

Township Supervisor
Brenda L. Stumbo
Township Clerk
Heather Jarrell Roe
Township Treasurer
Stan Eldridge



**YPSILANTI
TOWNSHIP**
— OFFICE OF THE CLERK —

Trustees
Ryan Hunter
John Newman II
Gloria Peterson
Debbie Swanson

MEMORANDUM

To: Jason Iacoangeli, Planning Director

From: Heather Jarrell Roe, Clerk *HJR*

Date: November 22, 2023

Subject: ***2nd Reading of Resolution 2023-15, Proposed Ordinance 2023-506, an ordinance to amend articles 2, 5 and 11 of the Ypsilanti Township Zoning Ordinance***

At the regular meeting held on November 21, 2023, the Charter Township of Ypsilanti Board of Trustees approved the 2nd reading of resolution 2023-15, proposed ordinance 2023-506, an ordinance to amend articles 2, 5 and 11 of the Ypsilanti Township Zoning Ordinance.

Attached is certified copy of the ordinance. The ordinance will be effective upon publication on November 30, 2023.

Should you have any questions, please contact my office.

Irs

cc: Township Board
Fletcher Reyher, Planning/Development Coordinator
McLain and Winters, Township Attorneys
Files

Charter Township of Ypsilanti

RESOLUTION NO. 2023-15

A Resolution Amending the Ypsilanti Township Zoning Ordinance

(In Reference to Proposed Ordinance 2023-506)

Whereas, the Township Planning Department Staff completed a detailed review of the Township's Zoning Code; and

Whereas, at its regularly scheduled Planning Commission meeting held September 26, 2023, the Planning Commission held a public hearing.

Whereas, the Planning Commission for Ypsilanti Township recommended approval of the proposed zoning amendments to the Township's Zoning Code to the Township Board of Trustees at its regular meeting of September 26, 2023 which changes can be summarized as follows:

1. Article 2, Section 201. – Definitions
 - a. Defining "adaptive reuse" to the list of definitions in the Township Zoning Ordinance.
2. Article 4, Section 420. – Use Table
 - a. Add adaptive reuse to the land use table for the GB – General Business District, NB – Neighborhood Business District, and all the One-Family Residential Zoning Districts.
3. Article 5, Section 504. Neighborhood Corridors
 - a. Add adaptive reuse to Use Group 5.
4. Article 5, Section 505. – Regional Corridors.
 - a. Add adaptive reuse to use Group 5.
5. Article 5, Section 507. – Design Standards.
 - a. Add alternative design standards for developers.
6. Article 6, Section 1155. – State-Licensed Residential Child and Adult Care Facilities
 - a. Removing specific reference to state-licensing rules and simply referencing "State of Michigan licensing rules" to avoid amending the ordinance when law changes.
7. Article 11, Section 1167. – Adaptive Reuse
 - a. Adding a new ordinance to facilitate the conversion of older, economically distressed buildings to a viable new use.

Now Therefore,

Be it resolved, that the Charter Township of Ypsilanti Board of Trustees does hereby approve Ordinance No. 2023-506 as attached, by amending Articles of the Township's Zoning Ordinance as noted, replacing it with proposed Ordinance No. 2023-506.

I, Heather Jarrell Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2023-15 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on November 21, 2023.



Heather Jarrell Roe, Clerk

Charter Township of Ypsilanti

**CHARTER TOWNSHIP OF YPSILANTI
ORDINANCE NO. 2023-506**

**An Ordinance to Amend Articles 2, 5 and 11 of the
Ypsilanti Township Zoning Ordinance**

Article 2, Section 201. – Definitions

Adaptive Reuse: The development of a new use for an older building or for a building originally designed for a special or specific purpose.

