


## ∞ AGENDA ∞

**MARQUETTE CITY PLANNING COMMISSION**  
**Tuesday, April 1st, 2025, at 6:00 p.m.**  
**Commission Chambers at City Hall – 300 W. Baraga Ave.**

### MEETING CALLED TO ORDER

- 
- 1) ROLL CALL
  - 2) APPROVE AGENDA
  - 3) APPROVE MINUTES: **Minutes of 03-18-25**
  - 4) CONFLICT of INTEREST
1. PUBLIC HEARINGS
  2. CITIZENS WISHING TO ADDRESS THE COMMISSION ON AGENDA ITEMS
  3. OLD BUSINESS
  4. NEW BUSINESS
  5. CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS
  6. CORRESPONDENCE, REPORTS, MINUTES OF OTHER BOARDS/COMMITTEES
    - A. Michigan Assoc. of Planning Handout – May 14<sup>th</sup> Training at NMU**
    - B. Letter from Easter Bunny re: Dwelling Unit Requirements**
    - C. Letter from Veridea Group re: Code Standards for Dumpster Enclosures**
  7. TRAINING
  8. WORK SESSION ON REPORTS/PLANS/ORDINANCES
    - A. Land Development Code Amendments**
  9. COMMISSION AND STAFF COMMENTS
  10. ADJOURNMENT

---

### PUBLIC COMMENT

A member of the audience speaking during the public comment portion of the agenda shall limit his/her remarks to 3 minutes. Time does not need to be reserved for an item of business listed on the agenda, or otherwise addressed under Item #2, as time is provided for public comment for each item of business.

### PUBLIC HEARINGS

The order of presentation for a public hearing shall be as follows:

- a. City Staff/Consultants
- b. Applicant
- c. Correspondence
- d. Public Testimony
- e. Commission Discussion (Commissioners must state any Ex-Parte contact or Conflicts of Interest prior to engaging in any discussions), if it occurred, prior to entering into discussion or voting on a case).

**OFFICIAL PROCEEDINGS  
MARQUETTE CITY PLANNING COMMISSION  
March 18, 2025**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00p.m. on Tuesday, March 18, 2025, in the Commission Chambers at City Hall. A video recording of this meeting is available on the City of Marquette website.

**ROLL CALL**

Planning Commission (PC) members present: W. Premeau, Vice Chair K. Clegg, M. Rayner, J. Fitkin, Chair S. Mittlefehldt, A. Wilkinson, K. Hunter, D. Fetter, S. Lawry.

PC Members absent: none

Staff present: D. Stensaas, City Planner and Zoning Administrator; A. Landers, Zoning Official, S. Hobbins, Deputy City Manager

**AGENDA**

*It was moved by K. Clegg, seconded by M. Rayner, and carried 9-0 to approve the agenda as presented.*

**MINUTES**

The minutes of the March 04, 2025, meeting were approved by consent, with a change to an error under the New Business item.

**PUBLIC HEARINGS**

**A. 01-PUD-03-25 – W. Magnetic St. multi-lot residential Planned Unit Development  
Concept Proposal**

Chair S. Mittlefehldt explained the process for the public hearing and asked staff to begin the proceedings.

Zoning Official A. Landers Veridea Group LLC is seeking concept plan approval of a proposed Planned Unit Development for a mixture of townhomes. One unit, duplexes, triplexes and six units for a total of forty units to be located at the preexisting parking lots on the south side of the W. Magnetic St. between Lee St. and Fourth St. This public hearing is to determine if their criteria in Section 54.323(F) of the Land Development Code are met. Attached the agenda was the Staff Report and Analysis. All notices have been sent in accordance with the Land Development Code and state law and correspondence has been received.

A. Landers showed and explained all agenda packet items that were included. She also said that three pieces of correspondence were received after the agenda was posted, and she and D. Stensaas read the correspondence from Robert Kamperschroer and Kari O'Keefe, Marquette County Housing Now-Christopher Germain, and the Messiah Lutheran Church-Rev. Dr. Andrew Porcher.

City Planner and Zoning Administrator D. Stensaas stated:

That's all the correspondence we got after the agenda was published on Friday. There are a couple pieces of correspondence in the packet from John Myefski, and one from Grant Soltwisch. I just want to say for everybody here, this is an administrative process with the Planning Commission. They are tasked with going through the sections of the Land Development Code that deal with a Planned Unit Development. Approval and housing affordability is not in the Planning Commission's purview. If that's what anybody was here to talk about, that is a policy level issue that the City Commission would need to address and that is not at all addressed in the Land Development Code ordinances.

**OFFICIAL PROCEEDINGS**  
**MARQUETTE CITY PLANNING COMMISSION**  
**March 18, 2025**

S. Mittlefehldt stated:

If I could just add to what City Planner Stensaas just said, for those of you who are not zoning experts and are wondering what we're here to do tonight, a Planned Unit Development is a tool that Planning Commission and Zoning Administrators can use that gives flexibility to the Land Development Code. Tonight, just to echo what Dave said, we are here to determine whether or not this proposed project, which is in its concept stage here, meets the Land Development Code requirements for a Planned Unit Development. That's really our task tonight. We as a Planning Commission deal with land use and we don't have any authority over the question of affordability, which I think we all universally value and share and want to see more affordable housing, but that is outside the scope of the Land Development Code.

D. Stensaas said:

If I could add that this is the first step in a multi-step process that requires three public hearings. This is the concept phase of the project for qualification of the PUD as a concept. The next phase would be approval of the preliminary plan by the City Commission. The developer would still have to propose a site plan that has all the details for the development of civil infrastructure, such as water, sewer, actual street dimensions and anything like that. That comes back to the Planning Commission for a recommendation, so there are multiple steps. This is the most complicated development process that the City administers, and it requires several public hearings, so this is just the first phase.

Bob Mahaney, 310 Lake Enchantment Rd., CEO of the Veridea Group, stated:

Thank you for the opportunity for us to be here tonight and thank you for the turnout of everybody. I'm assuming that you're here with an interest in this project, which I think is great. You have the preliminary materials in front of you and I won't spend a lot of time on what you already have in your packets, I just want to touch on a couple of things. Number one, to get to this point of making a preliminary application to you for the PUD has been over five years in the making for Veridea and our people. All the way back in 2019 when we first had conversations and a preliminary agreement with Life Point to acquire this property, we put a lot of time and effort into the work on this development. We've been fortunate that we have been able to partner with the City, with the NMU Foundation, and a number of community organizations to get us to this point. I have been asked a lot of questions in respect to the overall site and what is our plan?, and I think all the community is waiting to hear that and we're very anxious to share that with you. The question that would be on the tip of my tongue if I was in the audience is, "When are you going to share that Veridea?". We're going to share that when we can tell you definitively what that plan is. There are still a lot of uncertainty and unknown things that have to be discussed with the City and with others, "What's the future of College Ave.?", "What happens to Piqua St.?", and on and on. There is still some demolition work that has to be done. There's a conversation about who is going to be responsible for that. We don't have full ownership of all the property yet so I'm hesitant to go out and make public representations on the future of that property until we have legal control of that property. So, there's a lot of balls in the air still.

The one thing that's constant though is this site. This site from our very first master site plan concept that we submitted that we shared with the public back in 2018 or '19, I apologize I may have my dates wrong but back then, and our first attempt to acquire the property directly from Life Point called for this area to be townhome type development. In our application to be the selected developer, when the NMU Foundation went through to select a developer, we again reiterated that we envisioned this area to be frankly what you see tonight. It hasn't changed much at all over the five years that we've been involved in this. In order to achieve what we would like to achieve, achieve what is the optimal use of the property, a PUD seems to make sense. We believe that while yes, this is greater density than what you see in the surrounding neighborhood, it is a great transition from what is intended to the north, while their not sharing that site plan yet for that area to the north of Magnetic, it definitely will be a denser use so we see this as honoring the residential area, the neighborhood to the south and to the east and west but at the same time providing some housing that is needed, as was alluded to earlier tonight, and also

**OFFICIAL PROCEEDINGS**  
**MARQUETTE CITY PLANNING COMMISSION**  
**March 18, 2025**

creating a very good logical transition from the single family residential neighborhoods that are in existence to what we do with the rest of the property. I'd be happy to answer any questions, hear your comments, I'm sure I might have missed something.

Brian Savolainen, Civil Engineer for the proposed development, stated:

I just want to address a couple items that came up in the correspondence. The type of housing that's here is proposed town homes and each of these units has multiple car garages so you're not seeing a lot of hard surface parking area. There is plan for some overflow and visitors. We'll also be working with the City on looking at some parking on Magnetic St. for possible overflow, but this is not what had been there before. That was hospital parking for employees, and this is going back to a residential type of neighborhood. Currently the plan as shown, we're not asking for a variance on parking requirements, currently the plan does meet that and is capable of doing that.

We're also trying to limit the access to Park St. in the back because we're not sure, or Piqua I believe, for emergency vehicle access and the south side of that part it is more like part of an alley where there is capability of accessing from both ways. The parking will be addressed, we'll be working closely with your planning staff and the engineering department on utilities and how were handling water, sewer, storm water. One thing we're doing here is eliminating a sea of black top. Just by doing this type of development, we're already really helping the storm water situation. In that regard, we will be doing some underground storm water on this as well. I just wanted to add those comments and I'm available as well.

S. Mittlefehldt said I just had a quick question about Piqua, in this plan it kind of looks like it's going to be paved but is there plans to do anything with Piqua or has that been part of the discussion?

Mr. Mahaney said we've had discussions with City leadership, mentioned about that on a very conceptual basis, kind of what if and what could that look like. That decision has not been made. There seems to be interest on the City's part to improve Piqua at a minimum. If we were to use Piqua as shown here, we would do that most likely only if it was improved. Don't ask me to define improvement right now, I don't think that would be fair to City staff, but there's active discussions going on about that. Adding one comment to Brian's about parking, we want to have as much green space on this property, and you'll see hopefully when we show our master site plan the amount of green space that we're trying to retain. It's a real challenge and a struggle as a developer. Of course you want to have adequate parking, I don't want people parking over at Messiah Lutheran, I fully appreciate what their concern is. As we're going through our design, the question we're asking ourselves is, frankly, is there adequate parking. That's why there's two car garages in most cases. Some are one car garages and there is some overflow parking but we're trying to balance green space versus having a bunch of impervious asphalt. We'd much rather have green space if we can. That's the thinking behind this and as Brian says it's our understanding that we meet parking requirements. Not only that we meet parking requirements, but we feel from a practical standpoint, from a daily use space, that there is sufficient parking. Thank you.

S. Mittlefehldt stated:

Since we did get all our correspondence read into the record, we will now go to public testimony. Now is the time if you have comments on this project, you each have three minutes to state your name, address, and share your thoughts.

Jeff Gagnon, of 437 W. Magnetic St., stated:

I'm not sure if this is the right commission or if it should be the City Commission for my comment but I'll say it here anyway and then I'll come back to the next meeting, but my concern is, I'm not opposed to the development, looks great, but for the current demolition process, my house has been shaken physically from the demolition from the old buildings, cracking my plaster, cracking several storm windows and the house has been covered in the demolition dust even though they've been trying with

**OFFICIAL PROCEEDINGS**  
**MARQUETTE CITY PLANNING COMMISSION**  
**March 18, 2025**

the water cannons but Mother Nature doesn't want to work with them. I'm just letting you know that's been a thing. I'm kind of the only house right there, I'm not sure if anything happened down the block a little bit but maybe she's far enough removed but that's been my experience over the last year and half. When I read the packet that was provided in the TV6 article from the site plan review standards, and it's E(10), says, "Nuisance, no noise, vibrations, dust, fumes or other nuisance shall leave the property in a manner that affects the surrounding area". That did not happen with the demolition. I'm not saying that the construction will be that way, I'm just saying if that's a normal application for people to do stuff, that didn't happen. And I've got stuff at home I can show you if you want to come tour my house. Just letting you know that was a concern. Also, and I know this is preliminary and nothing is set yet, but there is sort of a concern and it's been breached by a lot of people of Piqua, because it's not currently paved and it's fairly narrow. To expand it would be taking either property from us on the south side of Magnetic, or the Park St. folks to expand that because it's really narrow. That would be another concern and maybe possibly making it a one way would make more sense because then it wouldn't have to be as wide, I guess. I wanted it to be on record that some things have happened, and because I'm a minority one little person there, and maybe it wasn't known by everyone. Thank you.

Scott Rule, of 408 W. Park St., stated:

I have some concerns. I have a concern about Piqua St. and a flurry of dust that's always been there. I've tried to talk to the City numerous times throughout the years and they do a token strip of dust control in the spring and a token strip up in the fall. You people don't realize how much motor oil has been dumped back there, how much carcinogens have been dumped back there and the City used to dump their motor oil back there. I remember because I grew up in that alley. I know people in the City. I want something done about it. Some sort of encapsulation or whatever. This might come back and bite people if the EPA gets involved, if somebody starts taking soil samples. Also, with the hospital, we had a setback PUD, as to how high the hospital could build off Piqua and I'm wondering if that's entertained now. I don't want a four-story building looking down in my backyard. I don't. I think it's wrong. It appears that they're going to have garages on the 300 block, but I don't know what they're going to do in the 400 block yet. I'm wondering if that was going to be a PUD to prevent, if they're going to have a step back in height from Piqua St., Magnetic. I mean, I understand it's going to be a building max, it doesn't really matter there, but for me it does. And are there going to be taxes? Is this going on the tax rolls? Historically, Marquette has put up industrial parks and not charged anything for taxes, given tax breaks in the industry and it hasn't worked, which I'm sorry for that. But are these going to be on the tax rolls? Because my assessment just went up again. I live in over a hundred-year-old home. And I'm also a resident of one of those infamous "through lots" where I have to ask permission if I want to put up a fence taller than four feet and it's a thousand dollars. And they can say no, and I'll lose my thousand dollars. But when the hospital was building things, they gladly put up ten-foot fences. And if I want to put up a ten-foot fence, I don't see why that's a problem. These through-lot rules are wrong. My address is on Park St., not Piqua St. and that's just some of the concerns I have right now. My biggest one is about setbacks and fugitive dust. I've been breathing that crap for years. It's all over in my storage buildings, coating everything I own that I store in my storage buildings. And I think we should do something about it. Thank you.

Bill Medick, owner of a vacant lot at 324 W. Magnetic St., stated:

Just one comment that basically surrounds infrastructure. The intersection of Fourth St. and Magnetic is not really a cross street. The four roads are coming in at different angles. I remember when the hospital had employees there at 5 o'clock, 8 o'clock in the morning and it was pretty congested and busy. And so, my question is it would be nice if the City or developers would keep that in mind, and perhaps add a stop light, or a roundabout, or something like that to resolve some of the congestion that is going to happen in that area. Thank you.

**OFFICIAL PROCEEDINGS**  
**MARQUETTE CITY PLANNING COMMISSION**  
**March 18, 2025**

Margaret Brumm, of 404 E. Magnetic St., stated:

I'm looking at a piece of paper title planned unit development requests. The developer is requesting an extension from quadplexes to six plus multiplexes. Even former Commissioner Evan Bonsall in his most egregious desire to cram as many people into as small of area as possible never mentioned a quad-six-plus. No two-car garage is going to accommodate six separate houses with six separate vehicles. And there's a lot of hand waving saying well we'll put cars on Magnetic St. - not from November 1<sup>st</sup> to April 1<sup>st</sup> will you put cars on Magnetic St. There's also, in the pictures, which I've looked at with great detail, there's no room for snow. There's absolutely no room for snow removal in this area. We have had a ridiculous amount of snow in the past while and this is going to be a problem because in townhouses, nobody is responsible for sidewalks, and nobody is responsible for keeping the snow away from everyone else. And there's no place to move it. You've got this beautiful four-foot fence in front of it, you can't lift snow over a fence. Number three, there is no place for the garbage and recycling bins. I looked and I looked, and I looked and nope, there's no place to slide them underneath. You're going to have a beautiful townhouse, worth hundreds of thousands of dollars and those green and blue bins up and down and sidewalkss and in the road in the wintertime. That's what happens because there is no place for them.

