

**CHARTER TOWNSHIP OF YPSILANTI  
PROPOSED ORDINANCE NO. 2023-505**

**An Ordinance to Amend Articles 4, 5, 11, 13, and 15 of the  
Ypsilanti Township Zoning Ordinance**

**Article 4 – District Regulations Zoning Text Amendments**

**Sections 407, 408, and 409 – Residential Multiple-Family Districts**

Single-family residential uses are permitted in the three residential multiple-family districts (RM-LD, RM-MD, and RM-HD) but the dimensional requirements do not contemplate setbacks for single-family residential uses, only multiple-family residential uses. Requiring a single-family residential dwelling to comply with the required 60-foot aggregate side yard setback, for example, of the RM-LD district makes most typical platted subdivision lots unbuildable except for variance approval. On October 5, 2022, staff brought before the Zoning Board of Appeals a request by Habitat for Humanity to seek a variance from Sec. 407 due to the inability for them to meet the aggregate 60-foot side yard setback requirement on a RM-LD lot located at 966 N. Prospect. The lot was only 51' wide rendering the construction of a single-family home impossible with the current standards. If this Zoning Text Amendment was in effect at the time, Habitat for Humanity could simply use the dimensional standards of the most similar single-family lot, in this case, a R-5 One-Family Residential lot. **Staff recommends the following language be included in the supplemental district standards for all three multiple-family districts:**

**The expansion or construction of a single-family dwelling or accessory structure shall conform with the applicable minimum yard and setback requirements of the most comparable single-family zoning district.**

Sec. 407. - Residential multiple-family: low density:

1. *Intent:* The intent is to provide sites for low-density multiple-family dwelling structures, and related uses.
2. *Use regulations:* Section 420 sets forth permitted, accessory and special land uses within the RM-LD residential district.
3. *Dimensional requirements:* The following dimensional requirements shall apply to the RM-LD residential district.

Min. Lot Size		Max. Lot Coverage (all buildings)	Max. Height		Min. Yards & Setbacks in feet			
in acres	Width in feet		Stories	Feet	Front	Side		Rear
						Least	Total	
1 or 3 <sup>1</sup>	80	25%	3	35	30	30	60	30

<sup>1</sup> Minimum total lot area of one (1) acre for residential use with a minimum lot area of seven thousand two hundred (7,200) square feet per dwelling unit, and minimum lot area of three (3) acres for non-residential uses

4. *Supplemental district standards:*
  - A. In addition to those bulk regulations listed in Section 407.3, all development shall conform to supplemental bulk regulations listed in Section 419.
  - B. The following minimum dwelling unit size requirements shall apply to the RM-MD residential districts

Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom
350 sq. ft.	500 sq. ft.	700 sq. ft.	900 sq. ft.	1,100 sq. ft.

C. The expansion or construction of a single-family dwelling or accessory structure shall conform with the applicable minimum yard and setback requirements of the most comparable single-family zoning district.

## Article 4 – District Regulations Zoning Text Amendments

### Sections 407, 408, and 409 – Residential Multiple-Family Districts

Single-family residential uses are permitted in the three residential multiple-family districts (RM-LD, RM-MD, and RM-HD) but the dimensional requirements do not contemplate setbacks for single-family residential uses, only multiple-family residential uses. Requiring a single-family residential dwelling to comply with the required 60-foot aggregate side yard setback, for example, of the RM-LD district makes most typical platted subdivision lots unbuildable except for variance approval. On October 5, 2022, staff brought before the Zoning Board of Appeals a request by Habitat for Humanity to seek a variance from Sec. 407 due to the inability for them to meet the aggregate 60-foot side yard setback requirement on a RM-LD lot located at 966 N. Prospect. The lot was only 51’ wide rendering the construction of a single-family home impossible with the current standards. If this Zoning Text Amendment was in effect at the time, Habitat for Humanity could simply use the dimensional standards of the most similar single-family lot, in this case, a R-5 One-Family Residential lot. **Staff recommends the following language be included in the supplemental district standards for all three multiple-family districts:**

The expansion or construction of a single-family dwelling or accessory structure shall conform with the applicable minimum yard and setback requirements of the most comparable single-family zoning district.

