1 Introduction to Form-Based Code

The **SOUTH MARQUETTE WATERFRONT FORM-BASED CODE** (also referred to herein as the CODE) is a legal document that regulates land-development within the **SOUTH MARQUETTE WATERFRONT FORM DISTRICT** (also referred to herein as "FORM DISTRICT") through standards and controls related to building form and placement. FORM DISTRICT regulations govern the design framework of the built environment and public areas while employing more flexible requirements relative to building USE and density. This flexibility allows for dynamic change in USES over time as the needs of the community and marketplace evolve, while creating a more predictable physical environment.

The CODE uses clear and simple graphics for the building envelope, including HEIGHT, SITE LAYOUT, and building elements that define the public spaces; and incorporates broad guidelines for USE.

1.1 Establishment of the Form District

The proposed FORM DISTRICT is roughly bounded by Lake Superior/Marquette Bay on the east, Champion and Division Streets on the west, the U.S 41 bypass to the north and Furnace Street to the south. (See the REGULATING PLAN on p. 7 for specific boundaries) Boundaries indicated as approximately following platted parcel lines shall be construed as following the parcel lines. Boundaries indicated as following natural features or shorelines shall be construed as following those features or shoreline, and in the event of change in either shall be construed as moving with the feature or shoreline. Projections from the shoreline into water areas shall be subject to the regulations pertaining to the land at the shoreline.

1.2 Foundations for the Code and relationship to Comprehensive Plan

The standards provided in this CODE were built on community input received during the Community Participation Design Workshop held on November 3, 2007, as well as principles of Traditional Neighborhood Design and Smart Growth, and are consistent with many of the principles outlined in the **CITY OF MARQUETTE COMMUNITY MASTER PLAN of 2004**. See APPENDIX B & C for a complete listing of these core principles and Community Workshop results.

1.3 Intent

The standards outlined in this CODE assert the following principles that facilitate the vision of this community:

- **A.** Communities should be designed to reestablish and reinforce the public domain
- **B.** Districts must exhibit human scale
- **C.** Neighborhoods must be diverse in USE and population
- **D.** Form must derive from historic context, yet be sensitive to natural features and climatic conditions

These principles result in strategies that retain distinctive traditional form, reduce negative environmental impact, support transit and pedestrian environments, reduce auto dependence, encourage adaptive reuse and investment, ensure compatibility of development between USES and SUB-DISTRICTS, and create more affordable and sustainable neighborhoods. These principles embrace the idea that pedestrians are the catalyst for meaningful communities. Without pedestrians, our common areas are simply obstructions to the car and not focal points for community. Districts in which COMMERCE and CIVIC USES are integrated with homes and job opportunities create growing independence for those populations who don't have access to cars. This CODE is designed to create development that reinforces the public domain without sacrificing the diversity of character of individual buildings, and to reintroduce the pedestrian within a mixed-use, compact neighborhood setting. The CODE will accommodate modern activities without sacrificing the timeless traditions of human scale and character of place.

This is a district which has traditionally included a variety of transitioning RESIDENTIAL, COMMERCIAL and INDUSTRIAL USES. This provides the background context for this CODE. The goal of this CODE is to promote development that is compatible in context and character with traditional urban neighborhood centers, and is consistent with community vision and goals. The **SOUTH MARQUETTE WATERFRONT FORM-BASED CODE** is designed to foster sustainable infill redevelopment in a vibrant, mixed-use, pedestrian-friendly pattern that encourages diverse and compact development.

The CODE promotes a lively pedestrian environment by allowing for small businesses and other COMMERCIAL USES at the street level, and encouraging upper STORY residences and offices that overlook public space. **BUILDING FORM STANDARDS** encourage high quality buildings that respect their urban context. This CODE prescribes design principles that are compatible with northern climates, demonstrate environmental responsibility, and integrate open space within the built environment.

1.4 Conformance with Form District Regulations

The FORM DISTRICT regulations apply only to new construction and development, including expansions. Structures in existence prior to the effective date of this CODE shall not be required to meet the standards created herein until any of the following conditions occurs.

No building, structure, or land shall be subdivided, erected, converted, enlarged, reconstructed, moved, or structurally altered except in conformity with the regulations contained in this CODE and in conformity with the area requirements (including HEIGHT restrictions) of the FORM SUB-DISTRICT in which the property is located. Lots created after the effective date of this CODE shall meet the requirements of the applicable FORM SUB-DISTRICT.

Prior to the issuance of any building or site construction permit, a determination of conformance with these regulations shall be made by the Zoning Administrator. Where there is doubt concerning the interpretation of the provisions of this CODE, the decision of the Planning Commission shall prevail, subject to appeal. Wherever there appears to be a conflict between the **SOUTH MARQUETTE WATERFRONT FORM-BASED CODE** and other sections of the **MARQUETTE CITY ZONING ORDINANCE**, the requirements specifically set forth in the SOUTH MARQUETTE WATERFRONT FORM-BASED CODE shall prevail. For development standards not covered by the SOUTH MARQUETTE WATERFRONT FORM-BASED CODE, the other applicable sections in the MARQUETTE CITY ZONING ORDINANCE shall be used as the requirement. Relief from the standards in this Ordinance can be obtained only through the Board of Zoning Appeals. Any elements located on the public right of way require a license from the City of Marquette.

1.5 Appeals

Deviations from the Building Form Standards can be approved only through a variance process as provided for in section 80.64.4.B of the **MARQUETTE CITY ZONING ORDINANCE.**

All questions of interpretation and enforcement of this ordinance shall be first presented to the Zoning Administrator, and such questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the

Administrator. Recourse from the decisions of the Board of Appeals shall be to the courts as provided by law and particularly by Section 601 of Act 110 of 2006.

1.6 Components of the South Marquette Waterfront Form-Based Code

The primary components of the CODE are: the REGULATING PLAN; DISTRICT-WIDE GUIDING PRINCIPLES (including parking requirements); SUB-DISTRICT STANDARDS (including illustrated BUILDING FORM STANDARDS, STREETSCAPE PRINCIPLES, SITE LAYOUTS, and Uses); and DEFINITIONS. These components are explained below.

1.6.1 The REGULATING PLAN

A. Building on the public participation workshop, a REGULATING PLAN has been produced for the **SOUTH MARQUETTE WATERFRONT FORM DISTRICT.** (See Section 3)

B. The REGULATING PLAN is the coding key for the FORM DISTRICT and serves as a public space master plan referring the reader to specific information on prescribed development for each SUB-DISTRICT within the district.

C. SUB-DISTRICTS reflect unique context, locational considerations, and desired future form and function of the public realm.

1.6.2 GUIDING PRINCIPLES AND STANDARDS

This section includes both general advisory principles and prescriptive standards, both of which apply to the entire FORM DISTRICT and address topics such as connectivity and access; streets, BLOCKS and ALLEYS; buildings; streetscapes; and parking requirements. (See Section 4)

1.6.3 SUB-DISTRICT STANDARDS

The SUB-DISTRICT STANDARDS illustrate and explain the BUILDING FORM STANDARDS, STREETSCAPE STANDARDS, and SITE LAYOUT for all development within the FORM DISTRICT. Relationships between each lot and public spaces (STREET-SPACE, open space, PEDESTRIAN PATHWAYS, etc.) are prescribed.

A. BUILDING FORM STANDARDS

1. The intent of the BUILDING FORM STANDARDS is to shape the specific physical form and functional character of the built environment within the FORM DISTRICT in order to frame the STREET-SPACE in accordance with community goals. The standards are designed to reflect the minimum level of control necessary to accomplish this intent.

2. The BUILDING FORM STANDARDS establish basic parameters governing building form, including the envelope for building placement (in three dimensions) and certain permitted/required building elements, such as window and door openings, PORCHES and STOOPS, balconies, and STREET WALLS. The BUILDING FORM STANDARDS establish both the boundaries within which development may occur and specific elements that may or shall be present. The applicable standard for a building is determined by its SUB-DISTRICT, as identified on the REGULATING PLAN. This produces a coherent STREET-SPACE and allows the building greater latitude behind its street FACADE.

B. STREETSCAPE STANDARDS

1. The purpose of the STREETSCAPE STANDARDS is to define coherent STREET-SPACE and to assist owners and builders in understanding the relationship between the public space and their own building/lot. These principles describe the parameters for the placement of STREET TREES and other public space amenities (e.g., benches, signs, STREET LIGHTS, etc.) on or near each building site. The prescribed

general physical characteristics of the STREET-SPACE are intended to establish a safe, environmentally responsible, pedestrian-friendly environment. The STREETSCAPE STANDARDS illustrate typical configurations for streets within the FORM SUB-DISTRICTS. Vehicular traffic lane widths, curb radii, sidewalk and tree planting area dimensions, and on-street parking configurations are addressed.

2. The STREET-SPACE is designed to balance the needs of all modes of transportation, including motorized and non-motorized, and to ensure maximum mobility and access. While all streets must appropriately balance multimodal transportation needs, street character will vary within each SUB-DISTRICT. Some streets will accommodate a large volume of fast-moving traffic and provide a more active and intense urban pedestrian experience while other streets will provide a less active and more intimately scaled STREET-SPACE.

C. SITE LAYOUT

1. The SITE LAYOUT section assists owners and builders in understanding the relationship between the public space and their own building/lot, and how primary and secondary structures and parking can be configured within each SUB-DISTRICT. Illustrations identify the parameters for the placement of STREET TREES and other public space amenities (e.g., benches, signs, STREET LIGHTS, etc.), and detail typical corner and inner lot layouts from an overhead view.

D. USE

1. See definitions and SUB-DISTRICT pages for uses permitted by right.

2. See APPENDIX D for USES permitted with a CONDITIONAL USE permit and USES subject to appeal.

1.7 DEFINITIONS

Some words in this Code are applied in a more specific way than typical common usage, and have been defined herein. Wherever a word is in SMALL CAPS FORMAT, consult DEFINITIONS (APPENDIX A) for the specific meaning. Words used in the **SOUTH MARQUETTE WATERFRONT FORM DISTRICT CODE** but not defined therein shall have the meanings set forth in the **MARQUETTE CITY ZONING ORDINANCE**.

1.8 Approval Process

In order to obtain zoning compliance approval for construction within the boundaries of this district, an applicant shall follow the process outlined in section 80.62 of the City of Marquette Zoning Ordinance, however, Planning Commission review and approval is not necessary unless otherwise required by this code.

1.9 How to Use this Code

There are two basic steps to understand what the code prescribes on property within the **SOUTH MARQUETTE FORM DISTRICT**. The CODE will prescribe building placement, the parameters for its three-dimensional form, both required and allowed architectural/functional elements, and the range of allowable USES. Following are the steps to follow in using this code:

A. Look at the REGULATING PLAN. This plan identifies six (6) SUB-DISTRICTS within the **SOUTH MARQUETTE WATERFRONT FORM DISTRICT**. Find the property in question. Note the color of the SUB-DISTRICT—this determines the applicable BUILDING FORM STANDARD, STREETSCAPE STANDARDS and STREET TYPE SPECIFICATIONS for each property. (See REGULATING PLAN key for guidance)

B. Find the appropriate BUILDING FORM STANDARD (BFS) page in the CODE (color coded to match the regulating plan). The BFS explains the basic parameters for building on a particular site in terms of HEIGHT, SITE LAYOUT, elements, and USE.

C. See SUB-DISTRICT STREET TYPE SPECIFICATIONS for illustrations of general parameters pertaining to the street space.

D. Check the GUIDING PRINCIPLES AND STANDARDS in Section 4 for conformance with all general principles including parking requirements.

2 General Introduction to the Sub-Districts

See REGULATING PLAN in Section 3 for boundaries.

2.1 Traditional Neighborhood-Residential (TN-R)

RESIDENTIAL development is the primary focus of this SUB-DISTRICT—generally traditional, 2 STORY, single family homes on small lots. It is important to the community to preserve this pedestrian-friendly, compact neighborhood type where homes are of similar scale and character.

2.2 Traditional Neighborhood-Commercial Residential (TN-CR)

In this SUB-DISTRICT, neighborhood-scale RETAIL and other COMMERCIAL USES exist in harmony with a variety of RESIDENTIAL forms. Buildings closely frame vibrant streets that are designed for pedestrian convenience.

2.3 Gateway Corridor-Mixed Use (GC-MU)

All SUB-DISTRICTS converge upon this lively, central SUB-DISTRICT which contains a variety of activities supported through gateway corridor development and crucial neighborhood intersections. Because of this centrality, it is important to enhance the connectivity of this SUB-DISTRICT to all others. Both regional-scale and neighborhood-scale activities are integrated with residences, creating a unique neighborhood environment. This SUB-DISTRICT provides the most opportunity for a variety of RESIDENTIAL forms including townhouses, apartments, housing over COMMERCIAL USE, and loft apartments. A wide variety of land uses including RETAIL, restaurants, office, CIVIC, COMMERCE, LIGHT INDUSTRIAL, and RESIDENTIAL are accommodated. The inclusion of pedestrian and non-motorized pathways and connections is of primary importance in positioning this SUB-DISTRICT as a mobility hub.

2.4 Waterfront-Mixed USE (W-MU)

This SUB-DISTRICT maintains, foremost, a connection with the public waterfront while serving as a link between Downtown and the South Marquette neighborhood. As such, development must respect, maintain, and enhance public access to the waterfront and be carried out in such a way to avoid negative impact on the environment. Development is compact and oriented to the pedestrian, and illustrates a moderately dense, urban form consistent with Downtown yet unique in the preservation of connected open space and view corridors.

2.5 Waterfront-Recreation Conservation (W-RC)

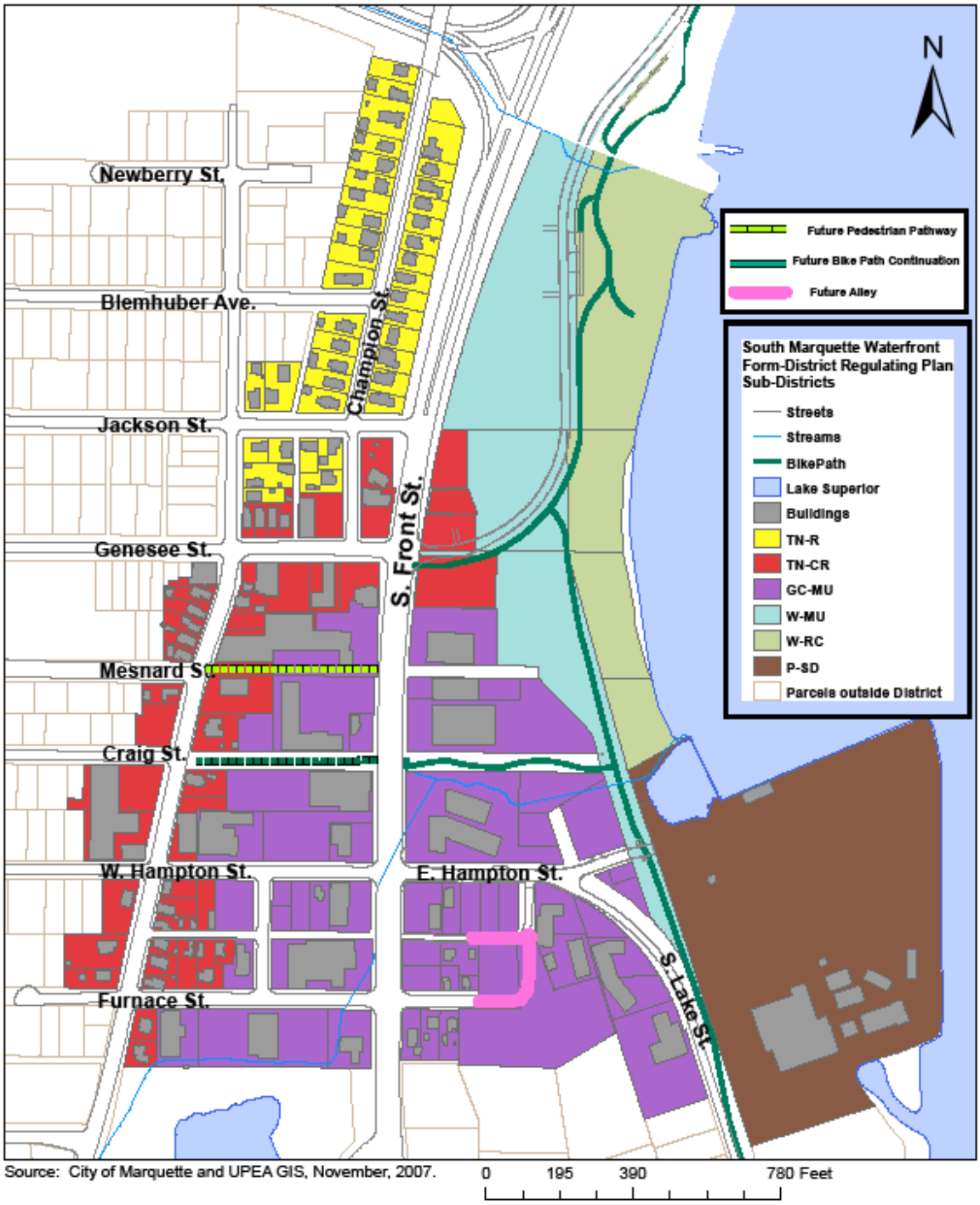
This SUB-DISTRICT exists for the specific preservation of public access to the Lake Superior waterfront, and provides for recreation and conservation activities.