And so, the common sense of cramming more people into this area, and please, anybody in this town who has driven up and down Piqua would not even think of it as an alley. It is a wide spot of brown dirt. I apologize to the people in the neighborhood who love it, I appreciate that you grew up there and you love it, but everything these people said about how abused it was, it was a dumping ground for many different things. And the fact is, none of this planning takes into account an environmental impact statement about what's in the ground. They're talking about stormwater underground. Well, when they start digging those stormwater tunnels, what are they going to dig up? There is no room for this many people in that space. A dear friend of mine can't use the recycling bin she has now because it's in her snow field, it's been stuck there for four months, and I don't even want to suggest what she's been doing with her recycling. A little bit of common sense goes a long way, and these are beautiful drawings, but they don't account for bins upside down in the roadway and Piqua, you cannot get an emergency vehicle down that road, and you know that's going to be necessary if you cram that many people in that short of space. Will you please demand more of the developer than pretty pictures and pleasant thoughts. Thank you.

Patrick Markey of 419 W. College Ave., stated:

I own the lot at 366 W. Park and also back up to the development. Though I am excited to see progress, a little bit more information is needed. If you were just to return this to what it originally was, it would be approximately twenty city lots, not forty. I understand the need to cram more housing in and I'm not really opposed to the number forty, but I am opposed to the actual PUD development, more from the aspect of changes to the zoning. They mention wanting to change the setbacks for the streets, but do they talk about the setbacks for the height restrictions? Currently it's 31.5 feet. Number two, zoning for a three-story building, so what information do we have on that? I understand it's preliminary, and it's a multistage process, but if you give them this permission to go around the current zoning for that development for that block, are they going to be held to height restrictions? More so because you have two houses, which have both spoken, they're stuck right in the middle of that. So, they'd have a thirty-foot brick wall right next to their house. I just don't think this planned unit development is the right idea for this lot, for this section. For them to ask to combine two different ones to meet their requirements, I'm sorry, it doesn't meet the requirements, and I as a neighbor, don't approve of it. Again, I think it's a great idea, I don't have a problem with the townhouses, I don't have a problem with trying to get more than just the twenty lots in there, but I think it's a bit of stretch the way it's currently drawn out, from that aspect. Because as I look at some of these drawings, we've talked about snow plowing, it's going to be the backup beepers. Yes, I know, when the hospital plowed it, everyone listened to the backup beepers but it's kind of nice they've been gone for the past several years. I'd hate to see them come back. Honestly, another thing is they're not restoring it back to its original residential area like they said

**OFFICIAL PROCEEDINGS**  
**MARQUETTE CITY PLANNING COMMISSION**  
**March 18, 2025**

they are, if they were, it would be twenty lots with twenty single family houses on it, so that's a misrepresentation in their own submission here, and that's (b). Thank you for your time.

Mike Ouimette, of 400 W. Park St., stated:

I am kitty corner from this. Most of my questions have been answered, however I do think the density is too much. Especially these four units that enter onto Piqua. There're sixteen cars there that will be going up and down Piqua. Piqua's basically a two track. It's big enough for one commercial vehicle like UPS truck, garbage truck, one fire truck. Two cars can't pass going opposite directions without going on someone's property, jumping the curb that isn't there. It is a street, not an alley, which was said numerous times here. The City, at present, only minimally maintains it. It's not a criticism, it's just a statement of fact. Once, maybe twice a year they come down with calcium chloride and spray for the dust. A few days later, a couple rainstorms later, the dust is back. Cars zip up and down that street, especially taking cut-offs from Seventh down Piqua to Lee or down to Fourth. I guess they don't want to deal with the stop sign. But there's already a lot of traffic on there. We have a fair number of little kids that play in their backyard, their safety may be at risk. There're no stop signs where Piqua hits any of the main intersections - people literally do not stop - they just fly across the intersection, they go fast. If that's bigger units to the west, that means opening Piqua, there's potential for another twelve cars. You have a lot of cars going on an already busy, two-track dirt road, so I think that's a problem. If you do improve it or encapsulate it or whatever, it's going to cost money. My big concern is who pays for that. I have land that abuts Piqua in the 400 block, as does Scott, and usually that would be an assessment on our property tax right? Or will Veridea pay for any improvements to that road? So safety, traffic, dust, road maintenance - which is a problem right now - and then cost if you incur that new road. Thank you.

Frank King, of 1105 Presque Isle Ave., stated:

I live on the corner of Fourth and Magnetic. I am intimately aware of how difficult traffic is at that corner. I do think it would have to be adjusted. We hear honks, and car crashes all night long. I do have concerns about the heights of the buildings. To walk out your front door and have a daunting building across the street that stretches for an entire city block is not the most appetizing thing for our community. I also have a big concern with the amount of green space in the forty-unit system. If we are trying to attract people who are going to be investing in the community and living here for a long time, I feel we need to accommodate for pets, livelihood, and kids. Kids love to be outside. Those are my concerns.

Carol Touchinski, of 1123 Presque Isle Ave., stated:

I'd like to underscore some of the things I've heard tonight because I've experienced them myself and I thought - oh maybe it's just me, is something wrong with me? The dust, the fine particulate matter that's flying around in the sky every single day of that project. I've had to, for the first time in my life, go to the doctor for medical advice on allergies and how to handle them. My dog is now on allergy medicines. So, something is happening there that needs to be looked at. We're breathing in some things that aren't healthy and I'm hoping they're just not toxic. And I have a lot of concern moving forward, if we've already received some of this, we can't control it, we have these water hoses on it, but it did nothing to help. As the project moves forward and they begin to build, they need to be really cognizant of the dust, especially if we have Piqua, that has been a contaminated site. I think that what I'd like to see from you guys is just a really hard look at that, because I'm quite frankly kind of scared of what I've been breathing and how things have been working. And like the gentleman said earlier, we have cracks in our walls and houses now, probably due to the banging and stuff. How do our long-term citizens of Marquette City feel about these issues? Is there anyone to go to, is there anyone to talk to, and what do we do?

Darin Johnson, of 501 W. Magnetic St., stated:

I had a lot of problems with the demolition - cockroaches, power surges, water problems. I talked with somebody about a year ago, and I got kind of shut down. I wasn't too happy about that. It looks better

**OFFICIAL PROCEEDINGS  
MARQUETTE CITY PLANNING COMMISSION  
March 18, 2025**

now than when it was a hospital. I do like the concept of what's going on. I don't have any real concerns except for the two neighbors that are going to be surrounded by this. We do have a problem with the way that was taken down. I haven't looked for all the cracks, yet but is there anywhere we can talk to someone about the financial losses that we had because of it?

D. Stensaas said that Mr. Johnson should contact the City Manager's office.

Maria Horton, of 372 W. Park St., stated:

Our backyard backs up to the two townhomes that would be behind us. And my concern is Piqua is just not a street. It's like an alley, and we drive in there at the moment because in the wintertime you have to park in your yard, you can't park on the street. You can't have two cars coming in there at the same time. So, my concern is with the four that are on the alley it's just going to cause a lot of traffic, and there's kids coming in and out. And already there's a fence where that backs up, and kids are running in and out, you can't see. My concern is more traffic.

S. Mittlefehldt closed the public hearing after no one else wished to provide a comment. She said that the hearing will now proceed to Commission discussion and that if anyone wishes to respond to any of the comments provided, they can do so now. She also said that the Commission must address the PUD qualification criteria of section 54.323(F) of the Land Development Code.

S. Lawry said (51:15) he has a comment on Piqua St., and related that the City has a published long-term Capital Improvements Plan that addresses paving all the gravel streets in town, and I realize they are probably not on track with it right now, but it does list what year that was supposed to get paving. He also said it's not a hard and fast (inaudible), and things move around a bit depending on (inaudible) availability, but quite a few years ago the City sold a grader with the idea that they were going to pave all of the gravel streets, and they've been working on it.

S. Mittlefehldt said - as a follow-up on that, regarding the concerns heard about fugitive dust, she is wondering if staff knows if there is any wiggle room in the PUD process to ask for the developer to help pay for some of those improvements - can the Planning Commission recommend that as part of the PUD?

D. Stensaas said that the Planning Commission should steer clear of that. He said that is called an exaction, and there have been numerous court cases around those types of requests [of developers], so that's something you should leave for the City Commission to deal with.

D. Stensaas also said that he wanted to help inform the Commission a bit on an issue Commissioner Lawry raised, and about the lots on the south side of the street. He said Piqua is an "Act 51 street", which means it is a street that the City receives a bit of funding for through the Act 51 statute, but it was platted as an alley in the Normal Subdivision. He related information that the City Surveyor had provided to his office about the status of the lots on the south side of the street, several of which - but not all - had "excepted out" of their deeds ten-foot (10') portions at some time long in the past. He related that this presents the City with challenges for the paving and draining of the street, regarding the ownership of those parcels, and others that did not except portions out of their titles and which now protrude - on paper - into the right-of-way.

W. Premeau said - I just have a question on utilities. All of those people on Piqua are getting their water from somewhere and their sewer is going somewhere, maybe Mr. Lawry knows where it's going.

S. Lawry said - I don't specifically. On the lots that are left there, I know in the next block to the west, some of those lines went out through the yards on, fronting on Magnetic and tied into the Magnetic street line. I think it's quite possible that some of the lots that are built on at the east end of this block



**OFFICIAL PROCEEDINGS  
MARQUETTE CITY PLANNING COMMISSION  
March 18, 2025**

might be similarly served. There are no mains other than perhaps a power or phone cable in Piqua. There's no water or sewer lines.

W. Premeau said - also it's my understanding there is no storm sewer on Magnetic St., and the hospital took care of all their water and those parking lots by putting in huge drain fields. Any loads of rock that the water is now draining into? The future development, the way it looks, the water would run to Magnetic unless they use some of those. In order to build these, they're going to have to destroy a lot of those. I know we did one parking lot there, and that's what we did. For maintaining the water, I believe they even filled some basements with rock.

D. Stensaas said - looking at the City's mapping program that shows utilities (and staff showed the map on the monitors), Magnetic St. shows several storm sewers in green, so there is a storm sewer system.

S. Lawry said - I think the hospital was just trying to get credits for the stormwater runoff by retaining some of it on their property. I think in order to even get the permits to build some of the parking lots, they were required to do some retention. That was how they typically did it, fill a basement with crushed rock, put drains in and break the floor up to allow it to filtrate into the subsoil.

K. Clegg said - I think the snow storage issue is a good point. Are we today looking at feet and inches of that in this preliminary phase of this process?

A. Landers said - that all goes under the preliminary site plan review. This is only a concept, and you have to look if they meet the objectives of the criteria. If they do, then they have to come back, and you guys will go through that preliminary site plan review stage, and that also goes to the City Commission as well.

S. Mittlefehldt said - other things we heard about from the public were concerns about height, which would also be reviewed at that site plan stage.

A. Landers said - correct, but they are also not asking for a height variance, so I don't know if they were planning on meeting the 31.5 feet, but they can bring that up at the next stage as well.

D. Stensaas said that the Planning Commission has also been discussing amendments to the Land Development Code that would increase the height limit for multi-family housing.

S. Mittlefehldt said that she would like to direct attention to LDC Section 54.323(F), on page 25 of the packet. She said that for the Planning Commission to make a recommendation that this meets the criteria for a Planned Unit Development, it must determine that it meets the criteria in subsection (F), and then proceeded to read each subsection of (F), she then asked the members to opine on whether the proposal meets the standards of that item. The following discussion ensued regarding the stated subsections:

(F)(1) – all members agreed that the standard was met after being asked twice.

S. Mittlefehldt stated, after asking for any discussion:

There were some important concerns [registered] about dust, traffic issues, safety - to be considered at the site plan level – especially that intersection at the east side of Magnetic and I agree that could be an issue of concern around traffic, but again I don't think we have enough details to figure that out at this stage.

(F)(2) – all members agreed that the standard was met.

**OFFICIAL PROCEEDINGS**  
**MARQUETTE CITY PLANNING COMMISSION**  
**March 18, 2025**

S. Middlefehldt said - this is one where I think there was generally it was supposed to be a two acre lot for the PUD but there was an explanation about why this sort of parcels, the configuration of the parcels on this particular site maybe would be worthy of consideration just because there is a coherent plan between that whole section which I think the applicant made pretty clear in the packet. Any thoughts on that or other aspects of the application?

S. Lawry said - I do think this probably results in a better option than accomplishing it without the PUD, but Mr. Markey was concerned about the fact that if there were twenty residential lots there, there could be twenty residences. Actually, it would be legal to build duplexes and triplexes on those residential lots and actually fit more than forty units into that same space without the PUD. Just without the same level of organization and planning going into it ahead of time.

(F)(3) – all members agreed that the standard was met.

D. Fetter said - I have a question, on added loads when it comes to Piqua Street, adding more traffic essentially to that road. It was stated that it's not a one-way - it's not able to have two cars next to each other. So how do we accommodate for this, potentially adding more traffic to that road?

D. Stensaas said - from an Engineering perspective, and that is what all roads are evaluated on, there are certain criteria for level-of-service. It's a concept that's been around a long time that describes how well a street can service an amount of traffic. When you are stuck in gridlock, you're basically at a level of service F, meaning that the street has failed to move people in a timely manner or safely. The City Engineer and I talked about the four units that would have driveways backing into Piqua. If every one of those units had five trips a day, you're going to add forty trips on the street per day. The other proposed driveway farther to the west, is through that lot, is a little more questionable how many trips that would add because the major access is on Magnetic St. One of the items in the correspondence was a comment about closing that road and I believe that person has talked to the developer about the possibility of not going forward with that idea because of the potential for car's lights shine into the block to the south as they come out of that lot when it's used. That's the basic thing about those four duplex units there, the amount of traffic they're going to add there is very negligible in terms of level of service. The City only owns thirteen feet on the Fourth St. end and ten feet wide on the Lee St. end, but as for how much traffic it's going to add forty or sixty trips, eighty, ninety, a hundred? Does that cause the road to fail, that's the question.

S. Mittlefehldt asked if there has been discussion about turning the street into a one-way officially? Because that might address some of the safety issues.

D. Stensaas said that it would be a great discussion to have, and it probably makes a lot of sense.

D. Fetter said - I think the main concern here is that that is going to be the only road that those four units can use. What I heard from the community is that maybe the snowplow doesn't come down that road every time the snow comes, so those units won't have access to their property. I just want to confirm that this road is going to be safely utilized for the people that are actually living on that road.

K. Clegg said - I think that it's a reasonable increase that it's not what we're used to but it's not going to cause the property to fail. A lot of the problems, or comments that we've seen, are actually about the road and the problems that people have had in the past rather than with the development itself. We heard from Dave that we can't take this action at this stage, but I don't think it's going to cause the road to fail.

S. Mittlefehldt asked if language could be added, not as the developer's responsibility to turn it into a one-way road, but if that could be something we would be able to talk about at the site plan level?

**OFFICIAL PROCEEDINGS**  
**MARQUETTE CITY PLANNING COMMISSION**  
**March 18, 2025**

D. Stensaas said that the recommendation to make Piqua a one-way street could be made or could also be made now along with the motion to advance.

M. Rayner asked if this was reviewed by the Fire Department and would meet the access requirements for those four dwellings for safety.

A. Landers stated the Fire department had no comments.

(F)(4) – all members agreed that the standard was met.

S. Mittlefehldt stated this was something that came up that people had concerns about, maybe that was why they were going with a PUD. In terms of parking requirements, that is something that they are subject to, parking requirements. Some of those concerns we'll probably look closer at in the review plan but there are standards for parking that are required as part of a PUD.

S. Lawry said I just had a question about the parking. The drawing that we had showed numbered spaces on the Magnetic St. frontage in the street public right of way. And I was wondering if there was a need to count those development and meet the standard. In particular, it kind of shows them cut into the existing parkway space. Weaving the curb in and out like that has proven to be unsustainable downtown and it probably wouldn't be there either. Really, I think the parking on that block was restricted somewhat at the request of the hospital or neighbors based on the number of cars per employees parking at the hospital. That would be subject to review now that the hospital is no longer occupying the area. Probably would allow for parking on that street, that block in particular is wide enough that it would allow parking on both sides. That's something for the traffic and parking committee to review.

(F)(5) - The Planning Commission discussed each qualification criteria item (a-j) in section 54.323(F)(5) and found that items a, c, f, g, h, i, j are met by the proposal. The following discussion took place during the analysis of those items.

