

CITY OF MARQUETTE PLANNED UNIT DEVELOPMENT APPLICATION



CITY STAFF USE

Parcel ID#: _____ File #: _____ Required Narrative Submitted: Y/N

Receipt #: _____ Check #: _____ Received by and date: _____

Concept Plans (6 copies) Submitted: Y/N Hearing Date: _____ Notice Date: _____

Preliminary Plan & Pattern Book (6) Submitted: Y/N Hearing Date: _____ Notice Date: _____

Final Site Plan(6) Submitted: Y/N Contract signed: Y/N Meeting Date: _____

Amendment Plan (6) Submitted: Y/N Meeting Date: _____

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, THE PLANNED UNIT DEVELOPMENT REQUEST WILL NOT BE SCHEDULED FOR A HEARING UNTIL IT HAS BEEN VERIFIED THAT ALL OF THE INFORMATION REQUIRED IS PRESENT AT THE TIME OF THE APPLICATION - NO EXCEPTIONS!

FEE SCHEDULE (We can only accept Cash or Check (written to the City of Marquette))	
PUD Criteria Qualification	\$1,325
PUD Review <i>(includes Preliminary & Final Site Plan Review)</i>	\$4,965
PUD Revision – Administrative Minor Residential (additions, etc.)	\$215
Commercial structure, ≥ 3 residential units	\$860
PUD Revision - Major	\$2,670

If you have any questions, please call 228-0425 or e-mail alanders@marquettemi.gov. Please refer to www.marquettemi.gov to find the Planning Commission page for filing deadline and meeting schedule.

Please review the attached:

- PUD Timeline
- PUD Checklist
- Excerpts from the City Land Development Code
 - [Section 54.323 Planned Unit Development](#)
 - [Section 54.1402 Site Plan Review](#)

APPLICANT CONTACT INFORMATION

PROPERTY OWNER

Name: _____

Address: _____

City, State, Zip: _____

Phone #: _____

Email: _____

APPLICANT/OWNER'S REPRESENTATIVE

Name: _____

Address: _____

City, State, Zip: _____

Phone #: _____

Email: _____

PRE-APPLICATION CONFERENCE

It is strongly encouraged that all applicants and their representatives meet with City of Marquette staff prior to submitting an application for a Planned Unit Development. A pre-application meeting with staff allows for a preliminary review of the application procedures, project timelines, compliance with the City Master Plan, and other project criteria, and prevents most situations that usually results in a project being postponed.

PROPERTY INFORMATION

Property Address:	Property Identification Number:
Size of property (frontage / depth / sq. ft. or acres):	
Zoning District:	Current Land Use:
Surrounding Zoning Districts:	Surrounding Land Use:
North - _____ East - _____ South - _____ West - _____	North - _____ East - _____ South - _____ West - _____

PLANNED UNIT DEVELOPMENT INFORMATION

Percentage of Land Use by Type

	Residential	Commercial/ Institutional	Industrial	Open Space	Other	Total
# of Acres						
% of Total						

Residential Density

Type of Unit	Number of Units	Net Acres	Net Density
Single Family Home			
Town Home			
Apartments			
Other			
Total			

Net Acres - Land development for land use type not including right-of-way
 Net Density - Number of Units/Net Acres

VARIANCES FROM ORDINANCE(S)

THIS IS A REQUIRED SECTION. FAILURE TO FILL OUT MAY INDICATE THAT THE PROPERTY CAN BE DEVELOPED UNDER CURRENT ZONING DISTRICT STANDARDS.

Please list and justify the request variance(s) from the Land Development Code (attach additional pages if necessary):

REVISIONS TO PUD

Please list the proposed revisions to your approved PUD (attach additional pages if necessary):

SIGNATURE

I hereby certify the following:

1. I am the legal owner of the property for which this application is being submitted.
2. I desire to apply for the Planned Unit Development Permit indicated in this application with the attachments and the information contained herein is true and accurate to the best of my knowledge.
3. The requested Planned Unit Development would not violate any deed restrictions attached the property involved in the request.
4. I have read the attached Planned Unit Development section of the Land Development Code and understand the necessary requirements that must be completed.
5. I understand that the payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the plan.
6. I acknowledge that this application is not considered filed and complete until all of the required information has been submitted and all required fees have been paid in full. Once my application is deemed complete, I will be assigned a date for a public hearing before the Planning Commission that may not necessarily be the next scheduled meeting due to notification requirements and Planning Commission Bylaws.
7. I acknowledge that this form is not in itself a Planned Unit Development but only an application for a Planned Unit Development and is valid only with procurement of applicable approvals.
8. I authorize City Staff and the Planning Commission members to inspect the site.

Property Owner Signature: _____ Date: _____

Applicant Signature: _____ Date: _____

CITY OF MARQUETTE
PLANNED UNIT DEVELOPMENT APPLICATION
TIMELINE

This timeline is intended to give the applicant an idea of the timing involved for this application procedure and is not intended to serve as a substitute for the requirements of the Marquette City Charter, City Code, or Planning Commission Bylaws.

Step 1 – Pre-application Conference with City Planner/Zoning Administrator

1. Applicant meets with City Planner/Zoning Administrator to review application procedures, project timelines, City Land Development Code, compliance with City Master Plan, and other project criteria

TIME BEFORE NEXT STEP – Variable and dependent on applicant

Step 2 – Submittal of Concept and Request for Consideration of Project Qualifications

1. Applicant submits complete application as required (incomplete applications will not be accepted)
2. Staff mails hearing notices and submits legal ad

TIME BEFORE NEXT STEP – Minimum of 20 business days from #1

3. Planning Commission holds a public hearing and reviews concept plan
4. Applicant prepares preliminary plan as needed

TIME BEFORE NEXT STEP – variable and dependent on applicant

Step 3 – Submittal and Review of Preliminary Plan

1. Applicant submits complete land use plan as required (incomplete land use plans will not be accepted)
2. City Development Review Team (CDRT) reviews and comments on land use plan
3. Staff mails hearing notices and submits legal ad
4. Applicant meets with CDRT
5. Applicant makes revisions to plans as necessary (optional but recommended)
6. CDRT comments on revised plans

TIME BEFORE NEXT STEP – Minimum of 20 business days from #1

7. Planning Commission holds a public hearing and makes a recommendation to the City Commission

TIME BEFORE NEXT STEP – Minimum of 13 business days

8. City Commission holds a first reading and schedules a public hearing
9. City Clerk notices public hearing

TIME BEFORE NEXT STEP – Minimum of 15 calendar days from #9

10. City Commission holds a public hearing
11. City Clerk transmits copies of Planned Unit Development Approval to City Attorney for development of Planned Unit Development Contract

TIME BEFORE NEXT STEP – Variable but it is anticipated to be a minimum of 14 calendar days from #10

12. City Commission concurs with contract and authorizes signatures
13. City Clerk records contract with the Register of Deeds
14. Zoning Map is amended
15. Applicant prepares final site plans

TIME BEFORE NEXT STEP – Variable and dependent on applicant

Step 4 – Final Site Plans

1. Applicant submits a complete application for site plan review and a complete final site plan as required (incomplete applications and site plans will not be accepted)
2. CDRT reviews and comments on plans
3. Applicant meets with CDRT
4. Applicant makes revisions to plans as necessary (optional but recommended)
5. CDRT reviews and comments on revised plans

TIME BEFORE NEXT STEP – Minimum of 20 business days (could be more depending on time of the month as Planning Commission generally only reviews applications at the first meeting of the month) from #1

6. Planning Commission reviews final site plan for compliance with approved Planned Unit Development and contract

TIME BEFORE NEXT STEP – Minimum of 13 business days (if necessary – the following step is not necessary if the Planning Commission determined that the final site plan was in compliance with the approved Planned Unit Development and Contract)

7. City Commission reviews final site plan to determine if any material changes shall be approved or denied

A Zoning Compliance Permit will be issued upon final approval from the Planning Commission or City Commission per #6 and #7 above. It should be noted that if the approval contained conditions of approval, Zoning Compliance may not be issued until the conditions have been satisfied.

