

∞ AGENDA ∞

MARQUETTE CITY PLANNING COMMISSION Tuesday, May 19, 2026, at 6:00 p.m. Commission Chambers, City Hall

MEETING CALLED TO ORDER

- 1) ROLL CALL
- 2) APPROVE AGENDA
- 3) APPROVE MINUTES: **Minutes of 05-05-26**
- 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
7. TRAINING

A. Important Code Information for Residents Water Bill Mailer

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
May 05, 2026

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00p.m. on Tuesday, May 05, 2026, in the Commission Chambers at City Hall. This meeting was videorecorded and the recording is available at the City's website.

ROLL CALL

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

PC Members absent: (1) D. Fetter

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

AGENDA

It was moved by A. Wilkinson, seconded by J. Guter, and carried 7-0 to approve the agenda as presented.

MINUTES

The minutes of the 4/21/2026 meeting were approved by consent, with one correction noted.

CONFLICT OF INTEREST

Nobody stated a conflict.

CITIZENS WISHING TO ADDRESS THE COMMISSION ON AGENDA ITEMS

Anna Ellis, of 509 Rock St., stated:

I am a forestry research educator with MSU Extension, and I want to throw in my two cents because I heard you are going to be editing your tree-planting list. I want to professionally recommend that it is a good idea to remove Columnar Norway Maple and Japanese Lilac from the tree planting list, and if you make future edits to the list, that you prioritize native tree species. Native species are evolutionarily adapted to thrive in the weather conditions that we live in. When you bring in an exotic species or transplant a tree species that grows faster, you get that benefit, but they are less hardy against the environmental pressures of this environment. Sometimes they're slower growing and more of a time investment, but they're more likely to (inaudible), and they also support other native species like insects, that have specifically adapted to rely on those native trees (inaudible), the community ecosystem. I also think (inaudible) of Marquette as a cool, really eco-friendly city, and I think we all would like it to be. Thank you.

NEW BUSINESS

A. 04-SPR-05-26 – 1101 W US 41 (PIN: 0514233)

A. Landers said that staff have reviewed the proposed amended site plan for the construction of a new commercial building, new parking lot, dumpster enclosure, landscaping, and site improvements for 1101 W US 41, and have provided comments regarding the revised plan. She then described the parts of the staff report being shown on the monitors in the room and named each item included in the agenda for the case, including the site plans.

Mr. Brian Savolainen, representing the applicant, said if this plan looks familiar, we were in front of you about a year ago, or eight or nine months ago. What happened was we got your approvals and getting ready to do zoning compliance, but budget numbers came in and weren't in range for what the owner was anticipating at that time. Oddly, they started going through numbers and what they had, and they really needed a little bit more body shop space in the building so they would have had to be doing some things somewhere else. I think they didn't have quite enough room.

OFFICIAL PROCEEDINGS
MARQUETTE CITY PLANNING COMMISSION
May 05, 2026

He said they were really looking the whole time at getting 18 more feet added to their garage area to allow for an extra stall or two. It ended up working out in terms of the way our site plan was originally situated, we only actually expanded our hard surface like five feet further to the east. We had a little bit bigger lanes at that time and we had some extra area for different vehicle display areas. That's part of the parking discrepancy there that we have to clean up when we get it back to Andrea this time for zoning compliance. What it did, it actually created a little more efficiency. And what we looked at too was, we did a slight rotation of the building. We actually shifted the western half a little bit closer to US-41 where we had room. It was probably about 6 or 8 feet, I think. We held the rear end, it's closer to being parallel with 41. And the reason for the shape you see there, what used to be there was an old hotel and storage units. They're built on two different shelves on top of that hill. The buildings had been demolished previously, but the foundation is still there. The old parking areas are still there if you have visited the site. What we're doing, and we were doing this in the original one, to be able to get that space, we actually are cutting like the top three to four feet off of from where the hotel site was, and we're filling about a foot or two where the storage units were. That allowed us to spread the site out without having to cut the existing slopes.

There are already pretty well-established green spaces. And then the way we developed the grading plan, which is the same way we did the last, is we actually drain towards the building lanes, and then back up to the building. So, we're not pushing water to the building, but we're also not pushing water off the site. And then we have a storm system that brings things to the eastern side. We initially had a longer retention basin, but there's a portion back there that didn't work out for grades without having to do a big berm up next to the property. We split it into two different basins, and we expanded a little bit on the northeast corner, away from it. We have an emergency spillway that goes down to the primary MDOT storm sewer, but the official outlet goes from the west side. There's two storm leads that were already run up to the site, and the water meter is out through them. The water goes to the east, builds up to the pond and the first thing is it perks, but if it gets up about a foot below the emergency spillway, then it starts using an outlet that goes in the MDOT system on the other thing, and it meets their requirements. We're going through the permitting process with them right now for that.

