

CHARTER TOWNSHIP OF
YPSILANTI BOARD OF TRUSTEES

Supervisor

BRENDA L. STUMBO

Clerk

HEATHER JARRELL ROE

Treasurer

STAN ELDRIDGE

Trustees

JOHN P. NEWMAN II

GLORIA PETERSON

DEBBIE SWANSON

JIMMIE WILSON, JR.

November 2, 2021

Work Session – 5:00pm

Regular Meeting – 7:00 p.m.

**Ypsilanti Township Civic Center
7200 S. Huron River Drive
Ypsilanti, MI 48197**



Charter Township of Ypsilanti

7200 S. HURON RIVER DRIVE • YPSILANTI, MI 48197

SUPERVISOR BRENDA STUMBO • CLERK HEATHER JARRELL ROE • TREASURER STAN ELDRIDGE
TRUSTEES: JOHN P. NEWMAN II • GLORIA PETERSON • DEBBIE SWANSON • JIMMIE WILSON, JR.

WORK SESSION AGENDA CHARTER TOWNSHIP OF YPSILANTI TUESDAY, NOVEMBER 2, 2021

5:00pm

1. DRAFT BUDGET DISCUSSION.....SUPERVISOR STUMBO
 ACCOUNTING DIRECTOR JAVONNA NEEL
 - FUND 230 – RECREATION
 - FUND 236 - 14B COURT
 - FUND 584 – GOLF COURSE
2. ZONING ORDINANCE UPDATE.....JASON IACOANGELI, PLANNING DIRECTOR
3. AGENDA REVIEWSUPERVISOR STUMBO
4. OTHER DISCUSSION BOARD MEMBERS

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARRELL ROE
Treasurer
STAN ELDRIDGE
Trustees
JOHN P. NEWMAN
GLORIA PETERSON
DEBBIE SWANSON
JIMMIE WILSON JR.



**Office of the
Supervisor**

7200 S. Huron River Drive
Ypsilanti, MI 48197

ytown.org

MEMORANDUM

To: Charter Township of Ypsilanti Board of Trustees

From: Brenda Stumbo, Supervisor

CC: Clerk Heather Jarrell Roe
Lisa Stanfield, Deputy Clerk
Javonna Neel, Accounting Director
John Hines, Deputy Supervisor

Date: October 27, 2021

Request for work session discussion for November 2, 2021.

1. Draft Budget discussion for Recreation Fund 230
2. Draft Budget discussion for 14B Court Fund 236
3. Draft Budget discussion for Golf Course Fund 584