Sec. 408. - Residential multiple-family: medium density:

1. *Intent:* The intent is to provide sites for medium-density multiple-family dwelling structures, and related uses.
2. *Use regulations:* Section 420 sets forth permitted, accessory and special land uses within the RM-MD residential district.
3. *Dimensional requirements:* The following dimensional requirements shall apply to the RM-MD residential districts.

Min. Lot Size		Max. Lot Coverage (all buildings)	Max. Height		Min. Yards & Setbacks in feet			
			Stories	Feet	Front	Side		Rear
in acres	Width in feet				Least	Total		
1 or 3 <sup>1</sup>	100	15%	4	45	40	40	80	50

<sup>1</sup> Minimum total lot area of one (1) acre for residential use with a minimum lot area of seven thousand two hundred (7,200) square feet per dwelling unit, and minimum lot area of three (3) acres for non-residential uses.

4. *Supplemental district standards:*
  - A. In addition to those bulk regulations listed in Section 408.3, all development shall conform to supplemental bulk regulations listed in Section 419.
  - B. The following minimum dwelling unit size requirements shall apply to the RM-MD residential districts

Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom
350 sq. ft.	500 sq. ft.	700 sq. ft.	900 sq. ft.	1,100 sq. ft.

C. The expansion or construction of a single-family dwelling or accessory structure shall conform with the applicable minimum yard and setback requirements of the most comparable single-family zoning district.

## Article 4 – District Regulations Zoning Text Amendments

### Sections 407, 408, and 409 – Residential Multiple-Family Districts

Single-family residential uses are permitted in the three residential multiple-family districts (RM-LD, RM-MD, and RM-HD) but the dimensional requirements do not contemplate setbacks for single-family residential uses, only multiple-family residential uses. Requiring a single-family residential dwelling to comply with the required 60-foot aggregate side yard setback, for example, of the RM-LD district makes most typical platted subdivision lots unbuildable except for variance approval. On October 5, 2022, staff brought before the Zoning Board of Appeals a request by Habitat for Humanity to seek a variance from Sec. 407 due to the inability for them to meet the aggregate 60-foot side yard setback requirement on a RM-LD lot located at 966 N. Prospect. The lot was only 51' wide rendering the construction of a single-family home impossible with the current standards. If this Zoning Text Amendment was in effect at the

time, Habitat for Humanity could simply use the dimensional standards of the most similar single-family lot, in this case, a R-5 One-Family Residential lot. **Staff recommends the following language be included in the supplemental district standards for all three multiple-family districts:**

The expansion or construction of a single-family dwelling or accessory structure shall conform with the applicable minimum yard and setback requirements of the most comparable single-family zoning district.

Sec. 409. - Residential multiple-family: high density:

1. *Intent:* The intent is to provide sites for high-density multiple-family dwelling structures, and related uses.
2. *Use regulations:* Section 420 sets forth permitted, accessory and special land uses within the RM-HD residential district.
3. *Dimensional requirements:* The following dimensional requirements shall apply to the RM-HC residential districts.

Min. Lot Size		Max. Lot Coverage (all buildings)	Max. Height		Min. Yards & Setbacks in feet			
in acres	Width in feet		Stories	Feet	Front	Side		Rear
						Least	Total	
1 or 3 <sup>1</sup>	150	15%	8	85	50	50	100	50

<sup>1</sup> Minimum total lot area of one (1) acre for residential use with a minimum lot area of seven thousand two hundred (7,200) square feet per dwelling unit, and minimum lot area of three (3) acres for non-residential uses

4. *Supplemental district standards:*

- A. In addition to those bulk regulations listed in Section 409.3, all development shall conform to supplemental bulk regulations listed in Section 419.
- B. The following minimum dwelling unit size requirements shall apply to the RM-H residential districts:

Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom
350 sq. ft.	500 sq. ft.	700 sq. ft.	900 sq. ft.	1,100 sq. ft.

**C. The expansion or construction of a single-family dwelling or accessory structure shall conform with the applicable minimum yard and setback requirements of the most comparable single-family zoning district.**

#### Article 4, Section 420 – Residential Use Table

Staff suggests amending the industrial schedule of uses to provide for uses more in line with the Master Plan, industrial users that are currently operating in the township, and uses more aligned with today's economic trends. Please find below the proposed changes:

#### Article 4 – District Regulations

Industrial Districts Use Table	I-T	L-M	ICR	Notes
P = Permitted Use    SL-PC = Special Use Planning Commission Approval SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted				
Blast furnace, steel furnace, blooming or rolling mill		P		Located not less than eight hundred (800) feet distance from any residential district and not less than three hundred (300) feet distant from any other district
Central dry-cleaning plant, service to more than one facility	P	P		
Crematorium		<del>SL-PG</del>	<u>SL-PC</u>	Subject to conditions in Section 1115
Garbage, refuse and rubbish transfer stations		P		Subject to conditions in Section 1152.
Heating and electric power generating plants, and all necessary uses		<del>SL-PG</del>	<u>SL-PC</u>	
<del>Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant</del>		P		<del>Located not less than eight hundred (800) feet distance from any residential district and not less than three hundred (300) feet distant from any other district</del>
Junkyards and places for dismantling, wrecking, and disposing or salvaging of the junk and or refuse material of agricultural and automotive vehicles, paper, glass, and other materials of a similar nature, including processing of materials for recycling		<del>P</del>	<u>SL-PC</u>	Subject to conditions in Section 1137 and Article V, Junkyards, and automobile dismantling, of Chapter 22 of the Charter Township of Ypsilanti Code of Ordinances i
<del>Lumber and planing mills</del>	<del>SL-PG</del>	<del>SL-PC</del>		<del>Must be in enclosed building and located in the interior of the district so that no property line shall form the exterior boundary of the zoning district</del>
<u>Product Assembly</u>				
<u>Manufacturing and Production</u>	<u>SL-PC</u>	<u>SL-PC</u>	<u>SL-PC</u>	

Article 4 – District Regulations

Industrial Districts Use Table	I-T	L-M	ICR	Notes
<p>P = Permitted Use    SL-PC = Special Use Planning Commission Approval  SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</p>				
<del>Manufacture of corrosive acid or alkali, cement, lime, gypsum, or plaster of Paris.</del>		P	P	<del>Located not less than eight hundred (800) feet distant from any residential district and not less than three hundred (300) feet distant from any other district</del>
<del>Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other small, molded rubber products</del>	SL-PC	P		In I-T, must be in enclosed building
<del>Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas</del>	SL-PC	P		In I-T, must be in enclosed building
<del>Manufacture or assembly of electrical appliances, electronic instruments and devices, radios, and phonographs</del>	SL-PC	P		In I-T, must be in enclosed building
<del>Manufacture, compounding, assembling or treatment of Articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal (excluding large stamping such as automobile fenders or bodies), shell, textiles, tobacco, wax, wire, wood (excluding saw and planing mills) and yarns.</del>	SL-PC	P		In I-T, must be in enclosed building
<del>Manufacture, compounding, processing, packaging, or treatment of such products as: bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware, and cutlery; tool, die, gauge and machine shops</del>	SL-PC	P		In I-T, must be in enclosed building
Metal plating, buffing, and polishing	SL-PC	SL-PC		Subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances

Article 4 – District Regulations

Industrial Districts Use Table	I-T	L-M	ICR	Notes
<p>P = Permitted Use    SL-PC = Special Use Planning Commission Approval            SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</p>				
Self-Storage Facilities and storage buildings for lease to the public	<del>SL-PC</del>	SL-PC	<u>P</u>	Subject to conditions in Section 1134.
Petroleum or other inflammable liquids, production, refining or storage		<u>P</u>	<u>SL-PC</u>	Located not less than eight hundred (800) feet distant from any residential district and not less than three hundred (300) feet distant from any other district
<del>Sand and gravel extraction</del>		<u>P</u>		<del>Subject to conditions in Section 1148.</del>
<del>Smelting of copper, iron, or zinc ore</del>		<u>P</u>		<del>Located not less than eight hundred (800) feet distant from any residential district and not less than three hundred (300) feet distant from any other district</del>
Last mile logistics and distribution warehouses and uses.		<u>P</u>	P	
Large Scale Customer Fulfillment Centers		<u>P</u>	P	
Laboratories, experimental technology testing facilities.	<u>P</u>	<u>P</u>	P	
Avionic repair and manufacturing including airplanes, helicopters, and drones.		<u>P</u>	P	
<del>Green infrastructure and technology</del>			<u>P</u>	
Data centers for the storage and warehousing of computer servers.		<u>P</u>	P	
Outdoor Storage and Contractors/Landscapers Yard	<u>P</u>	<del>SL-PC</del>	<u>SL-PC</u>	Subject to conditions in Section 1157.
<del>Open Air Business</del>	SL-PC	SL-PC		<del>Subject to condition in Section 1110.</del>
Warehouses and <u>indoor</u> storage	<u>P</u>	P	<u>P</u>	

Article 4 – District Regulations

Industrial Districts Use Table	I-T	L-M	ICR	Notes
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b> <b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
<del>Uses which have an industrial character in terms of either their outdoor storage requirements or activities such as, but not limited to: lumberyard, building materials outlet, upholsterer, cabinetmaker, outdoor boat, house trailer, automobile garage or agricultural implement sales</del>	<del>SL-PC</del>	<del>SL-PC</del>		
<del>Laboratories, experimental, film or testing</del>	<del>SL-PC</del>	<del>P</del>		<del>In I-T, must be in enclosed building</del>
Medical laboratories	P	P		
<del>Research and development, including laboratories, prototype development and testing facilities, design and pilot or experimental product development</del>	<del>P</del>	<del>P</del>		<del>In I-T, must be in enclosed building</del>
<u>Green Industry and Energy</u>				
<u>Green technology research and manufacturing</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Solar Farms</u>		<u>SL-PC</u>	<u>SL-PC</u>	
<u>Green Battery Manufacturing</u>		<u>P</u>	<u>P</u>	
<u>Hydrogen Technology and alternative green fuels</u>		<u>SL-PC</u>	<u>P</u>	
<u>Research and development, including laboratories, prototype development and testing facilities, design and pilot or experimental product development</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b>Agricultural</b>				
<del>Farm operation</del>	<del>P</del>	<del>P</del>		
Greenhouse and plant material nursery (materials grown and sold on-site)	P	P	<u>P</u>	
<del>Community Supported Agriculture</del>	<del>SL-PC</del>			



Article 4 – District Regulations

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<b>Office and Financial</b>				
Office buildings	P	<u>P</u>	<u>P</u>	
Data processing and computer centers, including service and maintenance of electronic data processing equipment	P	<u>P</u>	<u>P</u>	
<b>Retail and Services</b>				
Sexually Oriented Businesses			SL-PC	Subject to conditions in Section 1139.
<del>Adult/child day care center + preschools</del>	<del>SL-PG</del>			
Commercial kennels/ pet day care	SL-PC	P	<u>P</u>	Subject to conditions in Section 1161
<del>Massage therapy</del>			<del>SL-PC</del>	<del>Subject to conditions in Section 1140.</del>
<del>Pawnbroker, secondhand dealer, and junk dealer facilities</del>			<del>SL-PG</del>	<del>Subject to conditions in Section 1141.</del>
Incidental Sales and Services	A	A	A	Subject to conditions in Section 1132
Tattoo parlor			SL-PC	
<b>Medical Marihuana</b>				
Class A Grower (may grow up to five hundred (500) marijuana plants), Class B Grower (may grow up to one thousand (1,000) marijuana plants), and Class C			P	

Article 4 – District Regulations

Industrial Districts Use Table	I-T	L-M	ICR	Notes
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b> <b>SL-TB = Special Use Township Board Approval    A = Accessory Use    – = Not permitted</b>				
Grower (may grow up to one thousand-five hundred (1,500) marijuana plants)				
Processor			P	
Safety Compliance Facility			P	
Dispensary			P	
Secure Transporter			P	
Provisioning Center			P	
Microbusiness			P	
<b>Recreational Marijuana</b>				
Class A Marijuana Grower (may grow up to one hundred (100) plants), Class B Marijuana Grower (may grow up to five hundred (500) plants), and Class C Marijuana Grower (may grow up to two thousand (2,000) plants)			P	
Processor			P	
Safety Compliance Facility			P	
Provisioning Center			P	
Secure Transporter			P	
Retailer			P	
Microbusiness			P	
<b>Lodging and Restaurants</b>				
Hotels	P			Subject to condition in Section 1123.
Motels	P			Subject to conditions in Section 1122.

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<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b> <b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
Restaurants	P			
<b>Civic/Institutional</b>				
Hospitals	P			
Trade or industrial schools	P	P	<u>P</u>	No outdoor storage
Parole or probation offices			SL-PC	Subject to conditions in Section 1143.
Public/government buildings	P	<u>P</u>	<u>P</u>	
Public utility buildings, excluding wastewater treatment plants	P	P	<u>P</u>	
Transfer and electricity and gas service buildings and yards	P	P	<u>SL-PC</u>	
Wastewater treatment plants			P	Subject to conditions in Section 1154.
<b>Recreation</b>				
Assembly halls, display halls, convention center, theater, or similar places of assembly	<u>SL-PC</u>			Conducted in completely enclosed building
Health clubs, fitness centers, gyms and aerobic clubs, health, and fitness center	SL-PC	SL-PC		Permitted as accessory use only in I-T
Indoor recreational facility, including bowling alley, archery range, tennis/racquet ball court, skating rink, athletic field, swimming pool, and other similar uses	SL-PC	SL-PC		Permitted as accessory use only in I-T. Must be located at least one hundred (100) feet from any front, rear, or side yard of any residential lot in an adjacent residential district. Subject to conditions in Section 1135.
Lighted outdoor commercial sports centers, including baseball and other intense activities		P		Subject to conditions in Section 1153.

Article 4 – District Regulations

Industrial Districts Use Table	I-T	L-M	ICR	Notes
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b> <b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
<del>Outdoor spat ball, simulated war games and similar activities</del>		<del>P</del>		<del>Subject to conditions in Section 1151.</del>
Outdoor theaters		SL-PC	<u>SL-PC</u>	Subject to conditions in Section 1138.
Racetracks (including midget auto and karting tracks) and dirt tracks		<del>P</del>	<u>SL-PC</u>	Subject to conditions in Section 1150.
<b>Automotive/Transportation</b>				
Airports	<u>SL-PC</u>	SL-PC	<u>SL-PC</u>	Subject to conditions in Section 1133.
Auto engine and body repair, and undercoating shops	<u>SL-PC</u>		<u>SL-PC</u>	When conducted in enclosed building
Automobile mechanical component dismantling and recycling			SL-PC	Subject to conditions in Section 1142.
Freight terminals	<del>P</del>	P	<del>P</del>	
Railroad transfer and storage tracks, railroad rights-of-way	P	P	<del>P</del>	
Railroad lines, rail spurs and similar rail transport access facilities	P	P	P	Subject to conditions in Section 1145.
<b>Accessory Uses</b>				
Accessory buildings and uses customarily incident to any permitted use in this table	A	A	A	
<b>Other</b>				
Wireless communication towers and antennas	See Section 1144.			

(Ord. No. 2018-476 , § 2, 2-20-18)

**Article 5 – Sec. 506. – Town Center:**

**Use groups by category in Town Center**

Use Group 2 for the Town center corridors indicates in Use Group 2 *mixed uses: any combination of uses located in group 1, 2, or 3 that is mixed vertically in a building or horizontal on one parcel* is permitted but Use Group 4 (retail, entertainment, and service uses) have been excluded from the mixed-use groups even though Use Group 4 is permitted across all site types. Staff recommends that Use Group 2 for all corridors be corrected to include Use Group 4 in the mixed-uses permitted. **This Zoning Ordinance Text Amendment will be brought to the Planning Commission for the Neighborhood and Regional Corridor in the coming months.** See next page.

**Current Zoning Ordinance Language:**

*2. Use Groups by Category-Town Center:*

<b>Town Center Corridors</b>
<b>Use Group 1</b>
<b>Residential Uses:</b>
One-Family detached and attached dwellings, subject to regulations in Section 1101.
Two-Family dwellings.
<b>Use Group 2</b>
<b>Misc. Residential/Related Uses:</b>
Mixed-use. Any combination of uses located in group 1, 2 or 3, that is mixed vertically in a building or horizontal on one (1) parcel.
Multiple-Family dwellings.
Live/Work units.
Child care centers, subject to regulations in Section 1155.
Bed and Breakfast operations, subject to regulations in Section 1107.
<b>Use Group 3</b>
<b>Office/Institutional:</b>
Civic Buildings.
Professional and medical office.
Primary/secondary schools (private).
Publicly owned/operated office and service facilities.
Place of worship.
Veterinary clinics or hospitals, subject to regulations in Section 1116 or Section 1117, as applicable.
<b>Use Group 4</b>
<b>Retail, Entertainment, and Service Uses:</b>
Financial institutions without a drive-through.
General retail.
Food use without a drive-through.
Personal services.
Business services.
Small group or one-on-one exercise or art studio.

**Proposed Text Amendment:**

*2. Use Groups by Category-Town Center:*

<b>Town Center Corridors</b>
<b>Use Group 1</b>
<b>Residential Uses:</b>
One-Family detached and attached dwellings, subject to regulations in Section 1101.
Two-Family dwellings.
<b>Use Group 2</b>
<b>Misc. Residential/Related Uses:</b>
Mixed-use. Any combination of uses located in group 1, 2, 3, or 4 that is mixed vertically in a building or horizontal on one (1) parcel.
Multiple-Family dwellings.
Live/Work units.
Child care centers, subject to regulations in Section 1155.
Bed and Breakfast operations, subject to regulations in Section 1107.
<b>Use Group 3</b>
<b>Office/Institutional:</b>
Civic Buildings.
Professional and medical office.
Primary/secondary schools (private).
Publicly owned/operated office and service facilities.
Place of worship.
Veterinary clinics or hospitals, subject to regulations in Section 1116 or Section 1117, as applicable.
<b>Use Group 4</b>
<b>Retail, Entertainment, and Service Uses:</b>
Financial institutions without a drive-through.
General retail.
Food use without a drive-through.
Personal services.
Business services.
Small group or one-on-one exercise or art studio.

## **Article 11—Specific Use Provisions Zoning Text Amendments**

### **Section 1128 - Sec. 1128. - Temporary sidewalk, outdoor and tent sales for principal use:**

Section 1128 provides for temporary sidewalk, outdoor and tent sales for principal uses, with conditions for all uses specified in paragraph 1. The conditions include following the sign provisions, maneuverability, or safety of the site, and following all other township requirements. However, there is no provision for parking requirements that apply to all uses; parking requirements are addressed only under paragraph 2, Seasonal sales of produce from tents, stands or display racks. Parking should be a consideration for all temporary sales uses.

Staff recommends that the parking requirements under paragraph 2 be moved to paragraph 1, thereby applying to all uses under Section 1128.

### Sec. 1128. - Temporary sidewalk, outdoor and tent sales for principal use:

Temporary sidewalk, outdoor and tent sales may be permitted subject to the issuance of a revocable Zoning Compliance permit to operate a sidewalk, outdoor or tent sales as an extension of or compatible with, the existing business on a portion of the public sidewalk or other public area adjacent to the business. The Zoning Compliance permit may be issued by the Zoning Administrator under the following terms and conditions:

1. For all uses, the following conditions must be met:
  - A. Signs shall be limited to sizes and locations in keeping with Article 15.
  - B. All temporary buildings, tents and structures shall be constructed, used, occupied, and maintained in compliance with the provisions of the state construction code and all Ordinances of the Township.
  - C. Building and Fire Code requirements shall be complied with.
  - D. The sale shall not interfere with the use of the sidewalk or street for pedestrian or vehicular travel. Sidewalk width must remain at least six (6) feet wide.
  - E. The sale shall not unreasonably interfere with the view of, access to or use of property adjacent to the street or neighboring businesses or properties.
  - F. The sale shall not interfere with street clearing or snow removal activities.
  - G. The sale shall not cause damage to the street or to sidewalks, trees, benches, landscaping, or other objects lawfully located on the property.
  - H. Sales areas shall be located so as to provide adequate access for fire and safety vehicles.
  - I. A permit shall be required. The proprietor of the property shall provide a sketch plan drawn to scale showing the location of the sale, existing and proposed temporary and permanent structures on the entire parcel, parking areas, and parking calculations.
  - J. Copies of permits required by any other agencies for the use must be included with the permit application.



K. Off-street parking shall be provided in keeping with standards of Section 1205, Parking requirements. In those instances where usable floor area cannot be effectively measured, the sales space utilized shall be measured as usable floor area.

