ~~however, front yard setbacks are not required for barrier-free access ramps. Window wells, egress windows, and basement escape ladders required by fire codes may project into required yard setbacks the minimum amount necessary to meet the fire code requirement, with the following exceptions:~~

- (1) Front yard setbacks are not required for barrier-free access ramps if resident requires ramp access**
- (2) due to a disability and there is not adequate space to locate the ramp elsewhere on the property. When such ramp is no longer required it shall be considered a legal, non-conforming encroachment.**
- (3) Window wells, egress windows, and basement escape ladders required by fire codes may project into required yard setbacks the minimum amount necessary to meet the fire code requirement.**
- (4) Existing step or walls that are located between the front property line and 12 inches into the private property may be maintained but not rebuilt, per Section 54. 1202 of the LDC. If existing steps or walls protrude into the public right-of-way and are in disrepair, a Grant of License to use public property must be sought for approval to conduct rebuilding work to restore the structure to like-new condition.**

**(D) Unenclosed Balconies, and Open Porches, Decks, and Patios.** Unenclosed balconies, ~~and~~ open porches, **decks, and patios** may project into a required yard setback by up to ten (10) feet provided they are at least five (5) feet from the rear lot lines, at least three (3) feet from the side lot lines, and at least five (5) feet from the front lot lines unless a different front yard setback for unenclosed balconies, ~~and~~ open porches, **decks, and patios** is permitted or required by [Article 4](#).

**(G) Structural Amenities.** A structural amenity, such as outdoor art, paintings, sculpture, fountains and similar water features, benches, arbors, doghouses, playsets, birdfeeders, clotheslines, air conditioners, detached open structures, and similar amenities as determined by the Zoning Administrator may be located a minimum of three (3) feet from a side lot line and a minimum of five (5) feet from a front or rear lot line, subject to the following requirements:

- (1) Clear Vision Triangle Area.** All structural amenities must meet traffic visibility regulations of [Section 54.704](#).
- (2) Durable Materials and Construction.** Structural amenities must be composed of durable materials such as steel, bronze, stained glass, concrete, wood, ceramic tile, stone, or other similar material durable against weather and requiring a low level of maintenance.
- (3) Maintenance.** Structural amenities must be maintained in a safe, neat, and orderly manner acceptable to the City. The City may require the owner of the structural amenity to submit a maintenance plan for review. The City shall determine the acceptable maintenance of a structural amenity to prevent blight.
- (4) Secure Location.** Structural amenities must be properly secured to provide stability. The structural amenity may be attached or secured to the ground, or it may be attached to the principal structure or accessory structure (excluding roof attachment).
- (5) ~~Minimum Setback.~~** ~~In addition to the minimum setbacks of [Section 54.702\(G\)](#), structural amenities shall be set back from all lot lines a distance of one and one-half (1.5) times the height of the structural amenity. Basketball hoops, clotheslines, even statues.~~  
**Maximum Height:** No attached or detached structural amenity shall exceed sixteen and one-half (16.5) feet in height.
- (6) Prohibitions.** The following are prohibited:
  - (a)** Structural amenities that have deteriorated or are otherwise determined by the City to be blight.
  - (b)** Structures that are beyond the scope of a structural amenity and should be regulated under a different section of this Ordinance, such as fences ([Section 54.706](#)), accessory structures ([Section 54.705](#)), or signs ([Article 11](#)).
- (7) Permit and Exemptions.** A permit is required for structural amenities unless it meets the following exemptions, and the structural amenities must meet the requirements of [54.702\(G\)](#):
  - (a)** Enclosed structural amenities less than ~~nine (9)~~ **sixteen (16)** square feet in floor area/footprint ~~are exempt from permit requirements.~~ Examples of such amenities include dog/bat/bird houses, ~~children's playsets,~~ treehouses, library boxes, and garden sheds.
  - (b)** **Open/Unenclosed structural amenities, such as children's playsets, and seasonal or collapsible temporary structures such as tents and similar shelters less than 160 square feet in floor area.**

## Section 54.705 Accessory Buildings and Structures

### (A) Accessory Buildings and Structures in the Low Density Residential (LDR) District, Medium Density Residential (MDR) District, and Mixed-Use (M-U) District.

