

∞ AGENDA ∞
MARQUETTE CITY PLANNING COMMISSION
Tuesday, February 03, 2026, 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 01-20-26**
- 4) CONFLICT of INTEREST
1. PUBLIC HEARINGS
2. CITIZENS WISHING TO ADDRESS THE COMMISSION ON AGENDA ITEMS
3. OLD BUSINESS
4. NEW BUSINESS
 - A. Wilson Street Multi-Use Path Project Proposal**
 - 5. CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS
 - 6. CORRESPONDENCE, REPORTS, MINUTES OF OTHER BOARDS/COMMITTEES
 - 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
JANUARY 20, 2026

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00p.m. on Tuesday, January 20, 2026, in the Commission Chambers at City Hall.

ROLL CALL

Planning Commission (PC) members present (7): M. Rayner, J. Guter, N. Vermaat, D. Fetter, Chair Kevin Clegg, vice-Chair A. Wilkinson, S. Lawry

PC Members absent: J. Fitkin

Staff present: City Planner and Zoning Administrator D. Stensaas; Zoning Official A. Landers.

AGENDA

It was moved by J. Guter, seconded by M. Rayner, and carried 7-0 to amend the agenda as presented.

MINUTES

The minutes of January 6, 2026, were approved by consensus as presented.

CITIZENS WISHING TO ADDRESS THE COMMISSION ON AGENDA ITEMS

Nobody wished to comment.

CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS

Nobody wished to comment.

TRAINING

A. Planning and Zoning Essentials training information

D. Stensaas said that he thinks there might be a few people who haven't had this or similar training, or that it has been a long time since they had it, and asked if any of the commission members are interested and available for it. He also said that his office will handle payment and registration.

N. Vermaat and J. Guter said they would like to be registered for the March training.

WORK SESSION ON REPORTS/PLANS/ORDINANCES

A. Land Development Code Amendments

A. Landers showed the draft amendments on the monitors in the room and said that she worked with the City Attorney to clean up the final approval of the Planned Unit Development (PUD) section, to clarify for our staff, but more for developers, how it works when someone wants to terminate a PUD. She also said that the phasing is either termination prior to any development or termination after development commences. She asked if there were any questions.

J. Guter asked a question about the need to submit for rezoning when a PUD is being terminated before development begins.

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MARQUETTE CITY PLANNING COMMISSION
JANUARY 20, 2026

A. Landers explained that the approval of a PUD Agreement is the approval of a zoning district change to PUD from whatever the zoning district was. She said the applicant has two years to submit final site plans and approval terminates after that.

M. Rayner asked if the PUD applicants have to pay for rezoning when their PUD is terminated.

A. Landers said that when the PUD applicant or property owner requests the termination, then they must pay for the rezoning, but when the City requires the rezoning after expiration, it will absorb the cost associated with the process. She also said that how fees are handled is a policy issue and can't be stated in the LDC, in reply to a question about placing such information in the code text.

D. Stensaas said that *food trucks/mobile food vending units* are not dealt with in the LDC, and we need to do that, as we've realized in the past year that there are at least three food trucks that became accessory uses – meaning they are there overnight and throughout the season - where they were vending. He said that long-term use situation wasn't contemplated adequately in either the LDC or the City Code, and so we are taking the definition for mobile food vending. D. Stensaas continued, saying that he began working in this section knowing that an amendment to address food trucks, or mobile vending units, was needed, because during the past two summers, we've seen food trucks become a 24/7 presence at a few different properties. He related that when a food truck is on a property for more than a day, it becomes an accessory to the property's main uses, and that may require a different approach to the property's use requirements than when a vendor makes sales and moves on. He said that he recommends adding to the LDC the definition of *mobile food vending unit* from the City Code, and that a definition for *motor vehicle* should also be added to the LDC, to clarify which motorized vehicles require traditional parking spaces.

D. Stensaas also said that the draft amendment document in the agenda was a starting point for working on changes to parking standards, and that he continued working on ideas and has a new version of the Figure 53 chart from Article 9 for the commission, and he handed out paper copies to the members and for the meeting observers. He said that what is shown in the handout is not what he specifically suggests, but instead is the start of a conversation about removing minimum parking space requirements. He said he started in the retail section because that is where we would locate mobile vending units, and then began thinking about the other use standards in that section. He said that since many of the standards based on square footage may have been selected arbitrarily, it bears thinking about changing them by either eliminating minimum parking space standards altogether for some uses, or reducing them to easily achievable levels to let developers and property owners determine their parking needs. He said that was done with the "all other retail uses" category in recent years, as shown in the last row of Figure 53, by creating a minimum of two parking spaces and flipping the former minimum requirement to a maximum number of spaces that can be paved. He said that he is encouraged to do reduce more of the parking space requirements, as many bigger cities, including Buffalo and Toronto, have eliminated minimum parking standards, and that Ann Arbor removed minimum space requirements in the last few years. He continued, saying that two general approaches are 1) to use data from the International Traffic Engineers' *Parking Generation* application to draft new standards, and 2) to simply remove minimum requirements for many of the uses, but not residential, and we can also establish a maximum standard for those. He said that he and Andrea also wanted to talk a bit about the front-yard parking ban and check the Planning Commission's temperature on allowing front-yard parking.

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MARQUETTE CITY PLANNING COMMISSION
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He said they would like to hear the Planning Commission's thoughts on allowing front-yard parking, after addressing the options we've discussed for revising the parking space requirements. He also said that there are currently no minimum standards for parking spaces for any uses aside from residential and some assembly uses, in the N. Third St. Corridor district, or for any uses but residential in the Central Business District (CBD).

K. Clegg asked if these sample standards for accessory uses for mobile would apply to parking areas in the Third St. Corridor and the CBD, requiring that space is available for take out.

A. Landers said that it would apply to those, because they we review their application with the Clerk's office, and this just cleans it up. She said that staff verifies that they have a hard parking surface and their pick-up window isn't in the right-of-way, and so forth.

D. Stensaas said that for an accessory use, I would be glad if they just had a space for the truck, if they also have a suitable area for people to order and pick up their orders that isn't a parking space or in the right of way.

S. Lawry said that he isn't ready to eliminate minimum parking yet, and that before doing that, he would like to see somebody do a survey of Marquette businesses to find out how many employee and customer vehicles they have at a time and to try to have some hard data to help determine how critical the spaces really are. He said that there will be well-meaning businesses that try to accommodate their customers by building enough parking, but not everybody will. He said that there are already businesses that do loading and off-loading in the travel lanes of the street because they don't have room in parking lots for delivery trucks to get off the street, and it creates hazards and blocks traffic. He said that there are certainly good reasons to require some off-street space, and one big one is for loading and unloading, and that space can double as parking for their customers. He said that unless we collect a lot of data that shows the parking lots aren't being used, I'm not ready to remove all minimums.

D. Fetter said that she agrees with Mr. Lawry and is a little concerned about completely removing the minimums. She said she could give a couple examples, but in general, a lot of parking for the N. Third St. corridor ends up in the residential areas, and so a study would be great to see if this is something we could go forward with.

N. Vermaat said that one concern of flipping the minimums to maximums is, is that if the numbers have uncertain origins and quality, we would keep relying on unsupported numbers.

D. Fetter also said that another point about removing minimum parking is that (inaudible) taking something away from residents and the public without giving something back, like improving our public transportation. She said that if that were to happen before removing minimum standards, I would be a bit more comfortable with it.

D. Stensaas said that he thinks many of the cities that have removed minimum standards have more alternatives to driving that we can provide here.

K. Clegg said that is one of the challenges that we have.

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D. Stensaas said that if we don't touch any of the requirements, then what we have to consider is the proposed space for mobile food vending units and an adjacent space for customers to order and pick up food unless another suitable location is available. He asked what the members think about that.

K. Clegg asked what adjacent means.

D. Stensaas described the City Code requirements for mobile food vending units to have their order and pick-up areas facing into a property or sidewalk and not into a street, saying that if a parking space is the only available, suitable option to meet that requirement, then we are proposing that it be stated as a requirement for accessory or permanent food truck use on private property.

S. Lawry stated that Drifa Brewing has at times had a sprawling and chaotic parking situation, with parking for the site being scattered along Lake St. and on the BLP property, and he asked how what is proposed would address the situation.

D. Stensaas discussed the fact that Drifa Brewing is currently working on a new site plan due to issues related to on-site parking and other changes that have been made since their Special Land Use Permit and site plan were approved in 2021, and explained some of the details related to the parking issues on the site and pointed out how the food truck at the site used two spaces near the front entrance during the summer and into the fall. He also said that the parking in the Lake St. right-of-way has evidently not been a violation of city codes, as the Police have not stepped in to change anything.

D. Fetter asked about what the LDC allows for shared parking arrangements based on different operating times.

D. Stensaas said that the LDC allows for shared parking agreements and off-site parking for non-residential land uses, and said that Drifa is probably going to need a shared-parking agreement with their neighbors, because they are almost certainly going to need more parking than they have available on their site.

K. Clegg said that he thinks the proposal will make it harder for Drifa to meet their parking requirements.

A. Landers said that the mobile food vending license wasn't intended to allow for food trucks to park at a place indefinitely, and to become like a brick-and-mortar restaurant, but that is happening.

S. Lawry asked if the food truck that has been located at 505 Lakeshore Blvd. during the last couple of summers was meeting standards.