CITY OF MARQUETTE
PLANNED UNIT DEVELOPMENT APPLICATION REQUIREMENTS CHECKLIST

This checklist has been developed to outline the process and requirements for a Planned Unit Development in the City of Marquette. The checklist is intended to assist property owners and developers in completing the required applications and informing them of how the process works. Complete copies of Sections 54.323 (Planned Unit Development) and 54.1402 (Site Plans) are also attached for reference. If any of the required items on this checklist are not submitted or are not submitted in a timely manner (as required per the City Land Development Code and Planning Commission Bylaws), the application will be deemed incomplete and returned to the applicant.

STEP 1 – Pre-application Conference with City Planner/Zoning Administrator

- Applicant has met with the City Planner/Zoning Administrator to review the Planned Unit Development application procedures, project timelines, City Land Development Code, compliance with City Master Plan, and other project criteria **(highly recommended)**

STEP 2 – Submittal of Concept and Request for Consideration of Project Qualifications

- Applicant has completed the Planned Unit Development Application
- Applicant has paid the required application fee
- Applicant has attached all of the information required per *Section 54.323(G)(3)* of the City of Marquette Land Development Code:
 - Substantiation in writing that the criteria set forth in Criteria for Qualifications (*Section 54.323(F)*) are or will be met
 - A schematic land use plan containing enough detail to explain the following:
 - The function of open space
 - The location of land use areas
 - Streets providing access to the site
 - Vehicular and pedestrian circulation within the site
 - Dwelling/Commercial unit density and types
 - Contemplated buildings and floor areas
 - A plan for the protection of natural, cultural and historic features and preservation of open space, green space, and public access, as applicable
 - The proposed phasing of the project

Note – any plan submitted without addressing the information required by *Section 54.323(G)(3)* (Planned Unit Development) of the City of Marquette Land Development Code will not be accepted.

Step 3 – Submittal of Preliminary Plan

An application shall be made to the Community Development Department for review and recommendation by the Planning Commission that complies with the preliminary site plan information requirements of *Section 54.1402*, including but not limited to the following graphic and written representations of the project at a scale not to be smaller than one (1) inch equals one hundred (100) feet unless approved by the City:

- A boundary survey of the PUD boundaries being requested completed by a licensed land surveyor.

- A topographic map of the entire area at a contour interval of not more than one (1) foot and spot elevations at intervals not to exceed fifty (50) feet, unless waived.
- Existing natural areas including, but not limited to, major stands of trees, bodies of water, wetlands, floodplains, steep slopes, and un-buildable areas.
- A proposed land use plan.
- Parcel and lot lines, land use, access points, and zoning of all parcels within 100 feet of the PUD site.
- Vehicular circulation including major drives and location of vehicular access. Proposed project cross sections including public streets or private roads.
- Transition treatment, including minimum building setbacks to land adjoining the PUD and between different land use areas within the PUD.
- The location of nonresidential buildings and parking areas, estimated floor areas, building coverage, and number of stories and heights for each structure.
- The location of residential unit types and densities, and lot parcel or land units by frontages and areas.
- The location of all wetlands, water and watercourses, and proposed water detention areas.
- The boundaries of open space areas that are to be preserved or reserved and an indication of the proposed ownership thereof.
- A schematic landscape treatment plan for open space areas, streets, and border/transition areas to adjoining properties.
- A preliminary grading plan, indicating the extent of grading and delineating any areas that are not to be graded or disturbed.
- An indication of the contemplated water distribution, storm, and sanitary sewer plan.
- A written statement explaining in detail the full intent of the applicant, indicating the type of dwelling units or uses contemplated and resultant population, floor area, parking, and supporting documentation, including the intended schedule of development.
- The proposed phasing of the project, tentative development timetables, and future ownership intentions. Each phase of the project should be capable of standing alone.
- Minimum of two (2) site sections, showing major building relationships and building site features.
- Detailed design guidelines, drawings, and / or pattern book, which depict the design character of the project; the architectural details of proposed buildings; details on various site elements such as lights, furniture, landscaping, signage; and such other information deemed appropriate by the Planning Commission.
- Performance Guarantee. The City Commission and/or Planning Commission can require the applicant to submit a performance guarantee, escrow funds, or other such performance-based guarantees to the City as a condition of PUD approval pursuant to *Section 54.1402(H)*. The amount of the performance guarantee shall be recommended to the Planning Commission by the City Attorney after discussion with the applicant, City Engineering Department, and other involved parties.

Note – any land use plan submitted that does not address the requirements of *Section 54.323(H)* (Planned Unit Development) of the City of Marquette Land Development Code, or additional requirements requested by the City Planning Commission during the concept review will not be accepted.

Step 4 – Final Site Plans

Applicant has submitted an application for Site Plan Review and a detailed site plan, in accordance with the requirements set forth in *Section 54.1402* (final site plans) or *Section 54.501* (preliminary plats) of the Marquette City Land Development Code

Note – any site plan submitted that does not meet the requirements of *Section 54.1402* (Site Plans) of the City of Marquette Land Development Code, or additional requirements requested by the City Planning Commission, City Commission, or specified in the Planned Unit Development Contract, will not be accepted.

EXCERPT FROM THE CITY LAND DEVELOPMENT CODE

Article 3: Zoning Districts and Map

Section 54.323: PUD, Planned Unit Development District

Section 54.323 PUD, Planned Unit Development District

(A) Purpose. The Planned Unit Development (PUD) option is intended to encourage, with City approval, private or public development that is substantially in accord with the goals and objectives of the Community Master Plan. Development permitted under this Section shall be considered as an optional means of development only upon terms agreeable to the City. Use of the PUD option will permit flexibility in the regulation of land development and benefit the City by:

- (1) Encouraging innovation through an overall development plan to provide variety in design and layout.
- (2) Achieving economy and efficiency in the use of land, natural resources, energy, and in the provision of public services and utilities.
- (3) Encouraging the creation of useful open spaces particularly suited to the needs of the parcel in question.
- (4) Providing appropriate housing, employment, service, and shopping opportunities suited to the needs of residents of Marquette.