- (1) **Attached Accessory Buildings and Structures.** Where the accessory building or structure is structurally attached to a main building, it shall be subject to, and must conform to, all yard regulations of this Ordinance, applicable to main building.
- (2) **Location.** Detached accessory buildings or structures shall not be located in any required yard setback except as permitted in [Section 54.705\(A\)\(4\)](#).
- (3) **Maximum Lot Coverage.** Detached accessory buildings or structures shall not occupy more than twenty-five percent (25%) of a rear yard area, provided that in no instance shall the total ground floor area of the detached accessory buildings exceed the ground floor area of the main building and provided the impervious surface coverage limits of the lot (see [Article 4](#)) are not exceeded.
- (4) **Separation and Setback Distances.** No permanent accessory building or structure shall be located in a minimum front yard setback. No detached accessory building shall be located closer than five (5) feet to any main building nor closer than three (3) feet from a side or rear lot line, except swimming pools, which are regulated in [Section 54.707](#). Non-building accessory structures (e.g., fences and steps) or open buildings (i.e., a shelter without walls including an open lean-to or open carports) are not subject to the minimum separation distance requirements unless a minimum separation distance is required by the Building Official.
- (5) **Maximum Height.** Unless otherwise stated in this Ordinance, no attached or detached accessory building or structure in a the LDR, MDR, and M-U Districts shall exceed sixteen and one-half (16.5) feet in height. The height of Accessory Dwelling Units must comply with [Section 54.612](#).

**(B) Accessory Buildings and Structures in the Multiple Family Residential (MFR) District.** In the MFR District, accessory buildings and structures for multiple-family buildings and apartments must meet the requirements of [Section 54.616\(C\)](#). For all other uses in the MFR District, the following requirements apply:

- (1) **Detached Accessory Buildings and Structures.**
  - (a) **Maximum Height.** No detached accessory building or structure may exceed 16.5 feet in height.
  - (b) **Minimum Side and Rear Yard Setbacks.** Detached accessory buildings or structure shall be located at least ten (10) feet from the side and rear property lines.
  - (c) **Front Yard Location Prohibited.** No detached accessory building or structure shall be located in a front yard.
  - (d) **Maximum Lot Coverage.** Detached accessory buildings or structures shall not occupy more than twenty-five percent (25%) of a rear yard area, provided that in no instance shall the total ground floor area of the detached accessory buildings exceed the ground floor area of the main building and provided the impervious surface coverage limits of the lot (see [Article 4](#)) are not exceeded.
  - (e) **Separation and Setback Distances.** No detached accessory building or structure shall be located closer than five (5) feet to any main building. Non-building accessory structures (e.g., fences and steps) or open buildings (i.e., a shelter without walls including an open lean-to or open carports) are not subject to the minimum separation distance requirements unless a minimum separation distance is required by the Building Official.
- (2) **Attached Accessory Buildings and Structures.** Attached accessory building or structures shall meet the yard requirements of the Schedule of Regulations ([Article 4](#)).

**(C) Accessory Buildings and Structures** in the Central Business District (CBD), General Commercial (GC), Regional Commercial (RC), Municipal (M), Civic (C), Industrial/Manufacturing (I-M), Conservation and Recreation (CR), and Board of Light and Power (BLP) Districts.

**(1) Maximum Lot Coverage.** No detached accessory building or structure in the CBD, GC, RC, C, I-M, CR, and BLP district may exceed the lot coverage of the principal building.

**(F) Temporary Structures in all Zoning Districts.** The City may permit temporary structures in any zoning district during the duration of a permitted temporary land use, subject to the following requirements:

**(6) Duration and Removal.** ~~Prior to the erection of a temporary structure, the Zoning Administrator must be notified of the date of removal.~~ The temporary structure must be removed when the associated temporary use has ceased. ~~In no case shall a~~ temporary structure may be permitted for no more than 90 120 days in a 12-month period, with the following exceptions:

- (a) structures for outdoor food and beverage service, whether for indoor or outdoor dining
- (b) structures erected via municipal or DDA authority for programmed outdoor summer or winter activities.
- (c) structures that are being used in relation to and during the construction of permanent facilities that have been approved for zoning compliance and building permits.