Ms. Landers said it meets the City Code standards for parking on a hard surface but is exempt from the zoning approval requirements for a temporary sales area due to an amendment to the LDC made in recent years that exempts uses that require business license approval.

D. Stensaas said that an on-site food truck can be a legitimate business, and that staff has worked with one property owner on site development requirements for one that did not go forward. It was also

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JANUARY 20, 2026

discussed that there were spaces approved, on the site plan, for the food truck that was vending at 1034 N. Third St. when the building was being remodeled and briefly afterwards.

S. Lawry said that most of these seem to be locating where there is adequate parking available, but if there aren't, problems do develop, and so we need to specify that they do have a minimal number of parking spaces available for it, and if that is one space for the vendor's vehicle and one for the customer it is a small minimum, but is a place to start. He said that he wouldn't go less than that, and again, the property owner can already use 25 percent of their required parking for other things.

K. Clegg said that it seems fair to him.

J. Guter said that he thinks this makes sense, if they are going to be there on a more permanent basis there needs to be some kind of regulation for that.

D. Fetter asked what is meant by long-term temporary. D. Stensaas said more than a day for land uses.

S. Lawry suggested using the definition of motor vehicle from the State Vehicle Code.

D. Stensaas said that should be fine, and he will check that out.

S. Lawry said that in the section 54.903 preamble paragraph, it also mentions parking lots approved by special assessment, and there may no longer be any of those. He also said that he noticed a new parking lot on N. Third Street. There was more discussion on that and about the parking situation in that area.

D. Stensaas related that he sent the members an email message with links to articles about cities that have eliminated minimum parking requirements, and he said that they can talk more about that later.

Some discussion was held about the desire to conduct studies on parking usage in town, and some members said they would also like to see some of the ITE data from the *Parking Generation* app. D. Stensaas said that he hopes that staff can find someone to help with such a study.

A. Landers said that we also need to discuss front-yard parking. D. Stensaas said that he is not sure, but his understanding is that public works concerns drove the prohibition of front-yard parking due to concerns with damage to service laterals and sidewalks.

J. Guter said that he was a Planning Commission member when the ban went into effect, in the early 2000s, and said that the main reason for it was that a lot of homes were being converted to rentals and students were parking in all over the yards and trashing them. He said that was what instigated the ban, and there were some carve-outs for special circumstances that came with them, but aesthetics were the main purpose for the ban.

S. Lawry said that he agrees that aesthetics were a major reason for the ban, but there are some utility related issues. He said there are typically a cleanout for the sewer lateral and a shut off valve for the water line that need to be accessed, and they're typically in the right of way near the property line and not where people would be parked in a front yard, so that isn't an issue, but plowing the front yard for

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parking can lead to frozen water lines and sewers. He said those lines are not typically buried as deeply on the private side of the line, and in the winter of 1994-1995, about 1/3 of the water laterals in the city froze up, and the first ones to freeze and last to thaw were ones under a plowed yard, and those were also the only areas where we had frozen sewer laterals.

A. Landers said with consideration of that information, what do commissioners think about allowing for one front-yard parking space adjacent to a driveway if there were conditions placed on it, such as the vehicle isn't in the right of way and over any utilities. She said that a lot of homeowners want to park in their front yards and ask about it, and that it would provide another option.

There was quite a bit of discussion about the issue, and the consensus of the Planning Commission was to not change the LDC provisions concerning front yard parking, because allowing front yard parking at each home has a high potential for erosion and damage to both private yards and the public right of way, and that the existing front-yard parking waiver provisions of the LDC and the "parking in the right-of-way waivers" managed by the Police Department seems to work adequately to address the majority of the front yard parking that is needed in the community.

COMMISSION and STAFF COMMENTS

A. Wilkinson stated that Mr. Lawry touched on taking more action to clear sidewalks at the last meeting, and with the heavy snow we've received recently, I want to reiterate his points about taking more action. He said there are a lot of people walking in the streets and he came uncomfortably close to a person in the street at night that he didn't see until he was very close, and he knows a lot of people that don't attempt to walk outside this time of year. He said that we put a lot of effort into recreation here, but I think we need to put more effort into clearing sidewalks.

D. Fetter said that since we are working on the LDC it may be good to address data centers. She also said that with all this snow she is wondering about the laws about snowmobiles in the city and was wondering if that has been a discussion in recent years. She said that we should do some planning for it, to be proactive, and I can think of a couple of places where there is the potential for it.

S. Lawry said that something we might want to look into before we get a development proposal for the former hospital site, is to possibly apply an allowance for staggered building heights like those that were provided in the former hospital overlay district. He also said that there is a block of about four residential lots that are listed for sale on Bluff St., behind the Ramada Inn, and that may be an excellent place to develop a block of multi-family housing. He said that we should do what we can to encourage it to be built at a higher density.

A. Landers said that the next meeting is February 3rd, and there are no cases.

D. Stensaas said that we will meet on the 3rd to work on LDC amendments, since there is a lot more to go through. He also said that the location of a couple of meetings is being changed, but those are months away, and we will update everyone later. He also said he wants everyone to join him in wishing Andrea a happy birthday. There was wild applause.

K. Clegg said he wanted to echo the comments about looking into data centers this winter, and on snow removal, he said he was glad to see the "snow munchers" out cutting snow banks because they were taller than him.

**OFFICIAL PROCEEDINGS
MARQUETTE CITY PLANNING COMMISSION
JANUARY 20, 2026**

ADJOURNMENT

Chair K. Clegg adjourned the meeting at 7:30 pm

Prepared by D. Stensaas, City Planner and Zoning Administrator, Planning Commission Staff Liaison



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

MEMORANDUM

TO: Planning Commission
FROM: Dave Stensaas, City Planner and Zoning Administrator
DATE: January 30, 2026
SUBJECT: New Business – Transportation Alternatives Program Grant Proposal for Wilson Street Multi-Use Path

City Engineer Mik Kilpela will present information about a proposal for a multi-use pathway along Wilson Street between the Iron Ore Heritage Trail and McClellan Avenue. A grant application will be submitted for funding through MDOT's Transportation Alternatives Program (TAP) is being prepared for the construction of this pathway. Funding for the project could be allocated as early as FY2027.

The deadline for the grant application is February 18th. Public input is being requested on the preliminary design. The Planning Commission is being requested to provide input on the proposal. Public comments are encouraged and all public input will be included as part of the grant application.



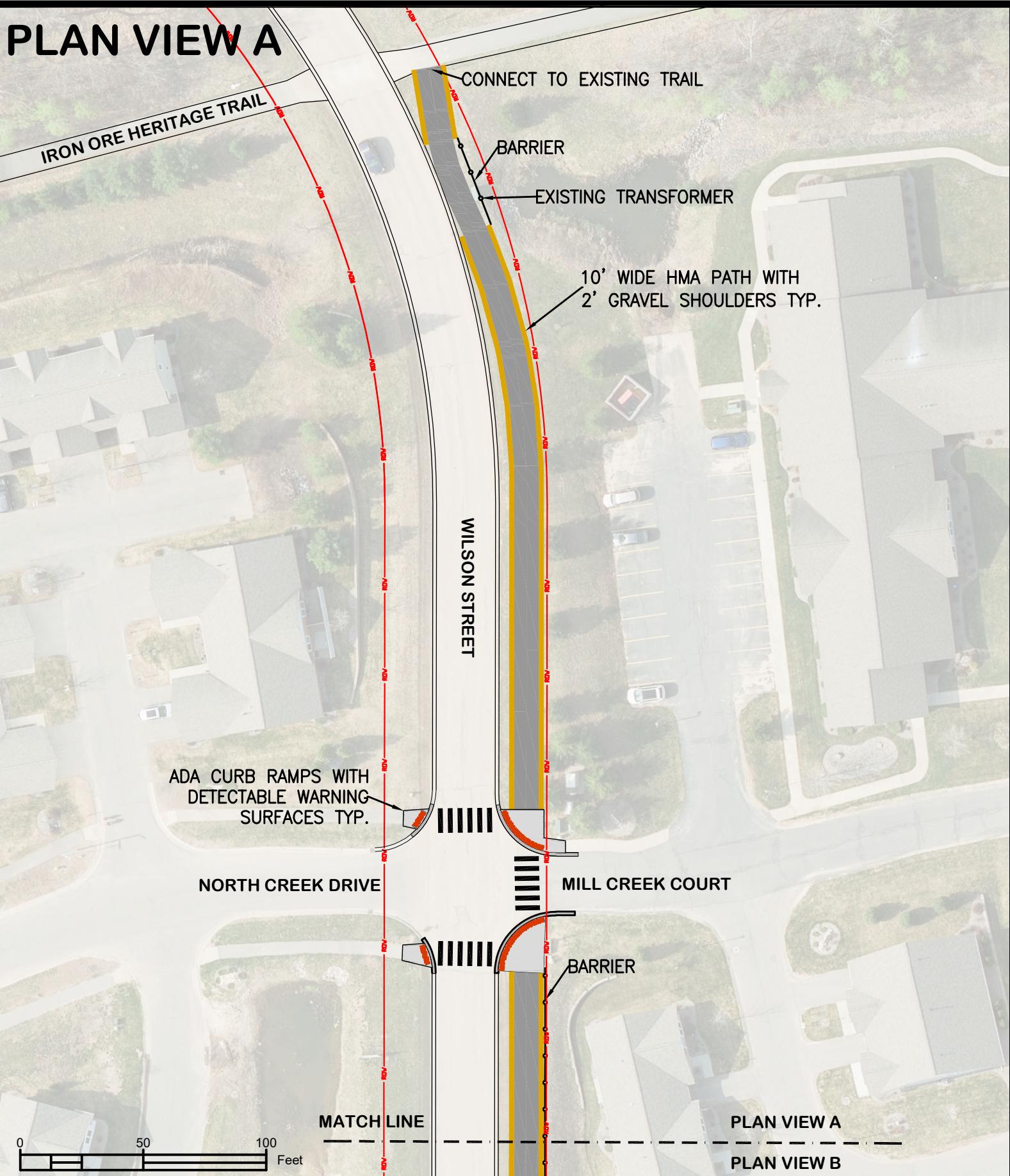
CITY ENGINEER'S OFFICE
MARQUETTE, MICHIGAN
1100 WRIGHT STREET, MARQUETTE, MI 49855
PHONE (906)228-0440