Item (a) was determined to be met.

Item (b) was not found to be met, due to the fact that specific uses for the former hospital campus property directly across Magnetic St. are still conceptual, and there are no renderings or draft site plans for that anticipated development.

Item (c) was found to be met.

K. Hunter said we don't know that. I don't think we have that information for perpetuity.

S. Lawry said - I was going to say basically the same thing. The first two talk about permanently, and this one about perpetuity. We can't legislate the future that lightly, and even a PUD can come back for an amendment at some future date, but this concept shows green space that would be contractually reserved under the eventual PUD contract if it remains this way in the site plan.

Item (d) was not found to be met.

K. Clegg said - assuming the former hospital site is going to be more dense and have higher density, taller structures, this does provide a transition from single-family homes into something bigger than that, but we're making assumptions based on things we don't know. So (b) it probably is a good step, but we don't have all information available to us.

**OFFICIAL PROCEEDINGS  
MARQUETTE CITY PLANNING COMMISSION  
March 18, 2025**

Item (e) was not determined to be met.

S. Lawry said - I don't think it guarantees provision of public improvement, but it could be the impetus for public improvements on Piqua St. It's not the guarantee that this calls for.

Item (f) was found to be met.

Item (g) was found to be met.

Item (h) was found to be met.

Item (i) was found to be met.

S. Mittlefehldt asked if this site qualified as a Brownfield.

Deputy City Manager Sean Hobbins said that this is officially included in the Brownfield Plan for the former hospital redevelopment and has been designated as included parcels.

M. Rayner asked if the status as part of the Brownfield Plan would help with the road issue and what was dumped there.

S. Hobbins said this isn't an "environmental Brownfield" and rather qualifies as obsolete use of space or obsolete buildings; that is what everything qualified as, and it hasn't been an environmental concern on any of these properties except what was present in the buildings and has been mitigated.

Item (j) was found to be met.

S. Mittlefehldt said that it appears from our discussion that the proposed project appears to meet at least three or more of the criteria in section (5), and asked if anyone wanted to have further discussion or if anyone is prepared to make a motion. She also said that when preparing a motion, to take into consideration some of the issues that we discussed, such as the one-way street.

*It was moved by K. Clegg, and seconded by A. Wilkinson, and carried 9-0, that after holding a public hearing, and review of the concept PUD site plan set dated 2-17-25, and the Staff Report/Analysis with attachments for 01-PUD-03-25, the Planning Commission finds that the request meets the following objectives a, c, f, g, h, i, and j and the criteria of Section 54.323(F) of the Marquette City Land Development Code, therefore the proposal is eligible for a PUD, and strongly recommends that the City make Piqua St. one-way as part of this PUD.*

S. Mittlefehldt said that the Planning Commission, having found that the proposal is eligible for a PUD, it now needs to address the minimum size requirement. She continued, reading from p.6 of the agenda packet, saying that typically the minimum size of a PUD is two (2) acres of contiguous land, however the City can permit smaller PUDs, and she referred to the applicant's letter asking for a waiver of the LDC section 54.323(C) requirement via the stated exceptions. She asked if anyone wanted to discuss this, or if someone would like to make a motion.

*S. Lawry moved, K. Clegg seconded, and the motion carried 9-0 to suspend the rules for discussion.*

S. Lawry said - I would note that PUDs can extend across a public street under our current ordinance. That's not considered a break in the continuity of the property. These are all connected on one block, even though there are some other properties in there. It could be developed as a central portion PUD,

**OFFICIAL PROCEEDINGS  
MARQUETTE CITY PLANNING COMMISSION  
March 18, 2025**

leaving the end lots out, but we probably would not get as desirable a result if we allowed that, so I think it makes sense this time to allow it in its "parceled form".

D. Fetter asked if there were concerns regarding the different zoning on lots between these lots, and in this case there are MDR zoned parcels with houses on them in between.

D. Stensaas said that is something for you to consider, and it could be a factor in whether you recommend to approve this request.

S. Mittlefehldt asked if that would create any inconsistencies for land development there? I think probably not, because functionally it probably wouldn't create problems.

S. Lawry said that this does seem similar to the PUD we amended in the last year over on E. Crescent St. – the old Fish and Wildlife building that had been a PUD that was stretched across the street and another right-of-way because it was all one parcel. He also said that this is considered all one parcel in tax coding, so I think there's quite a parallel to that previous PUD.

S. Mittlefehldt asked if there were any other thoughts, or if anyone wants to make a motion.

*It was moved by K. Clegg, and seconded by J. Fitkin, and carried 9-0 that after holding a public hearing, and review of the concept PUD site plan dated 2-17-25 and the Staff Report/Analysis with attachments for 01-PUD-03-25, the Planning Commission finds that the proposal is eligible for a PUD, and recommends to the City Commission approval of the waiver request per Section 54.323(C) due to the following findings - there is precedent [for non-contiguous PUD parcels], and for the anticipated achievement of consistent results in PUD development.*

**CITIZENS WISHING TO ADDRESS THE COMMISSION ON AGENDA ITEMS**

None

**NEW BUSINESS**

**A. Planning Commission Bylaws – Potential Updates**

D. Stensaas stated that the six members who attended the last meeting discussed the Bylaws and identified a couple of issues for amendment, and I later found another one that needs to be amended. He went on to explain that items C.3 and C.4 should be struck and replaced with a new item that states "The conditions of appointments and terms will follow City Charter section 6-1(f)."

S. Lawry said that it may be semantic, but perhaps item C.4 should say "one member" instead of "a member." D. Stensaas said that makes sense to him.

D. Stensaas also explained why replacing the BZA representative by vote at a meeting directly preceding a BZA meeting is undesirable, so item D.2 should be amended to allow elections to be held at the second meeting in March.

A. Landers said that the appointments only run until Feb. 15<sup>th</sup>, so we will always be without a BZA member in March.

D. Stensaas said that he will discuss the issue with the City Attorney before we proceed any further and come back with an update afterwards.

**OFFICIAL PROCEEDINGS  
MARQUETTE CITY PLANNING COMMISSION  
March 18, 2025**

**CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS**

Antonio Adan, Executive Director of the Marquette County Land Bank and Housing Specialist for Marquette County, introduced himself and stated:

In the correspondence, you may have received a land bank report from last year, we just finished this. You're the first commission to get our report and I'm excited to try and see how it presents tonight. On the second page, you will see some activities that we helped with. The first one you've already heard about is Housing Now. It's a public/private partnership, why is that important. As the countywide Housing Specialist, I'm here to help municipal government, commissions and organizations that want to build housing, specifically to tackle this housing issue we have here. I've met with a few of you already from last year into this year and I really appreciate all the feedback. It's been really challenging to say the least to build housing because number one, we don't have a lot of nonprofit housing developers in town. Some of the development you do see, like here tonight, like Mr. Mahaney and Veridea that's one of the private developers in town, and we can be in the target market now since last year that was talked about already but that shows there is significant demand for housing in all ranges. Part of my work is trying to identify some of these sites. We convened a report that as part of this funding came from the state. We have about sixteen sites throughout the county and two in the City of Marquette that we try to figure out if we can work with to build on. That's a very challenging process as you can imagine. Some of the successes that we've seen so far in one year is we procured about \$1.8 million dollars from the State of Michigan Housing Authority. These are specifically going to be units that are targeting missing middle or core housing, so that's between sixty percent of median income to about one hundred and twenty percent.

On the second page, we're helping plan about twenty-two units with that funding, which is a very big success for us. We came from the Land Bank building two or three houses a year, sometimes a partnership with Habitat for Humanity, and we're definitely turning the page and I think seeing a lot of ?? (1:44) and I'm very excited about that. The third page is just some of our projects that not only are we involved with housing and helping that cause but also are focused on eliminating blight. Luckily Marquette doesn't have a ton of it, but other neighboring towns and cities do so that map shows where we have forecasted some of those dollars and in the pictures, you will see some of those projects. The Vista Theater was one that helped secure that roof. Tilden Township had a school that had to come down because of years of neglect. And we work with local units, that's the most important part is that we work with cities and towns that want to use us as a tool so we're here to help. On the back side, you'll see our financial report. Some of the highlights, as I mentioned, since the inception of the Land Bank in 2009, we've acquired two hundred parcels, we've done about sixty-nine sales through neighbors, and we've built five houses so far. But the most important part is that we eliminated one hundred and twenty-three structures that normally wouldn't be able to come down on their own and we do seek some of those dollars through City funding. We can't do all of this alone, this is just the beginning. Hopefully we can build more momentum in the housing arena, and keep us in mind if you have any questions, I'm always available. Thank you.

Scott Rule, of 408 W. Park St., stated:

Park Cemetery has a stream that runs out of its north end. It goes underground, under Seventh St. In the past I was told that it went down Piqua and cut across to Magnetic St. That all runs off into the woods and oozes from the ground.

Alec LaPlante, of Summit St., stated:

I stand up here as a student and see that there are plenty of other students that I'd like to recognize for taking time out of their day, along with everybody else here. It's pretty much an important issue that most of us have recognized. Most people walk through Center Street, that cuts through campus, splitting campus in half. The sidewalk there, especially during the winter, is very hard to be walked on, and there's a lot of times that students have to walk through there, and there's that parking lot.

**OFFICIAL PROCEEDINGS**  
**MARQUETTE CITY PLANNING COMMISSION**  
**March 18, 2025**

Is everyone familiar with where I'm talking about? The parking lot there for campus on Center? It's a pretty dangerous path that most of us have to travel through. I'm curious on who has control, and I know that Northern is going through their master plan rework. I don't believe it has a plan for what's going through that entire section. I'm curious if there could be something done for that high traffic area to improve the safety, improve connectivity between the parts of campus that see a lot of traffic, which is very dangerous for those citizens along the street, and I think that's something that needs to be addressed. I don't know where the plans are currently on that, but I think there needs to be something done to address the risk for the families that are there, the students that walk there every single day. I live on Summit St., and I do see that there is a lot of traffic that needs to be addressed there, that high-speed traffic.

Dawson Ennis, of 900 Norwood St., stated:

I have some similar concerns to what Mr. LaPlante has said. Norwood St., there is a dirt track, I'd say about 60 meters, it's really bad. I've driven - as an outdoorsmen, as someone who enjoys off-roading - I've driven on better roads that were designed for off-roading in a Jeep, that were better than this road. It's to the point where someone's exhaust system fell off their car and it is currently propped up against a sign. So, it's bad, especially living in a room in the apartments there that are facing that street. It's kind of difficult in the winter at 2 o'clock, 3 a.m. when the snow plows their coming through on the dirt road and they smash into the asphalt road there and it makes a lot of noise. As a college student, it's not fun being woken up at 2 o'clock, 3 o'clock in the morning and then have to go back to sleep and be prepared for the day. In addition, on Norwood St., there is a significant lack of sidewalks. I believe on that stretch their sidewalks change sides three or four times. There are some sections where there is a single house on an entire block, and it's the only one that will have a sidewalk. Given that it's a high-traffic area, I've found that driving through there when Northern is having games results in a lot of traffic from the dorms coming to the dome. It's kind of difficult to get through that road when you have all the students walking in the road. I'll say I frequent the Wooden Nickel fairly often, and coming back I have been approached by county and local law enforcement here, stating that because they've observed me exiting the bar and walking in the street because there are no sidewalks, that can be construed as public intoxication. There's an issue there, that proximity of a bar where you have a lack of infrastructure, it's not exactly entrapment, but I personally think it could fall into that sort of situation where people are forced to walk in the road in a potentially unsafe environment. I just feel like that should be addressed. Thank you.

Barb Owdzjei, of 1344 N. Front St., stated:

Hearing these last two comments, I thought I'd put a plug in, specifically when you have traffic street access issues, you can always bring it to the Traffic Advisory Committee, which meets the second Tuesday of the month at 5 o'clock in the basement of City Hall right around the corner from the police department. And if you actually contacted Captain Finkbeiner, who is the liaison for the committee, a couple weeks before the meeting, like right now, we can get it on the agenda, and you can come discuss. That's the kind of thing we would like to discuss and make recommendations for. Anything to do with traffic, parking, access, so feel free.

## **CORRESPONDENCE, REPORTS, MINUTES OF OTHER BOARDS/COMMITTEES**

### **A. Marquette County Climate Action Plan**

S. Mittlefehldt said that we did get a very thorough and impressive Marquette County Draft Climate Adaptation Plan, which the Planning Commission has had an opportunity to review and comment on. She asked if anyone had thoughts on the Plan or wanted to discuss it.

J. Fitkin said that it is a wonderful Plan, and thorough, and the only thing she wanted to see in the Plan that she didn't is hazardous waste.

**OFFICIAL PROCEEDINGS  
MARQUETTE CITY PLANNING COMMISSION  
March 18, 2025**

S. Lawry said he understands that they want to keep it to a manageable size, but he was disappointed that it didn't cover all County operations, such as the Solid Waste Authority, the Airport, the Road Commission, the County Medical Care Facility. He said if all they do is concentrate on balancing out the Courthouse complex and Jail operations, they are not really accomplishing the goal that they are publicly stating they are trying to accomplish.

D. Stensaas stated that he received a page of comments from the Chair and would send it as an attachment with a memo of the recorded comments from tonight, along with his own comments. He said that since those will be included with the members' comments, he wanted to share what his comments are, and proceeded to relate that the short list of work done by other local entities on climate adaptation and action did not include the considerable planning work that the City has done, including the 2013 Climate Adaptation Study that was adopted into the 2015 Community Master Plan (CMP), or the 2025 CMP's Climate Action framework or Resiliency Assessment. He also said that in the Goals and Strategies chart/table, there are two issues that merit correction - the first is the inclusion of the Climate Adaptation Task Force (CATF) as a responsible party in several of the strategy items. He said that he has been a member of CATF since its inception, and is currently a member of its steering committee, and is fully committed to its mission, but CATF is not an organization that should be responsible for most of the items where it is listed in the chart, as that is not its mission. He also stated that the cost estimates for some of the items in the chart appear unrealistic, and in most cases, they are underestimated, possibly by multiple levels of cost. He said he had marked up a chart showing the items that he believed were likely to be underestimated, for submission along with the other items and memo, and that he would submit those by the Monday deadline.

## **WORK SESSION ON REPORTS/PLANS/ORDINANCES**

### **A. Land Development Code (LDC) Amendments**

The Planning Commission decided to only address one specific item/issue – indoor and self-storage uses - in the document of amendments for the work session, to accommodate a person who attended the meeting to hear what the Planning Commission would say on the issue.

A. Landers explained that staff added “equipment” to the Indoor Storage definition, as per Mr. Lawry's comment at the last meeting. She also stated that the Planning Commission discussed adding “indoor storage” and “self storage facility” as accessory uses and as Special Uses in the General Commercial zoning districts, and listing them as permitted uses in the Regional Commercial and Industrial-Manufacturing districts, and she showed the documents staff had prepared with those changes made.

S. Mittlefehldt stated that the land use chart makes a lot of sense, including leaving these uses out of the Mixed-Use districts. She said this captured what was discussed and asked other members if this was acceptable, and there was unanimous consensus for drafting the changes.

A. Landers stated that the next part of this issue is addressed in Article 6 standards, specifically in item (B) for the Indoor Storage and Self Storage Facility standards and noted that staff had discussed this with the Fire Department, who suggested the following language. D. Stensaas read the amended text as it was drafted.

S. Lawry said that almost anything is flammable. Members discussed the topic of flammability, combustible materials, and hazardous substances, and shared opinions on the concepts and language.

D. Stensaas said that the board asked staff to ask the experts at the Fire Department about this, and this is the language they were comfortable with.

The board decided to strike the word flammable from item (B) for the Indoor Storage and Self Storage Facility standards.

S. Lawry said that he also suggested to put the term “unrelated” before “...commercial, wholesale, retail...” in standard (A) for the new Article 6 standards for self-storage facilities. He also said that he also had brought up the language about “...each storage unit having a door to the outdoors, and that it shall be accessible by



**OFFICIAL PROCEEDINGS  
MARQUETTE CITY PLANNING COMMISSION  
March 18, 2025**

the owner of the storage items” – and he said that a change to consider is “to the outdoors or a common corridors” or similar, to allow for the reuse of existing buildings where they could just rent out rooms. He also said that for outdoor/open storage, he isn’t sure how we’re distinguishing this from car lots or similar uses where items are displayed for sale and asked for clarification about the screening standards for Open/Outdoor Storage.