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 230 RECREATION FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|--|------------------------------------|---------------------|---------------|----------------------|---------------------|-----------------------------|-----------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 000 | | | | | | | |
| ESTIMATED REVENUES | | | | | | | |
| 230-000-528.001 * | OTHER FEDERAL GRANT - ADDITIONAL | 16,000 | | 16,000 | 16,000 | 4,360 | 16,000 |
| 230-000-566.000 | MI STATE GRANT-RECREATION/PARK | | 2,864 | | | | |
| 230-000-630.000 * | RECREATION/ADULT SPORTS | 16,710 | 9,235 | 16,000 | 16,000 | 10,085 | 16,000 |
| 230-000-631.000 * | RECREATION/YOUTH SPORTS | 58,125 | 13,423 | 68,000 | 68,000 | 60,071 | 50,000 |
| 230-000-631.001 * | REC/YOUTH SPORTS CLASSES | | | | | | 18,000 |
| 230-000-631.002 * | REC/YOUTH ENRICH CLASSES | | | | | | 33,000 |
| 230-000-632.000 * | RECREATION/DANCE | 48,212 | 8,692 | 48,500 | 48,500 | 11,533 | 48,000 |
| 230-000-634.000 * | RECREATION/DAY CAMP | | | | | 845 | |
| 230-000-634.001 * | RECREATION/SPECIAL EVENTS | | | | | | 2,000 |
| 230-000-635.000 * | REC/50 & BEYOND DUES | 11,503 | 5,042 | 11,000 | 11,000 | 4,545 | 11,000 |
| 230-000-635.001 * | REC/50 & BEYOND TRIP FEE | | | | | | 4,000 |
| 230-000-636.000 * | RECREATION/ADULT CLASSES | 26,539 | 15,416 | 33,000 | 33,000 | 8,995 | 29,000 |
| 230-000-637.000 * | REC/50 & BEYOND ACTIVITY FEES | 18,694 | 3,386 | 12,000 | 12,000 | 60 | 12,000 |
| 230-000-637.001 * | MISCELLANEOUS | 1,365 | 301 | 200 | 200 | 1 | 200 |
| 230-000-637.002 * | BUILDING RENTAL FEES | 57,699 | 33,411 | 35,000 | 35,000 | 27,970 | 20,000 |
| 230-000-637.003 * | FIELD RENTAL FEES | | | | | | 15,000 |
| 230-000-637.004 * | FORD LAKE GATE FEES | 47,088 | | 50,000 | 50,084 | 58,266 | 50,000 |
| 230-000-637.005 * | PARK SHELTER RENT FEES | 6,108 | 4,304 | 7,000 | 6,916 | 13,045 | 8,000 |
| 230-000-642.005 * | SALES FOOD & BEVERAGE | 249 | 1,238 | 2,500 | 2,500 | 558 | 2,500 |
| 230-000-665.000 * | INTEREST EARNED | 1,908 | 258 | | | 6 | |
| 230-000-674.000 * | CONTRIBUTIONS & DONATIONS | | | | 1,000 | 1,040 | |
| 230-000-675.003 * | SERAFINSKI SCHOLARSHIP | | | | | | 2,500 |
| 230-000-675.008 * | CONTRIBUTIONS - ROSIE & ART IN THE | 2,650 | | 2,700 | 2,700 | | 2,400 |
| 230-000-675.400 * | DONATIONS - SENIOR LUNCH | 1,375 | 1,502 | 1,500 | 1,500 | | 1,500 |
| 230-000-676.012 * | INSURANCE REIMBURSEMENTS | 1,690 | 486 | | | 965 | |
| 230-000-699.213 * | TRANSFER IN: FROM BSRII FUND | 475,000 | 468,519 | 482,890 | 482,890 | 300,000 | 358,171 |
| TOTAL ESTIMATED REVENUES | | 790,915 | 568,077 | 786,290 | 787,290 | 502,345 | 699,271 |
| NET OF REVENUES/APPROPRIATIONS - 000 - | | 790,915 | 568,077 | 786,290 | 787,290 | 502,345 | 699,271 |