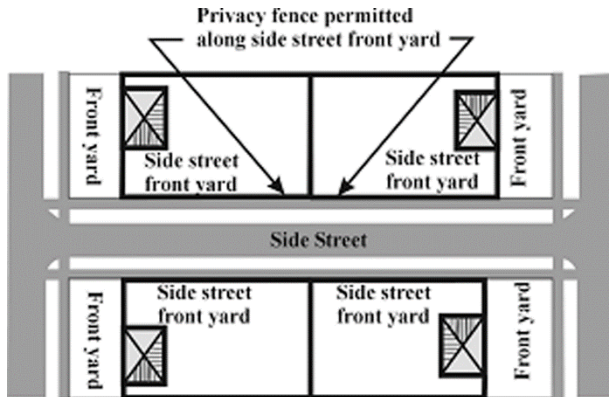
2. Seasonal sale of produce from tents, stands or display racks subject to the following conditions:
  - A. Permits may be issued for up to six (6) month periods.
  - ~~B. Off-street parking shall be provided in keeping with standards of Section 1205, Parking requirements. In those instances where usable floor area cannot be effectively measured, the sales space utilized shall be measured as usable floor area.~~
3. Sidewalk sales areas may be permitted subject to the following:
  - A. The sidewalk sales area shall abut the building and shall not be placed abutting a parking area or vehicle travel lane.
  - B. Sidewalk sales areas shall not be fenced or enclosed in any manner.
  - C. Sidewalk sales shall be conducted for no more than fourteen (14) consecutive days and permits shall not be issued for consecutive tent sales beyond a fourteen (14) day period.
4. Tent sales may be permitted subject to the following:
  - A. No more than three (3) tent sales shall be permitted for a business location within a single calendar year.
  - B. A tent sale shall be conducted for no more than fourteen (14) consecutive days and permits shall not be issued for consecutive tent sales beyond a fourteen (14) day period.
  - C. Tent sales when proposed to be conducted on parking areas shall not reduce required parking spaces by more than fifteen percent (15%).
  - D. All tents shall be removed within forty-eight (48) hours of expiration of the period for which the permit is issued.
  - E. Equipment and products used in the event do not pose a fire or other hazard.

## **Article 13 Zoning Text Amendments**

### **A. Section 1305 – Fences and Walls**

Section 1305.2.A.(1) specifies that *“Only ornamental type fences shall be located in a required front yard or, in the case of a corner or through lot, in a required yard which adjoins a public or private street provided such fences shall not exceed four (4) feet in height.”*

However, the illustration included in this section reflects the previous zoning ordinance provisions allowing a six-foot privacy fence in the required yard adjoining a public or private street in certain situations. The illustration should be corrected to show that a privacy fence must meet the required front yard setback along both street frontages.



## B. Section 1305 – Fences and Walls

A through lot is defined by the Ordinance as “*Lot, Through: Any interior lot having frontage on two (2) more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, all yards of said lots adjacent to streets shall be considered frontage, and front yard setbacks shall be provided as required.*”

Section 1305.2.A.(1) specifies that “*Only ornamental type fences shall be located in a required front yard or, in the case of a corner or through lot, in a required yard which adjoins a public or private street provided such fences shall not exceed four (4) feet in height.*” A six-foot tall fence must meet the rear yard setback of 35 feet on a through lot, which could substantially decrease the usable rear yard of a through lot.

Staff recommends that the ordinance be changed to read as follows:

2. Height and location requirements:

A. Residential District.

(1) Only ornamental type fences shall be located in a required front yard or, in the case of a corner ~~or through lot~~, in a required yard which adjoins a public or private street provided such fences shall not exceed four (4) feet in height.

(2) Fences may be located in any required yard not adjoining a public or private street provided that they shall not exceed six (6) feet in height. In the case of a through lot, fences between four and six feet in height located in the secondary front yard shall maintain a ten (10) foot setback.

## Article 15 – Signs

### Section 1509.6.A.2.b. – Permitted Signs in Form-based Districts.

The area of wall signs permitted for a multi-tenant building in the form-based district is indicated as *per lot* but that would mean individual tenants would be left without any wall signs. Staff suggests that the language be amended to read as follows:

- (b) Area. The area of wall signs permitted for each lot unit shall be determined as one (1) square foot of sign area for each one (1) linear foot of building frontage occupied by a business to a maximum area of one hundred (100) square feet. All businesses without ground floor frontage, in a given building, shall be permitted one (1) combined exterior wall sign not more than twenty-four (24) square feet in area.

**Section 1509.10. – Prohibited Signs**

The zoning ordinance does not address signs painted directly onto a building façade as a wall sign. Staff suggests the following language:

H. No sign shall be painted directly onto the façade of the building wall or related architectural feature.

I, Heather Jarrell Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Ordinance No. 2023-505 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on August 15, 2023. The second reading is scheduled to be heard on September 19, 2023.



Heather Jarrell Roe, Clerk  
Charter Township of Ypsilanti