Just like the last one, we had met with MDOT previously, and they like the drive there. They didn't require any additions. We have the two lanes. And versus that same facility that's down below the hill, it's much improved over what they did. Doing that shift also helped us with the semis to have a little cleaner route around the entire building. That was the change. It was the shift of adding about 18 feet. Mitch Sharkey is here. He's the general contractor with Midwest, and if there are questions on the building and what's being done there, he can answer those for you. But really, we're doing the same completion.

We had some issues with the site lighting, and we actually brought in a different lighting consultant and that's why we attached an actual plan this time, because we kept getting told that they were going to do this shading, do this, but the new guy actually did. So, we showed them on there. If this goes, we'll address those final additions, any comments that may come up tonight that are additional, and we're going to try and get [the site plan] back in as early as the end of the week for zoning compliance review. The hope here is to get rolling on earthwork in the next three or four weeks, if possible.

K. Clegg asked if there were questions for the applicant.

S. Lawry stated:

I have a couple things. I noticed at the start of the application, you said that you're not managing stormwater, and are applying for stormwater utility...

Mr. Savolainen stated (interjecting):

No, we're managing stormwater, we're just not applying for the stormwater discount. The stormwater actually goes through MDOT on this because it's their system in both right of ways. But we are providing those calcs to Engineering, and they had some questions on that as well.

S. Lawry stated:

That's what I saw going through the whole list of staff comments. There's still an awful lot of information that they're asking you to provide. Do you feel like there's going to be any issues providing it?

OFFICIAL PROCEEDINGS
MARQUETTE CITY PLANNING COMMISSION
May 05, 2026

Mr. Savolainen stated:

No, I don't believe so. I think it's more clarification and I think it's me doing my particular calcs a certain way and have worked with your hydraulic engineer quite a bit here in the past, but that position's changed now so it's probably more of a clarification on the way that's done, but we have to follow MDOT guidelines when it comes to that, which are stringent if not more than the City's actually are.

S. Lawry stated:

With regard to the plan, one thing I didn't see is a location for bulk oil intake, for waste oil or even for your bulk fluid storage.

Mr. Sharkey stated:

That it's all contained inside the building and no waste will go to the stormwater system.

There were no other questions for the applicants.

K. Clegg stated each of the site plan review standards and asked for concurrence that each was satisfied. The Planning Commission found that each standard would be met by the proposal.

K. Clegg said that we are now seeking a motion stating that it meets the eleven site plan review standards.

It was moved by J. Fitkin, seconded by A. Wilkinson, and carried 7-0 that after review of the site plan and the supplemental documentation dated 04-07-26, and the Staff Report for 04-SPR-05-26, the Planning Commission finds substantial compliance with the City of Marquette Land Development Code, the Site Plan Review Standards in Section 54.1402(E), and hereby approves the site plan with the following condition that an amended plan is submitted to meet staff comments.

CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS

Nobody provided comments.

WORK SESSION ON REPORTS/PLANS/ORDINANCES

A. Land Development Code (LDC) Amendments

City Staff and the Planning Commission discussed the proposed amendments and staff noted some minor changes that were requested.

D. Stensaas said that the revision to Figure 59 is going to have to wait until the City Arborist has a chance to evaluate the proposed revisions.

COMMISSION and STAFF COMMENTS

N. Vermatt said that the County is holding a County Master Plan update public input session for Marquette-area residents at the Barrell and Beam this Thursday at 6:00 p.m.

J. Guter thanked the staff for preparing the LDC amendments and working through the issues involved.

ADJOURNMENT

K. Clegg adjourned the meeting at 7:25 p.m.



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: May 14, 2026
SUBJECT: Training – Important Code Information for Residents - Water Bill Mailer

The following one-page mailer is sent to residents along with the spring brush and leaf collection information. Staff would like to know the Planning Commission's opinions on the helpfulness of the mailer, and would also like to explain why this mailer is important to staff.

Important Property Code Information for Residents



Please read and keep this document for your reference. Thank you.

Homeowners are responsible for securing permits for new structures, exterior and interior renovations and construction, fences and walls, driveways, and enclosures for animals (chickens, rabbits, beehives). Many commercial property renovations require submitting and obtaining approval for permits or site plans for zoning compliance.

Please inquire with us if in doubt! Call 906-228-0425 for development code inquiries.

Failure to obtain required permits is likely to result in a citation.

Our staff can best help you over the phone, but you can find more information online at <https://www.marquettemi.gov/departments/community-development-old/zoning/>

Question and Answer sampler:

Q: My **siding and/or roof** need replacement; does that require a permit?

A: No - If the structural members, doors and/or window locations, or size of a building are not altered you do not need a permit to replace cladding or shingles/roofing materials. However, any structural alterations—such as changes to posts, beams, joists, roof structure, wall openings, or adding/removing any part of the building's framework—do require a permit, and so do solar panels installed on a roof.

Q: My **fence** is falling apart, and I want to rebuild it in the same place it has been for decades, just like it is built now. Do I need a permit to do that?