2.6 Powerplant Special District (P-SD)

This SUB-DISTRICT consists of property currently owned by the Board of Light and Power, and at the time of redevelopment would be subject to planning commission review of form and use.

3 The Form District Regulating Plan

South Marquette Waterfront Form District
Regulating Plan: Sub-Districts



Source: City of Marquette and UPEA GIS, November, 2007.

0 195 390 780 Feet

4 District-Wide Guiding Principles and Standards

The South Marquette neighborhood reflects traditional neighborhood design principles which serve as the context and framework for this ordinance. The following sections outline the underlying principles and prescriptive standards that apply to the SOUTH MARQUETTE FORM DISTRICT as organized by topic.

4.1 General Layout and Orientation

4.1.1 Guiding Principles

A. The front FACADE REQUIRED BUILDING LINE exists within a prescribed zone defined by distance from the public right-of-way. In this way, building placement within each SUB-DISTRICT is coherent and agreeable, but not regimented to the degree that the effect is of a contrived, sterile, themed or highly planned development. This prescribed zone is based on the existing framework of a traditional urban neighborhood oriented to the pedestrian, and not a suburban environment oriented to motorized transportation.

B. New development in the SOUTH MARQUETTE WATERFRONT FORM DISTRICT should integrate street (roadway) design, public space, open space, the natural environment, and the built environment to create a complementary and connected pattern for efficient growth and development access.

C. Existing buildings are encouraged to incorporate onsite stormwater management techniques per current City of Marquette stormwater management design standards. The City of Marquette may reduce the monthly stormwater service charge for utilization of techniques that minimize storm water run-off unto the public space, which enters the public stormwater system.

D. Consideration should be given to adjusting the site layout to accommodate development occurring in harmony with and supportive of the natural environment or designed to mitigate harsh, winter conditions, thereby creating a more pedestrian supportive environment. Examples include: Provision of built or landscaped screens or buffers to control drifting snow and wind in OPEN AREAS to improve the pedestrian environment; SITE LAYOUT to best integrate passive solar and winter climate design; adjustments to provide open space to protect steep slopes; or integration of permeable pavement or other natural, on-site, stormwater control techniques in areas of intense surface run-off.

4.1.2 Standards

At the time of, and within, new or infill development:

A. Front and street setbacks necessary to comply with buffer requirements set forth in Section 4.7 shall supersede SUB-DISTRICT requirements.

B. Grading, removal of vegetative cover, and erection of new structures shall not be permitted within fifteen (15) feet, or as specified in other City ordinances, of a wetland, intermittent stream, or perennial stream in any SUB-DISTRICT. However, vegetative cover may be altered by substitution of vegetation more appropriate to a riparian buffer function upon submission of a buffer plan for staff approval. Turf grass does not qualify as appropriate vegetation.

C. All site plans for redevelopment or new construction shall include provisions for on-site stormwater management, per City of Marquette stormwater management design standards, using appropriate techniques such as rain gardens, green roofs, rain barrels collecting water for landscaping, or other bio-filtration methods to minimize storm water run-off into the public space and public storm water system.

4.2 Connectivity and Access

4.2.1 Guiding Principles

A. The CODE is intended to create and enhance a safe and welcoming pedestrian environment within a multimodal transportation network; to decrease dependence on the automobile; and improve streetscapes and connections to make walking and biking in the FORM DISTRICT easy, safe, convenient, and desirable.

B. This CODE embraces compact, traditional development patterns with street and SITE LAYOUTS offering multiple connections without cul-de-sacs or dead-ends.

4.2.2 Standards

At the time of, and within, new or infill development:

A. All non-RESIDENTIAL developments which provide automobile parking facilities shall provide bicycle parking facilities (racks) at a ratio of at least one (1) bicycle parking space for every five (5) automobile parking spaces. MULTI-FAMILY developments shall provide said facilities at a ratio of at least one (1) bicycle parking space for every five (5) MULTI-FAMILY units.

B. Where the traditional street grid is broken (see designation on REGULATING PLAN), pedestrian connections will be established through designated PEDESTRIAN PATHWAYS or a continuation of the City bike path (see regulating plan in Section 3). The area within a PEDESTRIAN PATHWAY shall be a public access easement or public right-or-way. Pedestrian pathways shown on the regulating plan are not considered to be established until the City of Marquette obtains the property.

C. Clearly defined, safe PEDESTRIAN SPINES shall be provided from adjacent public rights-of-way through off-street parking areas or front landscaping areas to non-RESIDENTIAL building entrances (at least one per site).

D. Proposed developments that create new streets shall place utility lines underground.

4.3 Streets, Blocks, and Alleys

4.3.1 Guiding Principles

A. The street is a coherent space, with consistent building placement and scale on both sides. Consistent standards ensure a cohesive and coherent street identity while allowing for individual variation.

B. Wherever possible, streets are narrow to encourage traffic calming techniques, but will accommodate on-street parking (except as prohibited on State highways).

C. Wherever practical (ie. upon redevelopment of streets or narrowing of travel lanes) bicycle accommodations should be added to streets to encourage multi-modal access.

D. Streets are lined with sidewalks and well placed trees and landscaping, and are fronted by PORCHES, balconies, and entries rather than garage doors and wide driveways.

4.3.2 Standards

At the time of, and within, new or infill development:

A. All lots shall be considered to be part of a BLOCK. No BLOCK face shall have a length greater than 400 feet without an ALLEY, common drive or access easement, or PEDESTRIAN PATHWAY providing through-access to another street, ALLEY or common access easement, STREET-SPACE, or conservation restricted land. Individual lots with less than seventy-five (75) feet of frontage are exempt from the requirement to interrupt the BLOCK face; those with over 250 feet of frontage shall meet the requirement within their lot, unless already satisfied within that BLOCK face.

B. Where shown on the REGULATING PLAN for the SOUTH MARQUETTE WATERFRONT FORM DISTRICT, ALLEYS shall be developed within the rear setback as part of a redevelopment project, and in accordance with the following:

1. ALLEYS shall be constructed to meet the City construction standards in order to be suitable for emergency and service vehicle access.
2. ALLEYS shown on the REGULATING PLAN represent suggested and approximate configurations. The specific configuration may include SHARED PARKING areas and other uses so long as reasonable service access is relatively unimpeded.
3. Where an ALLEY does not exist and is not feasible to construct at the time of redevelopment of any property, the applicant is required to maintain the area within the rear setback by, at a minimum:
    a) The placement of sod or seeding and provision of routine landscape maintenance to the area
    b) Keeping the area clear of debris, stored materials, vehicles, and structures.

C. This CODE prohibits the vacation or closure of currently functioning ALLEYWAYS and streets in the SOUTH MARQUETTE WATERFRONT FORM DISTRICT.

4.4 Buildings

4.4.1 Guiding Principles

A. Building form promotes diversity by accommodating flexible opportunities for a variety of RESIDENTIAL, COMMERCIAL, LIGHT INDUSTRIAL, and recreational uses.

B. Buildings oversee the STREET-SPACE with visually active fronts. For example, orientation of household gathering spaces (porches and entryways) is toward the front of the structure. This overview of the STREET-SPACE contributes to vital and safe public space and enhances the pedestrian environment.

C. Buildings frame the majority of the STREET-SPACE, and have FACADES that are closely related in orientation, position, and scale to exhibit an agreeable public space.

D. Preferred exterior building materials include concrete, masonry, tile, stone, and wood.

E. A variety of rooflines are encouraged to reduce the massive scale of large buildings and to complement the character of roofs with the FORM DISTRICT.

4.4.2 Standards

At the time of, and within, new or infill development:

A. Primary building entrances shall be oriented toward streets, parks and plazas, and not to the interior of BLOCKS or to parking lots and garages. Secondary entrances oriented toward parking lots are permitted.

B. Highly reflective exterior building materials, including but not limited to reflective glass and polished metal surfaces, are prohibited due to the undesirable blinding effect compounded by snow.

C. All lots shall share a frontage line with a STREET-SPACE. RESIDENTIAL layouts such as single-family cluster housing, urban townhouses, or apartment clusters shall be allowed to face an ALLEY, common courtyard, or public space provided no STREET-SPACE adjoins the building, but in general, primary ground floor RESIDENTIAL entries must orient to and be visible from the street, not to interior BLOCKS or parking lots.

D. Buildings larger than 25,000 square feet are required to go before the City of Marquette Planning Commission for a Site Plan Review in accordance with section 80.62 of the MARQUETTE CITY ZONING ORDINANCE.

E. Building FACADES are the public "face" of every building. For each BLOCK face within the SOUTH MARQUETTE WATERFRONT FORM DISTRICT, long FACADEs located along the REQUIRED BUILDING LINE (RBL) shall be divided into discrete FACADES every seventy (70) feet on average so as not to present one long, continuous FACADE. Individual infill projects on lots with frontage of less than 100 feet are exempted from this requirement.

F. The FACADE shall include a functioning, primary STREET-SPACE entry. The entry requirement may be satisfied through the use of liner shops (small shops with direct access onto the fronting sidewalk) wrapping large footprint buildings.

G. In no case shall the streetside FACADE of a building consist of a blank wall or an unbroken series of garage doors.

H. Building FACADES of COMMERCIAL, RETAIL, MULTI-FAMILY RESIDENTIAL and LIGHT INDUSTRIAL uses that exceed 100 feet in length measured along the street FACADE shall have variations in roofline or rooftop parapet to reduce the massive scale of the large buildings. Rooftop equipment shall be concealed behind parapets or screened from view by pedestrians.

I. All sides of a MULTI-FAMILY building facing a public street shall display a similar level of quality.

J. Drive-through service windows are permitted in the rear of mid-BLOCK and ALLEY accessed locations provided they do not substantially disrupt pedestrian activity or surrounding uses.

K. Accessory structures shall not be located in front of the primary building unless allowed in the individual SUB-DISTRICT STANDARDS.

4.5 Streetscape Requirements

4.5.1 Guiding Principles

A. Streetscape elements include both man-made and planted features within the STREET-SPACE that combine to create the character of the public domain. This includes travel lanes between the curbs as well as the sidewalks and planting strips. Public plazas and open space also contribute to the street space.

B. Street trees provide both form (canopy) and comfort (shade) to the STREET-SPACE. Native trees and plants efficiently contribute to the reduction of air and noise pollution, maintenance of natural habitat, the conservation of water, and stormwater management.

C. Regular spacing of street trees gives coherence to the streetscape, enhancing character.

D. Sidewalks should be designed to facilitate both clear access to the fronts of buildings and passage for pedestrians along the block.

E. The following street-type standards are designed to provide the necessary infrastructure to balance the needs of all multimodal forms of traffic, to maximize mobility, and to foster a character that is inviting to all users.

4.5.2 Standards

At the time of, and within, new or infill development:

A. The tree planting zone is located immediately adjacent to the curb and shall be continuous. In addition to the required planting of trees as covered below, this area may also be used for the placement of street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility as determined by the Planning Director.

B. STREET TREES shall be planted at an average spacing of no greater than 30 feet on the side(s) of the STREET-SPACE being developed (dependent on available right of way width).

C. Tree planting areas should be at grade (no raised or curbed planters) and maximize soil area to encourage healthy growth.

D. STRUCTURAL SOILS shall be installed under impervious surfaces in tree planting areas at the time of new construction or existing infrastructure replacement or repair.

E. Upon construction of a new residential structure, at least one tree will be provided on the lot per thirty-five (35) feet of street frontage, to be planted between the right-of-way and the RBL. Existing trees shall fulfill this requirement. Street trees do not fulfill this requirement.

F. The developer is required to install sidewalks and/or pedestrian spines, according to the appropriate Sub-District regulation, where none currently exist.

G. Crosswalks shall be designed in accordance with City of Marquette Engineering Department Standards.

H. Sidewalks and other PEDESTRIAN PATHWAYS AND PEDESTRIAN SPINES shall be separated from the roadway. This separation protects pedestrians from the spray of slush and water from passing cars.

I. When possible, a landscaped center median shall be incorporated on south Front Street within the **SOUTH MARQUETTE WATERFRONT FORM-DISTRICT** boundaries. This will help to visually soften the impact of the wide road, will serve as a pedestrian refuge, and will encourage traffic calming to accommodate pedestrian and bicyclist crossings from the surrounding neighborhoods to the Lake. This will also facilitate a connection of the existing City bike path on the east side of Front Street with the public access easement on the west side of Front Street.

J. Public sidewalks shall be constructed of concrete, located along both sides of all public streets, and have minimum widths of five (5) feet 4 inches.

4.6 Parking

4.6.1 Guiding Principles

Parking goals for the South Marquette District are:

A. Reduce fragmented, uncoordinated, inefficient, single-purpose reserved parking and encourage shared parking and access drives.

B. Reduce the number of large, open parking areas that create unpleasant, windswept spaces for pedestrians.

C. Reduce the amount of impervious surfaces that contribute to water pollution and/or excessive stormwater runoff.

D. Avoid nuisance impacts on adjacent neighborhoods by providing for efficient and adequate parking for all uses contained within the form-district.

E. Maximize on-street parking to increase pedestrian comfort by providing a buffer between the pedestrian and moving traffic, support commercial businesses, and provide residential visitor parking.

F. Incorporate convenient bicycle parking.

G. Conceal parking from the public street-space by locating the majority of parking beside or behind buildings.

H. Utilize smaller parking lots within a framework of vegetation to create a better microclimate for pedestrians, reduce stormwater run-off, and provide more opportunities for snow storage.

4.6.2 Standards

At the time of, and within, new or infill development:

A. A minimum of 1 and 1/8 parking space per residential unit, of which a minimum of 1/8 parking space per residential unit shall be provided as shared parking. There are no maximum limits on shared parking.

B. A minimum of one space per 1,000 square feet of non-residential Gross Floor Area (GFA) shall be provided as shared parking; there are no set maximum limits on shared parking. New on-street parking spaces created in conjunction with the development, which did not previously exist, may be counted toward the minimum requirement for shared parking. Any limitations on the shared parking (time limits or hours of the day) shall be subject to approval by the City Manager which shall be given upon a finding that at least 12 hours of public parking are provided in any 24-hour period and that at least 8 of those hours are provided during either business or nighttime hours, depending whether the City Manager determines that the primary public use will be for commercial or residential uses.

C. A maximum of one space per 1,000 square feet of non-residential GFA or two spaces per residential unit may be made available for reserved parking.

D. Parking requirements shall be met either on-site or within a 600 foot radius of the development parcel.

E. Parking shall be concealed in the center or rear of blocks or lots, or shall be hidden with walls or bermed landscape buffers of at least 50% opacity as specified in this Code.

F. Parking lots shall be designed to accommodate the requirements of snow clearing equipment.

G. Shared parking shall be designated by appropriate signage and markings as required by City policy.

H. The City of Marquette may reduce the monthly stormwater service charge for the use of permeable pavement and natural stormwater management techniques in parking areas.

I. Landscape screening, landscaping, and tree canopy requirements for surface parking areas as provided for in Section 4.7 of this Code's regulations shall be required upon construction of any new surface parking area, or will be required for any existing surface parking area when 50% or more of the lot is resurfaced.

4.7 Landscaping, Buffering, and Screening

4.7.1 Guiding Principles

A. Principles are intended to enhance the pedestrian environment, and to screen or buffer more intense uses from those of lesser intensity.

B. Deciduous trees should be planted on the southern face of a building or outdoor area. Such vegetation will provide cooling in the summer (when leaves are present), while still allowing sunlight to filter in during the winter (when leaves have fallen). Coniferous vegetation should be used on the north and west sides to protect the area from prevailing winter winds.