A. Landers said those are specific uses with their own standards and if they wanted to add Open/Outdoor Storage then they would have to meet the screening requirements.

S. Lawry said that the last line in the chart, which lists the storage facilities, indicates Utility Electrical Power Generation. He said he thinks that, given the extensive work done last year on solar generation, we should consider adding Utility Electrical Power Generation as a Special Land Use in Industrial-Manufacturing districts. The members and staff discussed the issue, and it was agreed that they would revisit it soon.

### **COMMISSION AND STAFF COMMENTS**

W. Premeau stated that the County is doing good work building houses with the limited funds available, and noted that the costs for similar homes from private developers were significantly higher. He also asked what the name of the plan was that they received tonight, if it was a sketch plan or something else.

A. Landers and D. Stensaas said it was a concept plan.

J. Fitkin said she was thankful for everyone that came out tonight for the public hearing and the rest of the meeting.

K. Clegg said he was excited to see that the meeting was well-attended.

K. Hunter said that she too was happy with everybody that came out tonight, that shows great community input.

S. Mittlefehldt said that she echoes the thanks for the turnout tonight and that those who spoke brought up some important points, and that she hopes that the developer in the room heard that and heard that the Planning Commission wants to make sure that the public interests are heard and addressed in the future site plan. She also thanked the members for nominating her to be Chair again and said it was an honor to serve with everyone, and that she is excited to be part of the historic board composed of a majority of women.

D. Stensaas said he was also grateful for those who came to the meeting tonight to provide their input.

### **ADJOURNMENT**

Chair S. Mittlefehldt adjourned the meeting at 8:30 p.m.

# MAP'S UPPER PENINSULA ACADEMY | MAY 14, 2025

Training customized for the region's planning commissioners, zoning board of appeals members, elected officials, students, zoning administrators and professional planners

Northern Michigan University  
8:30 - 4 p.m.

*Select all day or a half day of training*

*Thank you, Partners and Sponsors*



**MICHIGAN ECONOMIC**  
DEVELOPMENT CORPORATION

**MICHIGAN STATE UNIVERSITY** | Extension

THE MICHIGAN ASSOCIATION OF PLANNING'S EDUCATION PROGRAMS provide participants with the skills and knowledge to make better land use decisions. Our knowledgeable and experienced instructors enable planners, zoning administrators, and elected and appointed officials to better understand their roles and responsibilities, and learn about innovative planning tools and techniques.

8:30 a.m. - 9:00 a.m.

**Registration | Coffee and Breakfast**

9:00 a.m. - 10:45 a.m. | 1.75 CM | MCP CE  
**Welcome | Opening Remarks | Overview**  
**Staying in Your Lane and Building Bridges**  
Instructor: Leah DuMouchel, AICP, MAP

This workshop reviews roles and responsibilities of various boards and positions, different levels of participation, the purpose of the master plan and how it relates to other plans and ordinances. It also explores the value of collaborating, different levels of participation, and how elected and appointed officials can be helpful in their roles.

10:45 a.m. - 11:00 a.m.

**Break**

11:00 a.m. - 12:30 p.m. | 1.5 CM | MCP CE  
**Getting the Development You Want**  
Instructor: Wendy Rampson, AICP, MAP

Good development is achieved when a municipality plans for it, and then adopts codes and a development review process to implement the plan. In this workshop, participants will learn how the master plan and zoning ordinance inform the development review process, how a community can balance the needs of all actors, and best practices for a productive development review process.

12:30 p.m. - 1:30 p.m.

**Registration | Lunch and Networking**

1:30 p.m. - 3:30 p.m. | 2 CM | MCP CE  
**Managing Risk**

Instructors: Wendy Rampson, AICP, MAP  
Leah DuMouchel, AICP, MAP

As more communities face litigation related to planning and zoning decisions, this is essential training for all elected officials, planning commissioners and zoning board of appeals members. Topics include identifying a conflict of interest, applying discretionary standards during special land use reviews, reasonable expectations of a developer and how your comprehensive plan can minimize risk.

3:30 p.m. - 4:00 p.m. | .5 CM | MCP CE  
**Plenary**

Moderator: Brad Neumann, AICP  
Michigan State University Extension

Plan to stay to discuss what you learned and share information with fellow participants.

**AICP CM and Master Citizen Planner**  
**Continuing Education Credits**



Michigan Association of Planning  
A Chapter of the American  
Planning Association

## ON-SITE WORKSHOPS

Can't make the scheduled workshops? Interested in another topic?

MAP's on-site workshops are a flexible and affordable way to bring training to your community. You pick the topic, date, location, and attendees; MAP provides an AICP-certified instructor and the materials. Collaborating with neighboring communities provides added value to the workshop, and also helps cover costs.

MAP's menu of workshops covers everything from broad topics like Planning and Zoning Essentials to niche subjects like accessory dwelling units or capital improvement programming. Check out all of the offerings at [planningmi.org/workshops](http://planningmi.org/workshops)

For more information, or to schedule an on-site workshop, please contact Amy Vansen at (734)913-2000 or [avansen@planningmi.org](mailto:avansen@planningmi.org).

## ADDITIONAL TRAINING

March 19 & 20  
Planning and Zoning Essentials  
Virtual

May 20  
Spring Institute \* +  
East Lansing

October 22 - 24  
Planning Michigan Conference \* +  
Kalamazoo

\* AICP CM Credits  
+ Master Citizen Planner CE Credits

## ABOUT MAP

The Michigan Association of Planning (MAP) is a 501(c)3 non-profit organization dedicated to promoting quality community planning through statewide education, information and advocacy.

### Membership benefits are valuable:

- Subscription to *Michigan Planner* magazine.
- Discounts on MAP events & publications.
- Part of nation-wide network of planners.
- Access to tools and resources to help you make better decisions.
- And more!

For more information, contact Rachel Goldstein at (734) 913-2000 or [rgoldstein@planningmi.org](mailto:rgoldstein@planningmi.org).

### MAIL OR EMAIL FORMS TO:

1919 West Stadium Blvd., Suite 4  
Ann Arbor, MI 48103 | [info@planningmi.org](mailto:info@planningmi.org)  
P: (734) 913-2000 | [www.planningmi.org](http://www.planningmi.org)

### REGISTRATION POLICY

For cancellations received in writing 7 business days prior to the workshop, a refund (minus a \$25 fee) will be given. Cancellations received less than 7 days prior will not be refunded.

**STUDENTS:** This discount is intended to make the workshops affordable for all full-time student members.

## REGISTRATION FORM

Complete one form per registrant.

### CONTACT INFORMATION:

NAME

AFFILIATION

EMAIL (confirmations and directions will be sent via email)

PHONE (with area code)

BILLING ADDRESS (include apt. or suite #)

CITY

STATE

ZIP

Please list any special needs (dietary, barrier free access, etc.)

### REGISTRATION INFORMATION:

☐ Join MAP now for \$75 and you will receive membership through June 2026.

RATE	Student Member Fee	*\$15 late fee if you register LESS THAN 5 business days before workshop*
<input type="checkbox"/> \$65	<input type="checkbox"/> \$15	Staying in Your Lane, Building Bridges Getting the Development You Want 8:30 a.m. - 1:30 p.m.
<input type="checkbox"/> \$65	<input type="checkbox"/> \$15	Managing Risk 12:30 p.m. - 4:00 p.m.
<input type="checkbox"/> \$80	<input type="checkbox"/> \$20	Full Program 8:30 a.m. - 4:00 p.m.

REGISTER ONLINE: [planningmi.org](http://planningmi.org)

PAYMENT INFORMATION: **TOTAL:** \_\_\_\_\_

☐ Check ☐ Invoice Me  
☐ Visa ☐ Master Card ☐ AMEX  
(Make checks payable to: Michigan Association of Planning)

CARD #

EXPIRATION DATE

SECURITY CODE

CARD HOLDER'S NAME

BILLING ZIP CODE

Michigan Association of Planning  
1919 W. Stadium Blvd., Suite 4  
Ann Arbor, MI 48103  
734.913.2000  
[info@planningmi.org](mailto:info@planningmi.org)



From the Desk of the Easter Bunny

Dear Planning Commissioners,

Happy April!

I would like to build a large hutch on a vacant city lot that I recently purchased, expecting that I'll need room for dozens of offspring. The problem is that the staff says this would be an accessory structure, and as such it cannot be built unless a human house is built first.

Please consider changing this rule, as I do so want to make Marquette my summer home, and am egg-cited to plant my carrot, lettuce, and rhubarb gardens!

Warm wishes!

E. Bunny



March 25, 2025

Marquette City Planning Commission  
300 W Baraga Ave.  
Marquette, MI 49855

Members of the Planning Commission,

My name is Brent Piziali. I am the Director of Construction at the Veridea Group. I am writing today in my professional capacity to request an amendment to the Land Development Code, **Section 54.1003 (F) Garbage and Dumpster Screening**, to include metal architectural panels, including "Corten" Steel. Currently the code only allows for the following standards:

- (1) The enclosure must be constructed of brick, decorative concrete, vinyl composite material which matches or complements the principal building or structure.
- (2) Enclosure gates must be constructed of solid metal or steel-reinforced wood or vinyl composite material. If wood is used, it must be pressure treated or wolmanized.

As it is currently written, the City's Land Development Code's limit on screening materials neglects the potential of architectural metal panels. This proposal seeks to expand the Code to include these panels as a viable screening option.

Architectural metal panels offer a multitude of advantages over traditional screening materials. They are durable, low-maintenance, and aesthetically pleasing, offering a modern and contemporary look that complements many architectural styles. Furthermore, they are recyclable, aligning with the city's sustainability goals.

By incorporating architectural metal panels into the Land Development Code, the City will encourage innovative design solutions, enhance the visual appeal of our neighborhoods, and promote environmentally responsible practices. This revision is a simple yet impactful step towards fostering a more modern and sustainable urban landscape.

For your consideration, I have included in this letter a rendering of a proposed enclosure constructed of Corten. I am happy to answer any questions you may have concerning the broad use of architectural metal panels in modern construction. Please feel free to contact me at 906.228.3900 or [bpiziali@verideagroup.com](mailto:bpiziali@verideagroup.com)

Thank you for your time.

Sincerely,

Brent Piziali  
Director of Construction

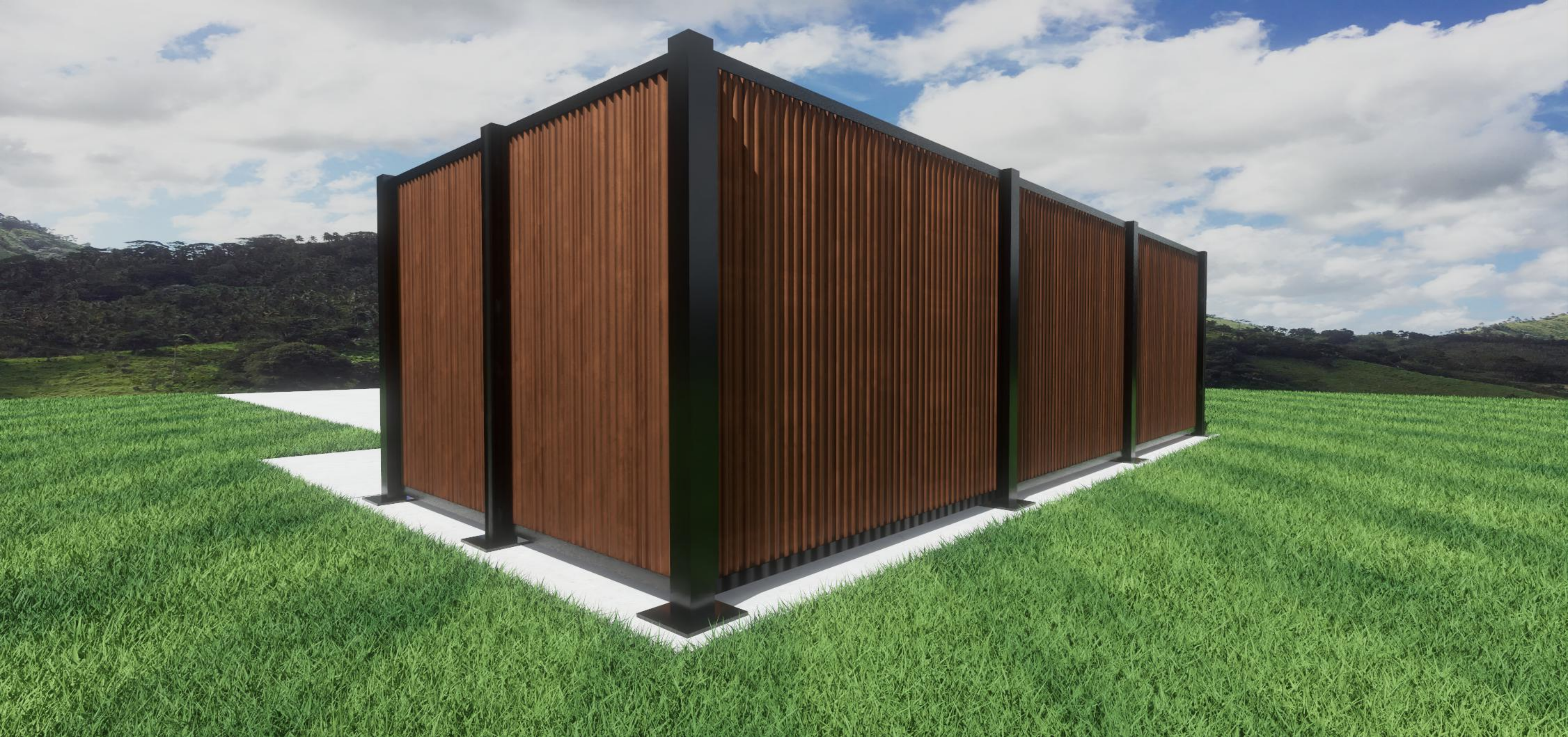
















CITY OF MARQUETTE  
**PLANNING AND ZONING**  
1100 Wright Street  
MARQUETTE, MI 49855  
(906) 228-0425  
[www.marquettemi.gov](http://www.marquettemi.gov)

## **MEMORANDUM**

**TO:** Planning Commission  
**FROM:** Dave Stensaas, City Planner and Zoning Administrator  
**DATE:** March 28, 2025  
**SUBJECT:** **Work Session – Land Development Code Amendments for 2025**

---

The Planning Commission and Staff will continue examining proposed amendments to the Land Development Code (LDC). The attached document contains many of the draft LDC amendments that Staff has annotated or that were recommended for consideration by members of the Planning Commission. This process of considering draft LDC amendments will continue until April 15, 2025.

# Land Development Code language for Discussion at the 4-1-25, Planning Commission meeting

---

The PC already approved of the adding FY parking waiver language. Additional proposal to remove the buffer requirement from front yard area only in (d) and have it required along the length of the side lot line.

## Section 54.902 Parking Regulations

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

#### (1) LDR and MDR Districts and single-family and two-family structures in other zoning districts.

- (a) **Definition of "Front Area."** For the purposes of [Section 54.902\(E\)\(1\)](#) only, the "Front Area" is that area located between the edge of the physical street and the nearest point of the dwelling foundation (excluding open porch projections), projected parallel from the street.
- (b) **Off-Site Parking in the LDR and MDR Districts.** In the LDR and MDR districts, off- street parking may be located on a site other than the site to which it pertains, and within the City limits or in an adjacent township.
- (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\(A\)\(92\)](#)). 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 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.

**(i) Front Yard Parking Waiver.** 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 if the property owner has relevant documented disabilities, 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.