A: Yes, because... The fence may have been erected before permits were required and may be partially in a right-of-way or on a neighbor's property (not uncommon with old fences). It may also be constructed in a way that does not comply with the current standards. The cost of a fence permit is less than many single, pre-made fence panels.

Q: My **deck** needs repairs, consisting of some new treads on the steps, some new planks, and the replacement of handrails. Does this require a permit?

A: No - If it's a ground-level deck, and if no structural alterations or changes to the size are intended.

Structural alterations (changes to framing, supports) do require permits. A deck at second story or higher may also be subject to the state's building code requirements for any alterations. Please contact the County Building Codes office for additional information.

Q: I want to expand my concrete **driveway** a bit. Do I need a permit for that?

A: Yes. A Zoning Compliance Permit is needed to construct hard-surface parking anywhere on your property. If paving work is to be done in the right-of-way, a permit must be approved by the City Engineer. New gravel parking (residential only) also requires a zoning compliance permit and must be built to code design standards.

Q: I want to build a small **patio**. Does that require zoning approval?

A: Yes or No - depending on the materials, size, and location. Please call to inquire.

The City of Marquette's Land Development Code and Zoning Map are online here:
<https://www.marquettemi.gov/departments/community-development-old/zoning/>



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MEMORANDUM

TO: Planning Commission
FROM: Dave Stensaas, City Planner and Zoning Administrator
DATE: May 14, 2026
SUBJECT: Work Session – Land Development Code (LDC) Amendments for 2026

Staff and the Planning Commission will continue the recent work on potential amendments to the Land Development Code. Materials for the work session are included, but more content may be added to the draft amendments and presented at the meeting. This should be the last work session before a public hearing on the current raft of LDC amendments.

Land Development Code language for Discussion at the May 19, 2026, Planning Commission meeting

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

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

Example) H. Light Manufacturing

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

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

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

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

Amend the rest of these to clarify the exclusion of driveways and accessory parking areas from the calculation, as Article 9 already had a separate calculation.

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.

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

- (1) **Attached Accessory Buildings and Structures.** Where the accessory building or structure is structurally attached to a main building, it shall be subject to, and must conform to, all yard regulations of this Ordinance, applicable to main building.
- (2) **Location.** Detached accessory buildings or structures shall not be located in any required yard setback except as permitted in [Section 54.705\(A\)\(4\)](#).

PC Already approved change

- (3) **Maximum Lot Coverage.** Detached accessory buildings or structures (such as concrete or asphalt structures but excluding driveways and accessory parking areas – see [Article 9](#) for maximum rear yard coverage limits for driveways and accessory parking areas) shall not occupy more than twenty-five percent (25%) of a rear yard area, provided that in no instance shall the total ground floor area of the detached accessory buildings exceed the

ground floor area of the main building and provided the impervious surface coverage limits of the lot (see [Article 4](#)) are not exceeded.

- (a) If the main structure's footprint is less than 500 square feet at full build out, an accessory structure may exceed the ground floor area of the main structure (home) by up to 10 percent of the footprint area of the main structure. An accessory structure footprint may be increased to equal that of the main structure if the main structure is remodeled to more than 550 square feet.
- ~~(b) Patio pervious pavers that are used for accessory structures such as patios, sidewalks, etc. that allow infiltration are not included in the 25% calculation.~~

PC Already approved change

Accessory structures such as patios, sidewalks, stairs, decks, and similar features that allow water to infiltrate or do not have an impervious surface beneath, and are not covered by a roof or overhead covering that prevents water infiltration are excluded from the twenty-five percent (25%) rear yard area coverage limitation.

- (4) **Separation and Setback Distances.** No permanent accessory building or structure shall be located in a minimum front yard setback. No detached accessory building shall be located closer than five (5) feet to any main building nor closer than three (3) feet from a side or rear lot line, except swimming pools, which are regulated in [Section 54.707](#). Non-building accessory structures (e.g., fences and steps) or open buildings (i.e., a shelter without walls including an open lean-to or open carports) are not subject to the minimum separation distance requirements unless a minimum separation distance is required by the Building Official.
- (5) **Maximum Height.** Unless otherwise stated in this Ordinance, no attached or detached accessory building or structure in a the LDR, MDR, and M-U Districts shall exceed sixteen and one-half (16.5) feet in height. The height of Accessory Dwelling Units must comply with [Section 54.611](#).
- ~~(6) Shipping containers, cargo containers, or semi-trailers are prohibited as accessory structures.~~

PC Already approved change

- (6) Shipping containers, cargo containers, and semi-trailers shall not be permitted as accessory structures unless all of the following conditions are met:
 - (a) The structure is located within a Mixed-Use (M-U) Zoning District;
 - (b) The structure does not abut or adjoin a residential use; and
 - (c) A landscape buffer is installed in accordance with [Section 54.1003\(D\)\(3\)\(a\)\(i\)](#).