C. Plant species should be selected that offer attractive or useful winter characteristics such as twig color, fruit, or salt-tolerance (ie. serviceberry).

4.7.2 Standards

At the time of, and within, new or infill development:

A. Light industrial uses, including structure, loading and truck parking areas, and outdoor storage located within 200 feet of and having a common lot line with a residential use shall include a twenty-five (25) foot wide landscape buffer area with a minimum three (3) foot tall berm and trees (as specified in Appendix G) to at least a 50% opacity running along the entire property line that is adjacent to the residential use.

B. Parking lots that contain at least twenty (20) parking spaces shall incorporate landscaped islands of at least 200 square feet for every twenty (20) parking spaces. The minimum linear dimension of the landscaped area is five (5) feet. The alignment of large landscaped areas should consider the winter prevailing winds, staggering for maximum wind reduction and snow drift control. Square configurations should allow at least four (4) feet around the edge to allow for snow storage and protect central vegetation.

C. Buffer walls shall be of brick, stone, or other similar decorative material. Retaining walls shall not be considered as a fence or wall for the purpose of this Section.

D. Vehicle storage/parking (not including on-street parking), refuse collection, off-street loading, and mechanical equipment areas shall be located and screened so as not to be visible from adjacent public streets and RESIDENTIAL uses. Screening may be accomplished through the use of a fence at least 6 feet high with landscaping that at maturity will equal at least 4 feet high, or a wall constructed of materials compatible with the aesthetics of the principle structure.

4.8 Lighting

4.8.1 Guiding Principles

Principles are intended to reduce the amount of light illuminating the night sky and negatively affecting navigation on Lake Superior or excessively impacting residential areas.

4.8.2 Standards

At the time of, and within, new or infill development:

A. All exterior lighting, including free-standing, canopy, pole and building mounted, shall be fully shielded and directed downward with a seventy (70) degree cutoff to prevent off-site glare. Canopy lighting shall be fully recessed.

B. The intensity of light within a site shall not exceed ten (10) footcandles within any part of the site and one (1) footcandle at any property line, except where it abuts a Residential Use where a maximum of one half (0.5) footcandles is permitted.

C. The mounting height of fixtures shall not exceed sixteen (16) feet.

4.9 Winter Design Considerations

4.9.1 Guiding Principles

A. Whenever possible, use buildings or landscaped wind blocks to protect outdoor public and pedestrian spaces from prevailing winter winds.

B. Avoid creating public spaces for winter use in areas that are shaded from the sun.

C. Create transition areas at building entrances to provide patrons with an area to shed snow prior to entering the building.

D. Snow should be stored in a number of smaller sites, rather than one large area in order to speed up the melting process.

4.9.2 Standards

At the time of, and within, new or infill development:

A. All buildings shall be designed to minimize the shedding of snow and rain runoff unto the pedestrian portion of the street-space. This can be accomplished with proper building placement, design of roof pitch, placement of awnings or canopies, or the addition of roof elements directing wind beyond the pedestrian zone.

B. Handrails shall be provided for all public and private walkways that exist on slopes greater than 1:20.

C. All site plans for redevelopment or new construction shall provide for on-site snow storage and winter maintenance of pedestrian walkways and parking facilities.

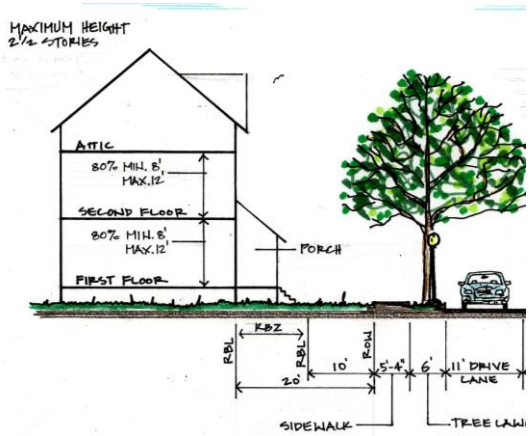
5 *Sub-District* Standards

5.1 Traditional Neighborhood-Residential (TN-R)

Intent	Representative Precedent/Character
The TN-R SUB-DISTRICT is intended to preserve the existing character of the traditional RESIDENTIAL neighborhood and to guide redevelopment in a manner which is consistent and compatible with this form. RESIDENTIAL character is reflected around a framework of well-connected, grid street systems with sidewalks, and the pedestrian environment is enhanced by compact development on small lots, and homes set relatively close to the street, with front PORCHES and clearly defined front entrances. This SUB-DISTRICT is intended to create and preserve viable and walkable neighborhoods and provide for all season non-motorized connections, especially important as this South Marquette neighborhood serves as a link between Downtown and neighborhood COMMERCIAL areas. The principles herein encourage pedestrian scale form with appropriate amenities such as pedestrian scale lighting, STREET TREES, and street widths applying traffic calming principles while accommodating on-street parking. Landscaping treatments that improve storm water management, manage winter micro-climatic conditions, and reduce wind chill are encouraged.	

Guiding Principles
RESIDENTIAL lots in this SUB-DISTRICT exhibit a distinctive, traditional pattern of placement of principal and accessory structures, their relationship to streets and ALLEYS, and provision for OPEN AREAS. The active, visual features of the residence will dominate the streetscape, and garages will be positioned behind the principal structure to reduce their visual impact. This configuration allows residents to keep a watchful eye on the street and creates a more human-scaled and less monotonous environment.

Building Form Standards



Building Height

1. The height of the building is measured in STORIES.
2. Each principal building will be at least 1 STORY in height, but no greater than 2.5 stories in height.
3. An additional TOWER STORY is allowed above the maximum building STORY HEIGHT, within the following parameters.
   a) The footprint of the tower shall not exceed 144 square feet.
   b) No horizontal FAÇADE dimension of the tower shall exceed 12 feet.
   c) STORY HEIGHT is the same as those for upper STORIES.
   d) No ATTIC STORY is permitted above a TOWER STORY.

Accessory Structure Height

Accessory buildings shall be no greater than 1.5 STORY or 14 feet, measured to the EAVE or top of parapet.

Ground Story Height

1. The average finished floor elevation shall be no less than 2 feet and no more than 5 feet above the exterior sidewalk elevation at the REQUIRED BUILDING LINE.
2. At least 80% of the GROUND STORY shall have an interior clear height (floor to ceiling) of at least 8 feet and the maximum STORY HEIGHT of the GROUND STORY is 12 feet.

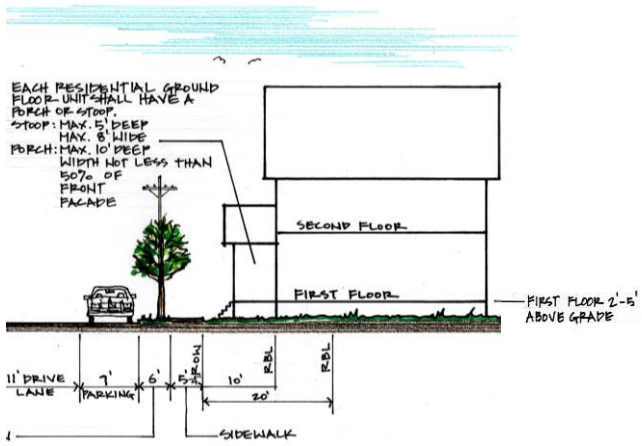
Upper Story Height

At least 80% of each upper STORY shall have an interior clear height (floor to ceiling) of at least 8 feet and the maximum STORY HEIGHT of each upper STORY is 12 feet.

Door and Wall Openings

1. Blank lengths of wall exceeding 20 linear feet are prohibited on all REQUIRED BUILDING LINES (RBL).
2. Door and wall openings shall comprise at least 20%, but not more than 75% of the FAÇADE.

Elements and Use



Building Projections

1. Balconies, bay windows and STOOPS shall not project closer than 5 feet to a common lot line or more than 5 feet beyond the RBL.
2. Each lot/unit shall include a STOOP of not more than 5 feet deep and 8 feet wide (plus steps) or a front PORCH a maximum of 10 feet deep and width not less than 50% of the front FAÇADE.
3. No part of any building except overhanging EAVES, balconies, bay windows, STOOPS and PORCHES as specified by the code shall encroach beyond the REQUIRED BUILDING LINE. No projections will encroach beyond the public right-of-way.

Doors/Entries

At least 1 functioning entry door(s) shall be provided along the GROUND STORY FAÇADE of each building and at intervals not exceeding 75 feet.

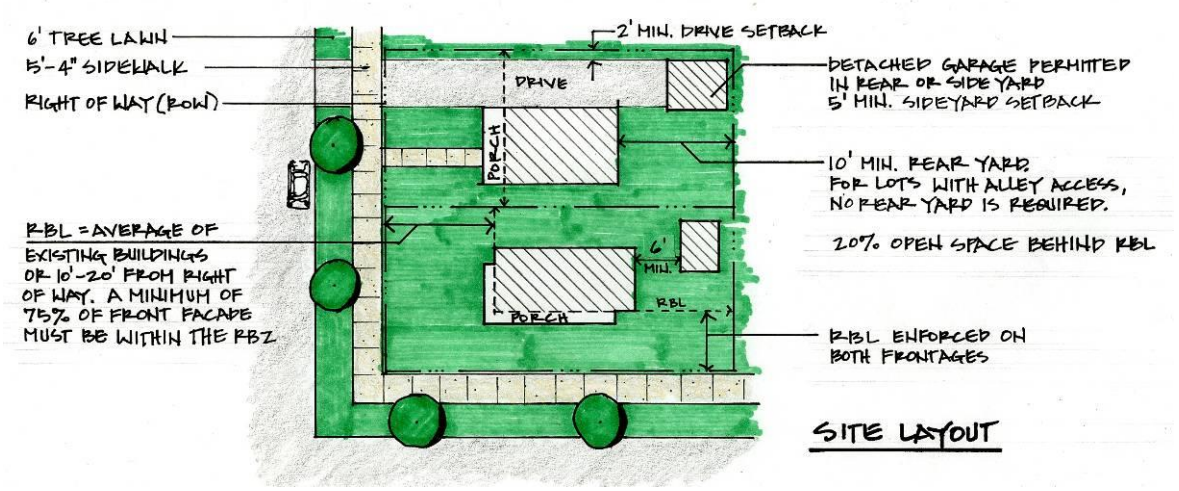
Permitted Uses

1. Permitted USES are RESIDENTIAL as defined by this CODE.
2. The GROUND STORY shall house RESIDENTIAL USES.
3. The upper STORIES shall house RESIDENTIAL USES.
4. Additional habitable space is permitted within attic and tower stories.

Fencing

1. A fence of not more than 50% opacity, wall, or hedge, not more than 48 inches in height, may be placed along the front and COMMON LOT LINES of the front yard.
2. A PRIVACY FENCE, maximum 6 feet in height, and otherwise conforming to the **MARQUETTE ZONING AND FENCE ORDINANCES**, may be placed along any rear and COMMON LOT LINES not surrounding the front yard or otherwise occupied by a building.
3. The height of the front yard fence, wall, or PRIVACY FENCE shall be measured from the adjacent public sidewalk or, when not adjacent to a sidewalk, from the adjacent ground elevation once construction is complete.

Site Layout



Building Placement

1. The REQUIRED BUILDING LINE (RBL) is the average of the front setbacks of existing principal buildings located on the adjacent 2 lots on both sides of the lot in question (provided they are in the same FORM DISTRICT and provided their setback doesn't exceed 20 feet from the right of way) or on a line that lies between a distance of 10 to 20 feet from the public right of way (within the RBZ).
2. Building FAÇADE shall be located parallel with the street and sidewalk.
3. The building FAÇADE shall be built to the RBL within 20 feet of a BLOCK CORNER (met on both frontages). The FAÇADE, within 7 feet of the BLOCK CORNER, may be chamfered to form a corner entry.
4. A minimum of 75% of the building FAÇADE must be located within the RBZ.
5. A minimum side yard of 5 feet is required.
6. A 10 foot minimum rear yard is required. However, no rear yard is required for lots with ALLEY access.

Buildable Area

1. A contiguous OPEN AREA equal to at least 20% of the total BUILDABLE AREA shall be preserved on every lot, at grade and behind the RBL.
2. Minimum lot area is 5,000 square feet, and maximum lot area is 12,000 square feet.

Multiple Family Buildings

1. There shall be a space between adjacent buildings of not less than 10 and not more than 20 feet.
2. See section 4.4.2E, discrete FACADES.

Accessory Structures (other than garages)

Accessory buildings shall be no closer than 6 feet (consult the State Building Code for construction requirements for setbacks of less than 10 feet between structures) from the principal building, or one another, and shall adhere to the minimum side and rear yards prescribed in this sub-district (see Building Placement).

Parking

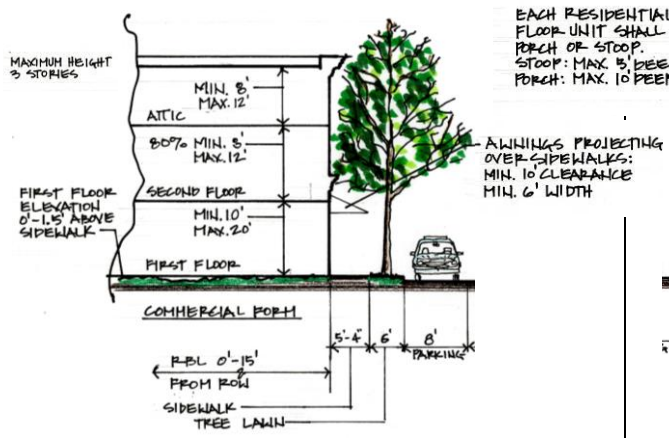
1. Parking is allowed only in a driveway, garage or in a driveway leading to a garage or rear yard. Tandem parking is permitted and encouraged in garages.
2. Garages may be sited in one of three ways—in the rear accessed from an ALLEY; in the rear accessed by a side drive; or to the side recessed behind the principal building FAÇADE by at least 8 feet.
3. Detached garages must be setback at least 20 feet from the principal building FAÇADE, must be at least 6 feet from the principal building (consult the State Building Code for construction requirements for setbacks of less than 10 feet between structures), and shall adhere to the minimum side and rear yard setbacks as prescribed in this sub-district (see Building Placement).
4. An attached, front loaded garage with access from the primary street may be used when there is no ALLEY access or where access to an ALLEY is infeasible based on a determination by Public Works.
5. Garages shall comprise no more than 50% of the total linear feet of the front FAÇADE of the principal building.
6. Garage entries or driveways shall be located at least 30 feet away from a BLOCK CORNER or another GARAGE ENTRY on the same BLOCK.
7. Garage entries shall have a height no greater than 10 feet and a width no greater than 16 feet.
8. Driveways shall be set back at least 2 feet from a common lot line.

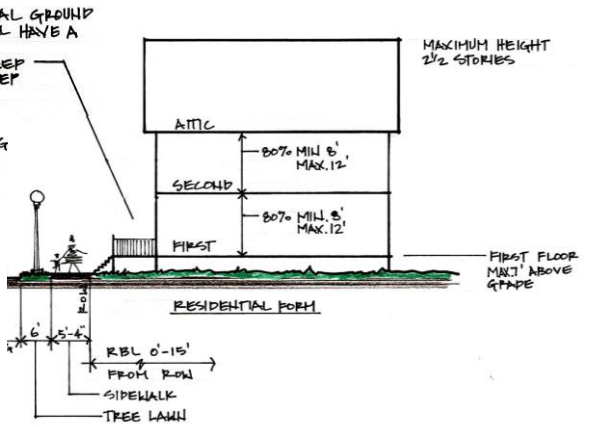
5.2 Traditional Neighborhood-Commercial Residential (TN-CR)

Intent	Representative Precedent/Character
The intent of the TN-CR is to promote the establishment of a mix of neighborhood-serving activities that effectively integrates RETAIL, office, institutional, and other non-RESIDENTIAL uses within RESIDENTIAL neighborhoods while preserving traditional neighborhood character. This integration of uses will promote shopping and service opportunities within the neighborhoods, and will accommodate non-motorized forms of transportation, including public transit. Development in this SUB-DISTRICT will provide for COMMERCE at a scale that is appropriate for nearby RESIDENTIAL areas, while placing primary importance on a safe and pleasing pedestrian environment. New development will be compatible within the context of traditional neighborhood form. COMMERCE is closely integrated with residences so as to encourage vitality and safety as residents keep eyes on the streets. Trees and vegetation are necessary to improve the pedestrian landscape and provide buffers from activity.	