APPROVED BY: K. WESSELS, PE
DRAWN BY: K. WESSELS, PE
DATE: JANUARY 26, 2026
PROJECT FOLDER: J:\PROJECTS\MQ27-010
FILE NAME: MQ27-010 INITIAL CONCEPT.DWG

WILSON STREET MULTI-USE PATH EXTENSION PROJECT
PROJECT LOCATION MAP

PROJECT MQ27-010

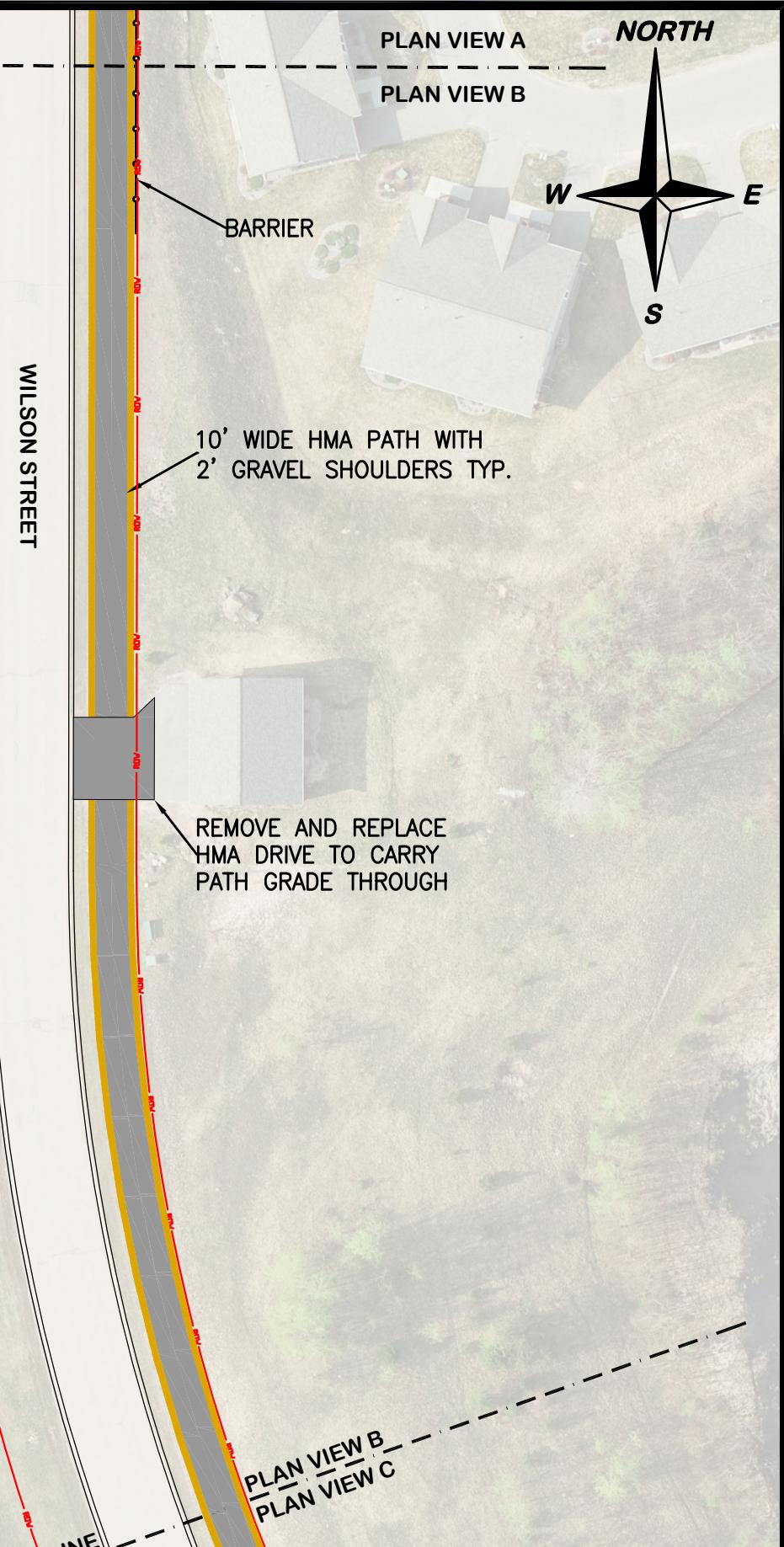
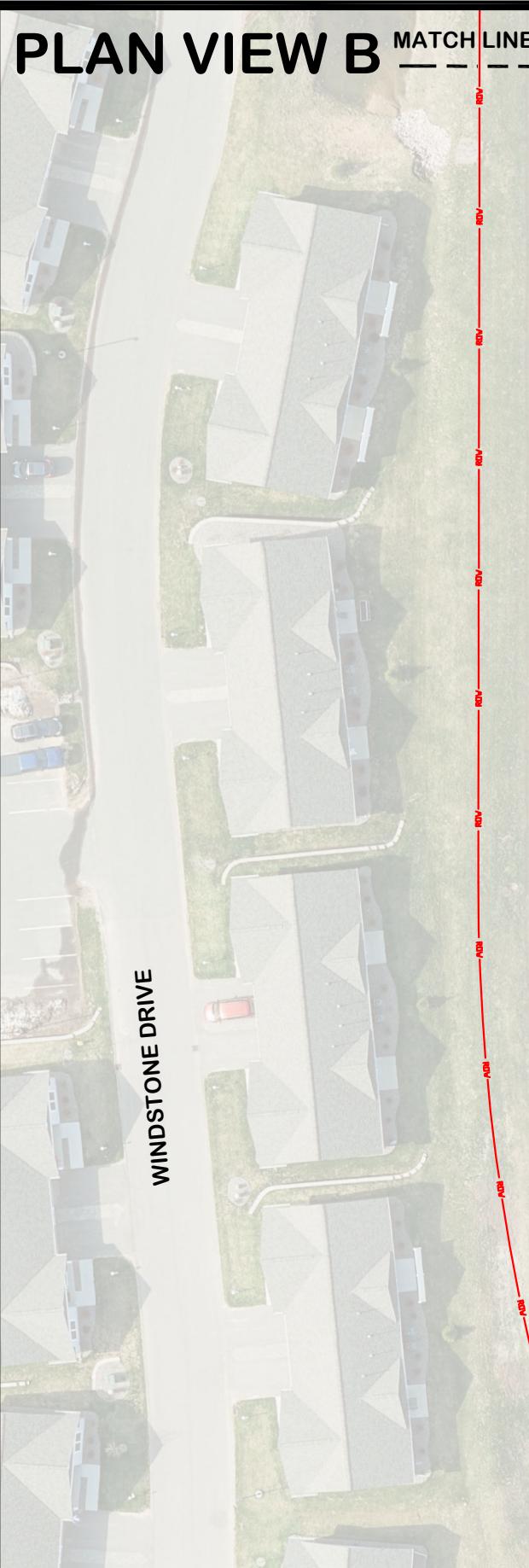
PLAN VIEW A