- (B) **Accessory Buildings and Structures in the Multiple Family Residential (MFR) District.** In the MFR District, accessory buildings and structures for multiple-family buildings and apartments with 5+ dwelling units must meet the requirements of

[Section 54.615\(C\)](#). For all other uses in the MFR District, the following requirements apply:

(1) Detached Accessory Buildings and Structures.

- (a) Maximum Height.** No detached accessory building or structure may exceed 16.5 feet in height.
- (b) Minimum Side and Rear Yard Setbacks.** Detached accessory buildings or structures for a duplex shall be located at least six (6) feet from the side and rear property lines, and for a single-family home shall be located at least (3) feet from the side and rear property lines. For all other uses in the MFR District besides multiple-family buildings and apartments, detached accessory buildings or structures shall be located at least ten (10) feet from the side and rear property lines.
- (c) Front Yard Location Prohibited.** No detached accessory building or structure shall be located in a front yard.
- (d) Maximum Lot Coverage.** Detached accessory buildings or structures **but excluding driveways and accessory parking areas – see [Article 9](#) for maximum rear yard coverage limits for driveways and accessory parking areas** shall not occupy more than twenty-five percent (25%) of a rear yard area, provided that in no instance shall the total ground floor area of the detached accessory buildings exceed the ground floor area of the main building and provided the impervious surface coverage limits of the lot (see [Article 4](#)) are not exceeded.
 - (i)** If the main structure’s footprint is less than 500 square feet at full build out, an accessory structure may exceed the ground floor area of the main structure (home) by up to 10 percent of the footprint area of the main structure. An accessory structure footprint may be increased to equal that of the main structure if the main structure is remodeled to more than 550 square feet.
 - (ii)** Pervious pavers that are used for accessory structures such as patios, sidewalks, etc. that allow infiltration are not included in the 25% calculation.
- (e) Separation and Setback Distances.** No detached accessory building or structure shall be located closer than five (5) feet to any main building. Non-building accessory structures (e.g., fences and steps) or open buildings (i.e., a shelter without walls including an open lean-to or open carports) are not subject to the minimum separation distance requirements unless a minimum separation distance is required by the Building Official.
- (f)** Shipping containers, cargo containers, or semi-trailers are prohibited as accessory structures

(2) Attached Accessory Buildings and Structures. Attached accessory building or structure shall meet the yard requirements of the Schedule of Regulations

[\(Article 4\)](#).

- (3) **Swimming Pools.** Outdoor swimming pools shall not be located closer than ten (10) feet to any building or lot line. The pool must comply with [Section 54.707](#).

(C) Accessory Buildings and Structures in General Commercial (GC), Regional Commercial (RC), Municipal (M), Civic (C), and Board of Light and Power (BLP) Districts.

(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) **Maximum Lot Coverage.** Detached accessory buildings or structures **but excluding driveways and accessory parking areas – see [Article 9](#) for maximum rear yard coverage limits for driveways and accessory parking areas** shall not occupy more than twenty-five percent (25%) of a rear yard area, provided that in no instance shall the total ground floor area of the detached accessory buildings exceed the ground floor area of the main building and provided the impervious surface coverage limits of the lot (see [Article 4](#)) are not exceeded
- (e) **Separation and Setback Distances.** No detached accessory building or structure shall be located closer than five (5) feet to any main building. Non-building accessory structures (e.g., fences and steps) or open buildings (i.e., a shelter without walls such as a pergola) are not subject to the minimum separation distance requirements unless a minimum separation distance is required by the Building Official.

(D) Accessory Buildings and Structures in the Central Business District (CBD) and Conservation and Recreation (CR) Districts.

(1) Detached Accessory Buildings and Structures.

- (a) **Maximum Height.** No detached accessory building or structure may exceed 18 feet in height.
- (b) **Minimum Side and Rear Yard Setbacks.** Detached accessory buildings or structures shall be located at least three (3) feet from the side and rear property lines.
- (c) **Front Yard Location Prohibited.** No detached accessory building or structure shall be located in a front yard.

- (d) **Maximum Lot Coverage.** Detached accessory buildings or structures **but excluding driveways and accessory parking areas – see [Article 9](#) for maximum rear yard coverage limits for driveways and accessory parking areas** shall not occupy more than twenty-five percent (25%) of a rear yard area, provided that in no instance shall the total ground floor area of the detached accessory buildings exceed the ground floor area of the main building and provided the impervious surface coverage limits of the lot (see [Article 4](#)) are not exceeded
- (e) **Separation and Setback Distances.** No detached accessory building or structure shall be located closer than five (5) feet to any main building. Non-building accessory structures (e.g., fences and steps) or open buildings (i.e., a shelter without walls such as a pergola) are not subject to the minimum separation distance requirements unless a minimum separation distance is required by the Building Official.

(E) Accessory Buildings and Structures in the Industrial/Manufacturing (I-M) District.

(1) Detached Accessory Buildings and Structures.

- (a) **Maximum Height.** No detached accessory building or structure may exceed 60 feet in height.
- (b) **Minimum Side and Rear Yard Setbacks.** Detached accessory buildings or structures shall be located at least ten (10) feet from the side and rear property lines. Please also refer to Section [54.403\(P\)](#) for additional setback standards.
- (c) **Front Yard Location Prohibited.** No detached accessory building or structure shall be located in a front yard. Exceptions may be granted for security or similar reasons.
- (d) **Maximum Lot Coverage.** Detached accessory buildings or structures **but excluding driveways and accessory parking areas – see [Article 9](#) for maximum rear yard coverage limits for driveways and accessory parking areas** shall not occupy more than twenty-five percent (25%) of a rear yard area, provided that in no instance shall the total ground floor area of the detached accessory buildings exceed the ground floor area of the main building and provided the impervious surface coverage limits of the lot (see [Article 4](#)) are not exceeded
- (e) **Separation and Setback Distances.** No detached accessory building or structure shall be located closer than five (5) feet to any main building. Non-building accessory structures (e.g. 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.

Amend the proposed structural amenity definition to remove patios and walkways; and add steps to the proposed exemption

Existing to be replaced

(227) Structural Amenity: A non-plant element such as outdoor art, paintings, sculpture, fountains and similar water features, benches, arbors, doghouses, playsets, birdfeeders, clotheslines, air conditioners, detached open structures, and similar amenities as determined by the Zoning Administrator, and which meets the requirements of [Section 54.702\(G\)](#).

(227) Structural Amenity: Amenities to a principal or accessory use of property that are not principal or accessory structures, including detached open structures such as arbors, trellises, benches, children's playsets, firewood storage racks; outdoor art and furnishings such as sculptures, fountains, manmade waterfalls; ~~patios and walkways~~, practical appliances such as air conditioners and pads, birdfeeders, basketball hoops, clotheslines, and similar amenities as determined by the Zoning Administrator, and which meets the requirements of [Section 54.702\(G\)](#).

Section 54.702 Permitted Encroachments into Required Yard Setbacks

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

(1) Permit and Exemptions. A permit is required for structural amenities unless it meets the following exemptions, and the structural amenities must meet the requirements of [54.702\(G\)](#):

- (a)** Enclosed structural amenities less than sixteen (16) square feet in floor area/footprint. Examples of such amenities include dog/bat/bird houses, treehouses, library boxes, and garden sheds.
- (b)** Open/Unenclosed structural amenities, such as children's playsets, and seasonal or collapsible temporary structures such as tents and similar shelters less than 160 square feet in floor area.
- (c)** Tents designed for temporary occupancy (14 days or less), used on private property with the property owners' permission.
- (d)** Patios, steps, and walkways that are 100 sq. ft. in area or less, and are made of pervious materials or designed/built to allow water infiltration.

Amend the code to allow for the Land Division Act changes to be effective in the future, fixing a typo, and adding some clarification.

Section 54.502 Land Division Regulations

- (A) **Purpose.** The City finds that this section is necessary to regulate the division and partitioning of parcels of land which are not subject to platting procedures and requirements, and to regulate division and partitioning of parcels located in recorded subdivisions. The purpose of this section is to enable the parcel owners in the City of Marquette to divide their parcels, including subdivision parcels as there is a legitimate question of law as to whether subdivision parcels can be split without a City ordinance to that effect. This section shall promote the public health, safety, and general welfare by regulating the division of parcels so that the resulting partial parcel owners and neighboring parcel owners shall not be adversely affected by undersized parcels of land or illegal parcel splits. This section is created pursuant to Public Act No. 110 of 2006 (MCL 125.3101 et seq.) and Public Act No. 288 of 1967 (MCL 560.101 et seq.), as amended. This section of the Land Development Code shall be considered the ordinance referred to in Section 109(5) of Public Act No. 288 of 1967 (MCL 560.109(5)) which have been adopted to carry out the provisions of Act No. 288.
- (B) **Definitions.** In addition to the definitions in [Article 2](#), related terms defined elsewhere in the Land Development Code, and Public Act 288 of 1967 (Land Division Act), the following definitions apply to this Section:
- (1) **Division or Split:** The partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns for the purpose of sale, or lease of more than 1 year, or of building development that results in 1 or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of this Ordinance and Public Act No. 288 of 1967 (MCL 560.101 et seq.), as amended. The term "division" does not include a property transfer between 2 or more adjacent parcels, if the property taken from 1 parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this Ordinance.
 - (2) **Exempt Split:** The partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns that does not result in 1 or more parcels of less than 40 acres or the equivalent. For a property transfer between 2 or more adjacent parcels, if the property taken from 1 parcel is added to an adjacent parcel, any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this Ordinance.
 - (3) **Subdivide or Subdivision:** The partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns for the purpose of sale, or lease of more than 1 year, or of building development that results in 1 or more parcels of less than 40 acres or the equivalent, and that is not exempted from the platting requirements of Public Act No. 288 of 1967 (MCL 560.101 et seq.), as amended. "Subdivide" or "subdivision" does not include a property transfer between 2 or more adjacent parcels, if the property taken from 1 parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site

unless the parcel conforms to the requirements of this Ordinance or Public Act No. 288 of 1967 (MCL 560.101 et seq.), as amended.

- (C) Scope of Regulations.** Parcels in the city shall not be divided without prior review and approval by the City Assessor, or other official designated by the City Commission, upon consultation with the Zoning Administrator, in accordance with the provisions of this section, unless the division or partition is approved and a part of a recorded plat, pursuant to Public Act No. 288 of 1967 (MCL 560.101 et seq.), or unless such division or partition is approved pursuant to the Condominium Act, Public Act No. 59 of 1978 (MCL 559.101 et seq.). Exempt from the requirements of this section are parcels split through a Circuit Court action under MCLA 560.221 through 560.229.
- (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. **For the initial application submittal, A a** tentative parcel map is only allowed to be submitted if there are no structures or improvements on the parcel.
 - (4) Legal Descriptions.** A legal description of existing parcels of land involved in the proposed land division. Tentative approval may be granted without formal legal descriptions of all parcels that would result from the requested division of land, but legal descriptions must be received before final approval is granted. The legal descriptions shall be in a form sufficient for recording with the Marquette County Register of Deeds, and shall indicate the acreage of all parcels.
 - (5) Deed Restrictions.** Copies of existing or proposed deed restrictions related to the proposed parcels.
 - (6) Proof that Land Division Standards are Met.** Proof that all requirements of [Section 54.502\(F\)](#) of this section have been met.
 - (7) History of Prior Divisions.** History of any prior parcel splits regarding this parcel.

(8) Fee. The fee as ~~may from time to time~~ be established by resolution of the City Commission.

(E) Procedures for Review and Approval.

(1) Application Review. Upon receipt of a land division application and all other supporting documents, the City Assessor, or other official designated by the City Commission, upon consultation with the Zoning Administrator, shall approve, approve with reasonable conditions to assure compliance with this article, or disapprove the parcel split within 45 days after receipt of the complete application package. The applicant shall be sent notice of the decision in writing within the 45 days and, if disapproved, the reasons for the denial. If the application package does not conform to the article requirements, the application may be returned to the applicant for refile. If the land division application meets the requirements of this Ordinance but includes a tentative parcel map instead of a survey, the land division application shall be approved with conditions within 45 days with the condition that a survey must be submitted for City review and confirmation with Ordinance standards prior to recording the land division survey with the Marquette County Register of Deeds.

(2) Appeals. Any applicant aggrieved by the decision of the Assessor, or designee, may, appeal the decision per [Section 54.1404](#).

(3) Record of Applications and Decisions. The City Assessor, or other official designated by the City Commission, shall maintain an official record of all parcel splitting applications and decisions.

(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:

(1) Number of Divisions for Non-Platted Parcels. The number of parcels created by a land division shall not exceed the amount specified by Section 108 of the Land Division Act (MCL 560.108). Accordingly, a proposed land division, together with any previous divisions of the same parent parcel or parent tract, shall result in a number of parcels not more than the sum of the following:

(a) For the first ten (10) acres, or fraction thereof, in the parent parcel or parent tract: four (4) parcels; beginning March 24, 2027, this limit shall increase to ten (10) parcels.

(b) For each whole ten (10) acres in excess of the first ten (10) acres in the parent parcel or parent tract: one (1) additional parcel, for up to a maximum of 11 additional parcels.

(c) For each whole 40 acres in excess of the first 120 acres in the parent parcel or parent tract: one (1) additional parcel.

(d) If the parent parcel or parent tract is 20 acres or greater, the land division may result in a total of two (2) additional parcels, provided, one or both of the following

conditions exist:

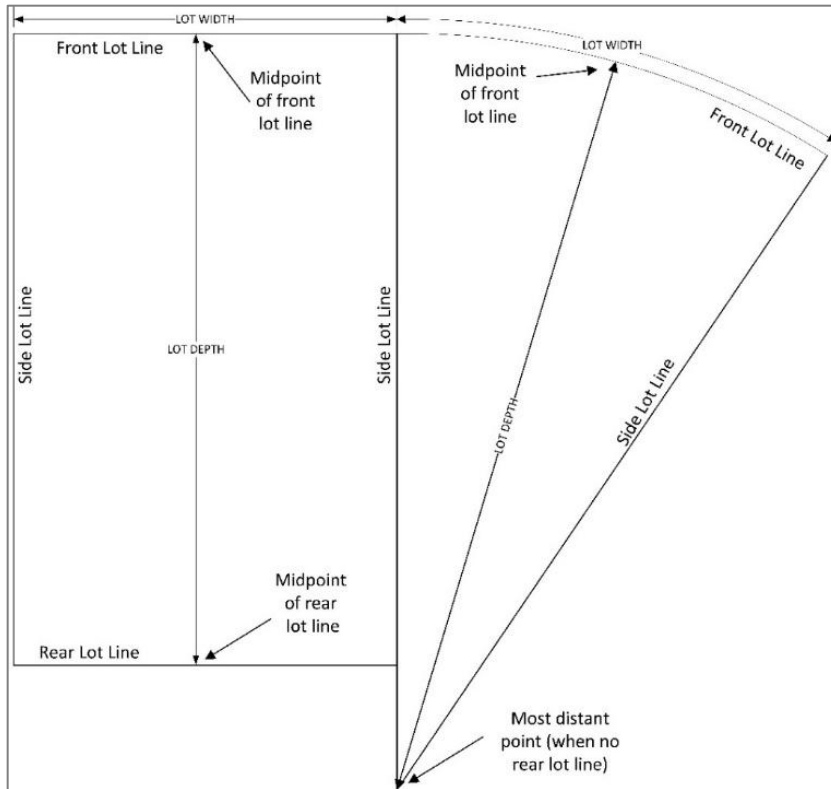
- (i) Because of the establishment of one or more new roads, no new driveway access to an existing public road is required or created for any of the resulting parcels.
- (ii) One of the resulting parcels comprises not less than 60% of the area of the parent parcel or parent tract.
- (e) A parcel of 40 acres or more created by the division of a parent parcel or parent tract shall not be counted toward the number of parcels permitted, and is not subject to Section 109 of the Land Division Act (MCL 560.109).

(2) Additional Future Divisions for Non-Platted Parcels. A parcel or tract created by an exempt split or a division is not a new parent parcel or parent tract and may be further partitioned or split without being subject to the platting requirements of the Land Division Act if all of the following requirements are met:

- (a) Not less than ten (10) years have elapsed since the parcel or tract was recorded.
- (b) The partitioning or splitting results in not more than the following number of parcels, whichever is less:
 - (i) Two (2) parcels for the first ten (10) acres, or fraction thereof, in the parcel or tract, plus one (1) additional parcel for each whole ten (210) acres in excess of the first ten (10) acres in the parcel or tract.
 - (ii) A total of seven (7) parcels, except that a total of ten (10) parcels may result if one of the resulting parcels under this subsection comprises not less than 60% of the area of the parcel or tract being partitioned or split.
 - (iii) The partitioning or splitting satisfies the requirements of Section 109 of the Land Division Act (MCL 560.109).

(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 surrounding lands.

Figure 34. How to measure Lot Depth and Width



(4) Zoning Requirements for Non-Platted Parcels. All parcels created as a result of a division of land shall comply with all applicable zoning requirements, including minimum lot area, lot width, public road frontage and parking requirements. Each parcel created as a result of a division of land shall be “accessible” (see definition of “Accessible” in Public Act 288 of 1967, as amended). A parcel that is smaller in area than currently required by this Ordinance shall not be divided further. Notwithstanding such requirements, land division proposals may be approved in the following circumstances:

- (a) When the proposed division of land would reduce the degree of existing nonconformity with zoning standards; or
- (b) When the division of land is proposed with the intention of immediately combining portions of the original parcel with additional land for the purpose of creating a new parcel, provided the new parcel is in compliance with this Ordinance or reduces the degree of nonconformity with zoning requirements.

(5) Division of Land in a Recorded Plat. A subdivision parcel, outlot, or other parcel of land in a recorded plat may be divided pursuant to the requirements of this section only if such parcel, outlot, or other parcel meets all of the following requirements:

- (a) No parcel in a recorded plat shall be divided into more than four (4) parts.
- (b) No resulting parcel shall be less than those dimensions prescribed in this Ordinance.
- (c) All resulting lots shall abut a public road or an existing private road on a recorded plat map.

- (d) In the event that one or more of the four (4) possible resulting parcels would be an addition to an adjoining subdivision parcel, without creating a new parcel, the width and area requirements of this Ordinance do not have to be met. The resulting parcel cannot be split off from the adjoining parcel as a separate parcel. See definitions of “Division,” “Exempt Split,” and “Subdivide or Subdivision” in [Section 54.502\(B\)](#) for property transfers between two (2) or more adjacent parcels.
- (G) **Enforcement.** The City Assessor or other designated official shall inform the grantors and grantees of any such violation of this section and these parties shall take immediate steps to correct the matter. In the event that the violation of this section is not corrected within 30 days after written notice is mailed or personally delivered, the violation may be punished as a municipal civil infraction in accordance with [Article 15](#)
-

Amend per the PC discussion at the February 3, 2026

Section 54.905 Parking Layout, Design, Construction, and Maintenance

- (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, however it shall not occupy more than 10% of the required parking lot spaces. 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](#).
-

Amend the Code for Mobile Food Vending Units. The Planning Commission has reviewed these sections once, and these proposed changes are per additional staff review.