(B) Use. The PUD may be used to:

- (1) Permit nonresidential uses of residentially zoned areas.
- (2) Permit residential uses of non-residentially zoned areas.
- (3) Permit land uses and the mixing of land uses that would otherwise not be permitted, provided the objectives are supported by the Master Plan and the intent of this Ordinance and the resulting development promotes the public health, safety, and welfare without a material adverse impact on adjoining existing and planned uses.

(C) Minimum Size. The minimum size of a PUD must be two (2) acres of contiguous land. However, the City Commission, upon recommendation from the Planning Commission, may permit a smaller PUD under the following circumstances:

- (1) The proposed project has unique characteristics and benefits; and/or
- (2) The parcel in question has unique characteristics that significantly impact development, such as unusual topography, tree stands, wetlands, poor soil conditions on portions of the parcel, water courses, unusual shape or proportions, or utility easements that cross the parcel.

In such case, the applicant must submit a letter to the City requesting a waiver of the minimum PUD size requirements. The request must be submitted at the time of the submittal of Concept and Request for Consideration of Project Qualifications ([Section 54.323\(G\)](#)). The Planning Commission shall review the request and make a recommendation to the City

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Commission. The City Commission shall make the final decision concerning a request to waive the PUD size requirements.

(D) Density, Layout, and Bulk.

- (1) Densities, setbacks, height, lot coverage, or lot sizes may be permitted that are different from the current zoning district and unique to the proposed PUD district, provided the other objectives of this Ordinance are met and the resulting development would promote the public health, safety, and welfare. The requirements of the Riparian Overlay District must be met.
- (2) The PUD shall be laid out so various land uses and building bulk relate to each other and to adjoining existing and planned uses with no material adverse impact of one use on another. Clustering development is encouraged in areas that are not located in the Riparian Overlay District.

(E) Definitions.

- (1) A **“Planned Unit Development”** (PUD) is a zoning district that shall apply to a specific parcel of land or several contiguous parcels of land, for which a comprehensive physical plan has been recommended by the Planning Commission, approved by the City Commission, and documented in a contract (PUD Agreement) between the City and site owner/developer. Such plan and contracted development will establish functional use areas and density patterns; will provide a fixed system of streets, public utilities, drainage, and other essential services; and account for similar factors necessary for and incidental to the intended land uses. The Planning Commission may, but is not required to, consider parcels separated by a public street as eligible for inclusion in a PUD.
- (2) A **“Pattern Book”** is a document prepared by the applicant’s design firm that contains specific information on the site master plan, and architectural designs for planned buildings. Information should include specifications on building materials, size, and dimensions, building elevations, and site design elements such as pedestrian walkways, lighting, landscaping, and signage.

(F) Criteria for Qualifications. The PUD option may be permitted anywhere in the City except in the Conservation and Recreation (CR) district. To be considered for the PUD option, it must be demonstrated that all of the following criteria are met:

- (1) Use of this option shall not be for the purpose of avoiding applicable zoning requirements. Any permission given for any activity or building or use not normally permitted shall result in an improvement to the public health, safety, and welfare in the area affected.
- (2) The PUD shall not be utilized in situations where the same land use objectives can be accomplished by application of conventional zoning provisions or standards. Problems or constraints presented by applicable zoning provisions shall be identified in the PUD application.

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- (3)** The PUD option may be effectuated only when proposed land use will not materially add service and facility loads beyond those contemplated in the Master Plan unless the proponent can demonstrate to the sole satisfaction of the City that such added loads will be accommodated or mitigated by the proponent as part of the PUD.
- (4)** The PUD shall not be allowed solely as a means of increasing density or as a substitute for a variance request; such objectives should be pursued through the normal zoning process by requesting a Zoning Map amendment or variance.
- (5)** The Planned Unit Development must substantially meet, as a minimum, three (3) or more of the following objectives. The benefits given to the developer through the flexibility of the PUD must be balanced with the benefits to the City:

 - (a)** To permanently preserve open space or natural features because of their exceptional characteristics or because they can provide a permanent transition or buffer between land uses.
 - (b)** To permanently establish land use patterns that are compatible or that will protect existing or planned uses.
 - (c)** To accept dedication or set aside open space areas in perpetuity.
 - (d)** To provide alternative uses for parcels that can provide transition buffers to residential areas.
 - (e)** To guarantee provision of a public improvement that could not otherwise be required that would further the public health, safety, or welfare; protect existing or future uses from the impact of a proposed use; or alleviate an existing or potential problem relating to public facilities.
 - (f)** To promote the goals and objectives of the Community Master Plan.
 - (g)** To foster the aesthetic appearance of the City through quality building design and site development; the provision of trees and landscaping beyond minimum requirements; the preservation of unique and/or historic sites or structures; and the provision of open space or other desirable features of a site beyond minimum requirements.
 - (h)** To bring about redevelopment of sites where an orderly change of use or requirements is determined to be desirable.
 - (i)** To bring about redevelopment of sites that have been identified as environmentally distressed or Brownfields.
 - (j)** To facilitate appropriate development of environmentally sensitive areas.

(G) Submittal of Concept and Request for Consideration of Project Qualifications.

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- (1) Any person owning or controlling land in the City may make application for consideration of a PUD. Such application shall be made by submitting a request for a preliminary determination as to whether or not a parcel qualifies for the PUD option.
- (2) A written and graphic request shall be submitted to the Marquette City Planning Commission through the Community Development Department. The submission shall include information required by [Section 54.323\(G\)\(3\)](#) below.
- (3) Based on the documentation submitted, and following a public hearing the Planning Commission shall review the applicant's request and make a preliminary determination as to whether or not a parcel qualifies for the PUD option under the provisions of Criteria for Qualifications ([Section 54.323\(F\)](#)). The submittal must include the following:
 - (a) Substantiation that the criteria set forth in Criteria for Qualifications ([Section 54.323\(F\)](#)) are or will be met.
 - (b) A schematic land use plan containing the required information of a preliminary site plan ([Section 54.1402\(C\)](#)) with enough detail to explain the function of open space; the location of land use areas, streets providing access to the site, pedestrian and vehicular circulation within the site; dwelling unit density and types; and buildings or floor areas contemplated, as applicable.
 - (c) A plan for the protection of natural, cultural, and historic features and preservation of open space, green space, or public access, as applicable.
 - (d) The proposed phasing of the project.
- (H) **Submittal and Approval of Preliminary PUD Plan.** An application for Preliminary PUD Plan approval may be made for consideration with the submission of the following materials and Planning Commission review. To expedite PUD projects, the Planning Commission, at its discretion, may waive submitted information required in [Section 54.323\(H\)](#) and [Section 54.1402\(C\)](#):
 - (1) **Submittal of Proposed PUD Plan.** An application shall be made to the Community Development Department for review and recommendation by the Planning Commission that complies with the preliminary site plan information requirements of [Section 54.1402](#), including but not limited to the following graphic and written representations of the project at a scale not to be smaller than one (1) inch equals one hundred (100) feet unless approved by the City:
 - (a) A boundary survey of the PUD boundaries being requested completed by a licensed land surveyor.
 - (b) A topographic map of the entire area at a contour interval of not more than one (1) foot and spot elevations at intervals not to exceed fifty (50) feet, unless waived.
 - (c) Existing natural areas including, but not limited to, major stands of trees, bodies of water, wetlands, floodplains, steep slopes, and un-buildable areas.