The Zoning Administrator may extend the period of permission for up to 180 days in total during a 12-month period, in any of the above cases, upon request of the property/structure owner and based on the relevant circumstances (i.e. reason for request)

## Section 54.706 Fences and Walls

**(C) Requirements by Zoning District:**

**(1) LDR, MDR, and MFR Districts.**

**(a) Height.** Fences and walls shall not exceed six (6) feet in height, with the following exceptions:

**(i) Adjoining a Lot Containing a One- or Two-Family Dwelling or Adjoining a Vacant Lot that Could Contain a One- or Two-Family Dwelling.** Where a fence or wall is within ten (10) feet of an adjoining lot containing a one- or two-family dwelling or within ten (10) feet of an adjoining a vacant lot that could contain a one- or two-family dwelling; the fence or wall shall not exceed four (4) feet in height if it is located in the side or front yard (see [Section 54.706\(C\)\(1\)\(a\)\(iii\)](#) for additional front yard requirements), with the following exceptions of:

(1) where the rearmost wall of the neighboring dwelling structure is between the front wall and rear wall of the subject home, a 6 ft. screening fence may be built to the rear of the neighboring dwelling's rearmost wall along that side of the subject property, and each side of the property is treated independently. Where the rearmost portion of the subject property is a shed/garage for vehicle or other storage, and not containing dwelling space, it shall not be counted as the rearmost portion of the dwelling.

(2) for required retaining walls.

**(2) M-U and CBD Districts.**

**(a) Height.** Fences and walls in the side or rear yard shall not exceed six (6) feet in height, except that a wall or fence in the side or rear yard of an approved commercial Outdoor

~~Food and Alcoholic Beverage Service use (see [Section 54.634](#)) and for Outdoor Entertainment and Community Events (see [Section 54.635](#)) may be up to eight (8) feet in height for the purposes of visual and noise screening of that particular use of screening the outdoor food and beverage service use. A fence in a front yard may not exceed four (4) feet in height. Walls are prohibited in a front yard except for retaining walls.~~

- (b) Construction.** ~~Fences may not have more than 50% of the fence area of solid, opaque construction (See [Figure 357](#) for examples of noncompliant fences), except the following:~~
- ~~(i) A solid/screening fence is allowed in the side yard or rear yard between abutting residential land uses.~~
  - ~~(ii) A screening fence that is required for a Special Use Permit, by any City ordinance, or by State law may be of solid, opaque construction.~~
  - ~~(iii) A wall or fence in the side or rear yard of an approved Marihuana Grower or Marihuana Microbusiness use (see [Section 54.628](#)) may be 100% of the fence area of solid opaque construction for the purpose of screening the outdoor growing area.~~
  - ~~(iv) A wall or fence in the side or rear yard of an approved Outdoor Alcoholic Beverage Service (see [Section 54.636](#)) and Outdoor Entertainment and Community Events uses (see [Section 54.635](#)) may be 100% of the fence area of solid opaque construction for the purposes of visual and noise screening of that particular use.~~
  - ~~(v) Retaining walls.~~

~~**Construction.** Fences may not have more than 50% of the fence area of solid, opaque construction (See [Figure 35](#) for examples of noncompliant fences), except that a wall or fence in the side or rear yard of an approved Marihuana Grower or Marihuana Microbusiness use (see [Section 54.628](#)) may be 100% of the fence area of solid opaque construction for the purpose of screening the outdoor growing area.~~

~~**(vi) Exception.** A screening fence that is required for a Special Use Permit, by any City ordinance, or by State law may be of solid, opaque construction.~~

#### **(E) Special Purpose Fences.**

- (3) Temporary Fences.** Temporary fences, as defined herein, may be permitted by the City in conjunction with an approved temporary activity/purposes, such as construction, landscaping and grading erosion control, temporary sales areas, temporary events, or snow ~~and garden~~ fencing ~~(as long as it is not permanently anchored and the use is temporary for the snow or growing season)~~. The type of temporary fencing used must be appropriate for the temporary activity, and in most cases a temporary fence must be installed prior to the temporary activity and should be removed soon after the end of the temporary activity. Temporary fencing that does not meet these standards may be considered a violation of this section. ~~Temporary fencing that is not permanently anchored and the use is temporary does not require a fence permit.~~

## Article 9 Parking, Loading, and Access Management

### Section 54.901 Intent

It is hereby determined that the provision of off-street **vehicle** parking spaces is necessary to reduce traffic hazards and the congestion of streets. It is also determined that regulation of location, design, maintenance, and other features of off-street parking lots is in the interest of public safety and welfare.

### Section 54.902 Parking Regulations

#### (E) Parking Standards Applicable to Specific Zoning Districts.

LDR and MDR Districts and single-family and two-family structures in other zoning districts.