PLAN VIEW B

MATCH LINE

PLAN VIEW B



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WILSON STREET MULTI-USE PATH EXTENSION PROJECT
PLAN VIEWS A AND B

PROJECT MQ27-010



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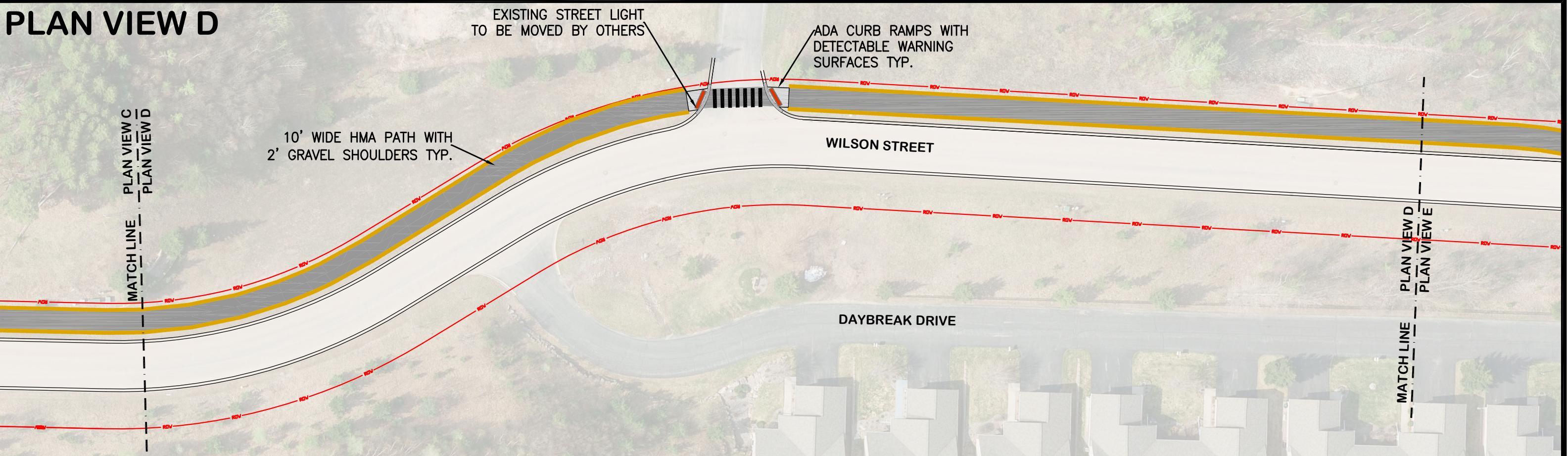
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WILSON STREET MULTI-USE PATH EXTENSION PROJECT

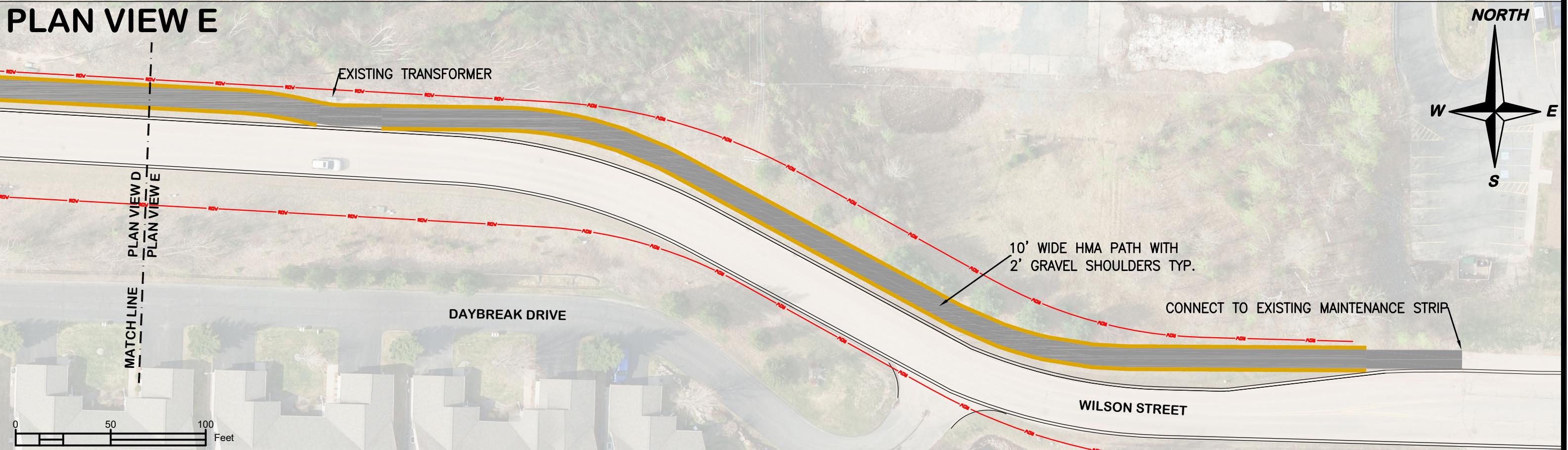
PLAN VIEW C

PROJECT MQ27-010

PLAN VIEW D



PLAN VIEW E

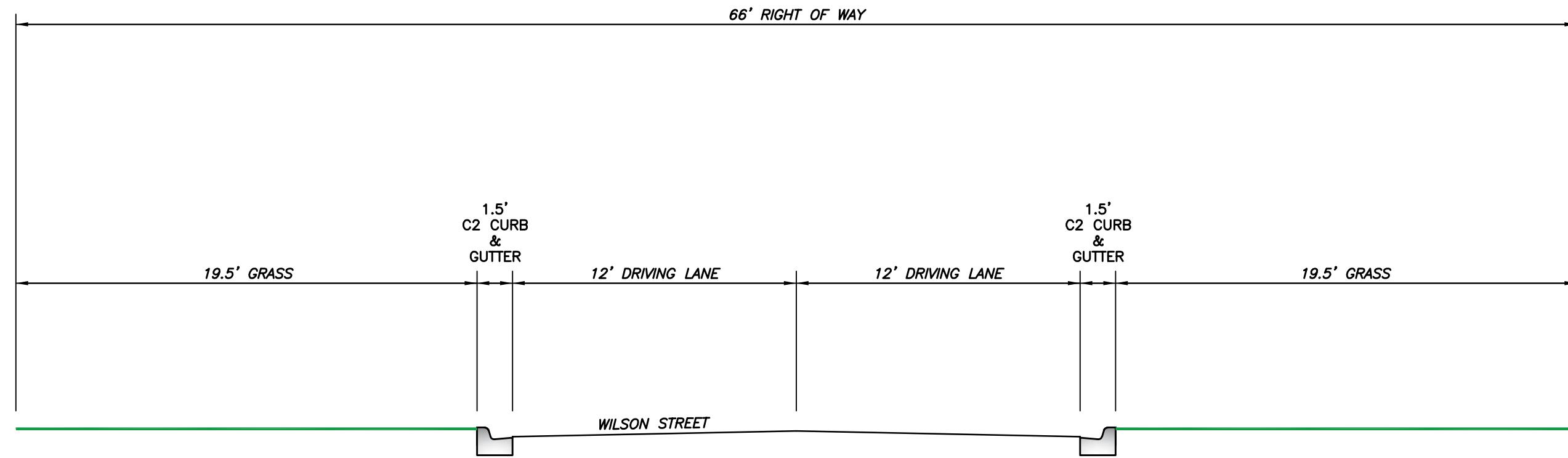


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WILSON STREET MULTI-USE PATH EXTENSION PROJECT
PLAN VIEWS D AND E

PROJECT MQ27-010

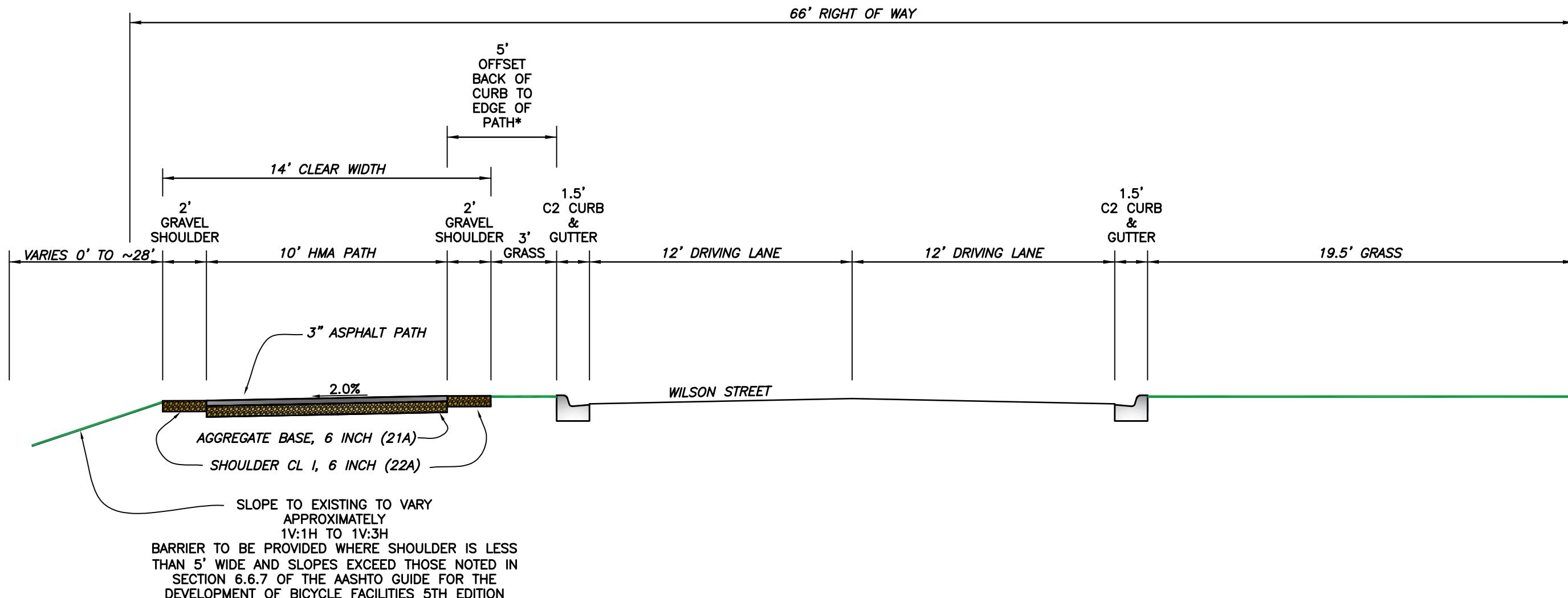


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WILSON STREET MULTI-USE PATH EXTENSION PROJECT
EXISTING CROSS SECTION