Guiding Principles
Buildings in the SUB-DISTRICT are often narrow, closely spaced or attached, and built out to or near the street, preserving pedestrian scale and welcoming streetscapes. Design standards promote pedestrian scale form with appropriate amenities such as pedestrian scale lighting, STREET TREES, parks, and open spaces. Street widths facilitate traffic calming principles while accommodating on-street parking. On-street parking separates the pedestrian from traffic, and provides convenient access for businesses. On-site parking is located in the rear or on the side of the principal building.

Building Form Standards





Building Height

1. The building height is measured in STORIES.
2. Each principal building will be at least 1 STORY in height, but no greater than 3 STORIES in HEIGHT (COMMERCIAL USES) and 2.5 stories in HEIGHT (RESIDENTIAL USES).
3. An additional TOWER STORY is allowed above the maximum building STORY HEIGHT, within the following parameters.
   a) The footprint of the tower shall not exceed 300 square feet for commercial structures, and 144 square feet for residential structures.
   b) No horizontal FAÇADE dimension of the tower shall exceed 20 feet for commercial structures, and 12 feet for residential structures.
   c) STORY HEIGHT is the same as those for upper STORIES.
   d) No ATTIC STORY is permitted above a TOWER STORY.
4. Parking structures shall be limited to 3 stories in height or 40 feet, measured to the eave or top of parapet.

Accessory Structure Height

Accessory buildings shall be no greater than 1.5 STORY or 20 feet, measured to the EAVE or top of parapet.

Ground Story Height: Commercial Uses

1. The GROUND STORY finished floor elevation shall be equal to, or greater than the exterior sidewalk elevation in front of the building, to a maximum finished floor elevation of 18 inches above the sidewalk.
2. At least 80% of the GROUND STORY shall have an interior clear HEIGHT (floor to ceiling) of at least 10 feet contiguous to the REQUIRED BUILDING LINE frontage for a minimum depth of 25 feet, and a maximum STORY HEIGHT of 20 feet.

Ground Story Height: Residential Uses

1. The finished floor elevation shall be no more than 7 feet above the exterior sidewalk elevation at the REQUIRED BUILDING LINE.

Elements and Use

Ground Story Height, Residential Uses, continued

2. At least 80% of the GROUND STORY shall have an interior clear height (floor to ceiling) of at least 8 feet and a maximum STORY HEIGHT of 12 feet.

Upper Story Height: All Uses

At least 80% of each upper STORY shall have an interior clear HEIGHT (floor to ceiling) of at least 8 feet and a maximum STORY HEIGHT of 12 feet.

Mezzanines

Mezzanines having a floor area greater than 1/3 of the floor area of the STORY in which the mezzanine is situated shall be counted as full STORIES.

Door and Wall Openings

1. Blank lengths of wall exceeding 20 linear feet are prohibited on all REQUIRED BUILDING LINES (RBL).
2. Door and wall openings shall comprise at least 30%, but not more than 90% of the GROUND STORY FAÇADE area per STORY, and at least 20% but not more than 75% of the upper STORY FAÇADE area per STORY.

Building Projections

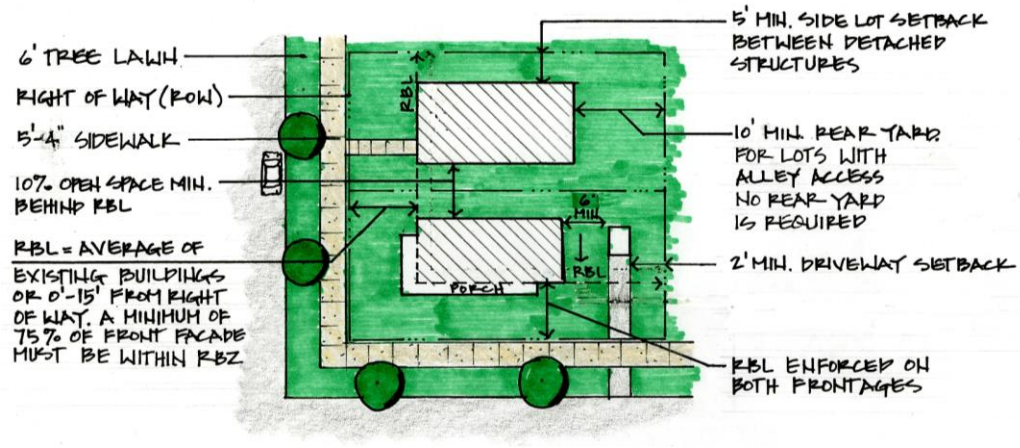
1. Balconies, bay windows and STOOPS shall not project closer than 5 feet to a common lot line or more than 5 feet beyond the RBL.
2. Each RESIDENTIAL ground floor unit shall include a STOOP of not more than 5 feet deep, or a front PORCH a maximum of 10 feet deep.
3. Awnings that project over the sidewalk portion of a STREET-SPACE shall maintain a clear HEIGHT of at least 10 feet, and shall be a minimum of 6 feet wide.
4. No part of any building except overhanging eaves, balconies, bay windows, STOOPS and PORCHES as specified by the code shall encroach beyond the REQUIRED BUILDING LINE. No projections will encroach onto the public right-of-way.

Building Elements and Use, continued next page

Building Elements and Use, continued

Doors/Entries At least 1 functioning entry door(s) shall be provided along the GROUND STORY FAÇADE of each building. In addition, doors shall be provided at intervals not exceeding 75 feet. Doors shall not swing out past the RBL. **Permitted Uses** 1. The GROUND STORY shall house COMMERCIAL, LIGHT MANUFACTURING, or RESIDENTIAL USES as defined in this CODE. 2. The upper STORIES shall house RESIDENTIAL or COMMERCIAL USES as defined in this CODE. No restaurant or RETAIL sales USES shall be allowed in upper STORIES unless they are second STORY extensions equal to or less than the area of the GROUND STORY USE. 3. No COMMERCIAL or LIGHT MANUFACTURING USE is permitted above a RESIDENTIAL USE. 4. Additional habitable space is permitted within tower and attic stories.	**Fencing** 1. A fence of not more than 50% opacity, wall, or hedge, not more than 48 inches in height, may be placed along the front and COMMON LOT LINES of the front yard. 2. A PRIVACY FENCE, maximum 6 feet in HEIGHT, and otherwise conforming to the **MARQUETTE ZONING AND FENCE ORDINANCES**, may be placed along any rear and COMMON LOT LINES not surrounding the front yard or otherwise occupied by a building. 3. The height of the front yard fence, wall, or PRIVACY FENCE shall be measured from the adjacent public sidewalk or, when not adjacent to a sidewalk, from the adjacent ground elevation once construction is complete.

Site Layout



Building Placement

1. The REQUIRED BUILDING LINE (RBL) is the average of the front setbacks of existing principal buildings located on the adjacent 2 lots on both sides of the lot in question (provided they are in the same SUB-DISTRICT and provided their setback doesn't exceed 15 feet from the right of way) or on a line that lies between a distance of 0 to 15 feet from the public right of way (within the RBZ).
2. Building FAÇADE shall be located parallel with the street and sidewalk.
3. The building FAÇADE shall be built to the RBL within 30 feet of a BLOCK CORNER (met on both frontages). The ground floor FAÇADE, within 7 feet of the BLOCK CORNER, may be chamfered to form a corner entry.
4. A minimum of 75% of the building FAÇADE must be located within the RBZ.
5. A minimum side yard of 5 feet is required.
6. A rear yard of at least 10 foot depth is required. However, no rear yard is required with alley access.

Buildable Area

A contiguous OPEN AREA equal to at least 10% of the total BUILDABLE AREA shall be preserved on every lot, at or above grade and behind the RBL.

Multiple Family Residential Buildings

1. There shall be a space between adjacent buildings of not less than 10 and not more than 20 feet.
2. See section 4.4.2E, discrete FACADES.

Accessory Structures (other than garages)

Accessory buildings shall be no closer than 6 feet (consult the State Building Code for construction requirements for setbacks of less than 10 feet between structures) from the principal building, or one another, and shall adhere to the minimum side and rear yards prescribed in this sub-district (see Building Placement).

Parking

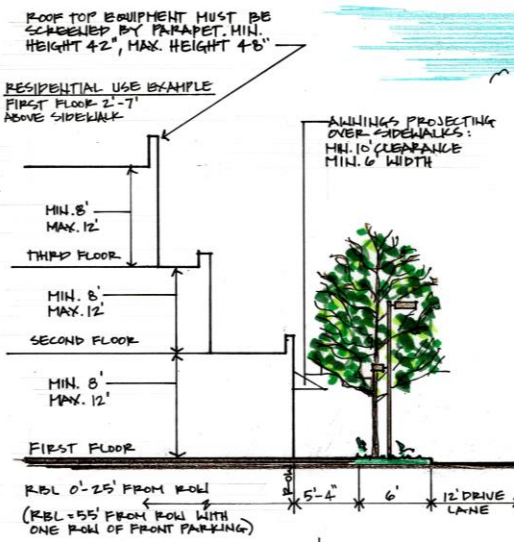
1. All COMMERCIAL parking that is visible from the street shall be screened by a fence or masonry wall at least 4 feet high, or a bermed, landscaped area at least 3 feet high and 5 feet deep of at least 50% opacity. Height is measured from the adjacent public sidewalk or, when not adjacent to a sidewalk, from the adjacent ground elevation once construction is complete.
2. Garages may be sited in one of three ways—in the rear accessed from an ALLEY; in the rear accessed by a side drive; or to the side recessed behind the principal building FAÇADE by at least 8 feet.
3. Detached garages must be setback at least 20 feet from the principal building FAÇADE, must be at least 6 feet (consult the State Building Code for construction requirements for setbacks of less than 10 feet between structures) from the principal building, and shall adhere to the minimum side and rear yards prescribed in this sub-district (see Building Placement).
4. An attached, front loaded garage with access from the primary street may be used when there is no ALLEY access.
5. Garages shall comprise no more than 50% of the total linear feet of the front FAÇADE of the principal building.
6. Garage entries or driveways shall be located at least 30 feet away from a BLOCK CORNER or another GARAGE ENTRY on the same BLOCK.
7. Garage entries shall have a HEIGHT no greater than 14 feet and a width no greater than 16 feet.
8. Driveways shall be set back at least 2 feet from a common lot line.
9. One carport is permitted per RESIDENTIAL dwelling unit. The carport shall not exceed 400 square feet in roofed area or be higher than 10 feet. Carports shall maintain a side yard setback of 5 feet from any property line.
10. These requirements are not applicable to on-street parking.

5.3 Gateway Corridor-Mixed Use (GC-MU)

Intent	Representative Precedent/Character
The Gateway Corridor Mixed Use SUB-DISTRICT is intended as a diverse, generally pedestrian-friendly environment that provides adequate vehicular access while creating an aesthetically pleasing entrance into the City. This District serves as a vital arterial link and a gateway connection to Downtown, and contains an important community crossroads intersection. The SUB-DISTRICT serves to provide a smooth transition into more intense Downtown development patterns by strategically and efficiently accommodating vital COMMERCIAL and RESIDENTIAL uses while preserving a pleasing pedestrian environment. Pedestrian and non-motorized movement between Downtown, the waterfront, and the neighborhoods adjoining each is important in this District, therefore, motorized access will be carefully designed and more intense activities will be carefully screened so as to place emphasis on the main building entrances. The area will reflect the community's desire to enhance the visual quality of the area by establishing minimum criteria for development while promoting amenities necessary to attract business, residents and visitors. This SUB-DISTRICT will provide opportunities for affordable and alternative housing, and will be designed to provide an appropriate transition into nearby traditional neighborhood FORM DISTRICTs. High density, urban living is encouraged, mixed with supportive neighborhood services. Sites will be developed so as to respect and preserve water quality within the Orianna Creek Watershed. In order to maintain sunlit streets and reduce building shadows, to minimize adverse impact to the microclimate, and to encourage appropriate scale and density, buildings over 3 STORIES shall have upper STORIES setback as specified in this CODE.	

Guiding Principles
Pedestrians are separated from the street with landscaped medians, and landscaping is incorporated along the front and sides of buildings and within surface parking lots. Landscaped PEDESTRIAN PATHWAYS connect sidewalks to the front entries of all non-RESIDENTIAL uses. Landscaped areas are more extensive on both sides of Front Street than in other areas to create a gateway image for the City. Parking is located away from the street, or is properly screened from view. Access for large trucks is to the rear of buildings. ALLEYS and internal connections are created and utilized for improved access and circulation.

Building Form Standards



Building Height

1. The building HEIGHT is measured in STORIES.
2. Each ***principal building*** will be at least 1 STORY in HEIGHT, but no greater than 5 STORIES in HEIGHT.
3. An additional TOWER STORY is allowed above the maximum building STORY HEIGHT, within the following parameters.
   a) The footprint of the tower shall not exceed 300 square feet.
   b) No horizontal FAÇADE dimension of the tower shall exceed 20 feet.
   c) STORY HEIGHT is the same as those for upper STORIES.
4. No ATTIC STORY is permitted above a TOWER STORY.
5. Floors over 3 STORIES will be set back a minimum of 1 foot from the front FAÇADE of the floor below for every 1 foot in HEIGHT.
6. Parking structures shall be limited to 5 stories in height or 60 feet, measured to the eave or top of parapet.

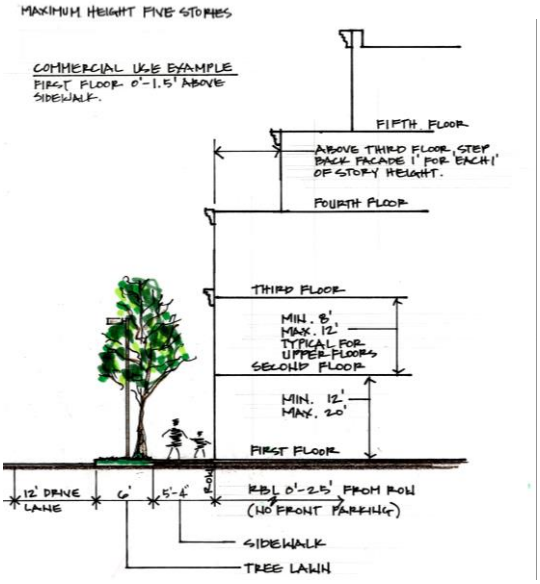
Accessory Structure Height

Accessory buildings shall be no greater than 1 STORY or 20 feet, measured to the EAVE or top of parapet.

Ground Story Height: Commerce, Civic, and Light Industrial Uses

1. The GROUND STORY finished floor elevation shall be at or above the exterior sidewalk elevation in front of the building, to a maximum finished floor elevation of 18 inches above the sidewalk.
2. At least 80% of the GROUND STORY shall have an interior clear HEIGHT (floor to ceiling) of at least 10 feet contiguous to the REQUIRED BUILDING LINE frontage for a minimum depth of 25 feet, and a maximum STORY HEIGHT of 20 feet.

Elements and Use



Ground Story Height: Residential/Multi-Family Uses

1. The average finished floor elevation shall be no less than 2 feet and no more than 7 feet above the exterior sidewalk elevation at the REQUIRED BUILDING LINE.
2. At least 80% of the GROUND STORY shall have an interior clear height (floor to ceiling) of at least 8 feet and a maximum STORY HEIGHT of 12 feet.

Upper STORY HEIGHT: All Uses

At least 80% of each upper STORY shall have an interior clear HEIGHT (floor to ceiling) of at least 8 feet and a maximum STORY HEIGHT of 12 feet.

Mezzanines

Mezzanines having a floor area greater than 1/3 of the floor area of the STORY in which the mezzanine is situated shall be counted as full STORIES.

Door and Wall Openings

1. Blank lengths of wall exceeding 20 linear feet are prohibited on all REQUIRED BUILDING LINES (RBL).
2. Door and wall openings shall comprise at least 30%, but not more than 90% of the GROUND STORY FAÇADE area per STORY, and at least 20% but not more than 75% of the upper STORY FAÇADE area per STORY.
3. In the case of a LIGHT INDUSTRIAL USE, the minimum door/window opening requirement may be satisfied by the substitution of visually distinct, artistic forms (ie. wall sculpture, murals) covering the majority of the vertical FACADE distance at a spacing meeting the requirements in number 1 above. Living "green" walls also qualify. Similarly, outdoor public space amenities such as parks with seating, trees and landscaping; plazas featuring PUBLIC ART and landscaping; or other suitable visual enhancement that contributes to the pedestrian environment and meets the requirements in number 1 can be substituted for transparency requirements. See illustrations in APPENDIX F for examples.