Article 4, Section 420. – Use Table

Residential Districts Use Table	R-1 to R-3	R-4 to R-5	RM-LD to RM-MD	RM-HDS	AG	MHP	Notes
P = Permitted Use SL-PC = Special Use Planning Commission Approval SL-TB = Special Use Township Board Approval A = Accessory Use — = Not permitted							
Storage of recreation vehicles	—	—	—	—	—	P	Subject to conditions in Section 1147.
Incidental Sales and Services	—	—	A	A	—	—	Subject to conditions in Section 1132.
Keeping of more than four (4) dogs in one-family residential districts	P	P	—	—	P	—	Subject to conditions in Section 1113.
Adaptive Reuse	SL-PC	SL-PC	—	—	—	—	Subject to conditions in Section 1167.
Wireless communication towers and antennas	See Section 1144.						

Business Districts Use Table	NB	GB	Notes
P = Permitted Use SL-PC = Special Use Planning Commission Approval SL-TB = Special Use Township Board Approval A = Accessory Use — = Not permitted			
Retail and Services			
Adaptive Reuse	SL-PC	SL-PC	Subject to conditions in Section 1167.

Article 5, Section 504. – Neighborhood Corridors

Neighborhood Corridors
Use Group 5
Misc. Uses:
Adaptive Reuse, subject to regulations in Section 1167.

Article 5, Section 505. – Regional Corridors

Regional Corridors
Use Group 5
Misc. Uses:
Adaptive Reuse, subject to regulations in Section 1167.

Article 5, Section 507. – Design Standards

The location of buildings on corner lots is buried in the parking placement, orientation, and screening section, making it a regulation easy to miss. The requirement that *for a corner lot, the building shall be located in the corner of the lot adjacent to the intersection* should be moved out of the parking section and to the *building placement orientation* paragraph.

Additionally, Carlisle Wortman Associates has asked that the following transparency standards be included in the design standards:

Transparency alternatives. The following alternatives may be used singularly or in combination for any side or rear facing facade which requires transparency. If used in combination, they may count toward no more than 50% of the transparency requirement. Transparency alternatives may be used but cannot be counted towards the transparency requirements for facades that face on a right-of-way.

- a. Wall design. Wall designs must provide a minimum of three of the following elements, occurring at intervals no greater than 25 feet horizontally and 10 feet vertically:
 - a. Expression of structural system and infill panels through change in plane not less than three inches.
 - b. System of horizontal and vertical scaling elements, such as: belt course, string courses, cornice, pilasters.
 - c. System of horizontal and vertical reveals not less than one inch in width/depth.
 - d. Variations in material module, pattern, and/or color.
 - e. System of integrated architectural ornamentation.
- b. Outdoor dining/seating: inclusion of outdoor dining/seating located between the building and the primary street lot line.
- c. Permanent art: noncommercial art or graphic design of sufficient scale and orientation to be perceived from the public right-of-way and rendered in materials or media appropriate to an exterior, urban environment and permanently integrated into the building wall.

Article 11, Sec. 1155. - State-licensed residential child and adult care facilities:

Staff recommends that two amendments be made to Section 1155, State-licensed residential child, and adult care facilities. First, under paragraph 1.B., the current zoning ordinance references State Licensing Rules R400.1131 to R400.1135 that presumably applied to building and fire code regulations for state-licensed child and adult care facilities. Staff cannot find these rules in the State of Michigan Administrative Code and believe these rules have been amended since the language was originally inserted into the

township's zoning ordinance. A more efficient way to reference a state law or rule in the zoning ordinance is to simply reference "State of Michigan" law or rule and not referencing a specific rule or law that is likely to change, necessitating a change to the zoning ordinance. "State of Michigan" is currently used throughout the remainder of this section.

Second, paragraph 1.C. references the previous sign ordinance. This paragraph should be amended to reflect the current sign ordinance article.

Sec. 1155. - State-licensed residential child and adult care facilities:

1. State-licensed child and adult care facilities, as defined in Section 201, Definitions, shall meet the following regulations:
 - A. These facilities, except for adult/child family day care homes, shall be registered with Ypsilanti Township and shall continually have on file with the Township documentation of a valid license as required by the state.
 - B. Since the state law preempts in this area, these facilities shall be brought into compliance with all state building and fire codes pursuant to ~~State Licensing Rules R400.1131 – R400.1135~~ [State of Michigan licensing rules](#). Documentation of such compliance with state requirements shall be provided.
 - C. The site shall comply with the sign provisions of [Section 2109 Article 15](#).
 - D. Off-street parking shall be provided for the number of employees on site at any one time.