PROJECT MQ27-010



*EXCEPT AT EAST TIE IN POINT AND TWO LOCATIONS SHOWN ON PLANS WHERE EXISTING TRANSFORMERS ARE IN PATH



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WILSON STREET MULTI-USE PATH EXTENSION PROJECT
PROPOSED CROSS SECTION

PROJECT MQ27-010

City of Marquette
Engineer's Opinion of Costs

Project Number: MQ27-010
Estimate Number: 1
Project Type: Miscellaneous
Location: Wilson Street
Description: Wilson Street Multi-Use Path Extension Project

Project Engineer: Kellen Wessels
Date Created: 1/28/2026
Date Edited: 1/29/2026
Fed/State #:
Fed Item:
Control Section:

Line	Pay Item	Description	Quantity	Units	Unit Price	Total
Category: 0000						
0001	1100001	Mobilization, Max	1.000	LSUM	\$50,000.00	\$50,000.00
0002	2010001	Clearing	0.250	Acre	\$15,000.00	\$3,750.00
0003	2040020	Curb and Gutter, Rem	180.000	Ft	\$22.00	\$3,960.00
0004	2050016	Excavation, Earth	1,500.000	Cyd	\$18.00	\$27,000.00
0005	2080020	Erosion Control, Inlet Protection, Fabric Drop	25.000	Ea	\$250.00	\$6,250.00
0006	2080036	Erosion Control, Silt Fence	3,010.000	Ft	\$3.00	\$9,030.00
0007	2090001	Project Cleanup	1.000	LSUM	\$5,000.00	\$5,000.00
0008	3010002	Subbase, CIP	750.000	Cyd	\$35.00	\$26,250.00
0009	3020016	Aggregate Base, 6 inch	3,525.000	Syd	\$20.00	\$70,500.00
0010	3070108	Shld, Cl I, 6 inch	1,410.000	Syd	\$22.00	\$31,020.00
0011	5010005	HMA Surface, Rem	100.000	Syd	\$10.00	\$1,000.00
0012	5010033	HMA, 13A	650.000	Ton	\$300.00	\$195,000.00
0013	8030010	Detectable Warning Surface	110.000	Ft	\$160.00	\$17,600.00
0014	8030030	Curb Ramp Opening, Conc	180.000	Ft	\$90.00	\$16,200.00
0015	8032002	Curb Ramp, Conc, 6 inch	1,030.000	Sft	\$25.00	\$25,750.00
0016	8087001	_ Fence, Ornamental Aluminum, 48 inch	185.000	Ft	\$150.00	\$27,750.00
0017	8117001	_ Pavt Mrkg, Polyurea, 24 inch, Crosswalk, Modified	310.000	Ft	\$24.00	\$7,440.00
0018	8120170	Minor Traf Devices	1.000	LSUM	\$25,000.00	\$25,000.00
0019	8160025	Mulch	3,000.000	Syd	\$2.00	\$6,000.00
0020	8160042	Seeding, Mixture TUF	150.000	Lb	\$10.00	\$1,500.00
0021	8160062	Topsoil Surface, Furn, 4 inch	3,000.000	Syd	\$10.00	\$30,000.00

Category 0000 Total: \$586,000.00

Line	Pay Item	Description	Quantity	Units	Unit Price	Total
Estimate Total: \$586,000.00						





East project limits – looking east





Between Osprey and Daybreak - looking west



Wilson and east end of Daybreak - looking northwest



Between either end of Daybreak - looking west



Between Osprey and Daybreak - looking west



Wilson and O'Dovero Drive - looking west



West of Daybreak - looking west



Further west of Daybreak- looking west



Wilson and Brookstone Court - looking west



Just west of Brookstone - looking northwest



Just east of Horizons Drive - looking northwest



Wilson and Horizons - looking northwest



Just east of Horizons - looking northwest



Between Horizons and Northcreek/MillCreek - looking North



Wilson and Millcreek - looking North



Wilson and Iron Ore Heritage Trail - looking North

City of Marquette
STATE OF MICHIGAN

RESOLUTION NO. _____

RESOLUTION AUTHORIZING APPLICATION AND IMPLEMENTATION OF
MICHIGAN TRANSPORTATION ALTERNATIVES GRANT

WHEREAS, the City of Marquette is an incorporated municipality of the State of Michigan and therefore an eligible applicant to apply for Michigan Transportation Alternatives Program grant funding through the Michigan Department of Transportation (MDOT), and

WHEREAS, the City of Marquette has identified safe, convenient, and enjoyable connections for all modes of transportation and recreation year-round, access to non-motorized transportation options, and connecting residential neighborhoods with easy access to goods, services, and amenities in both the City's 2024 Community Master Plan and 2025 Strategic Plan, and

WHEREAS, the City of Marquette has proposed a multi-use path connection on Wilson Street between the Iron Ore Heritage Trail and McCellan Avenue, in both its Capital Improvement Plan, and Active Transportation Plan, and

WHEREAS, the City of Marquette has received positive feedback and support for the project from the Harlow Farms Conservation Community Association, **Iron Ore Heritage Trail Authority** and general public, and

WHEREAS, the City of Marquette has committed to owning the constructed facility and implementing a maintenance program in perpetuity, and

WHEREAS, the City of Marquette has accepted responsibility for engineering, permits, administration, potential cost overruns, and any non-participating items, and

WHEREAS, the City of Marquette has prepared an application to MDOT for a TAP grant in the amount of \$486,800 and the City of Marquette will provide \$117,200, for a total construction cost of \$586,000, and

WHEREAS, the City of Marquette authorizes the City Manager, as the representative on behalf of the city, to sign a contract upon receipt of a grant funding award, and

WHEREAS, the City of Marquette authorizes the City Engineer, or their designee, to act as agent on behalf of the applicant agency during the project development.

NOW, THEREFORE BE IT RESOLVED:

That the City of Marquette hereby resolves to take all actions necessary to submit a Transportation Alternatives Program grant application to the Michigan Department of Transportation to obtain funding for the Wilson Street Multi-use Path Extension Project.

AYES: NAYS: ABSENT:

Certification:

Signed: _____
Date: _____

Ron Mattson - HFCCA
501 Horizons Drive
Marquette, MI 49855
12/15/2025

Transportation Alternatives Program
Office of Economic Development
Michigan Department of Transportation
P.O. Box 30050
Lansing, MI 48909

Subject: Letter in support of Wilson Street Multi-Use Path Extension TAP Grant Application

To Whom It May Concern:

I am writing to express my support for the City of Marquette's Transportation Alternative Program application for the Wilson Street Multi-use Path Extension Project. As president of the Harlow Farms Conservation Community Association, I represent over 100 residents that live in the neighborhood adjacent to the proposed path. A multi-use pathway would be a great benefit to our community and address a major safety concern for our neighborhood. Currently the only option for residents to access the Iron Ore Heritage Trail, and nearby businesses by foot, wheelchair, or bicycle is in the street. The residents of Harlow Farms have been advocating for this project for many years and are excited to express our support for this grant application.

Like I mentioned above, I'm not only speak for the residents of the Harlow Farms Community but also as an unsolicited advocate for Whetstone Village Apartments, Mill Creek Senior Living, Grandview Circle subdivision, plus the other subdivisions along Wilson Street.

Per Rails-to-Trails Conservancy 2019...

“Safe places to walk or ride are a critical option given rising pedestrian and bicycle fatalities and serious injuries. Pedestrian traffic deaths alone stand about 6,000 per year, representing 15 percent of total fatalities and a 35 percent increase over a decade.”

I thank you in advance for considering this Grant Application.

Sincerely,
Ron Mattson



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

MEMORANDUM

TO: Planning Commission
FROM: Dave Stensaas, City Planner and Zoning Administrator
DATE: January 16, 2026
SUBJECT: Work Session – Land Development Code Amendments for 2026

Staff and the Planning Commission will continue the recent work on potential amendments to the Land Development Code. This effort will continue for the next few months until all known issues have been resolved. Materials for the work session follow.

DRAFT TEXT AMENDMENTS

Section 54.638 Outdoor Temporary Retail Sales and Service Areas

(A) Temporary retail sales and service areas, for approved commercial land uses, may be permitted to occupy not more than twenty-five percent (25%) of the existing or required parking spaces on the site, for a total of not more than 120 days in any 12-month period. The location of sales merchandise, service area and/or temporary structures shall not interfere with pedestrian accessibility, traffic patterns, or access to remaining parking spaces. Prior to placement of merchandise, service area, or erection of temporary structures, the Zoning Administrator must be notified of the date of removal. The location and construction of all temporary structures (including tents) erected in association with the temporary sale of merchandise shall require the approval of the Zoning Administrator and the Fire Administrator through a zoning permit if a City Clerk License is not required. It is the responsibility of the business owner to contact the Building Code Administrator to determine if a building permit is required.

(A) **Conditions.** Temporary retail sales and service areas, for approved commercial land uses, may be permitted to occupy not more than twenty-five percent (25%) of the existing or required parking spaces on the site, for a total of not more than 120 days in any 12-month period.