(c) **Maximum Rear Yard Paving.** In the LDR and MDR districts, no more than 25% of the rear yard may be paved **(including but not limited to asphalt or concrete, but with the exception of compacted gravel)** for parking provided the impervious surface coverage limits of the lot (see [Article 4](#)) are not exceeded.

(d) **“Front Area” Parking Limitations.** Parking in the front area is permitted only on an approved hard surface parking space and/or driveway, or in a garage (see definition of “Hard Parking Surface” in [Section 54.202\(A\)\(91\)](#)). Parking spaces in the front yard area must be at least two (2) feet from the side lot line, at least two (2) feet from the inside edge of a sidewalk, and at least ten (10) feet from the edge of an established street. The encroaching driveways and parking spaces must be drained so as to dispose of all surface water accumulated in such a way as to preclude drainage of water onto adjacent property or toward adjacent buildings. **New or expanded** driveways must be separated from the side lot line by a minimum of 12 inches of **pervious unpaved land surface (including but not limited to uncompacted pea gravel, cobbles, grass, etc.)** to ensure a **pervious** buffer between driveways and the adjacent lot line, **with the exception of the presence of a retaining wall along the subject lot line or other such difficulty.** The Zoning Administrator may permit parking in a front area during the winter parking ban period for single-family or duplex dwelling units upon request for a Front Yard Parking Waiver for a limited time when the site cannot be altered without causing a hardship on the property owner, or indefinitely in rare cases that the site cannot be reasonably altered to create one (1) additional parking space or a widened driveway. Self-created difficulties, such as adding renters and vehicles, are not applicable to the consideration for a Front Yard Parking Waiver.

(h) **Application of Parking Development Standards.** All one- and two-family residential parking spaces shall be exempt from the standards of [Section 54.905](#), except that site plans drawn to scale shall be submitted to the Zoning Administrator for review and approval for creation of driveways or parking spaces. Parking spaces may be on pavers or other hard parking surfaces that have an unpaved strip between the surfaces supporting the wheels. **For purposes of providing required parking spaces onsite, the minimum dimensions for residential parking spaces shall be nine (9) feet wide by eighteen (18) feet long.** Driveways in the front yard must be a full-width hard parking surface. Curb cut and driveway permits shall be obtained from the City Engineer when curb cuts are made or modified or if there is any work in the right-of-way for a driveway.

### Section 54.903 Minimum/Maximum Number of Parking Spaces

In all districts there shall be provided off-street parking for motor vehicles for specified land uses. When a public parking lot has been provided by special assessment, the minimum required parking may be reduced by the number of spaces in the public lot representing the same percentage as the property's participation in the special assessment district costs. The minimum/~~maximum~~ number of spaces to be provided shall be based on the following schedule, which may only be increased in accordance with [Section 54.902\(H\)](#) and may only be reduced in accordance with the parking reduction standards of [Section 54.902\(G\)](#) or the shared parking standards of [Section 54.902\(C\)](#):

Land Use	Minimum/ <del>Maximum</del> Parking Requirement
<b>(A) Residential and Lodging</b>	
<b>(1)</b> Single-Family and Two-Family units	Two (2) spaces per dwelling unit, except the M-U and CBD zoning districts require 1.125 spaces per dwelling unit. For parking spaces provided for residential dwelling units off-site, one (1) space per dwelling unit may be permitted off-site if proof of a lease arrangement for long-term parking is provided to the City with the application.
<b>(2)</b> Multiple-Family units with 3 or 4 dwelling units	One and a half (1.5) spaces per dwelling unit, except the M-U and CBD zoning districts require 1.125 spaces per dwelling unit.
<b>(3)</b> Multiple-Family units with 5 dwelling units, except subsidized (below market rate) and senior housing.	1.125 spaces per dwelling unit, except the M-U and CBD zoning districts require 1 space per dwelling unit.
<b>(4)</b> Multiple-Family units with 20 or more dwelling units, subsidized housing units (including Section 8 and other programs)	One <del>Two (2)</del> spaces per each dwelling unit with more than one bedroom; <del>one (1) parking space must be provided for each one-bedroom dwelling unit. 2 motor vehicle parking spaces per dwelling unit is the maximum allowed.</del>
<b>(5)</b> Attached housing exclusively for senior citizens that is not congregate care.	One-half space per dwelling unit plus one space per employee on peak shift.
<b>(6)</b> Hotels and Motels	1 space per rental unit, plus 1 space per employee on peak shift. <del>A hotel or motel may provide parking spaces and power hookups for recreational vehicles (RVs). The maximum number of spaces for RVs shall be ten (10) percent of the number of rental units/rooms.</del>
<b>(F) Industrial/Wholesaling/Warehousing</b>	
<b>(1)</b> Production or Processing of Materials, Goods, or Products	One (1) space per 1,000 <del>1,500</del> square feet of floor area plus one (1) space per 10,000 square feet of site area.