Building Elements and Use, continued

Building Projections

1. Balconies, bay windows and STOOPS shall not project closer than 5 feet to a common lot line or more than 5 feet beyond the RBL.
2. Awnings that project over the sidewalk portion of a STREET-SPACE shall maintain a clear HEIGHT of at least 10 feet, and shall be a minimum of 6 feet wide.
3. No part of any building except overhanging EAVES, balconies, bay windows, STOOPS and PORCHES as specified by the code shall encroach beyond the REQUIRED BUILDING LINE. No projections will encroach onto the public right-of-way.

Doors/Entries

At least 1 functioning entry door(s) shall be provided along the GROUND STORY FAÇADE of each building. In addition, doors shall be provided at intervals not exceeding 75 feet. Doors shall not swing out past the RBL.

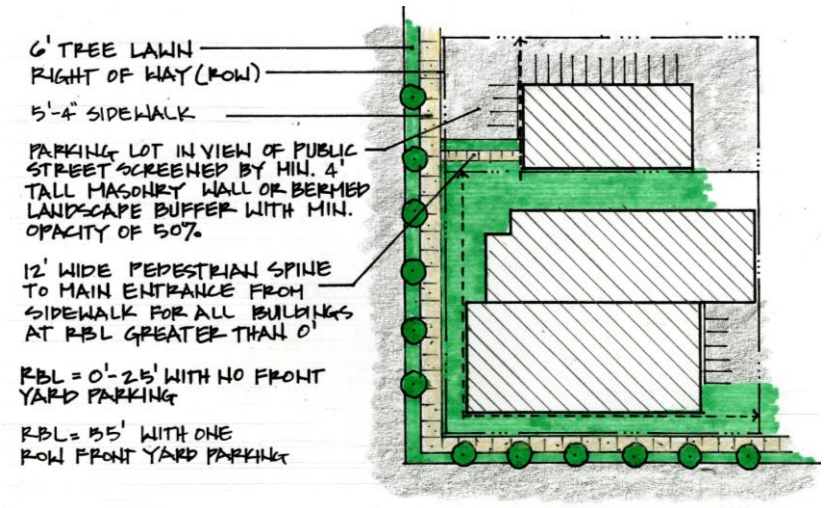
Permitted Uses

1. The GROUND STORY shall house COMMERCIAL, RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, CIVIC or LIGHT INDUSTRIAL USES as defined in this CODE.
2. The upper STORIES shall house RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, CIVIC, LIGHT INDUSTRIAL, or COMMERCIAL USES as defined in this CODE. No restaurant, RETAIL sales, or LIGHT INDUSTRIAL USES shall be allowed in upper STORIES unless they are second STORY extensions equal to or less than the area of the GROUND STORY USE.
3. No COMMERCIAL, MULTI-FAMILY RESIDENTIAL, CIVIC, OR LIGHT INDUSTRIAL USES are permitted above a RESIDENTIAL USE.
4. Additional habitable space is permitted within attic and tower stories.

Fencing

1. A fence of not more than 50% opacity, wall, or hedge, not more than 48 inches in height, may be placed along the front and COMMON LOT LINES of the front yard.
2. A PRIVACY FENCE, maximum 6 feet in HEIGHT, and otherwise conforming to the **MARQUETTE ZONING AND FENCE ORDINANCES**, may be placed along any rear and COMMON LOT LINES not surrounding the front yard or otherwise occupied by a building.
3. The HEIGHT of the front yard fence, wall, or PRIVACY FENCE shall be measured from the adjacent public sidewalk or, when not adjacent to a sidewalk, from the adjacent ground elevation once construction is complete.

Site Layout



Building Placement

1. The REQUIRED BUILDING LINE (RBL) is on a line that lies between a distance of 0 to 25 feet from the public right of way for buildings with no front parking. The REQUIRED BUILDING LINE (RBL) is on a line that lies 55 feet from the public right of way for buildings with 1 row of front parking.
2. Building FAÇADE shall be located parallel with the street and sidewalk.
3. The building FAÇADE shall be built to the RBL within 30 feet of a BLOCK CORNER (met on both frontages). The ground floor FAÇADE, within 7 feet of the BLOCK CORNER, may be chamfered to form a corner entry.
4. A minimum of 75% of the building FAÇADE must be located within the RBZ.
5. A rear yard of at least 10 foot depth is required. However, no rear yard is required with alley access.

Buildable Area

A contiguous OPEN AREA equal to at least 15% of the total BUILDABLE AREA shall be preserved on every lot, at or above grade and behind the RBL.

Multiple-Family Residential and Civic Buildings

1. There shall be a space between adjacent buildings of not less than 10 and not more than 20 feet.
2. See section 4.4.2E (discrete FACADES) and 4.4.2H (varied rooflines) and 4.4.2I (consistent sides) for further requirements.

Light Industrial Buildings

1. There shall be a 20 foot rear and side yard setback. This setback will be increased to 50 foot when adjoining any RESIDENTIAL USE and be screened in accordance with this CODE.
2. See section 4.44.2E (discrete FACADES) and 4.4.2H (varied rooflines) for further requirements.

Accessory Structures (other than garages)

Any accessory buildings shall be located behind the PARKING SETBACK LINE, shall be no closer than 6 feet (consult the State Building Code for construction requirements for setbacks of less than 10 feet between structures) from the principal building, or one another, and shall adhere to the minimum rear yard prescribed in this sub-district (see Building Placement).

Parking

1. Vehicle parking areas shall be located at least 5 feet behind the Front FAÇADE of the principal building or, in the case a building utilizes 1 row of front parking, behind the masonry screening wall (see below).
2. All COMMERCIAL parking that is visible from the street shall be screened by a masonry wall at least 4 feet high or a bermed, landscaped area at least 3 feet high and 5 feet deep of at least 50% opacity. HEIGHT will be as measured from the adjacent public sidewalk or, when not adjacent to a sidewalk, from the adjacent ground elevation once construction is complete.
3. Garages may be sited in one of three ways—in the rear accessed from an ALLEY; in the rear accessed by a side drive; or to the side recessed behind the principal building FAÇADE by at least 8 feet.
4. Detached garages must be setback at least 20 feet from the principal building FAÇADE and must be at least 6 feet (consult the State Building Code for construction requirements for setbacks of less than 10 feet between structures) from the principal building and shall adhere to the minimum rear yard prescribed in this sub-district (see Building Placement).
5. An attached, front loaded garage with access from the primary street may be used when there is no ALLEY access.
6. Garages shall comprise no more than 50% of the total linear feet of the front FAÇADE of the principal building.
7. Garage entries or driveways shall be located at least

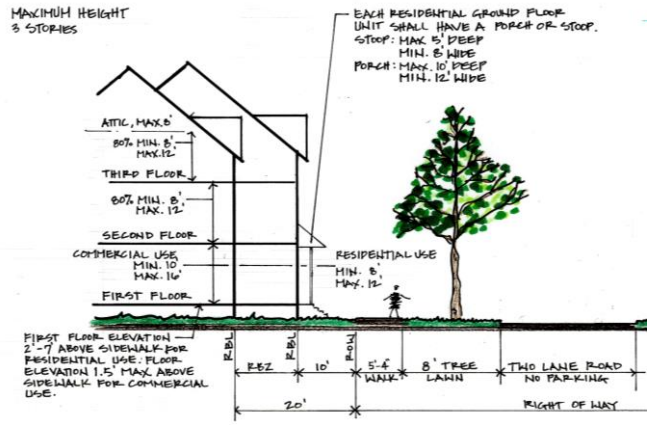
Site Layout, continued (Parking)	
30 feet away from a BLOCK CORNER or another GARAGE ENTRY on the same BLOCK. 8. Garage entries shall have a HEIGHT no greater than 14 feet and a width no greater than 16 feet . 9. Driveways shall be set back at least 2 feet from a common lot line. 10. One carport is permitted per RESIDENTIAL dwelling unit. The carport shall not exceed 400 square feet in roofed area or be higher than 10 feet. Carports shall maintain a side yard setback of 5 feet from any property line. 11. Abutting non-RESIDENTIAL USES on Front Street shall provide for vehicular and pedestrian circulation between their sites through parking lot or ALLEY connections, hard surface walkways, and similar measures in order to reduce traffic and to allow customers to visit multiple establishments without moving their vehicles. Upon redevelopment of properties, connectors of this type shall be connected or stubbed in for future connection. Connectors for pedestrian use shall be at least 5 feet, 4 inches wide and shall be separated from vehicles by a change in grade (4 inch minimum) or landscaping, and will be delineated by striping or contrasting pavement materials. 12. These requirements are not applicable to on-street parking.	

5.4 Waterfront-Mixed Use (W-MU)

Intent	Representative Precedent/Character
This SUB-DISTRICT is intended to serve as an extension of Downtown with a mix of uses complementary to Downtown and a framework of streets and BLOCKS that integrates and connects with those Downtown. Urban character is reflected in compact, environmentally-friendly development that is similar in size and scale to waterfront buildings traditionally found Downtown. Primary importance will be placed on development patterns that preserve access and view corridors to the lakeshore and protect the natural environment. Building design and SITE LAYOUT will reflect the importance of the relationship to the lakeshore. Impervious surfaces will be minimized, open space will be maximized, and paved space will be drained toward landscaping.	

Guiding Principles
Buildings are built out to or near the street so as to preserve pedestrian scale and welcoming streetscapes. Design standards promote pedestrian scale form with appropriate amenities such as pedestrian scale lighting, STREET TREES, parks, open space resources, and street widths. Buildings will be oriented to the street when possible or to public courtyards or common areas if there is no adjacent street (as in courtyard or cluster housing). Direct PEDESTRIAN PATHWAYS a minimum of seven (7) feet wide will connect all public sidewalks to principal building entrances. Parking is located in the rear or underneath buildings.

Building Form Standards



Building Height

1. The building HEIGHT is measured in STORIES.
2. Each principal building will be at least 1 STORY in HEIGHT, but no greater than 3 STORIES in HEIGHT.
3. An additional TOWER STORY is allowed above the maximum building STORY HEIGHT, within the following parameters.
   a) The footprint of the tower shall not exceed 300 feet.
   b) No horizontal FAÇADE dimension of the tower shall exceed 20 feet.
   c) STORY HEIGHT is the same as those for upper STORIES.
   d) No ATTIC STORY is permitted above a TOWER STORY.
4. Parking structures shall be limited to 3 stories in height or 40 feet, measured to the eave or top of parapet.

Accessory Structure Height

Accessory buildings shall be no greater than 1 STORY or 20 feet, measured to the EAVE or top of parapet.

Ground Story Height: Commercial Uses

1. The GROUND STORY finished floor elevation shall be equal to, or greater than the exterior sidewalk elevation in front of the building, to a maximum finished floor elevation of 18 inches above the sidewalk.
2. At least 80% of the GROUND STORY shall have an interior clear HEIGHT (floor to ceiling) of at least 10 feet contiguous to the REQUIRED BUILDING LINE frontage for a minimum depth of 25 feet, and a maximum STORY HEIGHT of 16 feet.

Ground Story Height: Residential Uses

1. The average finished floor elevation shall be no less than 2 feet and no more than 7 feet above the exterior sidewalk elevation at the REQUIRED BUILDING LINE.
2. At least 80% of the GROUND STORY shall have an interior clear HEIGHT (floor to ceiling) of at least 8 feet and maximum STORY HEIGHT of 12 feet.

Elements and Use

Upper Story Height: All Uses

At least 80% of each upper STORY shall have an interior clear HEIGHT (floor to ceiling) of at least 8 feet and maximum STORY HEIGHT of 12 feet.

Mezzanines

Mezzanines having a floor area greater than 1/3 of the floor area of the STORY in which the mezzanine is situated shall be counted as full STORIES.

Door and Wall Openings

1. Blank lengths of wall exceeding 20 linear feet are prohibited on all REQUIRED BUILDING LINES (RBL).
2. Door and wall openings shall comprise at least 30%, but not more than 90% of the GROUND STORY FAÇADE area per STORY, and at least 20% but not more than 75% of the upper STORY FAÇADE area per STORY.

Building Projections

1. Balconies, bay windows and STOOPS shall not project closer than 5 feet to a common lot line or more than 5 feet beyond the RBL.
2. Each RESIDENTIAL ground floor unit shall include a STOOP of not more than 5 feet deep or a front PORCH a maximum of 10 feet deep.
3. Awnings that project over the sidewalk portion of a STREET-SPACE shall maintain a clear HEIGHT of at least 10 feet, and shall be a minimum of 6 feet wide.
4. No part of any building except overhanging EAVES, balconies, bay windows, STOOPS and PORCHES as specified by the code shall encroach beyond the REQUIRED BUILDING LINE. No projections will encroach onto the public right-of-way.

Doors/Entries

At least 1 functioning entry door(s) shall be provided along the GROUND STORY FAÇADE of each building. In addition, doors shall be provided at intervals not exceeding 75 feet.

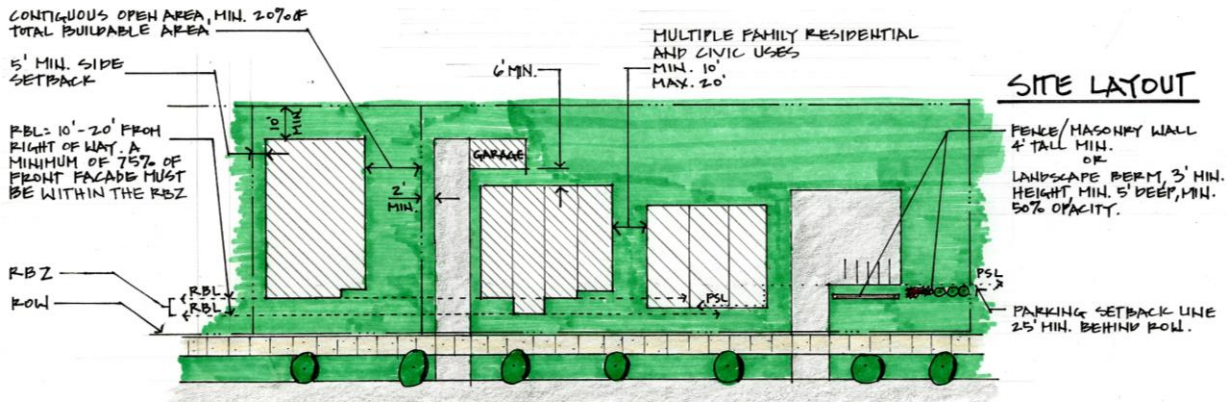
Permitted Uses

1. The GROUND STORY shall house COMMERCIAL, MULTI-FAMILY RESIDENTIAL, CIVIC, OR RESIDENTIAL USES as defined in this CODE.
2. The upper STORIES shall house RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, CIVIC, or COMMERCE USES as defined in this CODE. No restaurant or RETAIL sales USES shall be allowed in upper STORIES unless they are second STORY extensions equal to or less than the area of the GROUND STORY USE.
3. No COMMERCE, MULTI-FAMILY or CIVIC USES are permitted above a RESIDENTIAL USE.
4. Additional habitable space is permitted within attic and tower stories.

Building Elements and Use, continued next page

Elements and Use, continued	
Fencing 1. A fence of not more than 50% opacity, wall, or hedge, not more than 48 inches in height, may be placed along the front and COMMON LOT LINES of the front yard. 2. A PRIVACY FENCE, maximum 6 feet in HEIGHT, and otherwise conforming to the **MARQUETTE ZONING AND FENCE ORDINANCES**, may be placed along any rear and COMMON LOT LINES not surrounding the front yard or otherwise occupied by a building. 3. The HEIGHT of the front yard fence, wall, or PRIVACY FENCE shall be measured from the adjacent public sidewalk or, when not adjacent to a sidewalk, from the adjacent ground elevation once construction is complete.	

Site Layout



Building Placement

1. The REQUIRED BUILDING LINE (RBL) is on a line that lies between a distance of 10 to 20 feet from the public right of way (within the RBZ).
2. Building FAÇADE shall be located parallel with the street and sidewalk.
3. A minimum of 75% of the building FAÇADE must be located within the RBZ.
4. There is a 5 foot minimum side lot setback for detached structures.
5. A rear yard of at least 10 foot depth is required. However, no rear yard is required with alley access.