**(e) Maximum Driveway Width and Paved Area.**

**(i) Single-family uses:**

- a. For lots with one driveway - The maximum width of a driveway on a single frontage is 18 feet wide on a lot up to and including 60 feet in width, and 24 feet wide on a lot of more than 60 feet in width.
- b. For lots with two driveways - On a lot 100 feet or more in width, the maximum width of both driveways combined is 36 feet wide on the same frontage

**(ii) Duplex/two-family uses -** The maximum width of a driveway is 24 feet wide.

**(iii)** A driveway may be widened beginning at a point two (2) feet from the inside edge of a sidewalk or ten (10) feet from the edge of an established street without sidewalks, provided the hard parking surface areas of the driveway or driveways and parking spaces utilize no more than 30% of the front area for single-family dwelling units and no more than 40% of the front area for duplex dwelling units.

**(iv)** An application for the paving of more than 30% of the front area can only be accepted if a variance is first approved for the proposed paving pursuant to [Section 54.1404](#).

**(v)** On corner lots, there shall be two (2) front areas. For single-family dwelling units the overlapped area at the corner may be counted with either front area, but not both, (at the discretion of the property owner) and the two (2) front areas may not be combined for the purpose of exceeding the 30% maximum hard parking surface within either front area. For duplex dwelling units, the overlapped area at the corner may overlap and be combined to utilize up to 40% of the front area for hard parking surfaces in either or both front areas.

**(f) Maximum Number of Driveway Openings Per Site.** On lots with one (1) frontage, a maximum of two (2) driveway openings per site are permitted, provided the lot is at least 100 feet wide. On lots with more than one (1) frontage, a maximum of one (1) driveway opening per frontage is permitted, except on frontages of 100 ft. or more in length – upon which an additional driveway is allowable. All curb cuts and separation distances must meet the requirements of Chapter 42 of the Code of Ordinances (Streets, Sidewalks, and Other Public Places).

- (g) **Previously Approved Hard Parking Surface Residential Locations.** Hard parking surface residential parking locations approved under a previous ordinance are not subject to provisions of [Section 54.902\(E\)\(1\)](#) provided that the minimum safeguards are met for all parking uses where vision hazards and locations impact public safety.
- (h) **12 inches Buffer Requirement Along the Length of the Side Lot Line.** New or expanded driveways must be separated from the side lot line by a minimum of 12 inches of pervious 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.
- (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.
- 

## The PC reviewed at the last meeting and here are the proposed changes

### Section 54.202 Specific Terms

- (213) **Storage, Bulk:** Goods for sale, storage, or display that have a large size, mass, or volume and are not easily moved or carried, such as railroad ties, large bags of feed, fertilizer, wood, sand, gravel, stone, lumber, equipment, and other similar materials and supplies.
- (xx) **Storage, Indoor:** Structure(s) containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time for dead storage and equipment and located entirely within a building. Dead storage refers to the storage of furniture, files, or other unused or seldom used items in a warehouse or other location for an indefinite period of time.
- (214) **Storage, Open/Outdoor:** The storage of any material for a period greater than 24 hours, including items for sale, lease, processing, and repair (including vehicles) not in an enclosed building.

**(xx) Storage Facility, Self:** A type of personal indoor storage for personal or business property or goods, for periods greater than 24 hours, mainly to provide long-term weather-protected, secured storage and shall be accessible by the owner of the storage items.

**(249) Warehousing/Storage Facilities:** A use engaged primarily in indoor storage (commercial or personal materials), wholesale, and distribution of goods, products, supplies, and equipment, excluding bulk storage of materials.

**Warehousing:** An establishment in an enclosed building primarily engaged in storing commercial materials, goods, or property, including wholesaling operations that involve the sale or distribution of goods and materials in large quantity to retailers or other businesses for resale or distribution to individual or business customers. This shall not include heavy manufacturing, resource extraction, bulk storage of hazardous materials, or scrap or salvage operations. Examples include automated, distribution center, and cold storage.

**(254) Wholesale Trade Establishments:** An establishment or place of business primarily engaged in selling and/or distributing wholesale merchandise to retailers, business users, other wholesalers, or individuals. This does not include warehousing/storage.

**(255) Wholesaling Operations:** The storage, and sale, and/or distribution of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment, including warehousing and indoor storage activities.

## Section 54.306 Permitted Uses by 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>Commercial and Retail Uses</b>														
Open Storage, Storage, Open/Outdoor							P	P	P	P	P	P	P	<a href="#">Section 54.635</a>
<b>Industrial Uses</b>														
Major Repair and Maintenance Operations									P	P	S		P	<a href="#">Section 54.627</a>
Manufacturing, Heavy											S		P	<a href="#">Section 54.627</a>
Manufacturing, Light– Low Impact					P	P	P	P	P	P	P		P	<a href="#">Section 54.627</a>
Manufacturing, Light – Medium Impact					S	S	S	S	P	S	P		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 54.640</a>
Railroad Facilities											P			
Storage, Indoor							S	P			P			<a href="#">Section 54.6XX</a>
Storage Facility, Self							S	P			P			<a href="#">Section 54.6XX</a>
Storage, Indoor – Accessory Use							S	P			P			<a href="#">Section 54.6XX</a>
Storage Facility, Self – Accessory Use							S	P			P			<a href="#">Section 54.6XX</a>
Storage, Bulk								S	P	P	P	S	P	<a href="#">Section 54.605</a>
Utility Electrical Power Generation													P	

Warehousing/Storage Facilities							S	S	P	S	P		P
Wholesale Trade Establishment					P	P	P	P			P		
Wholesaling Operations								S			P		

## Section 54.605XX Bulk Storage Move to be Storage, Bulk

- (A) Noise, vibration, smoke, dust, odors, glare, and similar or related nuisances shall be confined to the site to the maximum extent possible and mitigated on-site to the maximum extent possible. Any nuisances which are anticipated to not be contained to the applicant's property and not mitigated on the property shall be identified in the Project Proposal Document submitted with the Special Land Use Permit or Zoning Compliance Permit application.
- (B) Operations shall be approved only upon documentation by the applicant that no dangerous, noxious or nuisance conditions will impact any adjacent premises. The manufacture, processing or packaging of materials which are inherently dangerous or hazardous due to flammability, radioactivity, explosiveness, or severe toxicity will not be permitted.
- (C) Prior to final approval of a special land use permit or zoning compliance permit, each applicant shall obtain the necessary state and federal permits, including permits or waiver for permits. The applicant shall, upon Planning Commission or Zoning Administrator request, forward all reports and findings from the state and federal agencies to the Zoning Administrator, along with site plans as described in [Section 54.1402](#).
- (D) Notice of intent to build or expand must be given to the Zoning Administrator at the same time application is made to federal or state agencies, which may require permits.
- (E) When industrial activity is discontinued or the site is vacated, the site shall be left in a condition free from hazards (including but not limited to dangerous excavations, and abandoned structures above or below ground).
- (F) The Planning Commission may require additional safeguards to meet the intent of the industrial district and to assure opportunity for additional industrial uses and for growth within each area of the city which is zoned industrial.

## Section 54.635XX Open Storage Move to be Storage, Open/Outdoor

- (A) Open storage of any equipment, vehicles, and all materials including wastes must be screened from public view, from public streets and from adjoining properties by an enclosure consisting of a wall or an obscuring, opaque fence of a height of not less than six (6) feet to obscure such stored materials.
- (B) Open storage shall not be in excess of twenty (20) feet in height.

## Section 54.6XX Storage, Indoor

- (A) No activity other than indoor storage shall be allowed. No unrelated commercial, wholesale, retail, industrial or other business activity shall be conducted from the facility.
- (B) The storage of any toxic, explosive, corrosive, or hazardous materials is prohibited. Combustible materials shall be kept away from ignition sources, such as portable heaters, light fixtures, etc.
- (C) All storage, including vehicles of any kind, shall be contained within a completely enclosed building.
- (D) All exterior lighting shall be in accordance with [Section 54.802](#) hereof.
- (E) All signs shall be in compliance with the provisions of [Article 11](#) of this Ordinance.
- (F) Landscaping and Screening shall be provided in accordance with [Article 10](#) of this Ordinance.
- (G) All off-street parking shall be in compliance with [Article 9](#) of this Ordinance.

#### **Section 54.6XX Storage facility. Self**

- (A) No activity other than rental of storage units shall be allowed. No unrelated commercial, wholesale, retail, industrial or other business activity shall be conducted from the facility.
- (B) The storage of any toxic, explosive, corrosive, or hazardous materials is prohibited. Combustible materials shall be kept away from ignition sources, such as portable heaters, light fixtures, etc.
- (C) All storage, including vehicles of any kind, shall be contained within a completely enclosed building.
- (D) The storage facility shall have driveway access to – or be within 300 feet of – a collector street, arterial road, or highway.
- (E) All storage units must be accessible by paved-maneuvering lanes. A minimum twenty-four-foot drive shall be provided between buildings. Site circulation shall be designed to accommodate fire trucks, as well as trucks that will customarily access the site.
- (F) A demonstrated means of security and management shall be provided.
- (G) Each storage unit shall have an individual door to the outdoors or common/public corridor, and shall be accessible by the owner of the storage items in accordance with hours of operation approved by the Planning Commission/Zoning Administrator. Such hours of operation shall be posted at the entrance to the facility.
- (H) All exterior lighting shall be in accordance with [Section 54.802](#) hereof.

**(I)** All signs shall be in compliance with the provisions of [Article 11](#) of this Ordinance.

**(J)** Landscaping and Screening shall be provided in accordance with [Article 10](#) of this Ordinance.

**(K)** All off-street parking shall be in compliance with [Article 9](#) of this Ordinance.

**(L)** In General Commercial zoning districts, the total maximum building footprint of the self-storage facilities shall be 40,000 square feet.

---

## Clarification and adding Lot Depth Definition and a drawing to explain how to measure width and depth

### Section 54.202 Specific Terms

**(xx) Lot Depth:** Lot depth is measured along an imaginary straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line. This straight line must be entirely within the lot boundaries.

**(126) Lot Width:** The horizontal distance between the side lot lines, measured at the two points where the front yard setback intersects with the side lot lines. For corner lots, which have only one side lot line, the distance shall be measured from that side lot line to the opposing front lot line.

### Section 54.502 Land Division Regulations

**(D) Application for Land Divisions.** An applicant shall file with the City Assessor, or other official designated by the City Commission, all of the following for review and approval of a proposed parcel split before any split can be made:

**(1) Application.** A completed application on such form as may be provided by the City. If a transfer of division rights is proposed in the land transfer, then information about the terms and availability of the proposed division rights transfer shall be submitted with the application. Such information shall be in a form that satisfies the written notice requirements specified in Section 109(2) of the Land Division Act.

**(2) Proof of Ownership.** Proof of fee ownership of the land to be divided.

**(3) Survey or Tentative Parcel Map.** A survey or tentative parcel map of the parcel, including the location, setbacks, and dimensioned encroachments of all existing structures, indicating the adequate and accurate dimensions and legal description of the entire parcel and each split to be made. The survey or tentative parcel map must include the means of access from each resulting parcel to an existing road or street, the location

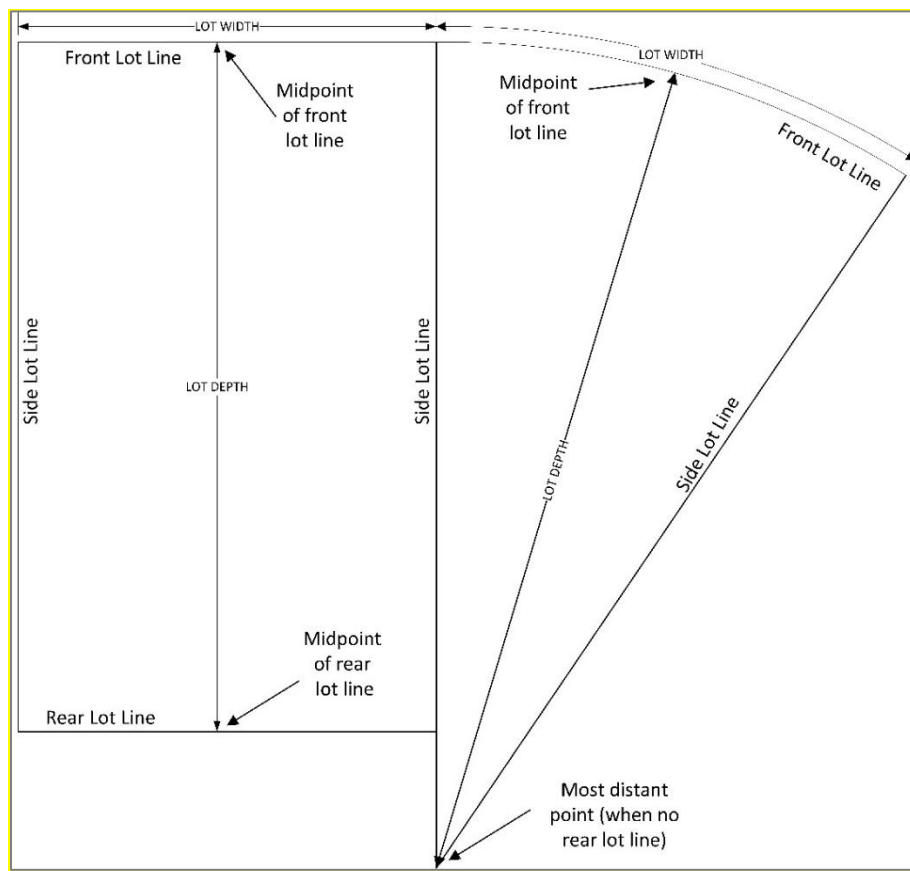


of all existing and proposed public and private easements and rights-of-way, and the location of surface water, lakes, ponds, streams, and wetlands. **A tentative parcel map is only allowed to be submitted if there are no structures or improvements on the parcel.**

**(F) Standards for Granting Land Division Approval.** The splitting or partitioning of a parcel is prohibited unless approved in the manner required by this section in complete accordance with the following rules and regulations:

**(3) Depth-to-Width Ratio of Non-Platted Parcels.** Depths of parcels created as a result of division of land shall be not greater than four (4) times the parcel width. The City may permit parcels with proportions that vary from such standards where such action would reduce existing nonconformance with the standards set forth in this Ordinance or, in the determination of the Zoning Administrator, a variation is necessary due to exceptional topographic or physical conditions with respect to the parcel and compatibility with Depth-to-Width Ratio of Non-Platted Parcels. Depths of parcels created as a result of division of land shall be not greater than four (4) times the parcel width. The City may permit parcels with proportions that vary from such standards where such action would reduce existing nonconformance with the standards set forth in this Ordinance or, in the determination of the Zoning Administrator, a variation is necessary due to exceptional topographic or physical conditions with respect to the parcel and compatibility with surrounding lands.

**Figure xx. How to Measure Lot Depth and Width**



---

## Clarification and to update due to LDC amendments

### Section 54.624 Homestays and Vacation Home Rentals

(A) **Homestays and Vacation Home Rentals in the Low Density Residential (LDR) District, Medium Density Residential (MDR) District, the Third Street Corridor (TSC) District, and Mixed-Use (M-U) District.** In the LDR, MDR, TSC, and M-U zoning districts, the following regulations shall apply to single-family, and duplex, triplex, and quadplex structures that are Homestays and Vacation Home Rentals:

(1) **Location Requirements.** Registered Short-Term Rentals (Homestays and Vacation Home Rentals) shall be limited in proximity to one another by the following standards:

- (a) **Separation Distance Between Short-Term Rentals (Homestays and Vacation Homes).** A parcel with ~~One~~ (1) or more registered Homestay(s) and/or ~~one~~ (1) registered Vacation Home Rental(s) may be permitted (by application) per street segment or block face between intersections, except where the street segment or block face exceeds 500 linear feet in length, in which case one (1) additional parcel for Short-Term Rental of each type is allowed for each exceedance of 500 linear feet of the street segment/block face between intersections. Corner houses are assigned to the block face/street segment that corresponds to the property street address; the Zoning Administrator shall keep a map of the registered and approved parcels for short-term rentals for purposes of verifying their location and reviewing applications for short-term rentals.
- (b) **Parcel or Right-of-Way Separation.** Registered Short-Term Rentals (Vacation Home or Homestay) parcels must be separated from one another by a minimum of one parcel of developable property not registered or intended for use as a Vacation Home or Homestay, and/or by a public street corridor (right-of-way).
- (c) **Maximum Number of Vacation Home Rental Units Per Parcel.** If in compliance with this Section ([Section 54.624](#)) and other Zoning Ordinance requirements, up to three (3) dwelling units on one (1) parcel may be registered as vacation home rentals.
- (d) **Use of a Vacation Home Rental as a Homestay.** A Vacation Home Rental that is in compliance with this Section ([Section 54.624](#)) and other Zoning Ordinance requirements may also be a Homestay if it meets the Homestay requirements and is approved by the Zoning and Fire Departments as both a Vacation Home Rental and a Homestay. In this case, the proximity standards specified in this Section ([Section 54.624](#)) will be applied only as a Vacation Home Rental to such a property, not as both a Vacation Home and a Homestay.