(G) Retail Trade	
(1) Establishments for the consumption of Food or Beverages on the Premises, excluding Drive-Through Restaurants	1 space for every two (2) capacity occupants
(2) Drive-Through Restaurants	1 space for every two (2) capacity occupants plus five (5) <b>two (2)</b> stacking spaces between the pick-up window and the order station, <b>where space exists.</b> and five (5) <b>Any other</b> stacking spaces that <del>do</del> shall not conflict with access to required parking spaces <b>or block right-of-way,</b> per order station (e.g., menu board).

## Section 54.905 Parking Layout, Design, Construction, and Maintenance

All off-street parking shall be laid out, constructed, and maintained according to the following standards and regulations:

**(A) Required Parking Space Dimensions.** Unless otherwise stated in [Section 54.905\(C\)](#), all parking spaces shall be laid out in the **minimum** dimensions of nine (9) feet wide by eighteen (18) feet long, exclusive of maneuvering lanes.

## Article 11 Signs

### Section 54.1103 Definitions

**Rules of Interpretation.** Refer to [Section 54.201](#) for rules of interpretation of terms and words in this Article.

**(A) Sign Definitions, Sign Types.** The following definitions apply to types of signs based on the characteristics of the sign without respect to the content of the message:

**(33) Permanent Sign:** A sign of durable construction and durable materials designed to remain in one location and position either through attachment to a building element or mounting on a standard secured to a below grade footing, **or designed into building materials such as stonework.**

**(45) Temporary Sign:** A sign intended to display either commercial or non-commercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

**(C) Sign Definitions, General.**

**(6) Building Entrance:** A building entrance that is clearly available as a public entrance, with the **exception of businesses that for reasons related to privacy do not clearly indicate a public entrance.**

### Section 54.1107 Exempt Signs Permitted in All Zoning Districts

Certificates of Zoning Compliance shall not be required for the following signs provided that said signs meet all other requirements of this Ordinance, including but not limited to those in [Section 54.1109](#). Approval of the property owner is required prior to the erection of a sign. It is the responsibility of the party erecting the sign to determine if a building permit is required.

**(A)** Temporary signage in accordance with [Section 54.1109](#) and [Section 54.1105](#), unless otherwise stated in this Ordinance. Commercial signs placed on construction sites for project information and/or associated contractors, and where home improvements are underway, are permitted for up to 14 days after the work is completed. These ground and yard signs must comply with the size requirements for permanent signs as stated in Section 54.1105.

**(K)** Permanent signs, where the use of the structure/property has changed and removing the sign would be an unreasonable burden (e.g. such as names carved into stone).

### Section 54.1109 General Sign Standards

**(E) Awning, Canopy, and Marquee Signs:**

**(1) Minimum Height.** Awnings, canopies, and marquees, and signs attached to them, shall not be placed less than ten eight (10 8) feet above a public sidewalk or right-of-way, with the exception of the replacement of legally non-conforming historic signs (per the definition of historic sign in 54.1103).

## Article 14 Administrative Procedures

### Section 54.1402 Site Plan Review

**(B) Uses Subject to Site Plan Review, Minor/Administrative Site Plan Review, and Exemptions.** The required review process for uses and development is described in [Figure 4951](#). All uses and development, regardless of whether site plan review is required, are subject to the Zoning Compliance review requirements of [Section 54.1401](#). The Zoning Administrator may administratively approve or conditionally approve minor site plans as described in [Figure 4951](#) and [Section 54.1402\(D\)\(1\)](#). All other site plans must be reviewed by the Planning Commission. Three levels of Site Plan Review are conducted by the Planning Commission – Sketch Plan Review, Preliminary Site Plan Review (PSPR), and Final Site Plan Review (FSPR).