BUILDABLE AREA

A contiguous OPEN AREA equal to at least 20% of the total BUILDABLE AREA shall be preserved on every lot, at or above grade and behind the RBL.

Multiple Family RESIDENTIAL and CIVIC Buildings

1. There shall be a space between adjacent FACADES of not less than 10 and not more than 20 feet.
2. See section 4.4.2B, discrete FACADES.

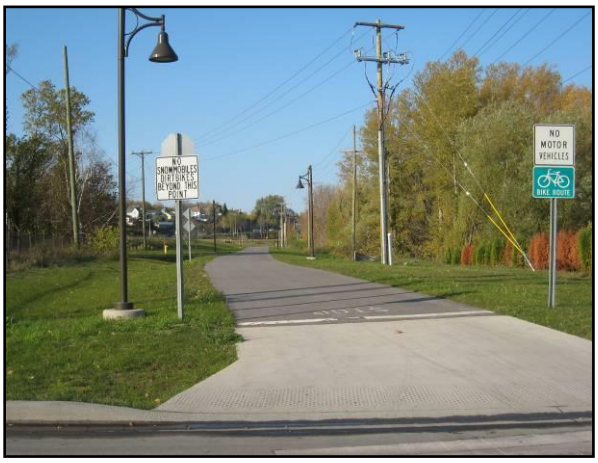
Accessory Structures (other than garages)

Any accessory buildings shall be located behind the PARKING SETBACK LINE, shall be no closer than 6 feet (consult the State Building Code for construction requirements for setbacks of less than 10 feet between structures) from the principal building, and shall adhere to the minimum side and rear yard setbacks prescribed in this sub-district (see Building Placement).

Parking

1. Vehicle parking areas on private property shall be located behind the PARKING SETBACK LINE, except where parking is provided below the building.
2. PARKING SETBACK LINE is 5 feet behind the maximum RBL (25 feet from the public right of way) unless it is located underneath buildings.
3. All parking that is visible from the street shall be screened by a fence or masonry wall at least 4 feet high, or a bermed, landscaped area at least 3 feet high and 5 feet deep of at least 50% opacity.
4. Garage access must be located at the side or rear of principal buildings.
5. Driveways shall be set back at least 2 feet from a COMMON LOT LINE.
6. Detached garages shall be located behind principal buildings, must be at least 6 feet (consult the State Building Code for construction requirements for setbacks of less than 10 feet between structures) from the principal building, and shall adhere to the minimum side and rear yards prescribed in this sub-district (see Building Placement).
7. One carport is permitted per RESIDENTIAL dwelling unit. The carport shall not exceed 400 square feet in roofed area or be higher than 10 feet. Carports shall be located behind principal buildings, and adhere to the minimum side and rear yard setbacks prescribed in this sub-district (see Building Placement).
8. These requirements are not applicable to on-street parking.

5.5 Waterfront-Recreation Conservation (W-RC)

Intent	Representative Precedent/Character
This SUB-DISTRICT includes lands located along waterfront and shoreline areas that are preserved for community recreational and conservation purposes and valued for scenic and ecological qualities. The intent is to promote public access and enjoyment of water resources and to protect those same resources through responsible stormwater management and land *USE* practices. In this way, the community recognizes the unique physical, economic, and social benefits of waterfront and shoreline properties, and places a priority on their protection for future generations while utilizing these resources for vital recreation activities and to enhance pedestrian and non-motorized connections between Downtown and surrounding neighborhoods.	

Guiding Principles

No private development permitted. Useable open space should be located where it is visible and easily accessible from public areas (sidewalks, streetscapes). Views and sun exposure should be maximized. New public spaces should contain direct access from adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.

5.6 Power Plant Special District (P-SD)

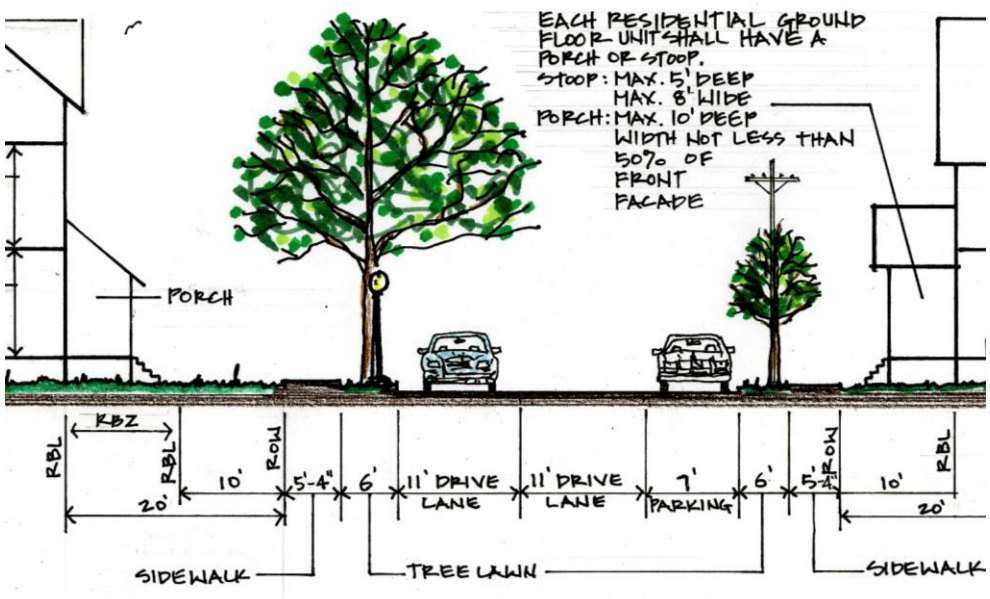
Guiding Principles
This SUB-DISTRICT consists of property currently owned by the Board of Light and Power, and at the time of redevelopment would be subject to planning commission review of form and use.

6 Street Type Specifications

Illustrative street type specifications for typical, pedestrian-friendly, mixed-use streets are included for each SUB-DISTRICT. These specifications address vehicular traffic lane widths, sidewalk and tree planting area dimensions, and on-street parking configurations. The street section also provides a comparative pedestrian crossing distance as a gauge of pedestrian comfort. These specifications provide a basic template for streets in each SUB-DISTRICT. Because the existing and proposed rights-of-way (ROW) vary, the exact street specifications may vary. For ROW widths greater than 66 feet, extra dimension should be given to the pedestrian areas.

6.1 Traditional Neighborhood-Residential (TN-R)

Representative Street-space



6.1.1 Guiding Principles

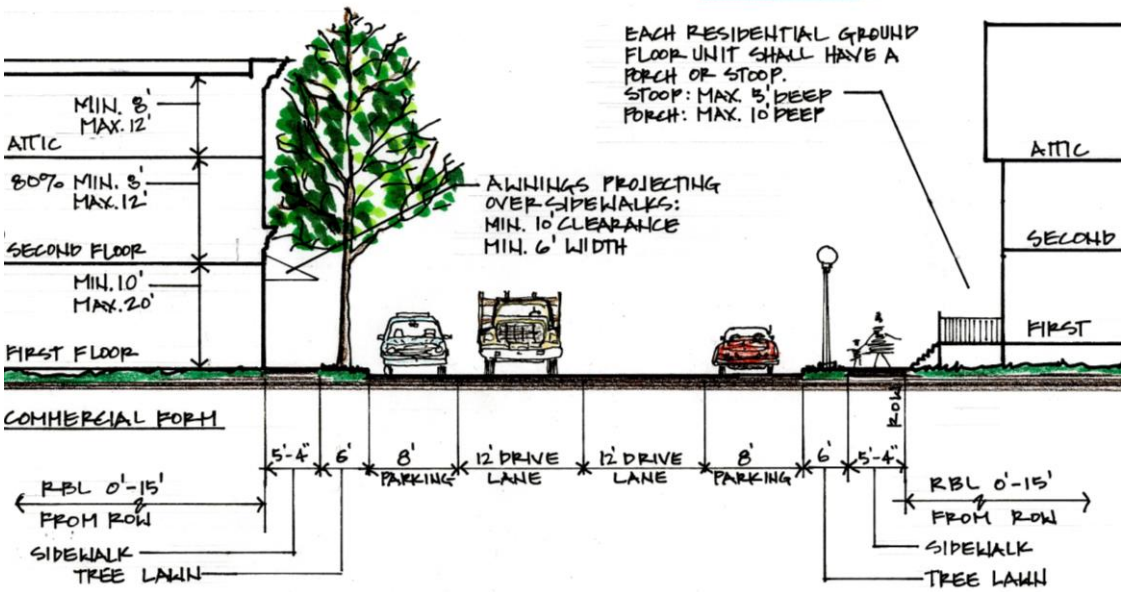
Streets will be kept to as narrow a width as possible while still accommodating on-street parking. This will help to reduce traffic speeds on this connector route in this compact, residential neighborhood between North and South Marquette.

6.1.2 Standards

- **A.** There are two drive lanes which are each typically eleven (11) feet wide.
- **B.** A seven (7) foot wide lane accommodates on-street parking on one side of the street.
- **C.** A six (6) foot wide tree planting strip is adjacent to the curb, separating the street from a sidewalk that is 5 foot, 4 inches wide.
- **D.** Comparative pedestrian crossing distance is thirty-one (31) feet.

6.2 Traditional Neighborhood-Commercial Residential (TN-CR)

Representative Street-space



6.2.1 Guiding Principles

This SUB-DISTRICT is characterized by narrow streets and higher traffic volumes accommodating business customers, residents, and through traffic. On-street parking is important as a buffer between pedestrians and fast-moving traffic, and provides a more pedestrian-friendly environment in this traditional neighborhood.

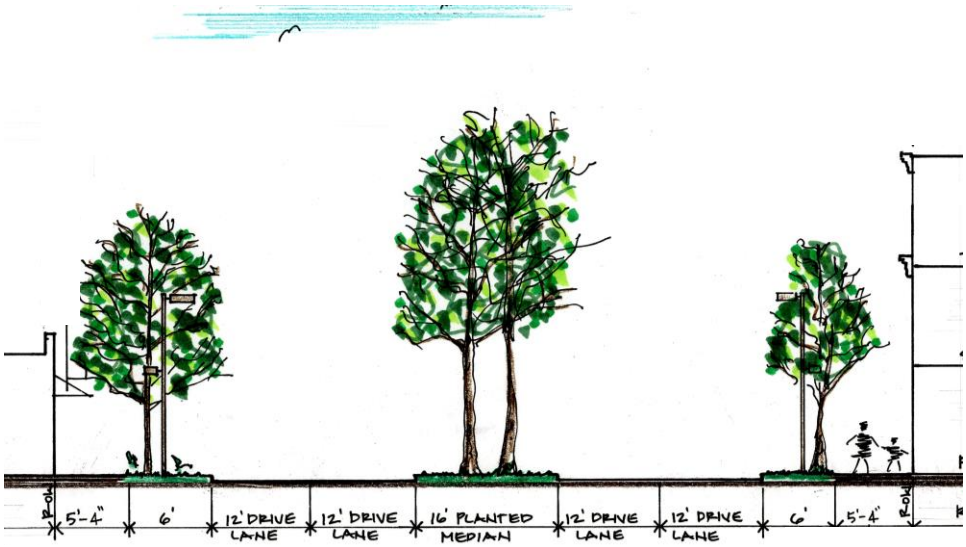
6.2.2 Standards

- **A.** There are two drive lanes which are each typically twelve (12) feet wide.
- **B.** Two eight (8) foot wide lanes accommodate on-street parking on each side of the street.
- **C.** A six (6) foot wide tree planting strip is adjacent to the curb, separating the street from a sidewalk that is 5 foot, 4 inches wide.
- **D.** Comparative pedestrian crossing distance is forty-two (42) feet.

6.3 Gateway Corridor-Mixed Use (GC-MU)

Representative Street-space

Front Street (U.S. 41) with median



6.3.1 Guiding Principles—Front Street/US-41/M-28

This SUB-DISTRICT is divided by a high volume highway that accommodates through traffic into and out of Marquette. This section serves as a gateway corridor leading into Downtown Marquette, and therefore should not reinforce a character of sprawling strip development. The corridor should accommodate safe passage for pedestrians and bicyclists moving between the traditional neighborhood, the lakefront, and Downtown. This corridor is a transition area of moderate density serving local and regional businesses.

6.3.2 Standards—Front Street/US-41/US-28

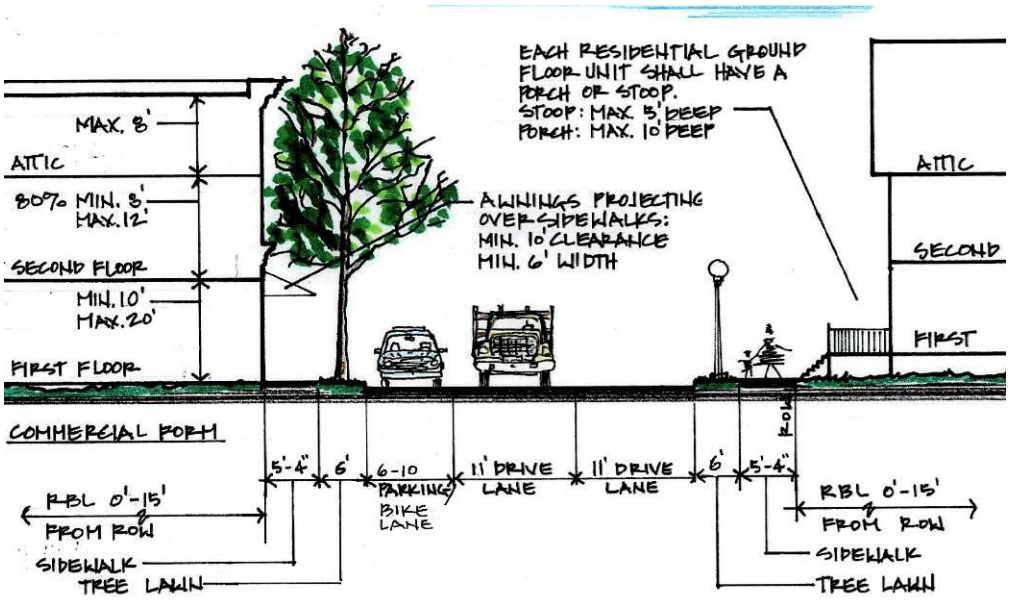
A. Ideally, a 16 foot planted median shall serve as a refuge for pedestrians and bicyclists crossing this wide corridor of fast-moving traffic. It shall also provide much needed natural character to soften the somewhat industrial feel of the area. The median shall be interrupted by left turn lanes to accommodate access to businesses. Adjacent businesses shall have connections between parking areas to reduce the need to re-enter the highway.

B. Two twelve (12) foot wide lanes accommodate traffic flow in each direction.

C. A six (6) foot wide tree planting strip is adjacent to the curb, separating the street from a sidewalk that is 5 foot, 4 inches wide.

D. Comparative pedestrian crossing distance is sixty-eight (68) feet in areas with no median. Where a median is possible, this distance is reduced to twenty-six (26) feet with the median acting as a pedestrian refuge.

Other Roads



6.3.3 Connector Roads-Guiding Principles

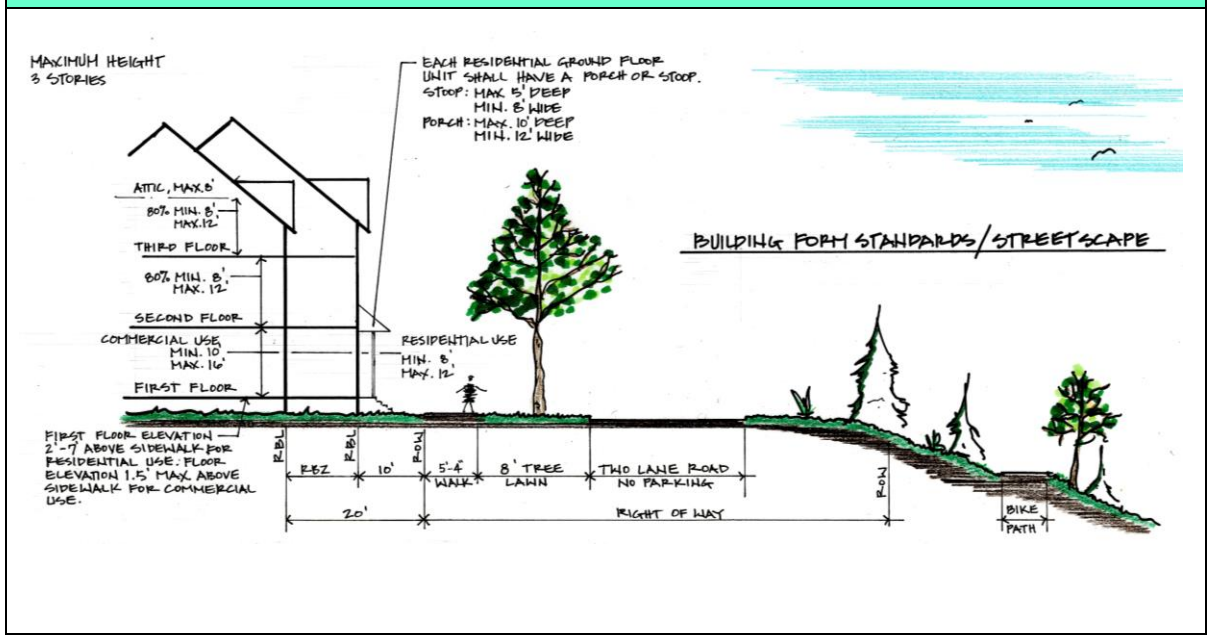
The remaining roads in the Sub-District are quite variable in character but typically do not utilize on-street parking as existing parking areas accommodate current need. Large trucks traverse East and West Hampton and South Lake Streets. However, street widths could accommodate some on-street parking or bike lanes successfully.

6.3.4 Connector Roads-Standards

- **A.** Two, eleven (11) foot drive lanes shall accommodate traffic.
- **B.** The remaining width (around 6-10 feet) shall accommodate on-street parking, bike lanes, or turn radii for large trucks as needed.
- **C.** A six (6) foot wide tree planting strip is adjacent to the curb, separating the street from a sidewalk that is 5 foot, 4 inches wide.
- **D.** Comparative pedestrian crossing distance is thirty (30) to thirty-four (34) feet..

6.4 Waterfront-Mixed Use (W-MU)

Representative Street-space



6.4.1 Guiding Principles

Streets are narrow and picturesque, taking a winding course between the lakeshore recreation area and adjacent neighborhoods and businesses. The focus of this streetscape is charming simplicity in framing the lakefront view.

6.4.2 Standards

- **A.** There are two drive lanes which are each typically eleven (11) feet wide.
- **B.** An eight (8) foot wide tree planting strip is adjacent to the curb, separating the street from a sidewalk that is 5 foot 4 inches wide.
- **C.** Comparative pedestrian crossing distance is twenty-four (24) feet.

Appendix A: Definitions

Purpose

The following terms are defined for the purpose of the Waterfront District Code. Terms not defined here may be defined elsewhere in the Marquette City Zoning Ordinance. In such case, the definition contained in the Marquette City Zoning Ordinance will be used. Certain terms in the Waterfront District Code are used in very specific ways, often excluding some of the meanings of common usage. Wherever a word is printed in SMALL CAPS, it is being used as defined herein.

ALLEY/ALLEY ACCESS EASEMENT: The public right-of-way or easement for public access, for vehicles and pedestrians within a BLOCK that provides access to the rear of buildings, vehicle parking (e.g., garages), utility meters, and recycling and garbage bins. The specific configuration may include SHARED PARKING areas and other uses so long as reasonable service access is relatively unimpeded.

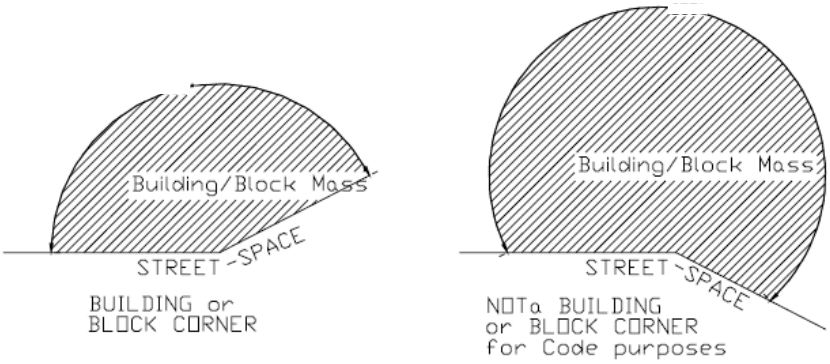
ATTIC STORY: Habitable space within a building situated within the structure of a pitched roof and above the uppermost regular STORY. ATTIC STORIES may have only DORMER windows on their RBL FAÇADE. ATTIC STORIES are permitted for all BFS sites and are counted as half stories.

BLOCK: An increment of land comprised of lots, ALLEYS, and tracts circumscribed and not traversed by STREETS (ALLEYS, and PEDESTRIAN PATHWAYS excepted). BLOCKS shall be measured at the frontage lot lines.

BLOCK CORNER: This refers to the outside corner of a BLOCK at the intersection of any two STREETS. Some of the requirements of the BUILDING FORM STANDARDS are specific to BLOCK CORNERS. Inside corners, where the resulting angle formed by the BLOCK face is less than 180 degrees (concave), are not considered BLOCK CORNERS for the purposes of this Code.

BUILDABLE AREA: The area of the lot that building(s) may occupy, which includes the entire area of the lot behind the RBL, exclusive of any setbacks and required open space. The BUILDABLE AREA sets the limits of the building footprint. Additions to structures must be within the designated area.

BUILDING CORNER: This refers to the outside corner of a building where the primary building mass is within an angle less than 180 degrees. Some of the proscriptions of the BUILDING FORM STANDARD are specific to BUILDING CORNERS. Inside corners, where the exterior space of the building mass forms an angle of more than 180 degrees, are not considered BUILDING CORNERS for the purposes of this Code.



BUILDING FORM STANDARDS (BFS): The part of the Code that establishes basic parameters regulating building form, including the envelope, placement (in three dimensions) and certain permitted/required building elements, such as storefronts, BALCONIES, stoops, porches, and doors. The BUILDING FORM STANDARD establishes both the boundaries within which things may be done and specific things that must be done. The applicable BFS for a site is determined by its designation on the REGULATING PLAN. This produces a coherent STREET-SPACE and allows the building greater latitude behind its street FACADE.

COMMERCE/COMMERCIAL (See USE)

COMMON LOT LINES: Lot lines shared by adjacent private lots (See also REAR LOT LINES).

DOORYARD: The area, within the STREET-SPACE, between the FAÇADE of the building (generally the RBL) and the property line. STOOPS, balconies, and for appropriate COMMERCE uses, temporary displays, café seating and other encroachments as specified by the City may be placed within the DOORYARD area.

DORMERS: Small, roofed ancillary structures with windows providing light and air to habitable space within the attic. DORMERS are permitted and do not constitute a STORY so long as they do not break the FAÇADE plane, are individually less than 15 feet wide, and are collectively not more than 60% of the REQUIRED BUILDING LINE FAÇADE length. (See also ATTIC STORY).

EAVE HEIGHT: Where used to limit building HEIGHT in the Code, EAVE HEIGHT shall be measured at the bottom of the top layer of roofing material at its outermost point from the building wall.

FAÇADE: Building face; the building elevations facing the STREET-SPACE. (Building walls facing interior courts, COMMON LOT LINES, and ALLEYS are not FACADES.)

FENESTRATION: Openings in the building wall, including windows and doors, allowing light and views between interior and exterior. FENESTRATION is measured as glass or OPEN AREA (excluding muntins and similar window frame elements with a width dimension equal to or greater than 2 inches) for conditioned space and as OPEN AREA for parking structures or other un-conditioned, enclosed space.

FIRST FLOOR (See GROUND STORY.)

GROUND STORY: The first level of a building at or above grade (see BFS specifications for details). The next STORY above the GROUND STORY is the second floor.

LIGHT MANUFACTURING: LIGHT MANUFACTURING refers to industrial activity that uses small or moderate amounts of raw or partially processed materials to produce items of relativity high value per unit weight. LIGHT MANUFACTURING is most often associated with batches or discrete production runs. Normally absent from
LIGHT MANUFACTURING facilities are any type of heavy machinery, welding operations, cranes, or hazardous materials. The manufacturing of clothes, furniture, consumer electronics, household items, jewelry, pottery, food, and beverages are some examples of LIGHT MANUFACTURING.

OPEN AREA: The area within the BUILDABLE AREA and behind the PARKING SETBACK LINE accessible to occupants of the particular building or site as private open space and (primarily) open to the sky. Additional specifications for the OPEN AREA may be included in each BUILDING FORM STANDARD. OPEN AREA shall *not* be built upon, parked or driven upon (except for emergency access.)

PARAPET HEIGHT: Where used to limit building HEIGHT in the Code, PARAPET HEIGHT shall be measured at the top of the parapet, including any coping.

PARKING:

- RESERVED: Parking not available to the public, but only to specifically identified users (either a single user per space or a set of users for a group of spaces), whether for free or at a fee.
- SHARED: Parking available to the public on an unreserved basis for free or at the same fee for all users. Time limits may be imposed to ensure turn-over. Hours of public availability may also be restricted.

PARKING SETBACK LINE: Where indicated in the BFS, a line/plane indicated on the REGULATING PLAN which generally extends vertically and parallel with the RBL. All parking shall be behind this line, excepting where it is below grade, within a building, or is otherwise indicated on the REGULATING PLAN. The PARKING SETBACK LINE is a permissive minimum distance from the RBL and parking may be placed anywhere within the lot behind this line, except where otherwise specified in this code.

PEDESTRIAN PATHWAY: Interconnecting paved ways that provide pedestrian and bicycle passage through BLOCKS running from a STREET-SPACE to another STREET-SPACE, an ALLEY or a BLOCK interior parking area. The area within a PEDESTRIAN PATHWAY shall be a public access easement or public right-of-way. The easement width for these pathways shall not be less than 20 feet with a paved walkway not less than 10 feet wide, except where otherwise specified on the REGULATING PLAN, and shall provide an unobstructed view straight through their entire length.

PEDESTRIAN SPINES: Paved pathways that provide clearly distinguished pedestrian and bicycle passage from a public sidewalk or right of way to a non-residential building entrance. The width for these pathways shall be not less than 12 feet with a paved walkway not less than 5 feet 4 inches wide, the balance occupied by landscaping.

PRIVACY FENCE: An opaque fence made of wood or masonry (not chain link or any other type of rolled fence) along ALLEYS and COMMON LOT LINES (where more than 10 feet away from the REQUIRED BUILDING LINE). It may be as high as 6 feet above the adjacent ground.

PORCH: The ground floor platform attached to the front or STREET-SPACE side of the main building. Required PORCHES, as defined in the BUILDING FORM STANDARDS, must be roofed and, where required by building codes, enclosed by balustrades (railings) and posts that extend up to the roof.

PUBLIC ART: Art that is visually or physically accessible to the public (within the public realm e.g. a STREET-SPACE) and that is acquired by City funds, donated to the City, or provided by a private entity as a community benefit, including monuments and statues, building ornament, and visible public infrastructure such as bridges, etc.

REAR LOT LINES: Lot lines, generally COMMON LOT LINES parallel with the RBL and possibly along ALLEYS.

REGULATING PLAN: Part of the Form-Based Code that is the coding key for the regulations that apply to each parcel. The REGULATING PLAN also shows how each parcel relates to adjacent STREET-SPACE, the overall FORM DISTRICT, and the surrounding neighborhoods.

REQUIRED BUILDING LINE (RBL): Is one of two lines or planes indicated in each SUB-DISTRICT BUILDING FORM STANDARD and SITE LAYOUT. Each RBL is measured from the right-of-way line or property line to the nearest foundation or building wall of the building or structure. The two RBL lines define a Required Building Zone (RBZ) within which the building FAÇADE shall be placed. The RBZ is a requirement, not a permissive minimum as is a set-back. The minimum length of building that is required to be built within the RBZ is shown on the appropriate BUILDING FORM STANDARD.

REQUIRED BUILDING ZONE (RBZ): Two RBL lines as specified in the BUILDING FORM STANDARD define a Required Building Zone (RBZ) within which the building FAÇADE shall be placed. The RBZ is a requirement, not a permissive minimum as is a set-back. The minimum length of building that is required to be built within the RBZ is shown on the appropriate BUILDING FORM STANDARD.

RESIDENTIAL: SEE USE

RETAIL: Establishments providing goods or services to the general public.

STOOP: An entry platform on the front façade of a building. STOOPS may be roofed, but they shall not be enclosed or have walls.

STORY/STORY HEIGHT: That space within a building, and above grade, that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above. STORY HEIGHT parameters are as specified by the appropriate BUILDING FORM STANDARD.

STREET FRONTAGE: That portion of the lot or building that is coincident with the RBL as required by the Code.

STREET LIGHT: A luminaire installed on both sides of streets, in alignment within the tree lawn area, unless otherwise designated on the REGULATING PLAN, at intervals of no more than 75 feet measured parallel with the street. STREET LIGHTS shall be between 9 and 16 feet above ground in HEIGHT. Lighting standards for STREET-SPACES and ALLEYS should be developed to meet the minimum standards of the Illumination Engineering Society (with the design criteria giving equal weight to the lighting of the pedestrian areas and the automobile areas).

STREET-SPACE: Includes all space between fronting RBLs (travel-lanes, sidewalks, squares, PEDESTRIAN PATHWAYS, PEDESTRIAN SPINES, CIVIC greens, sidewalks, parks)—including any transit service operator passenger platform—but not GARAGE ENTRIES or ALLEYS.

STREET TREE: A required tree listed in the FORM DISTRICT STREET TREE List, located in Appendix G.
STREET TREES shall be planted at an average no greater than 30 feet on center (measured per BLOCK face). Where necessary, spacing allowances may be made to accommodate curb cuts, fire hydrants and other infrastructure elements, however, at no location shall spacing exceed 45 feet on center.

STREET TREE ALIGNMENT LINE: A line along which STREET TREES are to be planted and STREET LIGHTS and other such infrastructure are to be placed. The STREET TREE ALIGNMENT LINE is the street or SQUARE right-of way and, unless otherwise specified, is 3 feet behind the back-of-curb. (Existing trees are not required to be relocated by this requirement.)

STRUCTURAL SOILS: An approved design medium which can meet or exceed pavement design and installation requirements while remaining root penetrable and supportive of tree growth.

TOWER STORY: An allowable additional STORY above the maximum building STORY HEIGHT. See individual BFS for exact specifications.

USE, CIVIC: Community uses open to the public including: meeting halls; libraries; schools; police and fire stations; governmental offices; places of worship; rooming houses; museums; cultural, visual and performing art centers; transit centers; public buildings; recreational facilities; and government functions open to the public.

USE, COMMERCIAL: For the purpose of the SOUTH MARQUETTE WATERFRONT FORM DISTRICT, COMMERCIAL USES shall be considered to encompass all of the following:

1. Executive, Administrative, and Professional Offices
2. Medical and Dental Offices, and Clinics
3. Day Care Centers
4. On-premise Alcohol Sales
5. Outdoor Food and Beverage Service
6. All of the CIVIC USE Categories Except Passenger Terminals
7. All of the RETAIL USE Categories
8. Parking Facilities and Structures

USE, CONDITIONAL: For the purpose of the SOUTH MARQUETTE WATERFRONT FORM DISTRICT, CONDITIONAL USES (see Appendix D of this code) may be considered for placement in the RESIDENTIAL USE classification after review by the Planning Commission in accordance with Section 80.65 of the City of Marquette Zoning Ordinance.