**(B) Short-Term Rentals in the Multiple Family Residential (MFR) District, Third Street Corridor (TSC) District, and Mixed-Use (M-U) District.** In the MFR, TSC, and M-U zoning districts, the following regulations shall apply to multi-family structures **that have 5 or more units and** that are Homestays and Vacation Home Rentals:

- (1) Subletting Prohibited.** Short-term rental is limited to property owners, and subletting is not allowed (tenants may not rent to other parties).
- (2) Maximum Number Per Housing Structure/Complex.** A maximum of four (4) units may be rented for a short-term basis in housing structures/complexes that have up to forty-nine (49) units, and a maximum of ten (10) percent of units may be rented for a short-term basis in housing structures/complexes that have fifty (50) or more units.

**(C) Compliance with City Codes and Ordinances.** All Short-Term Rentals, Homestays, and Vacation Home Rentals must comply with the City of Marquette Rental Fire Code and all other related City codes and ordinances.

## Mobile Home – Add Accessory Structure as an allowable use and requirements

### Section 54.310 MHP, Mobile Home Park District

(A) Intent	
<p>The MHP is intended to provide for the location and regulation of mobile home parks. It is intended that mobile home parks be provided with necessary community services in a setting that provides a high quality of life for residents. This district should be located in areas where it will be compatible with adjacent land uses.</p> <p>The regulations established by State law (Michigan Public Act 96 of 1987, as amended) and the Manufactured Housing Commission Rules govern all mobile home parks. When regulations in this Section exceed the State law or the Manufactured Housing Commission Rules, they are intended to ensure that mobile home parks meet the development and site plan standards established by this Ordinance for other comparable residential development and to promote health, safety, and welfare of the City's residents.</p>	
(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• <b>Accessory Building or Structure</b></li> <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>• Outdoor Entertainment and Community Events (Temporary)</li> <li>• Small Wind Energy Systems, Roof-Mounted</li> <li>• Solar Energy Systems, &lt;20kw- Accessory Use</li> </ul>	<ul style="list-style-type: none"> <li>• Solar Energy Systems, ≥20kw to 2 MW - Accessory Use</li> </ul>
Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.	
(D) Dimensional Regulations	
See <a href="#">Section 54.631</a>	

(E) References to Additional Standards		
<b>Definitions</b> <a href="#">Article 2</a>	<b>Steep Slopes and Ridgelines</b> <a href="#">Section 54.806</a>	<b>Zoning Permits</b> <a href="#">Section 54.1401</a>
<b>Riparian Buffers</b> <a href="#">Section 54.804</a>	<b>Signs</b> <a href="#">Article 11</a>	<b>Site Plan Review</b> <a href="#">Section 54.1402</a>
<b>Wetland Protection</b> <a href="#">Section 54.805</a>	<b>Nonconformities</b> <a href="#">Article 12</a>	

## Section 54.631 Mobile Home Parks

- (A) **Site Plan Review.** Mobile Home Parks must be reviewed by the Planning Commission pursuant to the site plan review requirements in [Section 54.1402](#).
- (B) **Development Standards.** Mobile Home Parks must meet all development standards of the Michigan Mobile Home Commission Act (P.A. 96 of 1987, as amended) and the Department of Licensing and Regulatory Affairs or successor agency.

## Section 54.705 Accessory Buildings and Structures

All accessory buildings and structures must meet the setback and height requirements of [Article 4](#) unless otherwise stated in this Section or in another section of this Ordinance applicable to accessory buildings and structures. No accessory building or structure may be located on any parcel of land which does not have a principal building or use already established or being established contemporaneously with the accessory building or structure.

### (F) Accessory Buildings and Structures in Mobile Home Park (MHP) District.

#### (1) Detached Accessory Buildings and Structures.

- (a) **Maximum Height.** No detached accessory building or structure may exceed 24 feet in height.
- (b) **Minimum Side and Rear Yard Setbacks.** Detached accessory buildings or structures shall be located at least six (6) 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) **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 such as a pergola) are not subject to the minimum separation distance requirements unless a minimum separation distance is required by the Building Official.

- (F G) **Exemptions.** Structural amenities, as described and regulated in [Section 54.702\(G\)](#), are not classified as accessory buildings and structures in this Ordinance.

At the last meeting the PC reviewed a proposal to change the 6-ft high closed construction fence requirements for corner lots, rear-set homes, and if the neighbor is allowed to have it in a location. Also proposed timeline for temp fence. Here are the proposed changes for the PC comments, and the addition of a Figure that shows how they are applied. Added Wall regulations.

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

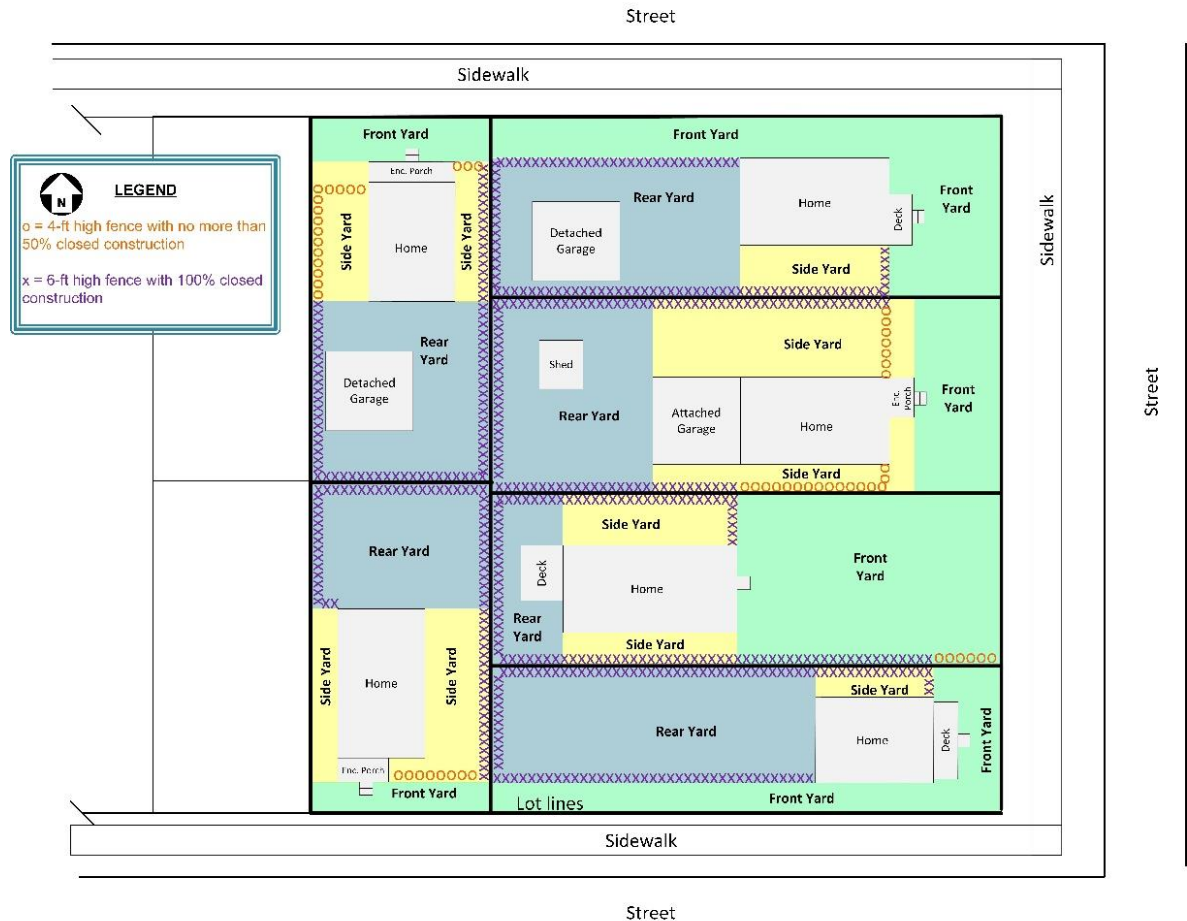
**(1) LDR, MDR, and MFR Districts.**

- (a) **Height.** Fences and walls shall not exceed six (6) feet in height, with except in the following exceptions cases:
- (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:
- ~~(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)~~ **1) For required retaining walls.**
- (2) On corner lots, a residential screening fence may be six (6) feet tall, located in the rear yard and up to the front wall of the primary dwelling in the side yard.**
- (3) An interior block property adjacent to a corner property may place a 6-ft. tall screening fence within its property boundaries to match the placement allowed on the corner property so that either property has the same opportunity to have a screening fence in directly adjacent areas of their yards.**
- (4) For interior-block residences that are located fully behind the adjacent primary residences along the side lot lines, screening fences may be six (6) feet tall, located in the rear yard and up to the neighboring primary dwellings' rear wall.**
- (5) For interior-block residences, where the rearmost wall of the neighboring primary dwelling structure is between the front wall and rear wall of the subject home, a 6-ft. screening fence may be built to a point aligned on the rear wall of the neighboring primary dwelling in that side yard of the subject property. 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.**
- (ii) **Street Sides of Corner Lots.** On the street sides of corner lots, a fence or wall may not exceed four (4) feet in height between the rear front wall of the primary dwelling and the corner on either street frontage.
- (iii) **Front Yard Requirements.** A fence in a front yard may not exceed four (4) feet in height unless it meets Section 54.706(C)(1)(a)(i) above. Walls over three (3) feet in height are prohibited in a front yard except for retaining walls. Walls must be set back

at least (12) inches from the front lot line. The columns in between the walls or fences are allowed to be four (4) feet in height.

- (b) **Construction.** A fence limited to four (4) feet, as stated in [Section 54.706\(C\)\(1\)\(a\)](#) above, may not have more than 50% of the fence area of solid matter or of closed construction (See [Figure 35](#) for examples of noncompliant fences). A six (6) foot high fence may be of solid, opaque construction. A screening fence required by any City ordinance or by State law may be of solid, opaque construction. **Walls may be of solid, opaque construction.**

**Figure XX**



### (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 garden and snow fences cannot be in place greater than 6 months in a calendar year. Temporary fencing that is not permanently anchored and the use is temporary does not require a fence permit.

## Examples of walls









## Adding requirements or clarifications

### Section 54.632 Natural Resource Extraction and Processing Operations

- ~~(A) **Setbacks.** No topsoil, earth, gravel, or sand shall be removed, and no excavation, washing and stockpiling of extracted material shall be conducted closer than three hundred (300) feet to the outer boundary of the area approved for extractive operation. This setback may be reduced by the Planning Commission upon making the determination that the operations can still be carried out in a manner that is compatible with surrounding land use. Extractive operations shall not encroach upon required setback areas. Greenbelt plantings and landscaping must be provided in the setback area as required.~~
- ~~(B) **Control of Off Site Impacts.** In order to reduce the effects of airborne dust, dirt, and noise, all equipment for sorting, crushing, grinding, loading, weighing, and other operational structures shall not be built closer than three hundred (300) feet from any public street right of way line or adjacent property lines. This setback may be reduced by the Planning Commission upon making the determination that the operations can still be carried out in a manner that is compatible with surrounding use. All such activities, equipment, roadways, and material storage areas shall be treated, covered, muffled, or otherwise controlled to minimize adverse impact beyond the property line. Trucks hauling extractive materials to or from the site shall be loaded and covered in accordance with all applicable State and County and local regulations. Private access roads serving the operation must be treated to create dust free surfaces for a distance of three hundred (300) feet from any public access road. Arrangements shall also be made to minimize dust on public access routes traveled in the City.~~
- ~~(C) **Fill Material.** No garbage or refuse of any nature shall be used for fill. Only the following materials may be used for fill: sand, gravel, clay, broken concrete, topsoil, and other clean earth materials which provide a suitable base for future building sites.~~
- ~~(D) **Standing Water.** The premises must at all times be graded so that surface contours shall tend to forestall local depressions or cause water to stand or accumulate.~~
- ~~(E) **Fence.** Where there is an excavation with a depth in excess of five (5) feet not subject to standard to City building codes and trenching regulations, the permit holder shall erect a fence of at least six (6) feet, but not more than ten (10) feet in height, of wire mesh or such other suitable materials to afford protection to persons and property. Any gates required must be kept locked, daily, when operations are stopped.~~
- ~~(F) **Processing.** Processing of materials mined from any property shall be permitted only in an IM (Industrial/Manufacturing) Zoning District.~~
- ~~(G) **Liability.** The owner or operator shall maintain liability insurance with the City named as an insured party, and the City shall be indemnified and held harmless in respect to any liability and claims which may arise in conjunction with the extractive operations.~~
- ~~(H) **Post Closure or End Use Land Use Plan.** As a part of the special land use approval and site plan review process, a post closure land use plan for the facility must be submitted by the applicant for review. Such a plan must include the end use of all facilities after closure as defined by the Michigan Department of Natural Resources~~

for the technical aspects of closing the solid waste facility, mine or quarry. The contents of the Closure Plan must include:

- ~~(1) Boundary lines of the property and dimensions and bearings of the property lines correlated with legal description;~~
- ~~(2) Location and extent of all natural features to be retained during operation;~~
- ~~(3) The slope of all restored areas;~~
- ~~(4) Proposed completed topography at contour intervals of not more than two (2) feet;~~
- ~~(5) A schedule integrating the areas of progressive rehabilitation with the final restoration plan;~~
- ~~(6) The estimated date of completion of the requirements of the restoration plan;~~
- ~~(7) Proposed ground cover and other plantings to stabilize the soil surface and to beautify the restored areas;~~
- ~~(8) A description of the methods and materials to be utilized in restoring the site;~~
- ~~(9) Sketch plan of the proposed use or uses of the restored site;~~
- ~~(10) For solid waste facilities, a program of continued groundwater monitoring for at least ten years after closure must be approved by the appropriate local and State officials; and;~~
- ~~(11) Names, addresses and telephone numbers of applicant, property owner, operator and professional engineer who prepared the restoration plan.~~

**(A) Excavation.** As allowed by state law, the extraction of sand, gravel, or other raw materials at or below grade and the processing of such materials upon any property are subject to the following standards, provided the state law does not preclude this ordinance:

**(1) Site Plans.** A site plan must be approved for any earthwork that is greater than 20,000 square feet in size for a non-residential use; or earthwork that is more than half the size of the parcel upon which commercial, industrial, mixed-use or multi-family land use is occurring or intended, per Section 54.1402 (Figure 51).

**(2) Setbacks.** No topsoil, earth, gravel, or sand shall be removed, and no excavation, washing and stockpiling of extracted material shall be conducted closer than at least one hundred (100) feet from the subject property line and 100-300 hundred (X00) feet to the outer boundary of the area approved for extractive operation, whichever is farther from the closest property line. The Planning Commission may reduce these dimensions upon determining that the operations can still be carried out in a manner compatible with surrounding land use. Greenbelt plantings and landscaping must be provided in the setback area as required

**(3) Control of Off-Site Impacts.** To reduce the effects of airborne dust, dirt, and noise, all activities, equipment, roadways, and material storage areas shall be treated, covered, muffled, or otherwise controlled to minimize adverse impact beyond the property line. Trucks hauling extractive materials to or from the site shall be loaded and covered by all applicable State and County and local regulations. Private access roads serving the operation must be treated to create dust-free surfaces for three hundred (300) feet from any public access road. Arrangements shall also be made to

minimize dust on public access routes in the City.

**(4) Fill Material.** No garbage or refuse of any nature shall be used to fill the ground where soil, rock, and other natural materials have been removed. Only the following materials may be used for such "fill": sand, gravel, clay, broken concrete, topsoil, and other clean earth materials that provide a suitable base for future building sites.