In Fig. 51 change “Minor Site Plan Review” as below:

**Figure 4951. Required Review Process Based on Development Activity**

Development Activity	Site Plan Review Required	Minor/Admin. Site Plan Review	Exempt From Site Plan Review
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**(C) Information Required for Site Plans and Sketch Plans.** The site plan review application materials shall include all the following information, unless the Zoning Administrator determines that some of the required information is not reasonably necessary for consideration of the plan.

**(3) Site Plan.** ~~Twelve (12)~~ **Six (6)** copies of plan sheet(s) providing the information listed below ([Figure 5052](#)). For minor site plans, three (3) copies of plan sheets are required. Sheet size of submitted drawings shall be at least 24-inches by 36-inches, with graphics at an engineer's scale of one (1) inch equals twenty (20) feet for sites of 20 acres or less; and one (1) inch equals fifty (50) feet for sites over 20 acres. **One digital copy of the complete plan set must also be submitted.** The surrounding area drawing may be in a scale of one (1) inch equals one-hundred (100). ~~Digital plans must also be submitted.~~

**(5) Sketch Plan.** A sketch plan must include the information listed below ([Figure 5052](#)). The number of plans submitted is determined by the Zoning Administrator, **based upon whether or not the plans need to be reviewed by the Fire Dept., Police Dept., and/or Dept. of Public Works – in addition to the Engineering and Planning-Zoning functions of the Community Development Department, and the Zoning Administrator may accept digital plans. One digital copy of the complete plan set must also be submitted.** The sheet size of submitted drawings shall be at a scale acceptable to the Zoning Administrator. Upon request of the applicant, the Zoning Administrator may waive individual sketch plan requirements if the requirements are found to be unnecessary or irrelevant to the intent of providing the information; however, the Planning Commission has the right to require all of the in information in [Figure 5052](#).

**Figure 5052. Site Plan Information Required in the Site Plan Set**

Site Plan Information Required	Sketch Plan	Preliminary Site Plan	Final Site Plan
<b>Identification of Project</b>			
The applicant’s name.	●	●	●
Name of the development.	●	●	●
The preparer’s name and professional seal of architect, engineer, or landscape architect indicating license in the State of Michigan.		●	●
Small scale location sketch of sufficient size and scale.	●		
A survey of the property, sealed by a surveyor licensed in the State of Michigan.		●	●
Date of preparation and any revisions.	●	●	●
North arrow.	●	●	●
Complete and current legal description and size of property in acres.	●	●	●
<b>Existing Features</b>			
Property lines and dimensions drawn to scale.	●	●	●
Zoning and current land use of applicant’s property and all abutting properties and of properties across any public or private street from the site.	●	●	●
Lot lines and all structures on the property and within 100 feet of the site’s property lines.		●	●
Locations of all significant natural features, including Riparian Buffers (see <a href="#">Section 54.804</a> ), wetlands (see <a href="#">Section 54.805</a> ), steep slopes (see <a href="#">Section 54.806</a> ), woodlands and protected trees (see <a href="#">Error! Reference source not found.</a> ), floodplains, etc.)	■	■	■
Locations of all significant natural features – streams, wetlands and floodplains (see <a href="#">Section 54.805</a> ), steep slopes (see <a href="#">Section 54.806</a> ), woodlands and protected trees (see <a href="#">Section 54.807</a> ).	■	■	■
Boundary of any Riparian Overlay Districts, per <a href="#">Section 54.320(E)</a> . Applicable where streams and/or steep slopes, wetlands, and surface water bodies may be impacted by proposed development. Location of steep slopes (>12 percent), per <a href="#">Section 54.806</a>		■	■
Any existing private or public easements.		■	■
Location of any access points on both sides of the street within 100 feet of the site along streets where access to the site is proposed.	●	●	●
Locations of existing utilities.	●	●	●
Existing topography at a minimum of two (2) foot contour intervals.		●	●
<b>Proposed Construction</b>			
Building footprints, setbacks, and elevations showing height for all proposed structures with the acreage allotted to each use. See <a href="#">Article 3</a> , <a href="#">Article 4</a> , and <a href="#">Article Z</a> .	●	●	●
Floor area and ground coverage ratios. See <a href="#">Article 3</a> and <a href="#">Article 4</a> .	●	●	●
Proposed locations of utility services (with sizes) and storm water management, including storm drainage, retention or detention ponds, fire hydrants, and any public or private easements. See <a href="#">Section 54.803</a> .		●	●