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- (d) A proposed land use plan.
- (e) Parcel and lot lines, land use, access points, and zoning of all parcels within 100 feet of the PUD site.
- (f) Vehicular circulation including major drives and location of vehicular access. Proposed project cross sections including public streets or private roads.
- (g) Transition treatment, including minimum building setbacks to land adjoining the PUD and between different land use areas within the PUD.
- (h) The location of nonresidential buildings and parking areas, estimated floor areas, building coverage, and number of stories and heights for each structure.
- (i) The location of residential unit types and densities, and lot parcel or land units by frontages and areas.
- (j) The location of all wetlands, water and watercourses, and proposed water detention areas.
- (k) The boundaries of open space areas that are to be preserved or reserved and an indication of the proposed ownership thereof.
- (l) A schematic landscape treatment plan for open space areas, streets, and border/transition areas to adjoining properties.
- (m) A preliminary grading plan, indicating the extent of grading and delineating any areas that are not to be graded or disturbed.
- (n) An indication of the contemplated water distribution, storm, and sanitary sewer plan.
- (o) A written statement explaining in detail the full intent of the applicant, indicating the type of dwelling units or uses contemplated and resultant population, floor area, parking, and supporting documentation, including the intended schedule of development.
- (p) The proposed phasing of the project, tentative development timetables, and future ownership intentions. Each phase of the project should be capable of standing alone.
- (q) Minimum of two (2) site sections, showing major building relationships and building site features.
- (r) Detailed design guidelines, drawings, and / or pattern book, which depict the design character of the project; the architectural details of proposed buildings; details on

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various site elements such as lights, furniture, landscaping, signage; and such other information deemed appropriate by the Planning Commission.

(2) Planning Commission Review of Proposed PUD Plan.

(a) Public Hearing and Review Procedure. The Planning Commission shall give notice of a public hearing as provided in [Section 54.1406](#) and hold a public hearing on the PUD and conduct a review of the PUD Plan and rezoning pursuant to the rezoning procedures of [Section 54.1405](#).

(b) Planning Commission Review and Determination. The Planning Commission shall review the proposed PUD plan and make a recommendation to the City Commission as to the proposal's qualification for the PUD option and for adherence to the following objectives and requirements:

(i) The proposed PUD adheres to the criteria for qualification of the PUD option ([Section 54.323\(F\)](#)) and promotes the land use goals and objectives of the City.

(ii) All applicable provisions of this Section shall be met. Insofar as any provision of this Section shall be in conflict with the provisions of any other section of this Ordinance, the provisions of this Section shall apply to the lands embraced within a PUD area.

(iii) There is, or will be, at the time of development, an adequate means of disposing of sanitary sewage and of supplying the development with water, and that the road system and storm water drainage system are or will be adequate.

(3) Performance Guarantee. The City Commission and/or Planning Commission can require the applicant to submit a performance guarantee, escrow funds, or other such performance-based guarantees to the City as a condition of PUD approval pursuant to [Section 54.1402\(H\)](#). The amount of the performance guarantee shall be recommended to the Planning Commission by the City Attorney after discussion with the applicant, City Engineering Department, and other involved parties.

(I) Final Approval of Planned Unit Development.

(1) City Commission Action. Upon receipt of the report and recommendation of the Planning Commission, the City Commission shall hold a public hearing in accordance with [Section 54.1406](#) and review all findings. If the City Commission approves the PUD, approval shall be granted only upon the City Commission determining that all provisions of this Section have been met and that the proposed development will not adversely affect the public health, welfare, and safety.

(2) PUD Zoning. Upon approval by the City Commission, the subject site shall be rezoned to "Planned Unit Development" in accordance with the procedures of [Section 54.1405](#).

(3) PUD Agreement. Upon approval of the PUD by the City Commission, the City Commission shall instruct the City Attorney to prepare a contract setting forth the conditions upon

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which such approval is based and which contract, after approval by resolution of the City Commission, shall be executed by the City and the applicant. The agreement shall become effective upon execution after its approval. The agreement shall be recorded with the County Register of Deeds by the City Clerk. If the agreement is not executed within one (1) year of approval of the by the City Commission, the PUD approval shall expire.

- (4) PUD Development.** Once an area has been included within a plan for PUD and the City Commission has approved such plan, all development must take place in accordance with such plan unless changes have been approved by the City Commission.
- (5) Termination by Applicant.** An approved PUD plan may be terminated by the applicant or the applicant's successors or assigns, prior to any development within the area involved, by filing with the City Clerk and Community Development Department, and recording in the County Register of Deeds an affidavit so stating. The approval of the PUD plan shall terminate upon such recording. No approved PUD plan shall be terminated after development commences except with the approval of the City Commission and of all parties with interest in the land. After termination, the City shall commence rezoning the site to its previous zoning classification or a different zoning classification supported by the Master Plan, in accordance with [Section 54.1405](#).
- (6) Expiration.** Within a period of two (2) years following approval of the PUD Agreement by the City Commission, preliminary plats ([Section 54.501](#)) or final site plans ([Section 54.1402](#)) for an area embraced within the PUD must be submitted as hereinafter provided. If such plats or plans have not been submitted within the two-year period, the right to develop under the approved plan shall be terminated by the City. Upon the developer's showing of good cause, the Planning Commission can recommend and the City Commission grant an extension of up to two (2) years for submission of the preliminary plat and/or final site plan. If the right to develop under the approved plan is terminated by the City, the City shall commence rezoning the site to its previous zoning classification or a different zoning classification supported by the Master Plan, in accordance with [Section 54.1405](#).
- (J) Submission of Preliminary Plat or Final Site Plans; Schedule for Completion of PUD.** Before any permits are issued for any activity within the area of a PUD, preliminary plats ([Section 54.501](#)) or final site plans ([Section 54.1402](#)) and open space plans for a project area shall be submitted to the Community Development Department for review by the Planning Commission. Review and approval of final site plans shall comply with the Marquette City Land Development Code as well as this Section and the terms of the contract and approved plan. Before approving any preliminary plat or final site plan, the Planning Commission shall determine all of the following:

 - (1)** All portions of the project area shown upon the approved plan for the PUD for use by the public or the residents of lands within the PUD have been committed to such uses in accordance with the PUD contract through recording of a deed, deed restrictions, and/or a master deed for creation of a property owner's association with authority to levy assessments.

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- (2) The preliminary plats or final site plans are in substantial conformity with the approved contract and plan for the PUD.
- (3) Provisions have been made in accordance with the PUD contract to provide for the financing of any improvements shown on the project area plan for open spaces and common areas that are to be provided by the applicant and that maintenance of such improvements is assured in accordance with the PUD contract. If development of approved preliminary plats or final site plans are not completed in five (5) years after approval, further final submittals under the PUD shall cease until the part in question is completed or cause can be shown for not completing same. When the developer is in default of the PUD timetable, the City Commission may, at the recommendation of the Planning Commission take any or all of the following actions:
- (a) Withdraw approval of any other phase;
 - (b) Require the applicant to submit a new PUD application for any additional phases; and/or
 - (c) Invoke the performance guarantees to complete the project or make necessary repairs.
- (K) **Filing of As-Built Plans and Final Plats Prior to Release of Performance Guarantee.** As-built site plans and final plats must be filed with the City Engineering Department and the Community Development Department. Performance guarantees shall not be released until these documents have been submitted.
- (L) **Fees.** Fees for review of PUD plans under this Section shall be established by resolution of the City Commission.
- (M) **Interpretation of Approval.** Approval of a PUD under this Section shall be considered an optional method of development and improvement of property subject to the mutual agreement of the City and the applicant.
- (N) **Amendments to PUD Plan.** Proposed amendments or changes to an approved PUD plan shall be submitted to the Zoning Administrator. The Zoning Administrator shall determine whether the proposed modification is of such minor nature as not to violate the area and density requirements or to affect the overall character of the plan, as guided by [Section 54.323\(N\)\(1\)](#), and in such event may approve or deny the proposed amendment. If the Zoning Administrator determines the proposed amendment is major in nature, the Planning Commission shall review the amendment in accordance with the provisions and procedures of this Section as they relate to final approval of the PUD and make a recommendation to the City Commission to approve or deny the changes. The Zoning Administrator may refer any proposed amendment to the Planning Commission at his/her discretion for determination of minor/major amendment status.
- (1) **Minor Amendment.** Minor amendments are those that may have no foreseeable effect beyond the property boundary, such as minor changes in the siting of buildings, the alignment of utilities and the alignment of interior roadways, and the layout of parking

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areas. Minor amendments for good cause may be authorized by the Zoning Administrator without notice or hearing, provided no such changes shall substantially increase the size or height of structures, reduce the efficiency or number of public facilities serving the PUD, reduce usable open space, significantly reduce or increase the number of approved parking spaces, encroach on natural features proposed by the plan to be protected, or that would alter contractual terms related to the timing or other non-dimensional aspects of development. The degree of permitted minor amendments may be further described in the PUD Agreement. The Zoning Administrator shall inform the Planning Commission and City Commission of any approved minor amendments. Minor changes to site lighting, signage, landscaping, non-structural building elements, and for temporary structures and uses, may be made via approval of a Zoning Compliance Permit that is linked to the PUD rather than via a Minor PUD Amendment, per the discretion of the Zoning Administrator.

- (2) Major Amendment.** Any amendment not qualifying as a minor amendment is considered to be a major amendment and must be reviewed by the Planning Commission and approved by the City Commission, to be amended according to the procedures authorized by this section for approval of a PUD.

EXCERPT FROM THE CITY LAND DEVELOPMENT CODE

Article 14: Administrative Procedures

Section 54.1402: Site Plan Review

Section 54.1402 Site Plan Review

- (A) Intent.** It is the intent of this section to establish procedures and standards for the review and approval of site plan applications and to ensure proper relationships between the development features as they relate to the standards outlined in this section. This section is further intended to ensure that developments are compatible with adjacent uses of land and promote the use of land in a desirable manner that does not impair the surrounding uses by the erection of structures, additions, alterations, or site improvements that may negatively impact surrounding development, while providing for the orderly development of the City of Marquette.
- (B) Uses Subject to Site Plan Review, Minor Site Plan Review, and Exemptions.** The required review process for uses and development is described in [Figure 51](#). All uses and development, regardless of whether site plan review is required, are subject to the Zoning Compliance review requirements of [Section 54.1401](#). The Zoning Administrator may approve or conditionally approve site plans that meet the standards herein, as described in [Figure 51](#) and [Section 54.1402\(D\)\(1\)](#), with the exception of those for Special Land Uses, Planned Unit Developments, and those for any commercial development (incl. multi-family dwellings) that is:
- (1)** proposed to have either a footprint area of 16,000 square feet or greater, or a gross floor area of 40,000 sq. ft. or greater.
 - (2)** proposed to have more than 20 dwelling units or lodging rooms.
 - (3)** recommended by the Zoning Administrator or City Attorney for review by the Planning Commission.

Figure 51. Required Review Process Based on Development Activity

Development Activity	Site Plan Review Required by P.C.	Minor/Admin Site Plan	Exempt From Site Plan Review
Special land uses	●		
Planned Unit Developments	●		
New building construction totaling more than either 16,000 sq. ft. in footprint area or 40,000 sq. ft. in gross floor area.	●		
New construction for multi-family residential units that contain or will contain more than twenty (20) dwelling units.	●		
Site Condominium development – New, amendment, or expansion	●		
Filling a parcel of land to an elevation above the established grade of adjacent developed land.		●	
New construction, additions, alterations, or site improvements for multi-family residential units that contain or will contain five (5) to twenty (20) dwelling units, and for multi-family residential additions, alterations, or site improvements that are not otherwise exempt (as stated below) , unless site plan review is required due to size criteria being met.		●	
Conversion of an existing building or part thereof from a residential use to a non-residential use, including site improvements that result from a change in the use of the building or part thereof from residential use to nonresidential use.		●	

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Development Activity	Site Plan Review Required by P.C.	Minor/Admin Site Plan	Exempt From Site Plan Review
Additions, alterations, and renovations that are less than 20% of the size of the original commercial or multi-family residential building footprint or less than 2,500 square feet, unless otherwise exempt		●	
Any expansion or change in an existing land use if more parking in addition to that already provided is required		●	
Any earthwork greater than 20,000 square feet in size for a non-residential use; or earthwork that is more than half the size of the parcel upon which commercial, industrial, mixed-use or multi-family land use is occurring or intended.		●	
Site improvements of more than 2,000 square feet that include landscaping, site access, and parking lot grading, layout, and new off-street parking, unless the activity is exempt		●	
Commercial and non-residential buildings less than 16,000 square feet, unless the activity requires site plan review		●	
Condominium development – New, amendment, or expansion		●	
If only adding a new driveway to an existing off-street parking lot and not affecting the parking lot.			●
Single-family dwellings and their accessory facilities on individual parcels			●
Two-family dwellings and their accessory facilities on individual parcels			●
Multi-family residential units that contain or will contain three (3) or four (4) dwelling units.			●
Additions, alterations, accessory structures, and renovations that are less than 10% of the size of the original industrial, commercial or multi-family residential building footprint or less than 500 square feet.			●
Interior remodeling or interior construction			●
Landscaping that is less than 25% of the parcel size or 2,000 square feet			●
Site improvements that are less than 2,000 square feet, and site lighting, unless the activity requires site plan review or minor site plan review			●
Alterations to exterior walls such as window openings, façade changes, etc., provided there is no change to the building footprint			●
Re-paving of an off-street parking lot, provided there are no grading changes and no changes to the configuration of the parking lot layout			●

(C) Information Required for Site Plans and Sketch Plans. The site plan review application materials shall include all the following information, unless the Zoning Administrator determines that some of the required information is not reasonably necessary for consideration of the plan.

- (1) Application and Fee.** A completed application form, supplied by the Zoning Administrator, and an application fee.
- (2) Proof of Ownership.** Current proof of ownership or evidence of a contractual ability to acquire such land, such as an option or purchase agreement or a written statement from the property owner indicating permission for the filing of the application.

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- (3) Site Plan.** Six (6) copies of plan sheet(s) providing the information listed below ([Figure 52](#)). For minor site plans, three (3) copies of plan sheets are required. Sheet size of submitted drawings shall be at least 24-inches by 36-inches, with graphics at an engineer's scale of one (1) inch equals twenty (20) feet for sites of 20 acres or less; and one (1) inch equals fifty (50) feet for sites over 20 acres. The surrounding area drawing may be in a scale of one (1) inch equals one-hundred (100). One digital copy of the complete plan set must also be submitted. Upon request of the applicant, the Zoning Administrator may waive individual site plan requirements if the requirements are found to be unnecessary or irrelevant to the intent of providing the information; however, the Planning Commission has the right to require all of the information in [Figure 52](#).
- (4) Sketch Plan.** A sketch plan must include the information listed below ([Figure 52](#)). The number of plans submitted is determined by the Zoning Administrator, based upon whether or not the plans need to be reviewed by the Fire Dept., Police Dept., and/or Dept. of Public Works – in addition to the Engineering and Planning-Zoning functions of the Community Development Department. One digital copy of the complete plan set must also be submitted. The sheet size of submitted drawings shall be at a scale acceptable to the Zoning Administrator. Upon request of the applicant, the Zoning Administrator may waive individual sketch plan requirements if the requirements are found to be unnecessary or irrelevant to the intent of providing the information; however, the Planning Commission has the right to require all of the in information in [Figure 52](#).

Figure 52. Site Plan Information Required in the Site Plan Set

Site Plan Information Required	Sketch Plan	Preliminary Site Plan	Final Site Plan
Identification of Project			
The applicant’s name.	●	●	●
Name of the development.	●	●	●
The preparer’s name and professional seal of architect, engineer, or landscape architect indicating license in the State of Michigan.		●	●
Small scale location sketch of sufficient size and scale.	●		
A survey of the property, sealed by a surveyor licensed in the State of Michigan.		●	●
Date of preparation and any revisions.	●	●	●
North arrow.	●	●	●
Complete and current legal description and size of property in acres.	●	●	●
Existing Features			
Property lines and dimensions drawn to scale.	●	●	●
Zoning and current land use of applicant’s property and all abutting properties and of properties across any public or private street from the site.	●	●	●
Lot lines and all structures on the property and within 100 feet of the site’s property lines.		●	●
Locations of all significant natural features – streams, wetlands and floodplains (see Section 54.805), steep slopes (see Section 54.806), woodlands and protected trees (see Section 54.807).	●	●	●
Boundary of any Riparian Overlay Districts, per Section 54.320(E) . Applicable where streams and/or steep slopes, wetlands, and surface water bodies may be impacted by proposed development. Location of steep slopes (>12 percent), per Section 54.806		●	●
Any existing private or public easements		●	●
Location of any access points on both sides of the street within 100 feet of the site along streets where access to the site is proposed.	●	●	●
Locations of existing utilities.	●	●	●
Existing topography at a minimum of two (2) foot contour intervals.		●	●
Proposed Construction			
Building footprints, setbacks, and elevations showing height for all proposed structures with the acreage allotted to each use. See Article 3 , Article 4 , and Article 7 .	●	●	●
Floor area and ground coverage ratios. See Article 3 and Article 4 .	●	●	●
Schematic storm water management plan, including elements stated below for Final Site Plan requirements, as needed to show intended compliance with the requirements of the Land Development Code.		●	
Proposed topography with a site grading plan with topography at a minimum of two (2) foot contour intervals.		●	●
Boundary of any Riparian Overlay Districts, per Section 54.320(E) . Applicable where streams and/or steep slopes, wetlands, and surface water bodies may be impacted by proposed development. Location of steep slopes (>12 percent), per Section 54.806		●	●

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Site Plan Information Required	Sketch Plan	Preliminary Site Plan	Final Site Plan
Location and method of screening for all waste dumpsters. See Section 54.1003(F) .		●	●
Location and dimensions of parking spaces. See Article 9 .	●	●	●
General landscaping design concept acceptable to the Zoning Administrator.	●		
A landscaping plan indicating proposed plant locations with common plant name, number, and size at installation. Berms, retaining walls or fences shall be shown with elevations from the surrounding average grade. See Article 10 .		●	●
Details of exterior lighting including fixture and pole locations, height, and method of shielding. See Section 54.802 .		●	●
The location of all permanent or temporary signs, existing or proposed, including their area, size, height, illumination, and the type of construction. See Article 11 .	●	●	●
Locations of utility services (with sizes) and storm water management elements, including, storm drainage, retention or detention ponds and/or swales, rain gardens, riparian buffer vegetative strips, per Section 54.803 . Any proposed public or private easements.			●
Fire hydrant number and placement or other water supply, and standpipe connection type; Fire dept. connection location; Alarm panel location; Fire dept. access details.			●
If the application is related to property scheduled for phased development, the proposed layout for the total projected development shall be indicated, and the projected scope and time period shall be estimated for each additional phase. The phasing plan must be acceptable to the City staff to ensure that each phase can function independently and is not reliant on future phases if they are not constructed.	●	●	●
Site Circulation Details and Access Design			
General site circulation and access including: indication of street right-of-way and pavement widths; access points; and location of pedestrian paths. See Section 54.907 .	●		
Street horizontal and vertical dimensions, including curve radii.		●	●
Dimensions of access points including distance from adjacent driveways or intersecting streets, including those across a street. See Section 54.907 .		●	●
Schematic location and names of abutting public streets and other right-of-ways, and schematic location of proposed streets/roads, driveways, parking areas, pedestrian and bicycle paths.		●	
Schematic of access points, including from adjacent driveways on intersecting streets, including those across a street. See Section 54.907 .		●	
Locations, dimensions, and names of abutting public streets and other right-of-ways, and of proposed streets/roads, driveways, parking areas, pedestrian and bicycle paths.			●
Pavement widths and pavement types for all streets/roads, pedestrian and bicycle paths.			●
Written verification of access easements or agreements, if applicable.		●	●
Additional Information			
Any other information necessary to establish compliance with this and other ordinances.	●	●	●

