

Forming the Public Realm in Marquette

By Jennifer Eberbach

Q: How do we transform our downtown and pay attention to the unique natural feature of being on the shoreline of Lake Superior?

A: With form-based codes.



Marquette formerly took a traditional, use-based approach to zoning its waterfront community. However, since the city participated in an EPA-Smart Growth pilot program in 2006, City Planner and Zoning Administrator Dennis Stachewicz reports that

Marquette is benefiting from a transition to form-based code. Stachewicz remembers some of the struggles Marquette faced in its previous attempts to develop the downtown with use-based zoning. He explains that “we’ve been told on different occasions that we turned our back on the waterfront. You were basically looking at the backs of buildings.” Furthermore, certain areas of downtown did not support pedestrian traffic. They were swallowed up by automobile sprawl or they just were not as attractive or as inviting as they could have been.

Another significant issue that Marquette’s previous use-based model caused was that development projects were frequently delayed by public criticism, “during the last minute surge,” after developers had already invested money into a given property, according to Stachewicz.

Marquette had a sense that there was a better way to plan downtown and take advantage of the lakeshore. In 2006, the city followed its instincts and successfully applied to take part in a pilot project in form-based codes funded by the U.S. EPA-Smart Growth program and MI Sea Grant, which supplied Marquette with technical assistance provided by Ferrell-Madden Associates. The city also acquired funding through MI Coastal Zone Management, which it combined with the technical assistance grant.

At the time, Stachewicz remembers that the big question on the table was, “how do we transform our downtown and pay attention to the unique natural feature of being on the shoreline of Lake Superior?” Marquette was looking for

solutions that would encourage mixed-use development, a more walkable downtown, and appropriate use of the waterfront, while also maintaining Marquette's historical character.

Stachewicz compares different schools of thought on community planning, by stating; "When you are using a traditional Euclidian, use-based model, you get to pick the uses you want, but you have no participation whatsoever in what things *look* like." For example, "most of the newer developments we've had on the western fringe of our town and even out in Marquette Township have received a lot of negative comments because they look like they could be put up anywhere in America—from a big-box retail center to something as simple as a chain drugstore on the corner."

Another option for Marquette would have been to adopt an aesthetics-oriented model. However, Stachewicz thinks that "something along the lines of an appearance code really ties the hands of local developers. You cannot function in the world of economic development unless you respond to the market. An aesthetics code is too strict."

"Enter form-based code. Here is something where you don't define 100 percent of the aesthetics of a development, but you look at things in terms of context and scale. As opposed to picking which colors and materials would go on a building, and as opposed to the traditional use-requirement model, where you just say, if it's this kind of use, then it can go there—you now have a tool in your toolkit that defines the bulk of a building," Stachewicz explains.

In Marquette's model, the form of a building is defined in terms of things like minimum and maximum height limitations, appropriate lot coverage and creating a cohesive street space. This kind of planning "defines the context and character of a building's form ahead of time," before developers invest their money. Building façades, sidewalks, plants and other physical design elements define the character of the public realm, which Stachewicz likens to "the public's hallway."

According to Stachewicz, one of the greatest benefits of this approach that does not always get enough credit in the media is that it "creates predictability in the public realm." For example, "a form-based code gives assurance to nearby property owners that if they make an investment in their property, it's not going to be spoiled by a bad development next to them."



Form-based codes have created a more walkable downtown in Marquette and helped define the "public hallway." Photos courtesy of the city of Marquette.



Marquette also emphasizes outdoor recreation through its trail system. Photo courtesy of the city of Marquette.

Another benefit is that “site planning and development planning happens as you are writing the code,” which Stachewicz says makes his job more efficient. When a good project crosses his desk, he can sign off on it “fast—in days instead of months,” he reports.

Adopting a form-based code does not mean ignoring how properties are used. Rather, Stachewicz says, “use is still defined in the code, but it is defined in terms of a broader range of uses.” Instead of calling for a very specific use of a property, for example requiring the space to be a coffee shop, Marquette uses broad categories like commerce or retail.

Aside from its downtown, Marquette has also applied form-based codes to its South Marquette neighborhood, which is a mixture of commercial, residential and light industrial zones. Although Stachewicz sees great benefit in using form-based codes downtown and in mixed-use areas, “when you get out on the urban fringe where you have large lot development, certainly this type of technique isn’t appropriate.”

Everything is viewed from an automobile. It’s not really about walking space and density and things like that anymore,” he says. Furthermore, most residential development projects in Marquette employ a “hybrid mixture of form-based and traditional models, as appropriate.”

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Want to Find Out More About Form-Based Codes?

The Michigan Chapter of the Congress for New Urbanism (MiCNU), has developed a guidebook on the use of form-based codes. *Form-Based Codes in 7 Steps: The Michigan Guidebook to Livability* is filled with information to prepare communities to move toward adopting a form-based code. The book is available in a digital web-based, or printable black and white or color version. A form-based code is an alternative to conventional zoning code and is based on the type of development a community envisions and desires with a focus on the physical form of a

building and how it relates to the street and adjacent buildings. With physical design and walkability an important asset of 21st century communities, several Michigan communities have either moved to or are looking at a form-based code system in an effort to create a more attractive, walkable environment. The guidebook is available for purchase through the Congress for New Urbanism website, under the Michigan Chapter www.cnu.org/michigan.

Form-based codes deal in context and scale— as opposed to the traditional use requirement model, which regulates where things can go based on use.

Form-based codes also helped the city sell parcels of property at Founder's Landing, which had been targeted for mixed-use development. Before the city incorporated form-based code into its plan for the area, "what we were looking at was the possibility of a planned unit development.



Downtown Marquette. Photo by Ian Freimuth.

Typically most developers are uneasy going into a planned unit development process, because the gloves are off and anything goes. If the community decides it doesn't like part of their plan, they may have to redesign some things, and you can end up in this six month to a year-long process to approve a set of plans," he says. His solution was to do a form-based code district on the property and developed a building form standard "that was mutually agreeable to all parties. It subsequently led to the sale of the property." After years of frustration, progress at Founder's Landing is beginning to fulfill Marquette's vision of creating a mixed-use space—including a hotel, residential and commercial units, as well as an improved, more walkable public realm.

Stachewicz stresses the importance of "give and take" and creating a plan that is "agreeable between the city, developers and the public." One piece of this is involving everyone in the discussion before money is spent and time is wasted. By creating "predictability in the public realm," form-based codes allow, "the community to almost see what it would look like before it's built," he concludes. 

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