Site Plan Information Required	Sketch Plan	Preliminary Site Plan	Final Site Plan
<u>Schematic storm water management plan, including elements stated below for Final Site Plan requirements, as needed to show intended compliance with the requirements of the Land Development Code.</u>		●	
Proposed topography with a site grading plan with topography at a minimum of two (2) foot contour intervals.		■	●
<u>Boundary of any Riparian Overlay Districts, per Section 54.320(E). Applicable where streams and/or steep slopes, wetlands, and surface water bodies may be impacted by proposed development. Location of steep slopes (&gt;12 percent), per Section 54.806</u>		■	■
Location and method of screening for all waste dumpsters. See <a href="#">Section 54.1003(F)</a> .		■	●
Location and dimensions of parking spaces. See <a href="#">Article 9</a> .	●	●	●
General landscaping design concept acceptable to the Zoning Administrator.	●		
A landscaping plan indicating proposed plant locations with common plant name, number, and size at installation. Berms, retaining walls or fences shall be shown with elevations from the surrounding average grade. See <a href="#">Article 10</a> .		●	●
Locations of exterior light fixtures.	■		
Details of exterior lighting including <u>fixture and pole</u> locations, height, and method of shielding. See <a href="#">Section 54.802</a> .		■	●
The location of all permanent or temporary signs, existing or proposed, including their area, size, height, illumination, and the type of construction. See <a href="#">Article 11</a> .	●	■	●
<u>Locations of utility services (with sizes) and storm water management elements, including, storm drainage, retention or detention ponds and/or swales, rain gardens, riparian buffer vegetative strips, per Section 54.803. Any proposed public or private easements.</u>			■
<u>Fire hydrant number and placement or other water supply, and standpipe connection type; Fire dept. connection location; Alarm panel location; Fire dept. access details.</u>			■
If the application is related to property scheduled for phased development, the proposed layout for the total projected development shall be indicated, and the projected scope and time period shall be estimated for each additional phase. The phasing plan must be acceptable to the City staff to ensure that each phase can function independently and is not reliant on future phases if they are not constructed.	●	●	●
<b>Site Circulation Details and Access Design</b>			
General site circulation and access including: indication of street right-of-way and pavement widths; access points; and location of pedestrian paths. See <a href="#">Section 54.907</a> .	●		
<del>Indication of street right-of-way and pavement widths and pavement type.</del>		■	■
Street horizontal and vertical dimensions, including curve radii.		●	●
Dimensions of access points including distance from adjacent driveways or intersecting streets, including those across a street. See <a href="#">Section 54.907</a> .		●	●
<del>Identification of width and material to be used for pedestrian paths. See <a href="#">Section 54.907</a>.</del>		■	■
<del>Name and location of abutting public streets, proposed access driveways and parking areas, and existing and proposed pedestrian/bicycle paths.</del>		■	■

Site Plan Information Required	Sketch Plan	Preliminary Site Plan	Final Site Plan
Schematic location and names of abutting public streets and other right-of-ways, and schematic location of proposed streets/roads, driveways, parking areas, pedestrian and bicycle paths.		●	
Schematic of access points, including from adjacent driveways on intersecting streets, including those across a street. See <i>Section 54.907</i> .		●	
Locations, dimensions, and names of abutting public streets and other right-of-ways, and of proposed streets/roads, driveways, parking areas, pedestrian and bicycle paths.			●
Pavement widths and pavement types for all streets/roads, pedestrian and bicycle paths.			●
Written verification of access easements or agreements, if applicable.		●	●
Additional Information			
Any other information necessary to establish compliance with this and other ordinances.	●	●	●

**(D) Site Plan Review Procedures.** No Zoning Compliance or Special Land Use Permit shall be issued for any uses subject to site plan review except in accordance with a site plan approved by the Planning Commission, or a Minor Site Plan approved by the Zoning Administrator, in accordance with the following procedures:

**(4) Preliminary Site Plan Review.**

The purpose of Preliminary Site Plan Review is to allow for the review and decision on most aspects of the site without the need for final detailed engineering unless required by the City Engineer. An applicant may submit some of the engineering elements in schematic/diagram form in the Preliminary site plan set per the requirements shown in *Figure 52*, and such items must be approved per the Final Site Plan Review (FSPR) requirements prior to staff completion of a Zoning Compliance Permit for the project. Applications for preliminary site plan review must be submitted to the Zoning Administrator at least twenty (20) business days prior to the meeting at which the review is to take place. The Planning Commission shall review the preliminary site plan, together with any reports and recommendations from staff, consultants and other reviewing agencies and any public comments. The Planning Commission shall then make a determination based on the requirements of this Ordinance and the standards of *Section 54.1402(E)*. The Planning Commission is authorized to postpone, approve, approve subject to conditions or deny the preliminary site plan as follows:

**(d) Approval Subject to Conditions.** The Planning Commission may approve a preliminary site plan, subject to one (1) or more conditions necessary to address minor modifications to the preliminary site plan, ensure that public services and facilities can accommodate the proposed use, protect significant natural features, ensure compatibility with adjacent land uses, or otherwise meet the intent and purpose of this Ordinance. Such conditions may include the need to obtain variances or approvals from other agencies. Upon approval of the preliminary site plan and the satisfaction of conditions, the applicant may apply for final site plan review.

**(e)** The Planning Commission may elect by an affirmative vote to be the approving authority of the Final Site Plan, otherwise the approving authority will be the Zoning Administrator. The scope of the proposal, the potential impact of the project, and/or or the estimated value of

public input or of conducting the approval in a public forum are all reasons that the Planning Commission may elect to be the review authority for the Final Site Plan. The Zoning Administrator may recommend that the Planning Commission be the approving authority in the staff report for the site plan review.

**(5) Final Site Plan Review**

**(d) Planning Commission and/or Administrative Action.** Except as noted in directly above, and as stated in Section 54.1402(D)(4)(c) for Preliminary Site Plan Review, the Planning Commission, or City Staff, shall approve, approve with conditions, or deny the site plan based on the compliance of the plan with City Ordinances and the review standards of this Ordinance. If conditional approval is granted, the conditions shall be stated specifically so that the Zoning Administrator or other reviewing departments can determine compliance with the conditions and grant approval following submission of revised plans; said review not to exceed ten business (10) days unless additional time is required by the Zoning Administrator or other reviewing departments to determine compliance with the conditions of site plan approval. A site plan shall be approved if it contains all of the information required by the ordinance and is in compliance with the standards of the Land Development Code (including [Section 54.1402\(E\)](#)), other City planning documents, City ordinances, and state and federal statutes.

**(F) Validity of Approved Site Plans and Expiration.**

**(1) Approval, including Conditions, Attached to the Property.** Approval of a site plan, including conditions made as part of the approval, is attached to the property described as part of the application and not to the owner of such property.

**(2) Validity of Approved Site Plans.**

**(a) Extension.** The Planning Commission may grant two (2) one-time extensions to the expiration deadline, not to exceed one (1) year each, provided the request for an extension must be submitted at least 45 days prior to the expiration of the site plan approval and must meet the following standards. The Zoning Administrator may similarly grant extensions of administratively approved site plans.

- i. The approved plan conforms to zoning at the time the extension is granted
- ii. Any and all Federal and State approvals and permits are current.

**(b) Relevant LDC Amendment.** If the Land Development Code is amended within one year of site plan approval and approved work has not been completed, any less intensive standards provided by the amendment may be applied to the unfinished aspects of the site plan if a revised site plan is submitted before the one year site plan approval period expires.

**(c) Resubmission of Expired Plans.** Site plans whose approval has expired shall require resubmission as an initial application.

## Section 54.1403 Special Land Use Review

- (A) **Intent.** This section of the ordinance governs permitting of special land uses which may be located in specific districts (see [Figure 8](#) for special land uses within each district) when the standards of special land use review have been met and the use and development comply with the standards of this Ordinance. It is the purpose of this section to maintain adequate provision for the security of the health, safety, convenience and general welfare of the inhabitants and uses of the zoning district and adjoining districts.
- (B) **Procedures.** No special land use shall be established in any zoning district except upon permit issued by the Planning Commission. The Planning Commission shall be guided in making a decision by the standards set forth in this Ordinance in [Section 54.1403\(C\)](#). The Planning Commission shall hear and decide only such special land uses as specifically authorized by district and by the terms of this Ordinance, **but shall not hear a request for a Special Land Use Permit (SLUP) if the request is the same and for the same property, within a period of six months from the date of the public hearing in which the SLUP request was made initially, unless conditions have significantly changed (e.g. the subject and/or neighboring zoning districts have changed, to be determined by the Zoning Administrator).** Special land use applications shall be submitted and reviewed according to the following procedures: