

PROJECT METHOD



A. PROJECT INITIATION

Kick-Off Meeting. We will prepare for and attend a kick-off meeting with the Planning Commission, City staff, and/or other key elected officials or stakeholders identified by the City.

The kick-off meeting's function will be to discuss the overall project expectations and issues, and to agree upon the schedule and dates, ensuring that involved parties share the same expectations. Specifically, we anticipate that the kick-off meeting will have the following outcomes:

- Identify key points of contact with the City and establish communication procedures, both for the submittal of questions and comments by the City to us, and for the submittal of information and draft materials by us to the City.
- Educate the City on the basics of planning and zoning principles and concepts that will be important to the Land Development Code update.
- Identify tasks to be completed by City staff, tasks to be completed by McKenna, and how completion of tasks is coordinated.
- * • Establish the review process for the Land Development Code by the public and elected and appointed officials, including whether the Planning Commission will be the primary body to review and revise the first draft of the Land Development Code or if an ordinance subcommittee will be appointed.
- Agree upon a schedule of meeting dates, document delivery dates and review periods, and key aspects of the process.

Meeting

- 1 kick-off meeting with the Planning Commission, City staff, and/or other key elected officials or stakeholders attended by McKenna and North of 45 LLC

Results

- Project meeting schedule
- Agreement on review process

B. DIAGNOSTIC REVIEW

McKenna Associates will review the Master Plan and consult with the Planning and Zoning staff as a prelude to preparing a diagnostic review of the Zoning Ordinance and other land development ordinances (e.g., Sign Ordinance, Fence Ordinance, and Subdivision Ordinance). The purpose of the diagnostic review is to determine the strengths and weaknesses of the current regulations and arrive at a plan of action for creating the Land Development Code. It is important to take a fresh approach so that all issues are explored. ✓

Much of Marquette is developed, with of diverse mix of residential, commercial, recreational, public, and industrial land uses. At the same time, the 10 miles of prime shoreline in the city is a major draw because much of it is public and contains many parks and trails. Marquette must sustain and improve this asset by encouraging stormwater Best Management Practices (BMPs) and adopting provisions for shoreline and environmental sustainability. Our diagnostic review will identify opportunities that can be addressed in the Land Development Code re-write process.

During this task, McKenna will examine the existing ordinances in light of current state of the art regulatory methods, current legislation and court decisions, and in consideration of goals and objectives expressed in the Master Plan. In a written report, McKenna will advise the City on the impact of laws and court decisions on the Land Development Code.

In the process of completing the diagnostic review, McKenna will review **Board of Zoning Appeals** decisions for the past few years to identify recurring problems. We will consult with the **City Attorney** about any relevant zoning litigation. The diagnostic review will determine whether the Zoning Ordinance and other land development ordinances are consistent with current law, administrative rules, procedures, and regulations, and federal and state pre-emptions (such as laws regarding child and adult care, telecommunications towers, etc.).

McKenna will complete an evaluation of existing zoning districts in relation to existing and planned future land use. The purpose of this survey will be to collect necessary data to determine if expansion of districts is required, as noted in the Master Plan.

Most importantly, the diagnostic review will take a step back to determine if the Zoning Ordinance and other land development ordinances are achieving the vision that residents and City leaders have for the community.

Meeting

- 1 meeting with the Planning Commission, City staff, and/or other key elected officials or stakeholders to discuss results of diagnostic review attended by McKenna and North of 45 LLC

Results

- Written report of Diagnostic Review of Zoning Ordinance and Other Land Development Ordinances

C. ANNOTATED OUTLINE AND FORMAT FOR LAND DEVELOPMENT CODE

McKenna will next prepare a detailed outline of the new ordinance, with cross-references to comparable sections of the existing ordinances.

McKenna will also prepare a format for typical pages, including headers and footers, font type and size related to the hierarchy of the Land Development Code, margins, graphics and indexing.

Although the existing Zoning Ordinance organization may be used as a basis, McKenna will make recommendations, where appropriate, for changes that will increase the usability of the Ordinance. Consensus on the detailed outline and format is required before proceeding with actual text revisions.

We have found that two of the keys to a successful, user-friendly ordinance are logical organization and how content is presented. As the primary users, the Planning Commission, City Commission, BZA and City staff must agree early in the process that the outline provides logical order to the Land Development Code.

McKenna will present the results of the outline and format to the Planning Commission, City staff, and/or other key elected officials or stakeholders for comment and to obtain general agreement about the scope and nature of the proposed changes for the Land Development Code.

Meeting

- 1 meeting with the Planning Commission, City staff, and/or other key elected officials or stakeholders attended by McKenna and North of 45 LLC

Results

- Detailed outline of the updated ordinance
- Formatted pages for review and approval

D. LAND DEVELOPMENT CODE FIRST DRAFT

We propose to develop the Land Development Code and Zoning Map in four (4) parts as follows. Concurrent with these four (4) parts, we will continually update and revise the definitions so that the definitions article is always up-to-date. We will also “track changes” in Microsoft Word so that you can see all of the changes that have been made. Additionally, we will provide editorial comments in the margins of the draft Word document so that we can describe the purpose behind the proposed changes.

1. *Zoning Districts*. The first step in drafting the update will be to establish the zoning districts, with use and design standards. The zoning district regulations of the Land Development Code will contain the following sections:
 - Establish Zoning Districts. In accordance with the recommendations of the Master Plan, new zoning districts will be created to carry out the objectives of the Plan and the adopted Form-Based Codes will also be incorporated into the Land Development Code. Permitted uses in each district will be clearly defined, along with standards, conditions and review criteria, where appropriate. Currently, there are 14 zoning districts, which include the 2 Form-Based Code districts. The Master Plan gives direction to create up to 6 additional districts for different classifications of uses. We will work closely with the City to determine how many additional zoning districts to include in the Land Development Code at this time.

A schedule regulating the area, height, bulk, and placement standards for each district will be provided. We will pay particular attention the minimum lot sizes and widths in residential districts, which were increased when the Zoning Ordinance was adopted in 1978 but has lead to an increase in the number of variance requests to the BZA for expansion and reconstruction. ✓

- Permitted Use Table. We will create a table showing all of the zoning districts and permitted uses. This is sometimes called a "Use Matrix" and allows the user of the planning and zoning code to quickly see where a use is permitted. This eliminates the need to flip back and forth between sections of the Land Development Code to determine where a use is permitted in the community. If there are associated development standards with a specific land use, a hyperlink will be added directing the user to those development standards. This format will make the table more concise and the Code easier to navigate. In creating the Use Matrix, we will consider the following recommendations of the 2015 Master Plan:
 - Allowing limited, neighborhood based retail uses
 - Limiting the conversion of single-family residences to multi-family residences
 - ✗ ○ Making accessory dwelling units a conditional use option in certain residential districts. *Maybe not necc.*
 - Land Use-Specific Development Design Standards. The design standards that are applicable to each land use will be described in this article, with each land use having its own section. As previously stated, a link to the development standard for each applicable land use will be provided in the Permitted Land Use Table.
 - General Development Design Standards (a.k.a., General Provisions). General design standards that are applicable to all uses in all locations will be described in this section. Examples of this kind of regulation include corner clear-vision requirements, general accessory structure requirements, etc.
 - Zoning District-Specific Development Design Standards. The design standards that are applicable in each zoning district will be described in this section. These standards will be design intensive and include building height and setback requirements, building design standards, accessory building standards, etc.
2. General Regulations. This portion of the Land Development Code will address supplemental regulations that support and enhance the use and design standards. While other land development codes will be incorporated into the Land Development Code, cross-references will be added to other ordinances that apply. Examples of regulations that will be included in the Land Development Code include:
- Storm Water Best Management Practices (BMPs) and Watershed Protection. McKenna will review existing the storm water management regulations and, if necessary, incorporate storm water standards into the Land Development Code as a means of protecting the

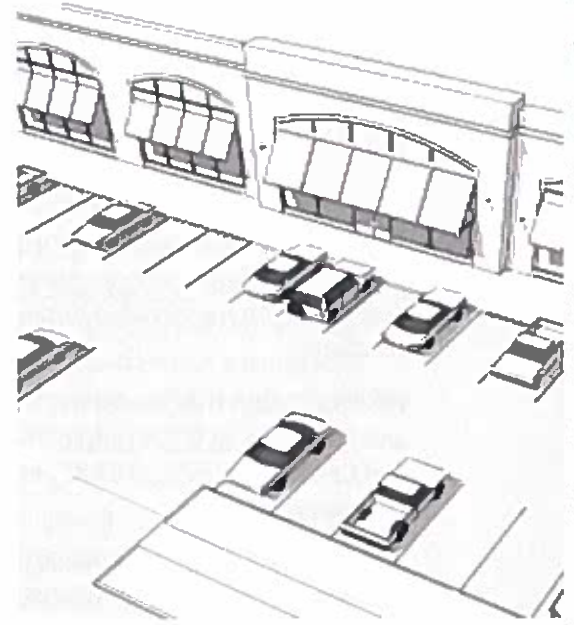


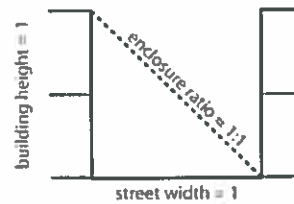
Figure 1. Graphic illustration of front-parking design standards.

shoreline, wetlands, and other sensitive environmental areas. Incorporating storm water BMP standards into the City's Land Development Code will place emphasis on the importance of total site design and encourages homeowners and developers to integrate storm water management into their projects.

Additionally, the 2015 Master Plan recommends "Watershed Residential" zoning in certain areas of the city where development pressure threatens environmentally sensitive areas, so we will consider any overlay district where specific storm water management requirements apply.

- **Landscaping.** Existing landscaping regulations will be evaluated and McKenna will draft a revised landscaping requirements article or section based on best practices and the City's goal of requiring street trees and canopy cover.
- **Accessory Buildings and Uses.** We will update the standards for residential and non-residential accessory buildings and uses.
- **Environmental Protection.** McKenna will identify and recommend regulations and effective mechanisms to protect critical environmental resources, such as minimum setbacks from wetlands and water bodies and incentives for preserving open space. ✓
- **Parking.** Parking regulations should ensure sufficient parking for land uses and buildings while allowing flexibility to avoid unnecessary impervious surfaces. We will identify ways of regulating parking and implement the City's preferred method, which may include adjusting parking ratios, allowing flexibility, recognizing on-street parking, and permitting shared parking where appropriate. The 2015 Master Plan recommends hard surface parking for many uses (including residential rentals), so we will work the City to achieve the desired regulations. We will also include bicycle parking standards, which is recommended in the Master Plan and a key element of promoting public health.
- **Lighting.** Exterior lighting is essential but it can be a source of light pollution and also an intensive energy consumer. The 2015 Master Plan recommends "night sky" provisions in the Zoning Ordinance to regulate evening outdoor light pollution, so we will include lighting standards that ensure that exterior lighting in the city is "dark-sky" compliant. We will also include standards and incentives to promote the use of energy efficient light fixtures, such as LED sources.
- **Sustainable Energy Generation.** Interest in alternative energy generation will continue to increase as small and residential-scale distributed energy solutions drop in price, and as fossil fuel sources become less predictable or increase in price. We will work with the City to determine how the Land Development Code should address the regulations for small- and large-scale solar and/or wind energy generation facilities for residential and non-residential applications.

Example A:



Example B:



Example C:

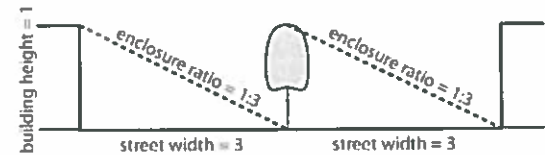


Figure 2. Street enclosure graphic. Street enclosure helps create street character, and can be regulated through planning and zoning code standards.

- Signs. Existing sign regulations will be evaluated with the goal of achieving a proper balance between the advertising needs of business and maintaining the aesthetic appeal of business areas. A 2015 U.S. Supreme Court decision has impacted the sign regulations in each community with respect to content-neutrality, and McKenna is a leader in the effort to update sign regulations as a result of this recent decision. We will identify areas of concern and give you options for amending the sign regulations in a manner that maintains City character. We will also include graphics and easy-to-use tables that will make the sign regulations easier to administer.
 - Graphics. In addition to the above elements, we will incorporate new graphics to increase the user-friendly aspects of the Land Development Code.
 - Access Management. Full scale access management regulations are typically contained in a separate ordinance. Basic access management standards, such as driveway spacing and curb cut locations, will be incorporated into the Land Development Code for key thoroughfares. Per the City's 2015 Master Plan, we will also resolve discrepancies between the access management standards of the Land Development Code and the general City Code. ✓
3. *Administration*. The administration section of the Land Development Code will include all of the procedural and administrative requirements, in compliance with the Michigan Zoning Enabling Act. Tables and graphics will be used to more clearly define the "what" and "how" of zoning code administration. The administration section will, at a minimum, include the following sections:
- Administrative Organization and Procedures
 - Planning Commission responsibilities
 - Board of Zoning Appeals responsibilities
 - City Commission responsibilities
 - Building Official responsibilities
 - Zoning Enforcement
 - Review Procedures (Site Plan, Zoning Amendment, Variances, Conditional Rezoning, etc.)
 - Nonconformities
- IPMC appeals*
4. *Zoning Map*. Revisions to the Zoning Map will be required to incorporate any changes deemed necessary to reflect new or consolidated zoning districts, or, to more properly zone properties according to the Proposed Zoning Map of the 2015 Master Plan. McKenna will note changes to the Zoning Map that will be required by the new Land Development Code and will make revisions in GIS in color. The updated Zoning Map will be adopted at the same time as the new Land Development Code.

Meetings

- See Task E, below, for review meetings.

Results

- First draft of Land Development Code (Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel and .pdf electronic file)
- First draft revised Zoning Map (ArcView electronic file + .pdf electronic file or other format at the desire of the City)

E. FIRST DRAFT REVIEW AND PREPARATION OF SECOND DRAFT

All drafts will be 8½" x 11" format for text and 11" x 17" format for the Zoning Map.

1. *Land Development Code Draft Review by City Staff.* Prior to sending draft to the Planning Commission or ordinance subcommittee for its review, we will send the draft to the Director of Planning and Community Development and City Planner/Zoning Administrator for review and comment. This will give City staff an opportunity to provide feedback and obtain comments from other City staff, stakeholders, and the City attorney. We will revise and update the Land Development Code based on the staff's input. While no on-site meetings are proposed for City staff review, additional meetings can be scheduled at an additional fee.
2. *Working Meetings with Planning Commission, City staff, and/or other key elected officials or stakeholders.* We will meet with the Planning Commission or appointed ordinance subcommittee up to five (5) times to review the proposed Land Development Code. The meetings are intended to take place following completion the four (4) parts noted in Task D, as well as an additional meeting to review the second draft. Depending on the body responsible for reviewing and revising the first draft of the Land Development Code, these meetings can be working meetings of the Planning Commission or regular meetings of an ordinance subcommittee.
3. *Prepare Second Draft.* We will prepare the second draft of the Land Development Code based on the input received during Tasks E.1 and E.2. This draft will identify changes made from draft one to draft two, along with the reasons for the changes.

Meetings

- Up to 5 review meetings with the Planning Commission, City staff, and/or other key elected officials or stakeholders attended by North of 45 LLC with McKenna available via Skype or telephone

Results

- First draft Land Development Code [Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel + .pdf electronic file]
- Second draft Land Development Code [Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel + .pdf electronic file]
- Summary of Changes [Microsoft Word (.doc or .docx) electronic file + .pdf electronic file]
- Second draft Zoning Map (ArcView electronic file + .pdf electronic file or other format at the desire of the City).

F. PUBLIC HEARINGS AND ADOPTION

1. *Public Hearing Presentations.* McKenna will prepare for and present the new Land Development Code at two (2) public hearings, one before each the Planning Commission (per State law) and one before the City Commission. McKenna will be prepared to answer questions and explain the reasoning behind the regulations.
2. *Revised Drafts.* Following each public hearing, McKenna will revise the Land Development Code as directed by the City. We will maintain a list of changes throughout the public hearing process to track the revisions and provide a record for decision makers as they consider approval of the Code.
3. *Adoption Copy of Land Development Code and Map and Revision Manual.* Following adoption, McKenna will provide final copies of the adopted Land Development Code in hard copy and digital format, and a final copy of the Zoning Map in hard copy and digital format. We will also provide a manual describing how to revise the Word document in a manner that preserves the document's built-in formatting features (hyperlinks, automatic numbering, automatic table of contents, indexes, etc.) and in a format that can be regularly maintained by City staff without new software.

Meetings

- 2 public hearing presentations attended by McKenna and North of 45 LLC

DELIVERABLES

Final Land Development Code

- One digital copy of the document in Microsoft Word and all maps in GIS digital format. Tabular data will be in Microsoft Word or Excel.
- One digital copy of the document in Adobe PDF format for the City's website.