- (1) The location and construction of all temporary structures, including tents, used in connection with the temporary display and sale of merchandise, must be approved before their placement and use by the Zoning Administrator and the Fire Administrator through a **Business License** (issued by the City Clerk) or a **Zoning Compliance Permit**.
- (2) The location of sales-merchandise, temporary structures and/or service areas shall not interfere with pedestrian accessibility, vehicular mobility, or access to necessary parking spaces, and must otherwise comply with the Land Development Code.
- (3) It is the responsibility of the business owner to contact the Marquette County Building Codes administrator to determine if a building permit is required.

(C) ~~Temporary sales areas that require a person to obtain a license from the City Clerk's Office are exempt from obtaining a Zoning Compliance Permit, but must meet the requirements of [Section 54.638\(A\)](#).~~

(B) **Permit Requirements.** Mobile Food Vending Units (MFVUs) ~~per Chapter 35 of the City Code~~ that make sales on a site and leave the same day require a Business License. MFVUs that remain overnight on a site where sales are conducted will be considered accessory uses of the property, and will require a Zoning Compliance Permit in addition to a Business License.

- (1) Temporary outdoor sales and display of merchandise in conjunction with Marquette Downtown Development Authority-sanctioned events are exempt from [Section 54.638\(A\)](#) but must be removed at the conclusion of the event.
- (2) Temporary outdoor sales for non-commercial land uses which are an accessory use of property, such as yard/garage sales and children's lemonade sales, are authorized with the permission of the sale location property owner. Such sale events may occur on a singular property up to 10 times per year and no more than 4 times per month.

(D) ~~Temporary outdoor sales and display of merchandise in conjunction with Marquette Downtown Development Authority sanctioned events are exempt from [Section 54.638\(A\)](#) but must be removed at the conclusion of the event.~~

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

Section 54.902 Parking Regulations

REVISING ORDER of sections, and MOVING the following sections to 54.903:

(A) Uses Not Provided. For those uses not specifically mentioned in [Section 54.903](#) of this Ordinance, the requirements for off-street parking facilities shall be in accord with a use that the Zoning Administrator considers as similar in type. In determining a similar use, the Zoning Administrator may consult the most recent edition of *Parking Generation*, published by the Institute of Transportation Engineers (ITE), or other acceptable publication.

(B) Fractional Spaces. Where calculation of parking requirements with the foregoing list in [Section 54.903](#) results in a fraction of a space, a full space must be provided unless otherwise modified by this Article.

(C) Parking Reduction Formula. After calculating the number of parking spaces necessary to meet the standards in [Section 54.903](#), the parking requirements for uses, other than residential, in the non-residential zoning districts (i.e., non-LDR, MDR, MFR, and MHP zoning districts) may be modified using Figure 52. If a greater parking reduction is requested, the City may approve fewer parking spaces based on a professionally prepared parking study and/or the most recent edition of *Parking Generation* published by ITE. Also see [Section 54.908\(D\)](#) for reductions in motor vehicle parking that may be achieved by substitution if bicycle parking spaces are provided in the specified quantity.

Figure 52. Parking Reduction Formula

Spaces Calculated	Percentage Required
Less than 5	50%
6-10	60%
11-20	70%
21-30	80%
31-40	90%
41-50	100%

(H) Maximum Parking Allowed. In order to minimize excessive areas of pavement which depreciate aesthetic standards and contribute to higher rates of storm water runoff and higher micro temperatures, exceeding the minimum parking space requirements of [Section 54.903](#) by greater than twenty percent (20%) is prohibited, except as approved by the Planning Commission or Zoning Administrator (see Article 14). In its request for additional parking spaces, the applicant must submit a parking study to the Planning Commission or Zoning Administrator (see Article 14) demonstrating that additional parking spaces are needed based on the nature of the use and/or peak times thereof. In determining whether to grant additional parking spaces, the Planning Commission shall also consult the most recent edition of the *Parking Generation*, published by the ITE, or other acceptable standard.

(1) If a site plan proposes to exceed the maximum amount of parking allowed, any parking spaces in an enclosed building would not be considered in violation of the maximum number allowed — since the intent of the maximum is to reduce surface parking — and therefore the spaces may be counted towards the total but any number above the maximum allowed that are indoors would not be counted as above the maximum.

Subsection A below is being moved from subsection F, as it should be at the "top":

Section 54.902 Parking Regulations

(A) Compliance with All Parking Requirements of this Article. The parking requirements of this Article must be met when one (1) or more of the following takes place. Depending on the scope of work, the approving authority will be the Zoning Administrator or the Planning Commission as stated in [Article 14](#):

- (1)** At the time of construction of any new building or structure, or at the time of commencement of use of any land.
- (2)** If any alterations are made to a building or structure which would require additional parking.
- (3)** If the use of any building, structure, or land is altered in a manner that would require additional parking.

DRAFT TEXT AMENDMENTS

(A) Fractional Spaces. Where calculation of parking requirements with the foregoing list in [Section 54.903](#) results in a fraction of a space, a full space must be provided unless otherwise modified by this Article.

(B) Joint/Shared Parking. Two (2) or more non-residential buildings or uses may collectively provide the required off-street parking subject to the following conditions:

- (1) Number of Joint/Shared Parking Spaces.** The required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately. In the instance of dual function of off-street parking spaces where operating hours of the buildings or uses do not overlap, the Planning Commission or Zoning Administrator (for Minor Site Plan Review) may grant exception to the number of parking spaces required. In determining whether to grant an exception to the number of parking spaces required based on different parking levels and/or peak parking times, the Planning Commission or Zoning Administrator, as applicable, may consider a professional study submitted by the owner(s), the most recent edition of *Parking Generation* published by ITE, and/or the most recent edition of *Shared Parking* published by the Urban Land Institute (ULI).
- (2) Pedestrian Access.** There must be adequate pedestrian access provided between the shared parking lot and the associated buildings and uses.
- (3) Shared Parking Agreement.** A written shared parking agreement between the joint non-residential users in a form approved by the City must be notarized and recorded with the Marquette County Register of Deeds. The agreement must assure the continued availability of the off-site parking facilities for the uses it is intended to serve.

(C) Joint/Shared Parking. Two (2) or more non-residential buildings or uses may collectively provide the required off-street parking subject to the following conditions:

- (1) Number of Joint/Shared Parking Spaces.** The required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately. In the instance of dual function of off-street parking spaces where operating hours of the buildings or uses do not overlap, the Planning Commission or Zoning Administrator (for Minor Site Plan Review) may grant exception to the number of parking spaces required. In determining whether to grant an exception to the number of parking spaces required based on different parking levels and/or peak parking times, the Planning Commission or Zoning Administrator, as applicable, may consider a professional study submitted by the owner(s), the most recent edition of *Parking Generation* published by ITE, and/or the most recent edition of *Shared Parking* published by the Urban Land Institute (ULI).
- (2) Pedestrian Access.** There must be adequate pedestrian access provided between the shared parking lot and the associated buildings and uses.
- (3) Shared Parking Agreement.** A written shared parking agreement between the joint non-residential users in a form approved by the City must be notarized and recorded with the Marquette County Register of Deeds. The agreement must assure the continued availability of the off-site parking facilities for the uses it is intended to serve.

(D) Change in Use of Off-Street Parking Lot. Any area once designated as a required off-street parking lot shall not be changed to another use unless and until equal facilities are provided elsewhere subject to the recommendation of the Zoning Administrator and Planning Commission approval, as applicable (see [Figure 51](#)).

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(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\(A\)\(93\)](#)). 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.
 - (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 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.

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- (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) **Driveway Separation Requirement at 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 turf grass or other ground cover plants, permeable pavers, or other stable cover materials. The requirement may be waived by the Planning Commission or Zoning Administrator, per relevant authority, if physical difficulties exist, such as the presence of a retaining wall along the lot line. This requirement is waived where existing paved driveways owned by neighbors are conjoined (but not necessarily shared) or otherwise meet at the property lines. However, eliminating shared driveways is encouraged to avoid maintenance disputes and other disagreements over time.
- (i) **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.

(2) MFR District.

- (a) **Off-Street Parking in the MFR District.** In the MFR District, the required off-street parking shall be located on the same site as the use to which it pertains unless off- site parking is approved pursuant to [Section 54.902\(E\)\(5\)](#).
 - (i) Parking spaces must be designed so that backing into them or backing on to a street is not required.

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- (ii) Driveways for MFR uses must connect to a parking lot, and may not be used as parking lots.
- (b) **Additional Requirements.** See additional requirements of [Section 54.902\(E\)\(5\)](#).
- (3) **M-U District.** In the M-U District, parking in the front yard is prohibited except that a single row of parking (perpendicular, angled, or parallel) may be located in the front yard, provided the landscaping requirements are met for street trees ([Section 54.1003\(A\)](#)), frontage landscaping ([Section 54.1003\(B\)](#)), and parking lot landscaping ([Section 54.1003\(C\)](#)). The depth of the parking spaces and width of the aisle shall not be larger than the minimum dimensional requirements of [Figure 55](#) and [Figure 56](#). The required off-street parking shall be located on the same site as the use to which it pertains unless off-site parking is approved pursuant to also [Section 54.902\(E\)\(5\)](#).
- (a) **Exception:** For lots with multiple front yards, the requirement above is applicable to only one of the front yards.
- (4) **GC District.** In the GC District, parking in the front yard is prohibited except that a double row of parking (perpendicular, angled, or parallel) may be located in the front yard, provided the landscaping requirements are met for street trees ([Section 54.1003\(A\)](#)), frontage landscaping ([Section 54.1003\(B\)](#)), and parking lot landscaping ([Section 54.1003\(C\)](#)). The depth of the parking spaces and width of the aisle shall not be larger than the minimum dimensional requirements of [Figure 55](#) and [Figure 56](#). See also [Section 54.902\(E\)\(5\)](#).
- (a) **Exception:** For lots with multiple front yards, the requirement above is applicable to only one of the front yards.
- (5) **Non-LDR and Non-MDR Districts.** In all districts except the LDR and MDR districts, the following requirements apply:
 - (a) **Parking Lot Location and Off-Site Parking.** Parking must be located within 2,000 feet of the lot on which the use is located measured from lot corner along a street or streets. If the use is located in a building the distance shall be measured along streets from the nearest point of the building to the nearest corner of the lot on which the parking is located.
 - (b) **Site Plan Review of Off-Site Parking.** In all districts, except residential, where off-street parking is located on a lot other than the lot occupied by the use which requires it (an Off-site Parking Spot), site plan approval for both lots is required, unless the scope of the proposed alteration to the Off-site Parking Spot does not require Site Plan Review (per [Figure 64](#)) – in which case only a Zoning Compliance Permit would be required from the OPS property owner.
- (6) **CBD.**
 - (a) **Front Yard Parking Prohibited.** In the CBD, parking in the front yard is prohibited.
 - (i) **Exception:** For lots with multiple front yards, the requirement above is applicable to only one of the front yards.
 - (b) **Parking Space Requirements.** Parking space requirements for principal uses in the

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CBD apply only to residential uses, and all other principal uses in the CBD are exempt from parking space requirements. Special land uses, except outdoor food and beverage service, must meet minimum parking requirements unless modified in accordance with this Article.

(c) **Additional Requirements.** See also [Section 54.902\(E\)\(5\)](#).

(F) **Compliance with All Parking Requirements of this Article.** The parking requirements of this Article must be met when one (1) or more of the following takes place. Depending on the scope of work, the approving authority will be the Zoning Administrator or the Planning Commission as stated in [Article 14](#):

- (1) At the time of construction of any new building or structure, or at the time of commencement of use of any land.
- (2) If any alterations are made to a building or structure which would require additional parking.
- (3) If the use of any building, structure, or land is altered in a manner that would require additional parking.

(G) **Parking Reduction Formula.** After calculating the number of parking spaces necessary to meet the standards in [Section 54.903](#), the parking requirements for uses, other than residential, in the non-residential zoning districts (i.e., non-LDR, MDR, MFR, and MHP zoning districts) may be modified using [Figure 52](#). If a greater parking reduction is requested, the City may approve fewer parking spaces based on a professionally prepared parking study and/or the most recent edition of *Parking Generation* published by ITE. Also see [Section 54.908\(D\)](#) for reductions in motor vehicle parking that may be achieved by substitution if bicycle parking spaces are provided in the specified quantity.

Figure 52. Parking Reduction Formula

Spaces Calculated	Percentage Required
Less than 5	50%
6-10	60%
11-20	70%
21-30	80%
31-40	90%
41-50	100%
51-60	90%
61-70	80%
71-80	70%
81 or more	60%

(H) **Maximum Parking Allowed.** In order to minimize excessive areas of pavement which depreciate aesthetic standards and contribute to higher rates of storm water runoff and higher micro temperatures, exceeding the minimum parking space requirements of [Section 54.903](#) by greater than twenty percent (20%) is prohibited, except as approved by the Planning Commission or Zoning Administrator (see [Article 14](#)). In its request for additional parking spaces, the applicant must submit a parking study to the Planning Commission or Zoning Administrator (see [Article 14](#)) demonstrating that additional parking spaces are needed based on the nature of the use and/or peak times thereof. In determining whether to grant additional parking spaces, the Planning Commission shall also consult the most recent edition of the *Parking Generation*, published by the ITE, or other acceptable standard.

- (1) If a site plan proposes to exceed the maximum amount of parking allowed, any parking spaces in an enclosed building would not be considered in violation of the maximum number allowed—since the intent of the maximum is to reduce surface parking—and therefore the spaces may be counted towards the total but any number above the maximum allowed that are indoors would not be counted as above the maximum.

Section 54.903 Minimum/Maximum Number of Parking Spaces

In all districts, there shall be provided off-street parking for *motor vehicles*, as defined in the Michigan Vehicle Code, for specified land uses. ~~When a public parking lot has been provided by special assessment, the minimum required parking may be reduced by the number of spaces in the public lot representing the same percentage as the property's participation in the special assessment district costs.~~

The minimum **and/or** maximum number of spaces to be provided shall be based on the following schedule, which may only be increased in accordance with [Section 54.902\(H\)](#) and may only be reduced in accordance with the parking reduction standards of [Section 54.902\(G\)](#), [Section 54.908\(D\)](#), or the shared parking standards of [Section 54.902\(C\)](#):

(A) The following factors shall be used in determining the required number of parking spaces.

(1) Land Uses.

- (a) Calculations.** Parking **space requirements** shall be calculated separately for each **land use type** in a building, structure or on a lot, except that the Zoning Administrator may determine that a lower standard would be adequate for shared parking, as described in Section 54.902(C). Accessory uses shall be calculated separately and are additive.
- (b) Unlisted Requirements.** The Zoning Administrator shall make a determination as to the proper classification of a parking requirement not listed for a particular use based on the requirement of the closest comparable use. Where a comparison cannot reasonably be made, the Zoning Administrator may require a Parking Demand Study as provided in Section 5.10.04.A.
- (c) Uses Not Provided.** For those uses not specifically mentioned in [Section 54.903](#) of this Ordinance, the requirements for off-street parking facilities shall be in accord with a use that the Zoning Administrator considers as similar in type. In determining a similar use, the Zoning Administrator may consult the most recent edition of *Parking Generation*, published by the Institute of Transportation Engineers (ITE), or other acceptable publication.
- (d) Bicycle Parking** shall be as required in [Section 54.908](#). Bicycle parking shall not occupy any required motor vehicle parking space.

(2) Measurements.

- (a) Floor Area.** Where floor area is the unit of measurement to determine the required number of off-street parking and loading spaces, *gross floor area* (GFA) shall be used.
- (b) Employees.** Where the number of spaces required is based on the number of employees, calculations shall be based upon the maximum number of employees likely to be on the premises at any one time. Where multiple shifts of employees are involved, calculations shall be based on the largest shift.
- (c) Occupancy.** Where occupants are used as a measurement, all calculations shall be based on the maximum capacity permitted under fire safety and building codes.
- (d) Stalls.** Where vehicle stalls are used as a measurement, all calculations shall be based on the number of service bays, garage door openings or similar area.
- (e) Bench Seating.** In calculating bench seating for places of assembly, each continuous four (4) foot segment of benches, pews or other similar seating shall be counted as one (1) seat.
- (f) Fractions.** **Where the calculation of parking requirements with the foregoing list results in a fraction of a space, a full space must be provided unless otherwise modified by this Article.**

(3) Parking Reduction Formula.

After calculating the number of parking spaces necessary to meet the standards in [Section 54.903](#), the parking requirements for uses, other than residential, in the non-residential zoning districts (i.e., non-LDR, -MDR, -MFR, and -MHP zoning districts) may be modified using Figure 52. If a greater parking reduction is

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requested, the City may approve fewer parking spaces based on a professionally prepared parking study and/or the most recent edition of *Parking Generation* published by ITE. Also see [Section 54.908\(D\)](#) for reductions in motor vehicle parking that may be achieved by substitution if bicycle parking spaces are provided in the specified quantity.

Figure 52. Parking Reduction Formula

Spaces Calculated	≤ 5	6-10	11-20	21-30	31-40	41-50	51-60	61-70	71-80	≥81
Percentage Required	50%	60%	70%	80%	90%	100%	90%	80%	70%	60%

(H) Maximum Parking Allowed. In order to minimize excessive areas of pavement which depreciate aesthetic standards and contribute to higher rates of storm water runoff and higher micro temperatures, exceeding the minimum parking space requirements of [Section 54.903](#) by greater than twenty percent (20%) is prohibited, except as approved by the Planning Commission or Zoning Administrator (see Article 14). In its request for additional parking spaces, the applicant must submit a parking study to the Planning Commission or Zoning Administrator (see Article 14) demonstrating that additional parking spaces are needed based on the nature of the use and/or peak times thereof. In determining whether to grant additional parking spaces, the Planning Commission shall also consult the most recent edition of the *Parking Generation*, published by the ITE, or other acceptable standard.

(1) If a site plan proposes to exceed the maximum amount of parking allowed, any parking spaces in an enclosed building would not be considered in violation of the maximum number allowed – since the intent of the maximum is to reduce surface parking – and therefore the spaces may be counted towards the total but any number above the maximum allowed that are indoors would not be counted as above the maximum.