USE, LIGHT INDUSTRIAL: For the purpose of the SOUTH MARQUETTE WATERFRONT FORM DISTRICT, LIGHT INDUSTRIAL uses shall be considered to encompass all of the following:

1. Light manufacturing
2. Warehousing and distributive operations
3. Wholesaling operations
4. Service, repair and maintenance operations

USE, MULTI-FAMILY RESIDENTIAL: For the purpose of the SOUTH MARQUETTE WATERFRONT FORM DISTRICT, MULTI-FAMILY RESIDENTIAL uses shall be considered to encompass all of the RESIDENTIAL uses below plus the following:

1. Duplexes
2. MULTI-FAMILY RESIDENTIAL Structures
3. Extended Care Facilities and Convalescent Homes
4. Group RESIDENTIAL Facility

USE, RESIDENTIAL: For the purpose of the SOUTH MARQUETTE WATERFRONT FORM DISTRICT, RESIDENTIAL USES shall be considered to encompass all of the following:

1. Dwelling Units
2. Bed and Breakfasts
3. Bed and Breakfast Inns
4. Adult Foster Care Family Home
5. Family Day Care Homes
6. Foster Family Homes
7. Spouse Abuse Shelter

USE, RETAIL: RETAIL uses shall be considered to encompass all of the following:

- RETAIL SERVICE: establishments providing services, as opposed to products, to the general public, including restaurants, hotels and motels, finance, real estate and insurance, travel agencies, health and educational services, galleries, and temporary storage of recreational equipment, provided that the temporary storage is ancillary to the primary RETAIL service.
- RETAIL SPECIALTY: Include, but are not limited to the sale of gifts, antiques, flowers, books, jewelry, wearing apparel or craft shops making articles exclusively for sale at RETAIL on the premises.
- RETAIL TRADE: Establishments engaged in selling new goods or merchandise to the general public for personal or ho*USE*hold consumption and rendering services incidental to the sale of such goods.

USES SUBJECT TO APPEAL: Uses that may occur (see Appendix D of this code) in the RESIDENTIAL USE classification after approval by the Zoning Administrator. The Zoning Administrator's decision to approve or disapprove a Use Subject to Appeal may be appealed to the Board of Zoning Appeals.

"WHERE CLEARLY VISIBLE FROM THE STREET-SPACE": Many requirements of the Code apply only where the subject is "CLEARLY VISIBLE FROM THE STREET-SPACE." Note that the definition of STREET-SPACE includes squares, CIVIC greens, parks, and all public spaces except ALLEYS. A building element more than 40 feet from the RBL /STREET-SPACE (such as elements facing a COMMON LOT LINE more than 40 feet away from a RBL and/or street) is by definition not CLEARLY VISIBLE FROM THE STREET-SPACE. Also common and/or party walls are by definition not CLEARLY VISIBLE FROM THE STREET-SPACE. This does not exempt vehicle parking spaces/lots from any BFS requirements.

Appendix B: Relationship to the Comprehensive Plan

The South Marquette Form-Based Code is based on the following Goals, Objectives, Recommendations and Action Items from the City of Marquette Master Plan of 2004.

Community Goals

- Create and preserve viable and livable neighborhoods
- Make Marquette a walkable community
- Foster economic diversity
- Protect Marquette's natural resources

Objectives

A. Community (p. 73)

1. Maintain Marquette's image as an Upper Peninsula community by developing design standards that reflect and reinforce Marquette's local values. (2)
2. Promote new growth within the community by directing development opportunities to vacant and underutilized properties. (3)
3. Maintain and enhance all season public access and recreation opportunities along Lake Superior. (4)
4. Make Marquette a year-round walkable community. (7)
5. Consider winter-related issues in the evaluation of building and project proposals in the City. (10)
6. Encourage building and site design which makes the man-made environment and the City appear vibrant in the gray and white winter season. (13)

B. Neighborhood (p. 75)

1. Ensure that zoning regulations allow for a diversity of housing types, densities and mixed USES, i.e. small lot single family, cluster housing, upper STORY apartments, live/work units, and granny flats. (4)
2. Ensure that single-family RESIDENTIAL zoning districts reflect the actual yard, dimension, and bulk requirements of the RESIDENTIAL units and lots in order to avoid neighborhood-wide nonconformity. (6)
3. Encourage a mix of housing types and price ranges including affordable, mid and high-end housing. (7)
4. Institute a long-term program to develop neighborhood-specific walkability master plans where the City and neighborhood residents collaborate on the identification of programs and projects. (12)
5. Provide for all season non-motorized connections (i.e. sidewalks, pathways, and trails) within each neighborhood to community and public facilities. (14)
6. Encourage opportunities for the introduction of limited, neighborhood-based, RETAIL USES in RESIDENTIAL neighborhoods. (15)
7. Encourage pedestrian scale neighborhoods with appropriate amenities such as pedestrian scale lighting, STREET TREES, and street widths applying traffic calming principles. (16)

C. Transportation System (p. 79)

1. Establish Genesee Street as the intersection accessing the Lower Harbor area.

D. Walkability (p. 81)

1. Roads should be kept small and well linked. (1)
2. Evaluate land USE practices to ensure that they do not generate more and longer trips, or reduce and compress trips. (2)
3. Marquette needs to become the North American leader in progressive snow management/removal practices, and balance the needs of the automobile with those of pedestrians in the winter season. (4)
4. As residents age, there is a need for quality affordable and appropriately designed housing in a choice of central locations in the community where walking, not driving, is the preferred mode of transportation. (5)

5. Off-street parking must be minimized in order to achieve proper infill, mixed USE, compact housing, and a walkable community. (6)
6. All season connections and linkages between neighborhoods and community facilities are needed to increase the ease, safety, and convenience of walking and bicycling. (7)

E. Economic Objectives (p. 83)

1. Continue redevelopment efforts of the Lower Harbor . . . and other brownfield and greyfield sites as mixed-USE projects. (5)

F. Living and Designing with Nature Objectives (p. 85)

1. Recognize Lake Superior as Marquette's premiere focal point. (1)
2. Ensure that appropriate standards and regulations are incorporated into the City Zoning Ordinance that encourage quality land and site design with appropriate considerations for winter. (2)
3. Enact regulations which manage storm water runoff and protect the water quality of Marquette's watersheds and tributaries. (4)
4. Adopt watershed overlay zoning provisions for the Whetstone Brook, Orianna Creek, Dead River, and Carp River watersheds. (5)
5. Develop a community wide greenways system, in cooperation with other organizations and agencies, which incorporates community parks and open space, the lakefront, mountain bike trails, and other pathways. (7)
6. Expand the urban forestry restoration program to plant more trees within the City, with emphasis on native trees and shrub species to increase the amount of winter greenery in the City. (8)
7. Encourage landscaping treatments which improve winter micro-climatic conditions and reduce wind chill. (9)
8. Establish night-sky regulations to manage evening outdoor light pollution. (10)

Recommendations

A. Walkability
B. Establish a Citywide sidewalk replacement and installation program using a sidewalk width of 5'-4".
C. Rebuild intersections to meet ADA and walkability needs.
D. Encourage involvement by local residents to address concerns specific to their neighborhood.

Master Plan Action Items

A. Community Wide

1. Establish Community design standards which are locally based and reflect Marquette's natural and architectural character.
2. Develop design guidelines and a corridor redevelopment plan for the Community Entrance Corridor on U.S. 41 South.
3. Establish Sensitive Development Regulations which manage stormwater runoff, protect water quality, steep slopes, and woodlands.
4. Encourage development of higher density housing for mature households (55+ years) in close proximity to downtown and established neighborhoods.
5. Expand National Register of Historic Places districts in the downtown and South Marquette neighborhood.
6. Establish a community-wide greenway system incorporating non-motorized pathways and connections.

B. Economic

1. Redevelop the Lower Harbor area for a mix of COMMERCIAL, RESIDENTIAL, and open space USES.

C. Traffic

1. Identify areas to implement traffic calming mechanisms as City roads are considered for redesign or maintenance.
2. Modify the U.S. 41/Front Street intersection to include either a roundabout or a "T" intersection.
3. Implement recommended roadway design changes (reduced travel lanes, reduced pavement width, additional on-street parking, intersection controls) as roads are considered for redesign or maintenance.

D. Walkability

1. Integrate City-wide walkability concepts into road redesign or maintenance projects.
2. Maintain all-season non-motorized connections to neighborhoods and community facilities.
3. Develop neighborhood specific walkability plans, which include identification of projects.

E. Land Use

1. Modify zoning provisions to allow for a diversity of housing types, densities, and mixed USES.
2. Incorporate within the zoning ordinance "Night Sky" provisions which regulate evening outdoor light pollution.
3. Amend the zoning ordinance to allow for the introduction of limited, neighborhood based RETAIL USES.

Appendix C: Community Input, South Marquette

The standards provided in this CODE were built on community input received during the Community Participation Design Workshop held on November 3, 2007, and public hearings of the draft CODE.

Common Themes

- Slow down traffic
- Add more vegetation
- Continue to enable neighborhood RETAIL that is accessible to pedestrians
- Continue winter sidewalk maintenance for pedestrians
- Create a friendlier pedestrian environment
- Bury overhead utility wires
- Future buildings closer to street, parking behind
- More PUBLIC ART
- Reduce traffic speeds in the neighborhoods while accommodating on-street parking
- Create opportunities for more community green space/rain gardens
- Improve streetscapes

Area Specific (in addition to above)

A. **Champion Street**
   1. Preserve RESIDENTIAL character of Champion Street, including the scale, building relationship to street, and form

B. **Division St.**
   1. Maintain a mix of uses and structure types
   2. Pedestrian connection to Front and community green space at Craig and Orianna Creek
   3. Needs historic lighting
   4. Screen dumpsters
   5. No truck route

C. **US 41/S. Front St.**
   1. Create a Gateway image
   2. Landscaped median for pedestrian refuge and traffic calming
   3. Improve/continue bike path into neighborhood
   4. Make it easier to access businesses
   5. Make it easier to cross the street
   6. Reduce number of driveways
   7. Reduce speeds at Hampton St.
   8. Sidewalks on both sides of highway
   9. Parking and big trucks behind buildings
   10. Reduce number and size of signage
   11. Warmer, friendlier COMMERCIAL FACADES

D. **Area between Front and Division St.**
   1. Explore green roof idea
   2. Utilize ALLEYS for improved access/circulation
   3. Landscaping and visual enhancements for existing businesses
   4. Better parking (less lots, better design)
   5. Need sidewalks

Appendix D: CONDITIONAL USES AND USES SUBJECT TO APPEAL

USES Permitted with a CONDITIONAL USE Permit

1. Group Day Care Home
2. Foster Family Group Home
3. Halfway House

USES SUBJECT TO APPEAL

1. Home Occupations and Home Office

    a. Shall not occupy more than 25% of the floor area of the dwelling unit or a maximum of 500 square feet, whichever is smaller.
    b. No persons who are not lawful residents of the dwelling unit may be employed.
    c. There shall be no signs or display of goods used to indicate the presence of the Home Occupation or Home Office.
    d. Approval of a Home Occupation or Office shall vest only in the person making the application and is non-transferable to another person.
    e. Shall require approval from the Marquette City Community Development via a Home Occupation or Home Office Permit.
    f. Application for approval of a home occupation or office shall include a signature indicating approval of the property owner if that person is different from the applicant.
    g. Shall not be conducted in an accessory building.

REQUIRED CONDITIONS FOR THE CONDITIONAL USES

1. Group Day Care Home

    a. Group Day Care Homes shall be licensed as either a group day care home or a day care center by the Michigan Department of Social Services prior to commencement of the use.

2. Foster Family Group Home

    a. Adult foster care family homes shall be licensed by the State of Michigan or a state authorized agency prior to commencement of the use.

3. Halfway House

    a. Shall have a manager on duty at all times.
    b. Shall have a minimum of three off-street parking spaces, or one space for each tenant with a vehicle plus one space for each staff member on duty whichever is greater. In authorizing construction of new structures, the Commission may require sufficient yard area to be reserved as potential parking to facilitate conversion to a permitted use in the district, should the halfway house cease to operate.
    c. All residents shall have met the sponsoring agency's referral specifications and participate in all required treatment and counseling programs.
    d. Existing structures shall meet all the minimum property maintenance and site plan requirements; plans need to be reviewed by the Fire Inspector, along with a statement of intent to comply with any required changes to bring the structure into compliance. Applications for new building shall include a site plan, floor plan, and elevations.

e. Approval of the conditional use permit shall specify compliance with the number of occupants. Violation of this condition shall result in a public hearing before the Planning Commission and shall be grounds for revocation of the Conditional Use Permit.
f. In applying the administrative standards (Section 80.60 of the Zoning Ordinance) the Commission shall consider the density of similar uses. In no case shall a halfway house be permitted within 500 feet of another similar facility.
g. Prior to application for zoning approval, the applicant shall meet with the Planning Department and is encouraged to inform the neighbors of plans for the halfway house.

Appendix E: Representative Illustrations for Alternatives to Transparency
(Applies to LIGHT INDUSTRIAL USES in GC-MU SUB-DISTRICT)

Appendix F: South Marquette Waterfront Form-District Tree List

The following list contains all species approved for USE in the SOUTH MARQUETTE WATERFRONT FORM DISTRICT. It contains native and acceptable adapted species. Other species may be used for planting within a lot. Invasive exotic species may not be used anywhere on lots or other areas within the FORM DISTRICT. The use of alternate species may be permitted, if approved by the Planning Commission as provided in the Marquette City Zoning Ordinance.

Street Tree List

The following should be viewed as an open-ended species list for planting in sidewalk "cutouts" in the FORM DISTRICT.

The urban environment is harsh. While this concrete, glass, and man-made "harshness" can be softened with the introduction of trees and other vegetation, these very conditions make growing urban trees difficult. The life span of city trees is often very short compared to that of their woodland counterparts. This, coupled with recent studies that indicate for every four city trees that die only one is replanted, points toward a need for aggressive, appropriate, and well maintained urban planting efforts.

The palette of appropriate street-side trees for the South Marquette area is rather limited: the list of trees applicable for sidewalk "cutout" plantings is even more limited. Today, the argument is often made for focusing planting efforts on "native" trees. It's easy to argue that a tree species which is naturally found in a region--and evolved there over a long period of time--is the logical choice for replanting in a given area. An urban environment, however, seldom exhibits the characteristics of the surrounding, natural habitat. There is nothing "natural" about trying to grow a tree next to a building, in compacted fill soils, on a six foot wide strip of land, located between a bituminous driving surface and a concrete sidewalk. A four foot square cutout in a sidewalk is even less "natural".

In an effort to diversify the tree species found within the FORM DISTRICT, and to establish trees with the greatest likelihood of both surviving and thriving, all suitable tree species--native and non-native--should be considered for use within the District. Criteria for determining "suitable" tree species include tree characteristics (growth rate, form), site characteristics (available above-ground space, exposure), and exterior factors such as USDA hardiness zones, microclimates, and plant availability.

NORWAY MAPLE *Acer platanoides*	Narrow upright form for tight above-ground spaces—susceptible to winter scald injuries
SKYLINE HONEYLOCUST *Gleditsia triacanthos inermis* 'Skyline'	Ascending branches, strong central leader, filtered shade—winter tip dieback possible
PRINCETON SENTRY GINKGO *Ginkgo biloba* 'Princeton Sentry'	Narrow upright pyramid form, male only (no fruit)—slow recovery from transplant
IVORY SILK JAPANESE TREE LILAC *Syringa reticulata* 'Ivory Silk'	Upright branching, creamy white flowers—small tree with low branching
LITTLE LEAF LINDEN	Readily transplanted, prefers well drained soil, full-sun. Quite pollution tolerant.
IRONWOOD	Small, slow growing tree. Native to the Upper Peninsula.
COMMON HACKBERRY	Large, fast growing member of the Elm family with a mature canopy somewhat reminiscent of American Elm. Good performance in dry soils & windy conditions. Withstands dirt and grime of city living.
COCKSPUR HAWTHORN	Small, slow growing ornamental tree with broad, rounded crown and good winter form. Only thornless variety 'inermis' should be used.
AMERICAN ELM 'VALLEY FORGE'	The king and queen of American STREET TREES.

	Virtually eliminated from urban landscapes by the late 1950's due to Dutch Elm disease. The 'VALLEY Forge' cultivar has shown excellent resistance to disease. Elms should be planted with moderation to avoid the monoculture that led in part to their original demise.

Public Space Trees

Any tree species and cultivar applicable for planting in USDA Cold Hardiness Zone 5a (-15 to -20°F average coldest winter temperature) can be considered for planting within district public squares, CIVIC greens, and parks, with the exception of the following prohibited species.

Prohibited Tree Species

All Willows (Salix)
All Poplars (*Populus*)
All Ash (*Fraxinus*)
Silver Maple (brittle wood, heaving/invasive roots)
Blue Spruce (too far from natural range, disease susceptible)

Amendment to 80.36:
Ord#590-light manufacturing (11/28/11)
Ord#615-remove references to sidewalk café (3/31/14)
Ord#642-80.36 South MQT FBC- add language to 1.5 Appeals, Appendix A revise uses subject to appeal definition that the appeal of Zoning Administrator is Board of Zoning Appeals, Appendix D add and remove language for uses subject to appeal, add Required Conditions for Conditional Uses (7-11-16)