- (D) Site Plan Review Procedures.** No Zoning Compliance or Special Land Use Permit shall be issued for any uses subject to site plan review except in accordance with a site plan approved by the Planning Commission, or a Minor Site Plan approved by the Zoning Administrator, in accordance with the following procedures:
- (1) Minor Site Plan Review.** The Zoning Administrator may approve or conditionally approve Minor Site Plans as described in [Figure 51](#); however, Minor Site Plans may also be subject to review by the Planning Director, Engineering Department, Fire Department, or any other City department deemed necessary by the Zoning Administrator. After approval of a Minor Site Plan, the applicant may apply for a Zoning Permit pursuant to [Section 54.1401](#).
 - (2) Pre-Application Concept Plan Review.** At the option of the applicant, the applicant may submit a concept plan to the City be reviewed by the Zoning Administrator, City Planner, and Engineering Department prior to submitting an application for site plan review. Depending on the scope of the development proposal, the City staff may require the concept plan to contain as little detail as a Zoning Compliance Review ([Section 54.1401\(C\)](#)) or as much detail as a Sketch Plan Review ([Figure 52](#)). The concept plan must contain enough detail to explain the location of land use areas, streets providing access to the site, pedestrian and vehicular circulation within the site; dwelling unit density and types; function of open space; and buildings or floor areas contemplated, as applicable. The purpose of concept plan review is for the City staff to review the concept plan and provide the applicant an advisory opinion whether the concept plan appears to meet the standards of this Ordinance with respect to use, location, character, and zoning district requirements. The City's review of a concept plan is advisory only, and the City shall not approve, deny, or take any other action on a concept plan.
 - (3) Sketch Plan Review.** At the option of the applicant, preliminary sketches of proposed site plans may be submitted for review to the Planning Commission prior to submission for formal site plan review. Submission of preliminary sketch plans shall be made no later than fourteen (14) days prior to the meeting at which the review is to take place. The Planning Commission shall advise the applicant as to the general acceptability of the proposed plan, but shall not be bound by any statements or indications of acceptance to the plan. The Zoning Administrator shall determine the number of plans to be submitted. Sketch plans must include at a minimum the required information for sketch plans in [Figure 52](#).
 - (4) Preliminary Site Plan Review.** The purpose of preliminary site plan review is to allow for the review and decision on most aspects of the site without the need for final detailed engineering unless required by the City Engineer. An applicant may submit some of the engineering elements in schematic/diagram form in the Preliminary site plan set per the requirements shown in [Figure 52](#), and such items must be approved per the Final Site Plan Review (FSPR) requirements prior to staff completion of a Zoning Compliance Permit for the project. Applications for preliminary site plan review must be submitted to the Zoning Administrator at least twenty (20) business days prior to the meeting at which the review is to take place. The Planning Commission shall review the preliminary site plan, together with any reports and recommendations from staff, consultants and other reviewing agencies and any public comments. The Planning Commission shall then make a determination based on the requirements of this Ordinance and the standards of

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[Section 54.1402\(E\)](#). The Planning Commission is authorized to postpone, approve, approve subject to conditions or deny the preliminary site plan as follows:

- (a) **Postponement.** Upon determination by the Planning Commission that a preliminary site plan is not sufficiently complete for approval or denial or upon a request by the applicant, the Planning Commission may postpone consideration until a later meeting.
- (b) **Denial.** Upon determination that a preliminary site plan does not comply with the standards and regulations set forth in this Ordinance, or would require extensive revisions to comply with said standards and regulations, the site plan shall be denied. If a site plan is denied, a written record shall be provided to the applicant listing the reasons for such denial.
- (c) **Approval.** Upon determination that a preliminary site plan is in compliance with the requirements of this Ordinance and other applicable ordinances and laws, including the standards of [Section 54.1402\(E\)](#), the preliminary site plan shall be approved. Upon approval of the preliminary site plan, the applicant may apply for final site plan review.
- (d) **Approval Subject to Conditions.** The Planning Commission may approve a preliminary site plan, subject to one (1) or more conditions necessary to address minor modifications to the preliminary site plan, ensure that public services and facilities can accommodate the proposed use, protect significant natural features, ensure compatibility with adjacent land uses, or otherwise meet the intent and purpose of this Ordinance. Such conditions may include the need to obtain variances or approvals from other agencies. Upon approval of the preliminary site plan and the satisfaction of conditions, the applicant may apply for final site plan review.
- (e) The Planning Commission may elect by an affirmative vote to be the approving authority of the Final Site Plan, otherwise the approving authority will be the Zoning Administrator. The scope of the proposal, the potential impact of the project, and/or the estimated value of public input or of conducting the approval in a public forum are all reasons that the Planning Commission may elect to be the review authority for the Final Site Plan. The Zoning Administrator may recommend that the Planning Commission be the approving authority in the staff report for the site plan review.

(5) Final Site Plan Review.

- (a) **Deadline to Submit Final Site Plan Application.** Applications for final site plan approval shall be submitted to the Zoning Administrator at least twenty (20) business days prior to the meeting at which the review is to take place.
- (b) **Staff Review of Site Plan Materials.** The Zoning Administrator, Engineering Department, Fire Department, Planning Staff, and other City departments if required by the Planning Commission to determine compliance with this Ordinance, will review application materials to determine if they are in proper form, all of the required information is present, and the site plan is in compliance with this Ordinance. Each department that reviews an application shall provide a report or

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relevant comments to the Zoning Administrator. If the site plan is determined to not be complete or in compliance with the ordinances, the Zoning Administrator shall return the reports to the applicant. The Planning Commission shall not review a site plan that is not complete unless the incomplete items are minor.

- (c) **Additional Information.** The Planning Commission, prior to granting approval of a site plan, may request from the applicant any additional graphics or written materials, prepared by a qualified person or person(s), to assist in determining the appropriateness of the site plan. Such material may include, but is not limited to, photographs, estimated impact on public schools and utilities, and traffic impacts.
 - (d) **Planning Commission and/or Administration Action.** Except as noted in directly above, and as stated in [Section 54.1402\(D\)\(4\)\(c\)](#) for Preliminary Site Plan Review, the Planning Commission, or City Staff, shall approve, approve with conditions, or deny the site plan based on the compliance of the plan with City Ordinances and the review standards of this Ordinance. If conditional approval is granted, the conditions shall be stated specifically so that the Zoning Administrator or other reviewing departments can determine compliance with the conditions and grant approval following submission of revised plans; said review not to exceed ten business (10) days unless additional time is required by the Zoning Administrator or other reviewing departments to determine compliance with the conditions of site plan approval. A site plan shall be approved if it contains all of the information required by the ordinance and is in compliance with the standards of the Land Development Code (including [Section 54.1402\(E\)](#)), other City planning documents, City ordinances, and state and federal statutes.
 - (e) **Signed Copies of Final Approved Plans.** The Planning Commission Chair and the applicant shall sign two (2) copies of the approved site plan, one of which is kept by the Zoning Administrator, the other by the applicant. If the site plan is approved with conditions that require revisions to the site plan, the applicant must make the required revisions and submit the revised plans to the City be signed.
 - (f) **Certificate of Zoning Compliance.** A Zoning Compliance permit shall not be issued until the Planning Commission has approved the plan. The Zoning Compliance permit shall be reviewed and issued in accordance with [Section 54.1401](#).
- (6) **Single-Step Site Plan Approval.** Nothing in this Ordinance shall prohibit the Planning Commission from granting final site plan approval without first granting a preliminary site plan approval if the plans are in compliance with the requirements of this Ordinance for a final site plan.
- (E) **Site Plan Review Standards.** In addition to the development standards of this Ordinance as well as the underlying zoning district, each site plan shall be designed to ensure that:
- (1) **Public Health, Safety, and Welfare.** The uses proposed will not harm the public health, safety, or welfare. All elements of the site plan shall be designed to take into account the site's topography, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and ordinary development or improvement of surrounding property for uses permitted in this Ordinance.