**(5) Standing Water.** The premises must always be graded so that surface contours tend to forestall local depressions or cause water to stand or accumulate.

**(6) Fences.** Where there is an excavation forming a trench or a pit with a depth in excess of five (5) feet, the permit holder shall erect a fence of six (6) to ten (10) feet in height, in accordance with section 54.706 of this ordinance. Any gates used or required must be shut and locked when operations are stopped.

**(7) Liability.** The owner or operator shall maintain liability insurance with the City named as an insured party, and the City shall be indemnified and held harmless in respect to any liability and claims which may arise in conjunction with the extractive operations.

**(8) Post Closure or End Use Land Use Plan.** As part of the special land use approval and site plan review process, the applicant must submit a post closure land use plan for the facility for review. Such a plan must include the end-use of all facilities after closure as defined by the Michigan Department of Natural Resources for the technical aspects of closing the solid waste facility, mine or quarry. The contents of the Closure Plan must include:

- (a)** Boundary lines of the property and dimensions and bearings of the property lines correlated with legal description;
- (b)** Location and extent of all natural features to be retained during operation;
- (c)** The slope of all restored areas;
- (d)** Proposed completed topography at contour intervals of not more than two (2) feet;
- (e)** A schedule integrating the areas of progressive rehabilitation with the final restoration plan;
- (f)** The estimated date of completion of the requirements of the restoration plan;
- (g)** Proposed ground cover and other plantings to stabilize the soil surface and to beautify the restored areas;
- (h)** A description of the methods and materials to be utilized in restoring the site;
- (i)** Sketch plan of the proposed use or uses of the restored site;
- (j)** For solid waste facilities, a program of continued groundwater monitoring for at least ten years after closure must be approved by the appropriate local and State officials; and;
- (k)** Names, addresses and telephone numbers of applicant, property owner, operator and professional engineer who prepared the restoration plan

## **(B) Natural Resource Processing Operations**

- (1) Processing.** The processing of materials mined from any property shall be permitted only in an IM (Industrial/Manufacturing) Zoning District.
- (2) Setbacks.** To reduce the potential for sedimentation to streams and nuisances – the creation of dust, dirt, glare, and noise - all operations for processing raw materials (cutting, crushing, grinding, mechanical sorting, and associated structures must be separated at least 200 feet from any property adjoining lines and abutting bodies of water. The Planning Commission may reduce these dimensions upon making the determination that the operations can still be carried out in a manner that is compatible with surrounding land use.
- (3)** Items 54.632 (1), (3), (5), (6), (7), and (8) shall apply to such processing operations and must be followed for zoning approval of the activity.

## Article 8 Environmental Performance Standards

### Section 54.807 Standards for Excavation/Mining Activities

The extraction of sand, gravel, or other raw materials at or below grade and the processing of such materials upon any property are subject to the standards adopted in section 54.632, provided the state law does not preclude them.

---

**Class A that does not go to BZA standards to rebuild (the automatically approved ones)- b1a --- does not get allowed to not meet side yard requirements. In class B as well regarding side yard and encroachments over the property line. Class A approved by BZA gets to rebuild per survey.**

**Highlighted yellow was already approved language by the PC in a previous work session, and in blue is the proposed new language.**

## Article 12 Nonconformities

### Section 54.1202 Nonconforming Uses and Structures

If a structure or the use of a structure or of the land is lawful at the time of enactment of this Ordinance or an amendment to this Ordinances, then that structure or use may be continued although the structure or use does not conform to the Ordinance or amendment. The following sub-sections contain provisions for: classifications of different nonconforming uses and structures; repairs; maintenance; discontinuance; substitutions; expansions; and reconstruction of nonconforming structures and uses:

- (A) Classifications of Nonconforming Uses and Structures.** Pursuant to Section 208 of



the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended), the City of Marquette establishes different classifications of nonconforming uses and structures as defined and provided for in this article. Class A Nonconforming Uses and Structures are regulated in [Section 54.1202\(B\)](#), and Class B Nonconforming Uses and Structures are regulated in [Section 54.1202\(C\)](#):

**(B) Regulations Pertaining to Class A Nonconforming Use or Structure Designation.**

**(1) Class A Nonconforming Uses and Structures.** Class A Nonconforming Uses or Structures are:

- (a) One- and Two-Family Uses and Structures.** One- and two-family uses and structures that are nonconforming may be maintained, repaired, altered, or added to as long as they remain otherwise conforming or reduce the extent of the non-conforming portion of the structure. Additions or alterations to the exterior of the structure shall conform to all requirements of this Ordinance.

**(i) Exception:** Two single-family structures **(this does not include approved Accessory Dwelling Units)** on one lot/parcel are considered Class B Nonconforming and would need to get approval from the BZA to be classified as Class A Nonconforming.

**(ii) Reconstruction of Class A Nonconforming one- and two-family structures that did not get Class A approval from the Board of Zoning Appeals:** Upon application for reconstruction the proposal must show the structure will meet the side yard setbacks for the zoning district in order to be approved. If the structure encroaches over a property line, it cannot be rebuilt with the encroachment.

- (b) Nonconforming Uses or Structures Designated by the Board of Zoning Appeals as Class A Nonconforming Uses or Structures.** To qualify as a Class A Nonconforming Use or Structure, the Board of Zoning Appeals must make affirmative findings on all of the following:

~~**(i)** Continuance thereof would not be contrary to the public health, the safety, or welfare, or to the spirit of this Ordinance.~~

~~**(ii)** The use of structure does not and is not likely to significantly depress the value of nearby properties.~~

~~**(iii)** The use or structures was lawful at the time of its inception.~~

~~**(iv)** No useful purpose would be served by strict application of the provisions or requirements of this Ordinance with which the use or structures does not conform. All nonconforming uses and structures not designated as Class A are Class B nonconforming uses or structures. Class A or Class B designations do not apply to nonconforming lots ([Section 54.1203](#)).~~

**(i) To qualify as a Class A Nonconforming Use or Structure, the Board of Zoning Appeals must make affirmative findings on all of the following:**

**a. Continuance thereof would not be contrary to the public health, the safety, or welfare, or to the spirit of this Ordinance.**

**b. The use of structure does not and is not likely to significantly**

depress the value of nearby properties.

- c. The use or structures was lawful at the time of its inception.
- d. No useful purpose would be served by strict application of the provisions or requirements of this Ordinance with which the use or structures does not conform. All nonconforming uses and structures not designated as Class A are Class B nonconforming uses or structures. Class A or Class B designations do not apply to nonconforming lots (Section 54.1203).

(ii) If a structure is damaged after the Board of Zoning Appeals designates a structure as Class A Nonconforming, it can only be rebuilt exactly as approved using the submitted survey, application, and attachments to the case file. Additionally, any conditions set by the Board must be followed during reconstruction.

(2) **Procedure for Obtaining Class A Designation and Expansion of Class A Designation Conditions.** A written application shall be filed setting forth the name and address of the applicant, stating the nonconformity's applicability to [Section 54.1202\(B\)\(1\)](#), giving a legal description of the property to which the application pertains, and including such other information as may be necessary to enable the Board of Zoning Appeals to make a determination of the matter. The notice and hearing procedure before the Board of Zoning Appeals shall be the same as in [Section 54.1406](#). The decision shall be in writing and shall set forth the findings and reasons on which it is based. Conditions shall be attached, including any time limit, where necessary to assure that the use or structure does not become contrary to the public health, safety, or welfare of the spirit and purpose of this Ordinance. No vested interest shall arise out of a Class A designation except as permitted by this article.

(3) **Revocation of Class A Designation or Expansion of Class A Designation.** Any Class A designation shall be revoked, following the same procedure required for designation, upon a finding that as a result of any change of conditions or circumstances the use or structure no longer qualifies for Class A designation.

(4) **Regulations Pertaining to Class A Nonconforming Uses and Structures.** No Class A nonconforming use shall be resumed if it has been discontinued for a continuous period of at least 18 months or if it has been changed to a conforming use for any period of time. No Class A structure shall be used, altered, or enlarged in violation of any condition imposed in its designation.

(5) **Expansion of a Class A Nonconforming Use and Structure.** No Class A use or structure shall be expanded unless they receive approval from the Board of Zoning Appeals is first granted.

(a) To qualify for an Expansion of a Class A Nonconforming Use or Structure, the Board of Zoning Appeals must make affirmative findings on all of the following:

- (i) Continuance and expansion thereof would not be contrary to the public health, the safety, or welfare, or to the spirit of this Ordinance.

- (ii) The expansion of the use and/or structure does not and is not likely to significantly depress the value of nearby properties.
  - (iii) The use or structures was lawful at the time of its inception.
  - (iv) No useful purpose would be served by strict application of the provisions or requirements of this Ordinance with which the use or structures does not conform.
- (b) **Approval Period.** If the petitioner has not obtained a Zoning Permit obtained and a Building Permit and commenced construction to implement an Expansion of a Class A Nonconforming Use or Structure within one (1) year of the date of its approval by the Board of Zoning Appeals, said Expansion of a Class A Nonconforming Use or Structure shall expire. The Board of Zoning Appeals, upon application made before expiration, may grant an extension of not more than one (1) year from the expiration date. The Board Zoning Appeals, at its discretion, may schedule a public hearing in accordance with [Section 54.1406](#) prior to granting an extension. Not more than two (2) such extensions may be granted.

**(C) Regulations Pertaining to Class B Nonconforming Use or Structure Designation.**

- (1) **Class B Nonconforming Uses and Structures.** A Class B nonconforming use or structure is any nonconforming use or structure that is not a one- or two-family nonconforming use or structure (see [Section 54.1202\(B\)\(1\)\(a\)](#)) or has not been classified as a Class A nonconforming use or structure by the Board of Zoning Appeals pursuant to [Section 54.1202\(B\)](#).
- (2) **Prohibited Continuance of Illegally Established Class B Nonconforming Uses and Structures.** No Class B nonconforming use or structure shall be permitted to continue in existence if it was unlawful at the time of its inception.
- (3) **Purpose for Class B Nonconforming Uses and Structures.** It is a purpose of this Ordinance to eliminate Class B nonconforming uses and structures as rapidly as is permitted by law without payment of compensation.
- (4) **Discontinuance of a Class B Nonconforming Use.** No Class B nonconforming use shall be resumed if it has been discontinued for a continuous period of six (6) months or if it has been changed to conforming use for any period of time. If the structure in which the use is housed or conducted is damaged by casualty or neglect to the point where the structure must be removed or reconstructed, the standards of [Section 54.1202\(C\)\(7\)](#) apply. If the Class B nonconforming use was legally in existence up until the time the structure in which the use is housed required removal or reconstruction, the owner shall have up to 24 months to re-establish the nonconforming use, provide such re-establishment shall not increase the nonconformity of the use, structure, or building.



- (5) **Prohibited Substitutions and Expansions of Class B Nonconforming Uses.** No Class B nonconforming use shall be changed to a substantially different nonconforming use, nor enlarged so as to make use of more land area than used at the time of becoming nonconforming.
- (6) **Maintenance and Repair of Class B Nonconforming Structures.** For the purpose of maintaining health and safety, Class B nonconforming structures and buildings may be repaired and maintained. Such repair and maintenance shall not increase the nonconformity of the structure, building, or uses therein, nor shall such repair and maintenance total more the market value of the structure excluding land and other structures on the site as determined by the City Assessor using the current tax roll and field sheets. The Zoning Administrator may substitute the market value of the structure based on calculation procedures of [Section 54.1202\(C\)\(8\)](#). In the event that a nonconforming structure has become destroyed or damaged to the point where the structure must be removed or reconstructed, the standards of [Section 54.1202\(C\)\(7\)](#) apply.
- (7) **Reconstruction Class B Nonconforming Structures.** ~~No Class B nonconforming structure shall be enlarged or structurally altered, nor shall it be reconstructed, if damaged by casualty or neglect to the extent that the cost of reconstruction or similar repair exceeds the market value of the structure excluding land and other structures on the site as determined by the City Assessor using the current tax roll and field sheets. The Zoning Administrator may substitute the market value of the structure based on calculation procedures of See [Section 54.1202\(C\)\(8\)](#). In the event that a nonconforming structure has become destroyed or damaged to the point where the structure must be removed or reconstructed, the owner shall have up to 24 months to rebuild the nonconforming structure, provided such reconstruction shall not increase the nonconformity of the structure, building, or uses therein. However, the owner may construct a conforming addition to a nonconforming structure, provided the addition meets all of the requirements of this Ordinance.~~
- (a) Reconstruction Due to Casualty or Neglect.** No Class B nonconforming structure shall be enlarged or structurally altered, nor shall it be reconstructed, if damaged by casualty or neglect to the extent that the cost of reconstruction or similar repair exceeds the market value of the structure excluding land and other structures on the site as determined by the City Assessor using the current tax roll and field sheets. The Zoning Administrator may substitute the market value of the structure based on calculation procedures of See [Section 54.1202\(C\)\(8\)](#). In the event that a nonconforming structure has become destroyed or damaged to the point where the structure must be removed or reconstructed, the owner shall have up to 18 months to rebuild the nonconforming structure, provided such

reconstruction shall not increase the nonconformity of the structure, building, or uses therein. However, the owner may construct a conforming addition to a nonconforming structure, provided the addition meets all of the requirements of this Ordinance.

**(b) Structures Not Meeting Side Yard Setbacks.** If the structure currently does not meet the side yard setback requirements for the zoning district, it must meet the side yard setback requirements if rebuilt. If the structure encroaches over a property line, it cannot be rebuilt or enlarged with the encroachment.

**(8) Calculation of Repairs and/or Reconstruction of Class B Nonconforming Structures.** For the purpose of calculating a fair and equitable cost of repairs and reconstruction regulated by this section, the average of two (2) bid estimates from licensed contractors shall be used. All work requiring permits under state and local regulations, and materials necessary to bring the structure up to current code shall be included. Clean up costs, demolition, furnishings and appliances shall not be included. The actual repair and reconstruction may be done by the homeowner or contractor of his choice. If the Zoning Administrator questions the accuracy of the bid estimates, or proposed work or materials, he/she may consult with the Building Code Department and City Assessor, and/or refer the matter to the Board of Zoning Appeals. There shall be no cap on the value of a conforming addition to a nonconforming structure, provided the addition meets all of the requirements of this Ordinance.

**(9) Permitted Continuance of Class B Nonconforming Mineral Removal Operations.** In the case of mineral removal operations, existing holes or shafts may be worked and enlarged on the land which constituted the site on which operations were conducted at the time of becoming nonconforming, but no new holes or shafts shall be established.

---

**Reducing Greenbelt Standards. Would the PC want to reduce the MFR greenbelt buffer distances? At the 1-7-25 PC work session the PC asked for this to come back at another date. Also, the PC wanted to know what the comparable codes from other Cities were and what is the TSC requirement.**

### **Section 54.1003 Landscaping Design Requirements**

Except as otherwise specified in the general requirements for each zoning district or for the specific land use, all landscaping must conform to the following standards. The clear vision triangle area requirements of [Section 54.704](#) must also be met. Existing landscaping that meets the requirements of this Article may be used to comply with the following standards:

**(D) Buffer and Greenbelt Requirements.**

- (1) **Intent.** It is the intent of this section to provide suitable transitional yards for the purpose of reducing the impact of and conflicts between incompatible land uses abutting district boundaries.
- (2) **Buffer and Greenbelt Schedule.** On any lot abutting a zoning district boundary, no structure, building or part thereof shall hereafter be erected, constructed, altered or maintained closer to the district boundary line than specified (in feet) in the following schedule ([Figure 50](#)). Where indicated, landscape planting is required.