New Section

Section 54.630 Mobile Food Vending Units (MFVU)

- (A) **Location.** MFVUs operating on private property shall be permitted only within an off-street parking lot serving an approved commercial land use located on the same zoning parcel, or within a shared parking lot that serves one or more approved commercial principal uses, and are prohibited within residential driveways or on parcels without an approved commercial principal use, unless otherwise expressly authorized by this Code. MFVUs shall operate only with the written permission of the property owner.
- (B) **Duration Limitations.** A parcel may be used for MFVUs as an accessory use for a total of not more than 120 days, whether consecutive or non-consecutive, in any rolling twelve (12) month

period. Any portion of a calendar day during which an MFVU is present on the parcel shall count as one (1) day toward the maximum duration. The 120-day limitation shall apply per zoning parcel, regardless of the number of MFVUs operating on the site. If the property owner seeks to exceed the duration limitation, the use may be permitted a longer duration upon approval of a Special Land Use by the Planning Commission. Prior to placement of an MFVU, the Zoning Administrator shall be notified in writing of the anticipated dates of operation/and or storage for purposes of monitoring compliance with the time limitations of this section. Hours of operation shall comply with the hours established by resolution of the City Commission, including any administrative allowances or extensions authorized therein.

(1) Additional Special Land Use standards:

- (i) Landscaping and Screening shall be provided in accordance with [Article 10](#) of this Code.
- (ii) Generator use for routine operations is prohibited. Electrical service shall be provided by the property owner in compliance with applicable building and safety codes.
- (iii) Refuse containers shall be provided on site and serviced regularly and meet City Code requirements.
- (iv) MFVU placement shall not impede pedestrian circulation, vehicular circulation, or ADA-compliant access routes.
- (v) Signage shall meet City Code.

(2) Exceptions:

- (i) An MFVU may be used to vend to consumers upon the same property as an operational restaurant without either a Special Land Use or Accessory Use permit.
- (ii) During special public events endorsed by the Downtown Development Authority and/or the City of Marquette, a licensed MFVU may vend to consumers on property adjacent to the event, with permission of the event organizers.

(C) Mobile Food Vending (MFVU) on Private Property – Accessory Use (day use only; no overnight parking). MFVUs that conduct sales on a site and are removed from the site each day shall obtain a Business License from the City Clerk’s office and must meet the parking requirements of [Section 54.903](#), and the duration limitations of [Section 54.630\(B\)](#), provided the use otherwise complies with the City Code and all applicable health, safety, and licensing requirements.

(D) Mobile Food Vending (MFVU) on Private Property – Accessory Use (overnight or long-term temporary use).

- (1) MFVUs that remain or stored overnight on a site where sales are conducted shall obtain a Zoning Compliance Permit in addition to a Business License from the City Clerk’s Office. Such

MFVUs shall comply with the parking requirements of [Section 54.903](#), and the duration limitations of [Section 54.630\(B\)](#), and all applicable provisions of the City Code and all applicable health, safety, and licensing requirements.

(E) MFVUs operating on private property shall maintain safe pedestrian and vehicular circulation and shall not obstruct access to required parking, loading areas, ADA-accessible routes, or emergency routes. If an MFVU is found to create circulation or safety hazards, the Zoning Administrator or Planning Commission, depending on the approval authority, may require relocation or removal of the unit.

(F) MFVUs shall meet all Federal, State and Local requirements.

Section 54.903 Minimum/Maximum Number of Parking Spaces

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

Land Use	Minimum/Maximum Parking Requirement (standards show the parking minimums unless stated)
(G) Retail Trade	
(3) Mobile Food Vending (MFVU) on Private Property – Accessory Use (overnight or long-term temporary use)	One (1) space for MFVU parking; plus one (1) space for patron orders/pick-up adjacent to MVU, unless a suitable location for patrons to order is provided.
(4) Mobile Food Vending (MFVU) on Private Property – Accessory Use (day use only, no overnight parking)	One (1) space for MFVU parking; plus one (1) space for patron orders/pick-up adjacent to MVU, unless a suitable location for patrons to order is provided.

The other sections of the code that discussed MVU that need to be amended.

Section 54.636 Outdoor Alcoholic Beverage Service

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

(2) Mobile Food Vending Units. Mobile Food Vending Units per ~~Chapter 35~~ of the City Code are not considered Outdoor Food and Beverage Service. Outdoor tables and chairs are considered Outdoor Food and Beverage Service, so if a mobile food vending unit proposed to add this to the site, then they must meet [Section 54.636](#) and submit a zoning permit for this use.

Section 54.637 Outdoor Food and Non-Alcoholic Beverage Service

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

(2) Mobile Food Vending Units. Mobile Food Vending Units per ~~Chapter 35~~ of the City Code are not considered Outdoor Food and Beverage Service. Outdoor tables and chairs are considered Outdoor Food and Beverage Service, so if a mobile food vending unit proposed to add this to the site, then they must meet [Section 54.637](#) and submit a zoning permit for this use.