Site Development Regulations:

- A. Adult foster care family homes serving six (6) persons or less. A state-licensed adult foster care home, foster family home, or foster family group home serving six (6) persons or less shall be considered a residential use of property and a permitted use in all residential districts.
- B. Adult foster care small group homes serving between seven (7) and twelve (12) persons.
 - (1) A site plan, prepared in accordance with Article 9 shall be required to be submitted.
 - (2) The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located, provided there is a minimum site area of two thousand (2,000) square feet per adult, excluding employees and/or caregivers.
 - (3) The property is maintained in a manner that is consistent with the character of the neighborhood.
 - (4) One (1) off-street parking space per employee and/or caregiver shall be provided.
 - (5) Appropriate licenses with the State of Michigan shall be maintained.
- C. Adult foster care large group homes serving between thirteen (13) and twenty (20) persons.
 - (1) A separate drop-off and pickup area shall be required adjacent to the main building entrance, located off of a public street and the parking access lane, and shall be of sufficient size so as to not create congestion on the site or within a public roadway.
 - (2) A site plan, prepared in accordance with Article 9 shall be required to be submitted.
 - (3) The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located, provided there is a minimum site area of two thousand (2,000) square feet per adult, excluding employees and/or caregivers.
 - (4) The property is maintained in a manner that is consistent with the character of the neighborhood.
 - (5) One (1) off-street parking space per employee and/or caregiver and one (1) visitor be provided.
 - (6) Appropriate licenses with the State of Michigan shall be maintained.
- D. Adult foster care congregate facilities serving more than twenty (20) persons.
 - (1) A separate drop-off and pickup area shall be required adjacent to the main building entrance, located off of a public street and the parking access lane, and shall be of sufficient size so as to not create congestion on the site or within a public roadway.

- (2) A site plan, prepared in accordance with Article 9 shall be required.
- (3) The subject parcel shall meet the minimum lot area requirements for the zoning in which it is located, provided there is a minimum site area of two thousand (2,000) square feet per adult, excluding employees and/or caregivers.
- (4) The property is maintained in a manner that is consistent with the character of the neighborhood.
- (5) One (1) off-street parking space per employee and/or caregiver and one (1) visitor shall be provided.
- (6) Appropriate licenses with the State of Michigan shall be maintained.
- (7) The maximum length of an uninterrupted building façade facing public streets and residentially zoned or used property shall be thirty (30) feet. Façade articulation or architectural design variations for building walls facing the street are required to ensure that the building is not monotonous in appearance. Building wall offsets (projections and recesses), cornices, varying building materials, or pilasters shall be used to break up the mass of a single building.
- (8) Such facilities may include multi-purpose recreational rooms, kitchens, and meeting rooms. Such facilities may also include medical examination rooms and limited space for ancillary services for the residents of the facility, such as barber and beauty facilities.

Article 11, Section 1167. – Adaptive Reuse

1. Intent

The intent of this is to facilitate the retention and conversion of older, economically distressed, existing, underutilized, or historically significant buildings to viable uses. Reuse of existing buildings will help to reduce vacant space, create opportunities for new development, and reduce property degradation and blight. Encouraging the reuse of buildings is a sustainable practice to retain much of the energy that went into their initial construction and reduce greenhouse gas emissions. Specifically, the intent of this section is to:

- a. Provide regulations specifically tailored to encourage and promote the rehabilitation of older used and underutilized buildings.
 - b. Provide for a mix of uses within said adaptive reuse developments which promote the economic revitalization of Ypsilanti Township.
 - c. Promote the retention of older buildings and lands which enhance the image and preserve the heritage of Ypsilanti Township.
 - d. Provide reasonable standards for the blending of new construction with existing buildings, so as to allow quality development of older structures within contemporary development and building standards.
2. Qualifying Criteria. To encourage and incentivize the adaptive reuse of buildings, this section permits a greater allowance of land uses and allows specific zoning relaxations than the underlying zoning district. The provisions of this section are intended to modify the standards otherwise applied to the site by its underlying zoning district. Unless specifically modified by this chapter, all other standards adopted shall apply.
- Projects must meet the following criteria to be an eligible adaptive reuse project:

- a. Project site shall be located in a NB, Neighborhood Commercial, GB, General Commercial, Regional Commercial Form-Based district, Neighborhood Corridor Form-Based district, or the adaptive reuse of a civic building or public-school building in any district.
 - b. Applies to any building that is at least 20 years old and that was constructed in accordance with building and zoning codes in effect at the time of construction.
 - c. The project results in a change of use in all or a portion of the existing building.
 - d. Existing building may not be destroyed by any means to the extent of more than fifty (50) percent of its replacement cost.
- ##### **3. Allowances**
- a. Setbacks. Existing building setbacks may remain and shall be considered legally nonconforming, but no further encroachments shall be permitted into any nonconforming setback.
 - b. Height. The height of the structure, if it exceeds the maximum height of the zoning district, may remain and shall be considered legally nonconforming. Any rooftop construction needed for building circulation, drainage, ventilation, utilities, or passive

recreation shall be included within the height exemption. This height exemption does not include new residential or commercial floor area.

- c. Loading Zone. A new loading zone shall not be required if the existing building does not have an existing loading zone.
 - d. Parking. New parking spaces shall not be required for any converted use within the existing footprint of the building, but expansions to floor area shall be required to provide parking in accordance with section 610.
4. Uses
- i. Permitted Uses: Any use that is a permitted use in the in the underlying zoning district.
 - ii. Assembly Uses, Clubs, Banquet Halls and other such uses are not permitted.
 - iii. The following uses shall be allowed as a Special Use- Planning Commission approval if they are within an adaptive reuse development:
 - 1. Any use that is a Special-Use Planning Commission in the in the underlying zoning district
 - 2. Indoor Climate Controlled Self-Storage for reuse of buildings greater than 50,000 square feet.
 - 3. Retail greater than 20,000 sq/ft
 - 4. Commercial kennel/Pet Day Care
 - 5. Veterinary clinic/veterinary hospital
 - 6. Fitness, gymnastics, exercise centers, and indoor recreational facility
 - 7. Theatres
 - 8. Art Studios
 - 9. Trade Schools and other educational uses.
 - 10. Offices and Flex Office Space
 - 11. Daycare
 - 12. Craft trades such as breweries, coffee roasters, bakeries, or culinary businesses.
 - iv. Unless listed in this section, other uses are not permitted.
5. Specific conditions:
- a. The provisions of this zoning overlay are intended to modify the standards otherwise applied to the site by its underlying district. Unless specifically modified by this chapter, all other standards adopted for this site shall apply.
 - b. All adaptive reuse projects require site plan review as provided for in Article 9.
 - c. Adaptive Reuse Projects require a Development Agreement approved by the Township Board of Trustees.
 - d. Expansions to the floor area of an eligible building and new construction on the lot must comply with the dimensional requirements provided in the district in which it is located.
 - e. The following site elements must be brought into compliance:
 - i. Parking lot pavement/repairs
 - ii. Lighting as set forth in Section 1303.
 - iii. Landscaping as set forth in Section 1301.
 - f. Application shall make necessary façade improvements as required by ordinance.
 - g. The adaptive reuse project may include both additions and new construction.
 - h. Application shall include security camera and license plate readers.
 - i. The Planning Commission has the authority to require traffic, environmental, and other reports that aid the site plan review.

I, Heather Jarrell Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify adoption of Ordinance No. 2023-506 by the Charter Township of Ypsilanti Board of Trustees assembled at a Regular Meeting held on November 21, 2023 after first being introduced at a Regular Meeting held on October 17, 2023. The motion to approve was made by member Jarrell Roe and seconded by Eldridge YES: Stumbo, Jarrell Roe, Eldridge, Hunter, Newman, Peterson, and Swanson ABSENT: None NO: None ABSTAIN: None.



Heather Jarrell Roe, Clerk

Charter Township of Ypsilanti