

OFFICIAL PROCEEDINGS
MARQUETTE CITY PLANNING COMMISSION
MARCH 03, 2026

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00p.m. on Tuesday, March 03, 2026, in the Commission Chambers at City Hall. This meeting is also available as a video recording on the City's website.

ROLL CALL

Planning Commission (PC) members present (8): M. Rayner, J. Guter, N. Vermaat, D. Fetter, J. Fitkin, S. Lawry, Vice-Chair A. Wilkinson, Chair Kevin Clegg.

PC Members absent: None

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

AGENDA

It was moved by A. Wilkinson, seconded by J. Fitkin, and carried 8-0 to approve the agenda as presented.

MINUTES

The minutes were approved by consent, with a correction noted by D. Stensaas to the highlighted portion of the draft text.

CONFLICT OF INTEREST

Nobody stated a conflict.

CITIZENS WISHING TO ADDRESS THE COMMISSION ON AGENDA ITEMS

Madeleine Smerin, of 1412 Gray St., stated:

I'd like to share my experience growing native plants and food responsibly in the city. Some confusion I encountered trying to interpret and apply the temporary fence codes to protect my garden from deer. So, for context, my property, like many others around the city, is challenging for gardening. My backyard is deeply shaded in the summer, sloped, and unsuitable for gardening. So, as a result, I garden in my front and side yards. They largely fall within the right of ways, especially my front yard, which is 18.5' deep of right of way, so very limiting. Clear vision requirements also limit usable space on the corner, and I also experience very severe deer pressure in my area of town. Deer strongly prefer to eat native plants, and of course, many food crops, so when pressure is severe, no form of deterrent works. In order for me to succeed with gardening, I need to be able to exclude deer.

An effective deer exclusion needs to be at least 6' tall and ideally in place April through November. Last summer, after diligently studying the fencing and minor food production sections of code, I hung 6' chicken wire on removable fence posts around the perimeter of my garden, which I plan to remove at the end of the season. So based on the removable construction and the seasonal nature of the fence, I interpreted it as temporary and requiring no permit.

Despite acting in good faith to adhere to the code, I encountered the following issues: what I interpreted as temporary fencing was cited for needing a fence permit, I learned that even a temporary fence was not allowed to be placed in the right of way, and this is actually how I learned that most of my yard is the right of way. I learned that even a temporary fence acting as garden protection must be 4' or less in

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a front or side yard. When I shortened it to comply, it no longer excluded the deer. I believe it would benefit many residents who garden to clarify the temporary fencing code language and perhaps add a clear definition of wildlife exclusion fencing that is allowed to be 6' tall and placed where needed in conjunction with any compliant activity. I'm offering my experience as a case study for that, and I really appreciate you listening.

CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS

Chris Anderson, of 121 Dobson Place, I just recently started a fellowship with the LSCP. I'm more or less just introducing myself to the board. I work through CEDAM, but I am working with the fellowship for the next 15 months. Just wanted to say hi and that I would be sitting in and listening to what's going on in the city so I could potentially help in any way possible. Thank you very much for this.

TRAINING

A. Article – *Redesigning the Rules*, Michigan Planner (MAP), Nov.-Dec. 2025

K. Clegg asked if anyone had thoughts or comments on the article.

D. Stensaas said he has been thinking of how to incorporate universal design principles into the Land Development Code but doesn't yet have any specific ideas on how to do that, and would like input from the Planning Commission. He said staff have worked with the former Marquette Accessibility Group, led by David Boyd, and more recently have helped the Senior Center start a qualification process to become an AARP-designated age-friendly community. He said that design for the oldest and youngest is better for everyone, and that we can come back to the topic, particularly if there are any ideas on incorporating universal design concepts into the LDC.

K. Clegg said that he appreciated it and said that it wouldn't be Marquette's first foray into inclusive design, as Kids Cove Park was designed with that in mind. He said the park is well attended whenever he is there.

J. Guter said that in his experience as an architect and facilities designer, he has seen universal design as a movement in building design over the last two decades. He said the concept is good, and it takes more space, but the idea is that as you make things accessible to the people who need more, then it is accessible to everybody. He said he's not sure how it could fit into the LDC, but it's worth striving for.

S. Lawry said that it's not the Planning Commission's purview, but he would advocate that the City look into updating the engineering specifications for streets so that, as streets are rebuilt, it wouldn't hurt to install landing along steep streets like Third, which would bring them closer to compliance with federal codes. He also said that the fiberglass tactile bumps used on the curb ramps don't last as long as cast iron bumps, and when they need to be replaced, it makes the sidewalk inaccessible for some time. He said that he would like to see the City incorporate cast iron into their specifications. He said that there are curb ramps that use cast iron bumps on NMU's campus and they hold up well.

WORK SESSION ON REPORTS/PLANS/ORDINANCES

A. Land Development Code (LDC) Amendments

D. Stensaas asked if we should start with the fence issue that Ms. Smerin brought up. He explained that the handout he had provided to the members shows the property with aerial and street-level photos from Google, and showed these on the monitors. He explained that the property has two front yards and much

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of it is not private, but part of the right-of-way, and that the Planning Commission has no authority over right-of-way areas, and that they are governed by City policies. He also explained the fence diagram from Article 7 of the LDC and related that there were significant changes adopted to the fence portions of the LDC last summer that allow for much more ability to place 6-foot tall fencing in rear yard areas, but that the Planning Commission has repeatedly stated they don't want to allow 6-foot fencing in front yards. He explained that the LDC requires temporary fencing to comply with standards for each zoning district, and there are no carve-outs for gardens. He also said that "temporary fencing" could be amended to be clearer about what *temporary* means, and to allow for temporary 6-foot fencing to exclude animals, and that is what the Planning Commission needs to discuss.

The Planning Commission asked questions and discussed issues related to Ms. Smerin's inquiry for nearly twenty minutes. The consensus was that temporary fences designed and used for wildlife exclusion should be allowed in front yards during the gardening season. The Planning Commission requested that City Staff prepare draft text amendments that would facilitate the allowance of such temporary fencing, and include that with other draft code amendments to be presented in the near future.

A. Landers explained the proposed addition of text to exclude the diminution of a building from the meaning of "alteration" of a building in Figure 64, as it applies to site plan review that is required to be conducted by the Planning Commission, minor/administrative site plan review, and to add demolition and diminution of non-residential and multi-family residential buildings to Fig. 64 as activities requiring zoning compliance permits. She also explained the draft text amendment recommendations for section 54.1401(B) to clarify alterations to buildings that require zoning permits, and to section (D) for the correction of an error, and to strike the Office and Retail categories from Figure 29 to match the intent for no minimum parking standards for those categories as shown in Figure 28.

The Planning Commission agreed to the changes by consent.

COMMISSION and STAFF COMMENTS

D. Fetter wished everyone a happy Lunar New Year and said that the discussion was good today.

A. Landers said that there is a case that will be on the agenda for the March 17th meeting.

D. Fetter thanked Ms. Smerin for her comments and said that she is excited to see draft changes to the temporary fence portions of the Land Development Code. She also said that it was good to see the strong community support in the search for the missing young man.

J. Fitkin said that she is excited to see where the temporary fence discussion goes and thanked Ms. Smerin for bringing it up.

A. Landers said there will be a public hearing on March 17th.

Chair K. Clegg thanked Ms. Smerin for her comments and said that it would help to make the Code better for everyone in the city.

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ADJOURNMENT

Chair K. Clegg adjourned the meeting at 6:55 p.m.

David Stensaas

Prepared by A. Cook, Administrative Assistant (transcription), and D. Stensaas, Planning Commission Staff Liaison (transcription and editing).