* NOTES TO BUDGET: DEPARTMENT 000

| | | | | | | | |
|---------|----------------------------------|--|--|--|--|--|--|
| 528.001 | OTHER FEDERAL GRANT - ADDITIONAL | Revenues received for Senior Nutrition Grant Program, a Federal Program through the County. We serve approximately 500 meals monthly. | | | | | |
| 630.000 | RECREATION/ADULT SPORTS | Revenues generated from adult sports programs (racquetball, softball, soccer, tennis). | | | | | |
| 631.000 | RECREATION/YOUTH SPORTS | Revenues generated from youth sports leagues (t-ball, coach pitch, baseball, basketball, soccer). | | | | | |
| 631.001 | REC/YOUTH SPORTS CLASSES | Revenues generated from Youth Sport Classes (GNSL, Tennis, Skyhawks Sports Classes and Camps, G.A.S. it Up Fitness). This is a new line item | | | | | |
| 631.002 | REC/YOUTH ENRICH CLASSES | Revenues generated from classes for youth (JAR, Karate, art classes). This is a new line item | | | | | |
| 632.000 | RECREATION/DANCE | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 230 RECREATION FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|-----------|---|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 000 | Revenues generated from youth dance classes | | | | | | |
| 634.000 | RECREATION/DAY CAMP No longer using this line item. | | | | | | |
| 634.001 | RECREATION/SPECIAL EVENTS Revenues generated from special events where a fee is charged. This is a new line item. Beginning in 2021 we have added events such as Pop-up Concerts, Food Truck | | | | | | |
| 635.000 | REC/50 & BEYOND DUES Revenues generated from annual "50 & Beyond" member dues (individual & family memberships offered). | | | | | | |
| 635.001 | REC/50 & BEYOND TRIP FEE Revenues generated from 50 & Beyond trips. | | | | | | |
| 636.000 | RECREATION/ADULT CLASSES Revenues generated from adult enrichment programs/classes (Art classes, Yoga, Zumba, Urban Ballroom, Pilates). | | | | | | |
| 637.000 | REC/50 & BEYOND ACTIVITY FEES Revenues generated from "50 & Beyond" programs. | | | | | | |
| 637.001 | MISCELLANEOUS Non-Program revenues such as vending machine commissions. | | | | | | |
| 637.002 | BUILDING RENTAL FEES Revenues generated from room & gym rentals. Includes revenue from WCC room usage | | | | | | |
| 637.003 | FIELD RENTAL FEES Revenues generated from athletic field rentals (Community Center Ball Fields, Ford Heritage Ball and Soccer Fields, North Bay Field, Ford Lake Park Field) This is a new | | | | | | |
| 637.004 | FORD LAKE GATE FEES Revenues generated from park gate fees (annual & daily fees collected from the sale of park & boat permits). | | | | | | |
| 637.005 | PARK SHELTER RENT FEES Revenues generated from park shelter rentals. | | | | | | |
| 642.005 | SALES FOOD & BEVERAGE Revenues generated from the sale of snacks - prepackaged items (Gatorade, Pop, chips) | | | | | | |
| 665.000 | INTEREST EARNED Interest earned from Recreation Fund. | | | | | | |
| 674.000 | CONTRIBUTIONS & DONATIONS | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 230 RECREATION FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | | | | 2022 REQUESTED BUDGET |
|-----------|--|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | |
| Dept 000 | Revenues received from individuals, businesses and organizations who donate to the department. Donations are usually earmarked for a specific item or program. | | | | | | |
| 675.003 | SERAFINSKI SCHOLARSHIP | | | | | | |
| | Revenue generated by the awarding of Serafinski Scholarship Funds to participants to use to register for classes. This is a new line item. | | | | | | |
| 675.008 | CONTRIBUTIONS - ROSIE & ART IN THE PARK | | | | | | |
| | Created for future donations to collaborative community art projects. | | | | | | |
| 675.400 | DONATIONS - SENIOR LUNCH | | | | | | |
| | Revenues generated when Seniors pay for daily lunches | | | | | | |
| 676.012 | INSURANCE REIMBURSEMENTS | | | | | | |
| | Some years we receive dividends back from MML Workers Comp and/or Insurance Liability. | | | | | | |
| 699.213 | TRANSFER IN: FROM BSRII FUND | | | | | | |
| | Funds from BSRII Fund are transferred into the Rec Fund budget to support the expenditure side of the budget. | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 230 RECREATION FUND