**Figure 50. Required Buffer and Greenbelt Specifications**

District in which Buffer and Greenbelt is Required (below)	Abutting Zoning District							
	LDR and MDR	MFR	MHP	M-U	CBD	GC and RC	C, M, and CR	I-M and BLP
LDR and MDR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>MFR</b>	30 <a href="#">(a)</a>	N/A	N/A	35	35	35	N/A	40 <a href="#">(a)</a>
MHP	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
M-U	15 <a href="#">(a)</a>	15 <a href="#">(a)</a>	N/A	N/A	N/A	N/A	N/A	20 <a href="#">(a)</a>
CBD	15 <a href="#">(b)</a>	15 <a href="#">(b)</a>	N/A	N/A	N/A	N/A	N/A	10 <a href="#">(a)</a>
GC and RC	40 <a href="#">(b)</a>	40 <a href="#">(b)</a>	N/A	N/A	N/A	N/A	N/A	20 <a href="#">(b)</a>
C, M, and CR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I-M and BLP	40 <a href="#">(c)</a>	40 <a href="#">(c)</a>	40 <a href="#">(c)</a>	25 <a href="#">(c)</a>	25 <a href="#">(c)</a>	25 <a href="#">(b)</a>	N/A	N/A

- (a) Within this buffer area, one (1) tree per 30 linear feet is required.
- (b) Within this buffer area, one (1) tree per 20 linear feet is required, and at least 50% of the trees must be evergreen trees. Where a CBD, GC, or RC district abuts any residential district, a fence at least four (4) feet in height shall be erected within the business district boundary, except where the boundary is a public right-of-way.
- (c) A staggered double row of evergreen trees spaced 15 feet on center. The planting shall be in a manner where the evergreen trees provide 80% opacity within three (3) years of planting, measured at six (6) feet above the grade. After three (3) years, if this opacity is not achieved then additional evergreen trees and/or evergreen shrubs must be planted to achieve 80% opacity at the time of their planting. Where an I-M or BLP district abuts any residential district the Planning Commission may require a screening fence, not to exceed 12 feet in height to be erected on the industrial property pursuant to [Section 54.706](#) to obscure the industrial use and storage from the adjacent residential property.

**(3) Exceptions to Buffer and Greenbelt Schedule.**

- (a) Where the district boundary is the centerline of a right-of-way, the greenbelt and buffering standards of this sub-section do not apply in these areas and other landscaping and buffering requirements of this Article apply instead (e.g., frontage landscaping requirements and loading area requirements).

- (b) In all cases where buffer and greenbelt requirements are not applicable, the required yard is the same as the minimum yard setback requirements in [Article 4](#), Schedule of Regulations.

## TSC Landscape Standards start on page 3-114 of the LDC

(g) Specific to neighborhood edges:

- (i) A landscape buffer located along common property lines shall be required between Third Street Corridor District properties and the residential properties adjacent. The landscape buffer shall be a minimum of five feet wide.
- a. Minimum of three (3) trees shall be planted within the side and rear setbacks for every 500 square feet of landscape buffer.
  - b. Shrubs shall be five (5) gallon container and twenty-four (24) inches height minimum, and of a type that, at maturity, will provide a continuous opaque screen at least thirty-six (36) inches in height.
  - c. Trees shall be four (4) inches caliper minimum, or in the case of evergreen trees, twelve (12) feet minimum height.

Figure 14. T4 Standards

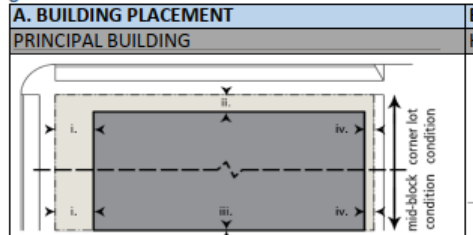
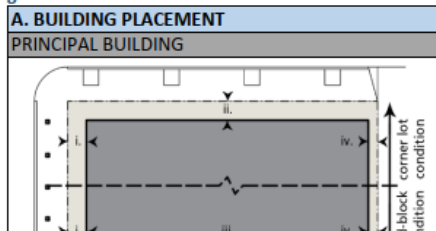
A. BUILDING PLACEMENT		B
PRINCIPAL BUILDING		F
		
i. Front Setback (Principal)	5 ft. – 18 ft.	P
ii. Front Setback (Secondary)	5 ft. – 10 ft.	S
iii. Side Setback	0 ft. if attached to a neighboring structure; otherwise 3 ft.	T
iv. Rear Setback	3 ft. min.	C
Abutting MDR Zoning District property line	10 ft.	S
OUTBUILDING		T

Figure 15. T5 Standards

A. BUILDING PLACEMENT		B
PRINCIPAL BUILDING		F
		
i. Front Setback (Principal)	0 ft. – 18 ft.	P
ii. Front Setback (Secondary)	0 ft. – 12 ft.	S
iii. Side Setback	0 ft. – 6 ft.	T
iv. Rear Setback	3 ft. min.	C
Abutting MDR Zoning District property line	10 ft.	S

## Here are code examples from other cities:

### Grand Rapids

#### Sec. 5.11.12. Landscape Buffers.

- A. *Applicability.* Landscape buffers shall be used where non-residential activities or intense household or group living situations would affect an existing residential use with glare, noise or exhaust or where the effect of incompatible uses or proportionately different structures cannot be mitigated through building design or transitional features.
- B. Landscape buffers are required in the following circumstances or as may otherwise be required by this Chapter.

1. Where a parking lot, non-residential driveway or drive-through facility is adjacent to a residential use, public park, recreation facility or open space.
  2. Where a building or structure in a mixed-use Commercial Zone District is two (2) or more stories higher than the buildings or structures in the adjacent residential or SD-OS Zone District, or as otherwise required as a Transitional Feature in Section 5.6.08.I.
  3. Where a twenty-four (24) hour non-residential use of property is adjacent to a residential use, regardless of Zone District.
  4. Screening for perimeter areas of mineral extraction uses.
  5. When required as a condition of approval for a zoning approval required by this Chapter.
- C. *Location.* The landscape buffer shall be located in the rear and side yards on the subject property extending from the lot line.
- D. *Minimum Landscape Buffer Standards.*
1. The following minimum standards shall apply to Zone Districts in the Neighborhood Classifications shown in Table 5.11.12.D. below.

Neighborhood	Min. Buffer Width (ft.)		Plant Material per 50 Linear Feet	
	Side Yard	Rear Yard	Trees	Shrubs
Traditional	10	8	2	10
Mid-20th Century	10	10	3	15
Modern	20	20	4	20

2. Minimum landscape buffer requirements in Special Districts shall be the same as those of the neighborhood classification that abuts the Special District. Where a Special District abuts more than one (1) neighborhood classification, the Director shall determine which requirements apply.
  3. Species composition of trees shall include at least forty (40) percent large maturing deciduous canopy trees and at least forty (40) percent large maturing evergreen varieties, except where the Director, in consultation with the City Forester, approves other species and tree sizes based on site factors that physically prevent the larger sizes, such as existing overhead utilities.
  4. At least seventy-five (75) percent of all shrubs shall be evergreen or a dense variety of deciduous bush that provides year-round screening.
  5. The Director may determine that additional landscaping is required in the landscape buffer to ensure that any unusual adverse effects of the more intense use require additional mitigation.
- E. *Reduction in Buffer Requirements.*
1. The minimum width of a required buffer may be reduced by up to one-third ( $\frac{1}{3}$ ) with the installation of a six-foot high solid wall or fence along the lot line.
  2. If a required perimeter landscape buffer abuts a public alley, then up to one-half ( $\frac{1}{2}$ ) of the alley width may be credited towards the minimum width requirement.
  3. Administrative Departure. If the land use relationships between two (2) abutting lots are such that a lesser buffer would be acceptable, the minimum width of the required buffer may be reduced as an Administrative Departure.
- F. *Development within Landscape Buffer.*
1. The following items shall be permitted within the landscape buffer:
    - a. Sidewalks, trails and bike paths; and
    - b. Stormwater management facilities provided they do not interfere with the performance and maintenance of the buffer area.

2. The required buffer shall not contain any development, vehicle storage, dumpsters, outdoor storage, impervious surfaces or site features that do not meet the requirements of this Section.
- G. *Buffer Review.* The Director shall review the buffer during a period of up to two (2) years after a Certificate of Completion has been issued to determine its screening adequacy and effectiveness. Where insufficient plant materials were originally installed, plant materials have died, or the buffer is otherwise deemed to be inadequate, the landowner shall remedy any noncompliant conditions in accordance with the replacement provisions of Section 5.11.07.H.3.

## Lansing

### **1252.08. Buffering and screening.**

- (a) A landscaped buffer shall be provided between the subject property and all adjacent residentially zoned or used properties if the subject building(s) of the site plan is within 25 feet of the adjoining property line and if existing landscaping, tree cover, or fencing/screening does not exist.
- (b) At least one tree for each 30 linear feet, or fraction of buffer area shall be provided.
- (c) Landscape buffers shall consist of evergreen shrubs, evergreen trees, fencing/screen walls (75 percent or more opaque), or any combination thereof that forms a continuous visual buffer.
- (d) At least 40 percent of the overall adjoining property line must be covered by plant materials at the time of planting.
- (e) The Zoning Administrator may allow a consistent 75 percent or more opaque, six-foot tall screen wall or fence for the entire length of the adjoining property line to provide buffering that meets the intent of this section. If a screen wall or fence is used for all of the buffer area, the overall landscape buffer width may be eliminated except for the trees required in Section 1252.08(b).
- (f) Where a screen wall or fence is not otherwise required, the Zoning Administrator may require an opaque screening within the buffer area, to block views and contain materials. Screening shall be provided in the form of a six-foot tall ornamental fence or wall, capable of keeping paper and other debris from blowing off the premises.

## Kalamazoo

(E) Side and rear yard landscape screening. Landscape screening between uses is required in the side and rear yards as follows:

(1) Location. Side and rear landscape screening shall be located as follows:

(a) When located adjacent to residential uses, open space, park, or preserve, the following shall provide a landscape screen on their property:

1. Nonresidential driveway and drive-through facility.
2. Commercial and mixed use.
3. Civic and institutional use.
4. Industrial use.
5. Residential buildings with more than eight units.
6. Parking area (stand-alone lot or on a property with a building).

(b) Manufacturing uses will provide a landscape screen when adjacent any other nonmanufacturing use.

(2) Screening requirements.

(a) Width. The side and rear landscape screen shall be 10 feet in width, measured from the shared property line, with the following exceptions:

1. Twenty feet is required for manufacturing uses adjacent to any residential, park, open space, or preserve.
2. Fifteen feet is required for manufacturing uses adjacent to all other uses.

- (b) Existing vegetation. The preservation of existing, high-quality trees and vegetation is strongly encouraged and may be considered as a screening option or incorporated into proposed landscape screening to meet the requirements.
- (c) Screening options. Trees, opaque walls, berms, and fences can be used to create the screen with an opacity of 75% by one year after installation as follows:
  - 1. A row of six-foot tall evergreen trees planted parallel to the property line at a spacing of no more than six feet apart.
  - 2. Opaque wall, berm, or fence with a height of six feet.
- (3) Exceptions. In the Live Work 1 (LW1), Live Work 2 (LW2), Neighborhood Node, and Community Commercial 2 (CC2) and Downtown (D) Districts, the side yard landscape buffers are not required between residential uses and commercial, mixed use, civic, and institutional uses.

## **Midland**

**D. Greenbelts:** Where required, greenbelts shall conform to the following standards:

- 1. **Measurement of Greenbelt Length:** For the purposes of calculating required plant material, greenbelt length shall be measured along the exterior edge of the greenbelt.
- 2. **Dimensions:** The minimum width of the greenbelt shall be ten (10) feet.
- 3. **General Planting Requirements**
  - a. **Sod or Ground Cover Requirements:** Sod, ground cover, or other suitable live plant materials shall be planted over the entire greenbelt area, except where paved walkways are used.
  - b. **Tree and Shrub Requirements:** Except where the greenbelt is used for screening, a minimum of one (1) deciduous or evergreen tree shall be planted for each thirty (30) lineal feet (or portion thereof) of required greenbelt. Alternatively, eight (8) shrubs may be substituted for each required tree. Trees and shrubs may be planted at uniform intervals, at random, or in groupings
- 4. **Greenbelts Used for Screening:** Greenbelts used for screening shall be landscaped in accordance with the requirements for Screening, Section 6.02, sub-section E

## **E. Screening**

- 1. **General Screening Requirements:** Unless otherwise specified, wherever an evergreen or landscaped screen is required, screening shall consist of two rows of closely-spaced, staggered evergreen plantings (planted no more than fifteen (15) feet on-center) which can be reasonably expected to form a visual barrier that is at least six (6) feet above ground level within three (3) years of planting. A single row of evergreen screening planted ten (10) feet on center may be substituted if insufficient room exists to plant a staggered double row. Deciduous plant materials may be used provided that a complete visual barrier shall be maintained throughout the year. Wherever screening is required adjacent to residentially zoned or used property, the screening shall be installed prior to the beginning of site grading and general construction, except where such activity would result in damage to the screening.

## **Saginaw**

### **153.082 PROTECTIVE SCREENING OF NONRESIDENTIAL AREAS FROM RESIDENTIAL AREAS.**

In order to provide adequate protective screening for residential areas adjacent to or near nonresidential areas, the following regulations shall apply.

- (A)(1) Where a B-1, B-1A, B-2, B-3, RMU, M-1, M-2, or M-3 District abuts directly upon an R District, a landscaped greenbelt shall be provided and maintained along its entire



length by the users of the business and industrial zoned property. In addition, those districts shall be screened from such contiguous, residentially zoned district by either a building housing a permitted use or else by a solid, ornamental masonry wall five feet in height above grade between the required greenbelt and the commercial or industrial use. **Such greenbelt shall be a strip of land not less than 15 feet** in width which is planted and maintained in accordance with § [153.081](#), so as to create a permanent buffer within one year following approval of the development by the city. If in the opinion of the Board of Appeals on Zoning the greenbelt would serve no good purpose, the Board may waive such requirement and provide only the wall between the residential use and the business or industrial use. The remainder of the landscaped area which is not planted in accordance with § [153.081](#) as provided above shall be in well kept lawn. All landscaping shall be maintained in a healthy growing condition, neat and orderly in appearance.

(2) When vehicles or open air displays generally exceed a five-foot height, the wall shall be increased to a height not exceeding ten feet. All such walls shall be of uniform height around the premises and the design of such wall approved by the City Planning Commission.

(B) Where required walls are provided on the business side of public alleys, wall requirements may be waived to provide necessary entrance to or exit from required off-street parking and loading areas; provided, that approval is secured from the Chief Inspector as to the suitability of the width and the location of such openings in the wall.

At the 11-19-24 PC meeting, the Planning Commission approved changing the use status of **Intention Community Dwellings** to a Permitted Use in the MFR zoning district from Special to Permitted in Multiple-Family zoning districts:

**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	P	P	P		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	P	P	P		P									<a href="#">Section 54.608</a>
Dwelling, Accessory Unit	P	P	P		P	P								<a href="#">Section 54.612</a>
Dwelling, Intentional Community	S	S	<b>PS</b>		S	S								<a href="#">Section 54.614</a>
Dwelling, Live/Work					P	P								<a href="#">Section 54.615</a>

PC member Fitkin has some additional thoughts as follows:

Commissioner Fitkin has suggested creating a similar but different type of cooperative housing category that is primarily focused on a collective financial arrangement as an organizing principle, rather than mutual social bonds, interests, or shared resources. This would be a different form of “cooperative housing” community in which the owners of each dwelling unit would essentially be shareholders in the property by legal agreement but not subject to condominium laws and not an intentional community



(definition below). This “housing cooperative” arrangement could exist in any housing typology where there is more than one dwelling unit and would primarily be added to the LDC to demonstrate to lenders that this type of housing arrangement is acceptable and encouraged in the city.

***Intentional Community:*** *A planned residential community designed to have a high degree of social cohesion. The members of an intentional community typically have common interests, which may be an organizing factor, such as a social, religious, or spiritual philosophy, and are likely to share responsibilities and resources. Intentional communities include cooperative housing communities, communes, convents, eco- villages, and housing cooperatives. Property may be owned collectively, and/or new members of an intentional community may be selected by the community’s existing membership.*

Sample definition of a “housing cooperative”:

**RESIDENTIAL COOPERATIVE:** Any cooperative that provides residential units for its shareholders or members, as organized under and in accordance with the laws of the State of Michigan (the State Housing Development Authority Act of 1966, the Michigan General Corporation Statute, and the Michigan Nonprofit Corporation Act).

### **Definition of Wetlands**

Commissioner Fitkin would also like the Commission to consider the following changes to the definition of wetlands and plantings. Staff have discussed this with her and has thoughts to share.