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- (2) Safe and Efficient Traffic Operations.** Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the site shall be provided. Drives, streets, and other elements such as walkways shall be designed to promote safe and efficient traffic operations within the site and at its access points.
- (3) Vehicular and Pedestrian Circulation.** The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned street and pedestrian or bicycle pathways in the area. There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, shopping centers, and other uses which generate a considerable amount of pedestrian traffic.
- (4) Topography and Landscaping.** The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding property.
- (5) Storm Water Management.** Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Surface water on all paved areas shall be collected so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water.
- (6) Emergency Vehicle Access.** All buildings or groups of buildings shall be arranged so as to permit emergency vehicle access as required by the Fire Department and Police Department.
- (7) Outdoor Storage and Loading and Unloading Areas.** All outside storage areas, including refuse storage stations, shall be screened from the view of the street and/or adjacent residentially zoned properties. All loading and unloading areas shall be reasonably screened for residentially zoned properties.
- (8) Lighting.** Exterior lighting shall be arranged so that it is deflected away from adjacent properties and bodies of water so that it does not impede the vision of traffic along adjacent streets or impair navigation on the waterway. Flashing or intermittent lights shall not be permitted.
- (9) Location of Building Entrances.** For consistency in areas where adjoining properties face the street, the Planning Commission may require that primary structures shall be oriented so that their main entrance faces the street upon which the lot fronts. If the development is on a corner lot, the main entrance may be oriented to either street or to the corner.
- (10) Nuisances.** No noise, vibration, dust, fumes, or other nuisance shall leave the property in a manner that affects the surrounding area.
- (11) City of Marquette Engineering Design and Construction Standards.** The site plan must comply with the City of Marquette Engineering Design and Construction Standards.

(F) Validity of Approved Site Plans and Expiration.

- (1) Approval, including Conditions, Attached to the Property.** Approval of a site plan, including conditions made as part of the approval, is attached to the property described as part of the application and not to the owner of such property.
- (2) Validity of Approved Site Plans.**
 - (a) Expiration.** Site plan approval shall expire one (1) year from the date of approval by the Planning Commission, or by the Zoning Administrator for minor site plans, except for phased projects that are required to follow a project timeline. If the site plan is approved with conditions that require revisions to the site plan, the applicant must make the required revisions and submit the revised plans to the City prior to the expiration date.
 - (b) Halt in Construction.** The Planning Commission or Zoning Administrator, according to which entity approved the plan, may revoke the zoning approval if work on a project is halted for at least two (2) months, except during winter conditions, if the conditions warrant.
 - (c) Extension.** The Planning Commission may grant two (2) one-time extensions to the expiration deadline, not to exceed one (1) year each, provided the request for an extension must be submitted at least 26 days prior to the expiration of the site plan approval and must meet the following standards. The Zoning Administrator may similarly grant extensions of administratively approved site plans.
 - (i)** The approved plan conforms to zoning at the time the extension is granted
 - (ii)** Any and all Federal and State approvals and permits are current.
 - (d) Relevant LDC Amendment.** If the Land Development Code is amended within one year of site plan approval and approved work has not been completed, any less intensive standards provided by the amendment may be applied to the unfinished aspects of the site plan if a revised site plan is submitted before the one year site plan approval period expires.
 - (e) Resubmission of Expired Plans.** Site plans whose approval has expired shall require resubmission as an initial application.

(G) Amendments to Approved Site Plans.

- (1)** No changes, erasures, modifications, or revisions shall be allowed for any approved site plan without prior approval by the Zoning Administrator or the Planning Commission, in accordance with [Figure 51](#) of this Ordinance.
- (2)** The ability to approve any changes to an approved site plan shall remain consistent with the ability of the Planning Commission or Zoning Administrator to approve or deny a specific development activity stated in [Figure 51](#).

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- (H) Performance Guarantees.** To ensure compliance with this Ordinance and any condition imposed thereunder, the City may require that a cash deposit, certified check, irrevocable bank letter of credit, or other financial instrument acceptable to the City covering the estimated cost of improvements associated with a project (verified by the City Engineer) for which site plan approval is sought, be deposited with the Treasurer of the City to ensure faithful completion of the improvements and also be subject to the following:
- (1)** Prior to development activity or the issuance of a permit, the performance guarantee shall be deposited prior to the issuance of the building permit authorizing the activity of the project. The City shall return the performance guarantee on deposit upon verification by the City that all work and improvements have been satisfactorily completed. A return of the performance guarantee does not relieve the applicant from satisfying all applicable maintenance warranties and/or guarantees necessary to ensure the proper functioning of the public improvements.
 - (2)** As used in this Section, “improvements” means those features and actions associated with a project which are considered necessary by the body or official granting approval, to protect natural resources, or the health, safety and welfare of the residents of the City and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening, landscaping and surface drainage.
- (I) Development Agreement.** The Planning Commission may require, as a condition of approval, that the owner/developer enter into a Development Agreement with the City of Marquette, incorporating therein the terms and conditions of final site plan approval, and record the same in the Office of the Register of Deeds for Marquette County. The Development Agreement shall be signed by the applicant and/or developer and approved by the City Commission. The Agreement shall include such provisions as the deposit of funds to defray variable costs and expenses and performance guarantees per [Section 54.1402\(H\)](#) to ensure that improvements depicted on a site plan meet the provisions of this Ordinance, adopted standards and regulations, and conditions set by the Planning Commission. The cost to prepare, review, and record this Agreement shall be borne by the applicant/developer.
- (J) Compliance Guarantees.** Prior to construction, the Zoning Administrator may require that the property boundaries be staked by a licensed surveyor. At any time during construction, the Zoning Administrator may inspect the site to determine compliance with the approved site plan. If the Zoning Administrator determines that the construction is not in accordance with the approved site plan, the Zoning Administrator shall issue a stop work order and take action to ensure compliance with the approved site plan.
- (K) Appeals of Site Plans.**
- (1)** Any person aggrieved by the decision of the Planning Commission or Zoning Administrator with respect to an approval or denial of a site plan shall have the right of an appeal to the Board of Zoning Appeals in accordance with [Section 54.1404](#). The appeal shall be filed in writing within thirty (30) days of the decision.
 - (2)** The filing of such an appeal shall act to stay or suspend the issuance of any permit.

- (3)** No new evidence may be submitted to the Board of Zoning Appeals that is in addition to the evidence considered by the Zoning Administrator or Planning Commission during its review.
- (L) Required As-Built Plans.** Upon completion of the development, as-built plans of the final development must be provided to the City in CAD format or other digital format required by the City.
- (M) Revocation.** Approval of a site plan may be revoked by the Planning Commission if the construction or use is not in conformance with the approved site plan. In such case, the site plan shall be placed on the agenda of the Planning Commission for consideration and written notice shall be sent to the applicant at least ten (10) days prior to the meeting. The Zoning Administrator, applicant, and any other interested persons shall be given the opportunity to present information to the Planning Commission and answer questions. If the Planning Commission finds that a violation of the approved site plan exists and has not been remedied prior to the hearing, then it shall revoke the approval of the site plan.