Figure 53. Minimum/Maximum Motor Vehicle Parking Spaces by Land Use

Land Use	Minimum/Maximum Parking Requirement (standards show the parking minimums unless a maximum is stated)
(G) Retail Trade	
(1) Establishments for the Consumption of Food or Beverages on the Premises, excluding Drive-Through Restaurants	1 space for every two (2) capacity occupants.
(2) Drive-Through Restaurants	1 space for every two (2) capacity occupants plus a minimum of two (2) stacking spaces between the pick-up window and the order station, where space exists. Any other stacking spaces shall not conflict with access to required parking spaces or block any right-of-way.
(3) Mobile Food Vending (MVU) on Private Property – Accessory Use (daily and overnight use)	One (1) space for MVU parking; plus one (1) space for patron ordering adjacent to MVU, unless another suitable location for patrons to order is provided.
(4) Mobile Food Vending (MVU) on Private Property – Day Use (no overnight parking)	No specific parking space allocation is required, as the use is subject to Section 54.638 as an Outdoor Temporary Retail Sales and Service use.
(3) (5) Establishments for the Sale of Motor Vehicles, Trailers, and Large Equipment of any sort	One (1) space for each 1,000 square feet of floor area, minimum of two (2) spaces.

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44 (6) Gasoline Stations and Convenience Stores	One (1) per gas pump (located at the pump) and one (1) per employee on peak shift, plus required parking for the retail area. In no instance shall a required parking space or its maneuvering area conflict with vehicles being fueled or serviced or awaiting to be fueled or serviced.
45 (6) All Other Retail	Maximum of one (1) space for every 150 300 square feet of floor area, minimum of two (2) spaces.

(H) Services	
(1) Offices, business and professional except as otherwise specified.	One (1) space for every 400 square feet of floor area.

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

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

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

(B) Snow Storage. An area equivalent to 10% of the required parking stall area must be provided for snow storage. The snow storage area **shall** **may** be landscaped and shall be located within any fence bounding the parking lot. The snow storage area may be located in a landscape area required in [Article 10](#) or in a storm water detention or retention pond, subject to approval by the City. Snow storage on lot corners and near driveway entrances must meet the clear vision requirements of [Section 54.704](#).

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, unless the intent to build a principal structure is evidenced by an unexpired zoning and building permits issued for a principal building on the same property, in which case a proposed accessory structure may be conditionally approved based on the demonstrated intent to build a principal structure.**

Section 54.642 **Residential Limited Animal Keeping.**

(A) Requirements Applicable to All Residential Limited Animal Keeping

(1) Accessory Use of On-Site Residents. The accessory use of Residential Limited Animal Keeping is permitted upon application for a non-transferable Residential Limited Animal Keeping Permit approved by the Zoning Administrator, which is for enclosures and structures that are required for chickens and rabbits, or for beehives. Upon approval, the permit is intended to be for the benefit of the occupants of the dwelling on-site, and not for commercial animal uses.

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- (2) **Applicable Zoning Districts.** This Residential Limited Animal Keeping use is permitted only in the LDR and MDR districts as an accessory use, where there is a separate occupied dwelling.
- (3) **General Animal Care.** Animals being kept in a residential environment must be cared for and monitored daily to maintain animal health and to prevent nuisance problems with neighbors and the community.
- (4) **Permitted Animals.** Unless classified as a bona fide household pet, only animals explicitly permitted in this Section (i.e., hens, rabbits, and honeybees) qualify as animals that may be kept as a Residential Limited Animal.
- (5) **Zoning Compliance Review Required.** Zoning Compliance Review in accordance with [Section 54.1401](#) is required prior to the establishment of the Residential Limited Animal Keeping use.
- (6) **Location of Animals on the Same Lot as the Dwelling and in the Rear Yard.** The location of animals permitted in accordance with this Section must be on the same property as the dwelling to which they are accessory **and must be located in the rear yard...with the exception of properties classified as “through lots”, which may use side yards for locating animal enclosures and beehives if the other requirements of this section can be met. In the event that requirements cannot be met in a side yard, the Zoning Administrator may permit another location on the property, which meet the requirements, to be used as a location for enclosure or beehives.**
- (7) **Storage of Seed, Fertilizer, and Feed.** All seed, fertilizer, and animal feed shall be stored in secured, rodent- and animal-proof containers and kept within an enclosed structure.
- (8) **On-Site Commercial Sale Prohibited.** The commercial sale of animal products including eggs, honey, hens or rabbits is prohibited on the site.
- (9) **Sanitation, Waste, and Odors.** All animal structures and roaming areas must be kept sanitary and free from accumulations of animal excrement and objectionable odors. Waste must be composted or disposed of in accordance with all City requirements. The City may require a Residential Refuse Collection Agreement as a condition of Zoning Permit approval. Piling of waste materials on the property is not permitted unless composted in accordance with [Section 54.618\(F\)](#).
- (10) **Runoff.** No runoff from nutrient sources shall be allowed to leave the property, nor be discharged into the storm sewer.

(B) Requirements Applicable to Residential Limited Animal Keeping of Female Chickens (Hens). In addition to the requirements of [Section 54.642\(A\)](#), the following shall apply to the Residential Limited Animal Keeping of hens:

- (1) **Maximum Number of Hens.** A maximum of six (6) hens per single-family or two-family dwelling unit may be kept.
- (2) **Male Chickens (Roosters) Prohibited.** Male chickens (roosters) are prohibited.
- (3) **Prohibited Locations of Keeping Hens.** Hens are prohibited in a residence, porch, or attached garage.
- (4) **Keeping of Hens Required on the Lot.** Hens must be confined to the lot.
- (5) **Enclosure Housing for Hens.** Enclosed housing for hens (the hen house or coop) is prohibited in a front yard. Enclosed housing must be fully enclosed, roofed, and provide at least one (1) square foot of indoor usable floor space per animal. Enclosed housing must be designed to discourage rodents, dogs, cats, and wildlife from gaining entry.
- (6) **Access to Fresh Water.** Fresh water must be provided for hens at all times.
- (7) **Outdoor Usable Space for Hens.** Outdoor usable space (a run) of at least two (2) square feet per hen must be provided and be attached to the coop. **Outdoor usable space must be enclosed to prevent hens from leaving the lot and must not be located in a front yard (with**

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the possible exception for “through lots” shown stated in 54.642(A)(6)).

(a) If the outdoor space has a roof or cover, then it has to meet [Section 54.705\(A\)](#) for the LDR or MDR zoning district requirements.

(b) If the outdoor space is just enclosed with a fence, it has to meet [Section 54.706\(C\)\(1\)](#) for the LDR or MDR zoning district requirements.

(8) **Setback of Housing for Hens.** Enclosed housing for hens must meet the same setback requirements for accessory buildings ([Section 54.705\(A\)](#)), except that the enclosed housing must be set back at least 20 feet from a principal building on an adjoining property. Mobile chicken housing must meet the required setbacks at all times.

(C) **Requirements Applicable to Residential Limited Animal Keeping of Rabbits.** In addition to the requirements of [Section 54.642\(A\)](#), the following shall apply to the Residential Limited Animal Keeping of rabbits:

(1) **Maximum Number of Rabbits.** A maximum of six (6) adult rabbits per single-family or two-family dwelling unit may be kept.

(2) **Keeping of Rabbits Required on the Lot.** Rabbits must be confined to the lot.

(3) **Enclosure Housing for Rabbits.** Enclosed housing for rabbits (cage or hutch) is prohibited in a front yard. Enclosed housing must be fully enclosed, roofed, and provide at least five square feet of indoor usable floor space per animal. Enclosed housing must be designed to discourage rodents, dogs, cats, and wildlife from gaining entry.

(4) **Access to Fresh Water.** Fresh water must be provided for rabbits at all times.

(5) **Outdoor Usable Space for Rabbits.** Rabbits shall only be kept within enclosed housing except for monitored exercise periods. Outdoor usable space must be enclosed to prevent rabbits from leaving the lot and **must not be located in a front yard** (with the possible exception for “through lots” shown stated in 54.642(A)(6)).

(6) **Setback of Housing for Rabbits.** Enclosed housing for rabbits must meet the same setback requirements for accessory buildings ([Section 54.705\(A\)](#)), except that the enclosed housing must be set back at least 20 feet from a principal building on an adjoining property. Mobile rabbit housing must meet the required setbacks at all times.

(D) **Requirements Applicable to Residential Limited Animal Keeping of Honeybees.** In addition to the requirements of [Section 54.642\(A\)](#), the following shall apply to the Residential Limited Animal Keeping of honeybees:

(1) **Maximum Number of Honeybee Hives or Colonies.** A maximum of 10 honeybee hives is permitted on a lot.

(2) **Location.** Honeybee hives must be located on an undeveloped area of the lot.

(3) **Minimum Setback.** Honeybee hives must be set back at least twenty-five (25) feet from any lot line. The setback for hives may be reduced to ten (10) feet to a lot line if a six (6) foot high flyway barrier surrounds the immediate vicinity of the hive(s) consisting of a solid fence, wall, or dense vegetation that prevents a direct line of flight from the hives into neighboring properties or public use rights-of-way.

(4) **Honeybee Hive Manipulation.** Beekeepers must make every reasonable effort to perform hive manipulations as quickly as possible, with minimum disturbance to the bees and at times of the day when outdoor activity of neighbors is minimized.

(5) **Honeybee Swarm Prevention.** Beekeepers must use best beekeeping management practices to prevent or minimize swarming. Beekeepers must take reasonable measures to retrieve swarms.

(6) **Access to Fresh Water.** A supply of fresh water shall be provided for all honeybee hives throughout the active flight season.