| | | 2022 BUDGET REQUEST | | | | | |
|-----------------------|---------------------------------|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| GL NUMBER | DESCRIPTION | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
| Dept 754 - RECREATION | | | | | | | |
| APPROPRIATIONS | | | | | | | |
| 230-754-705.000 * | SALARY - SUPERVISION | 65,556 | 67,205 | 67,217 | 67,217 | 43,694 | 68,903 |
| 230-754-706.000 * | SALARY - PERMANENT WAGES | 168,323 | 166,481 | 195,561 | 145,390 | 42,769 | 151,328 |
| 230-754-707.000 * | SALARY - TEMPORARY/SEASONAL | 7,023 | 4,879 | 6,000 | 6,000 | 3,408 | 6,000 |
| 230-754-707.075 * | SALARY - TEMP SPORTS PROGRAM | | | | | | 8,000 |
| 230-754-707.100 * | SALARY - TEMP COMM CENTER STAFF | 15,954 | 9,881 | 15,000 | 15,000 | 4,252 | 15,000 |
| 230-754-707.200 * | SALARY - TEMP DANCE STAFF | 12,410 | 6,504 | 13,000 | 13,000 | 3,749 | 13,000 |
| 230-754-707.775 * | SALARY - TEMP. FORD LAKE PARK | 41,479 | | 50,000 | 50,000 | 24,268 | 50,000 |
| 230-754-708.004 * | SALARIES PAY OUT-PTO&SICKTIME | 13,338 | | | | 1,219 | |
| 230-754-708.010 * | HEALTH INS BUYOUT | 3,000 | | 3,000 | 3,000 | | |
| 230-754-709.000 * | REG OVERTIME | 1,622 | 108 | 250 | 250 | | 250 |
| 230-754-715.000 * | F.I.C.A./MEDICARE | 19,718 | 17,808 | 20,351 | 20,351 | 6,951 | 14,147 |
| 230-754-718.000 * | MERS RETIREMENT | 30,423 | 23,788 | 28,669 | 28,669 | 11,552 | 8,326 |
| 230-754-718.001 * | RETIREMENT HEALTH CARE SAVINGS | 2,679 | 3,730 | 3,900 | 3,900 | 1,106 | 3,900 |
| 230-754-718.002 * | DEFERRED COMPENSATION | 1,111 | 322 | 832 | 832 | 464 | 1,196 |
| 230-754-719.000 * | HEALTH INSURANCE | 84,116 | 68,810 | 66,831 | 66,831 | 27,846 | 57,005 |
| 230-754-719.003 * | EMPLOYEE PAID HEALTH CONTRA | (4,725) | (4,050) | (4,200) | (4,200) | | (4,200) |
| 230-754-719.015 * | DENTAL BENEFITS | 5,361 | 4,528 | 2,239 | 2,239 | 1,025 | 1,982 |
| 230-754-719.016 * | VISION BENEFITS | 1,254 | 1,087 | 792 | 792 | 588 | 593 |
| 230-754-719.020 * | HEALTH CARE DEDUCTION | 8,847 | 3,604 | 17,745 | 17,745 | 4,248 | 14,805 |
| 230-754-719.021 * | ADMIN FEE - HEALTH DEDUCTIBLE | 362 | 270 | 234 | 234 | 85 | 252 |
| 230-754-719.022 * | DISABILITY INSURANCE | 1,877 | 1,591 | 1,527 | 1,527 | 717 | 872 |
| 230-754-719.023 * | LIFE INSURANCE | 1,115 | 945 | 907 | 907 | 435 | 681 |
| 230-754-719.030 * | WORKERS COMPENSATION | 8,124 | 7,096 | 8,476 | 8,476 | 3,949 | 5,830 |
| 230-754-727.000 * | OFFICE SUPPLIES | 1,216 | 1,023 | 1,300 | 1,300 | 211 | 1,200 |
| 230-754-730.000 * | POSTAGE | 3,140 | 905 | 4,000 | 4,000 | 3,843 | 4,000 |
| 230-754-740.000 * | OPERATING SUPPLIES | 681 | 425 | 700 | 700 | 206 | 700 |
| 230-754-757.008 * | COST OF SALES FOOD & BEV | | 591 | 2,000 | 2,000 | | 2,000 |
| 230-754-757.775 | OPERATING SUPP: FORD LAKE PAR | 2,296 | | | | | |
| 230-754-760.000 * | PPE & FIRST AID SUPPLIES | | | 500 | 500 | 25 | 500 |
| 230-754-776.000 | MAINTENANCE SUPPLIES | | 34 | | | | |
| 230-754-776.003 * | MAINT SUPPLIES - COMMUNITY CT | 5,281 | 3,727 | 4,700 | 4,700 | 3,011 | 4,700 |
| 230-754-800.001 * | ADMINISTRATION FEES | 19,585 | 19,602 | 21,488 | 21,488 | 13,069 | 22,141 |
| 230-754-818.000 * | CONTRACTUAL SERVICES | 10,311 | 3,495 | 12,000 | 15,400 | 14,524 | 16,000 |
| 230-754-818.002 * | CONTRACTUAL SERVICES COMM CEN | 18,738 | 16,090 | 16,500 | 13,500 | 9,927 | 16,500 |
| 230-754-818.018 * | CONTRACTUAL - SPORTS OFFICIALS | | | | | | 6,000 |
| 230-754-818.100 * | CONTRACTUAL - SPORTS PROGRAM | | | | | | 13,000 |
| 230-754-844.001 * | SENIOR NUTRITION PROGRAM | 8,110 | 3,488 | 16,000 | 16,000 | 134 | 16,000 |
| 230-754-850.000 * | TELEPHONE | 1,094 | 1,160 | 1,900 | 1,900 | 692 | 1,900 |
| 230-754-867.000 * | GAS & OIL | 2,742 | 206 | 3,000 | 3,000 | 1,225 | 3,000 |
| 230-754-876.003 * | OPEB FUNDING- RETIREE HEALTH | 29,928 | 28,555 | 15,322 | 15,322 | 15,322 | |
| 230-754-880.000 * | COMMUNITY PROMOTION | 546 | 1,271 | 15,000 | 25,000 | 22,984 | 15,000 |
| 230-754-920.003 * | UTILITIES - COMMUNITY CENTER | 56,666 | 48,712 | 58,000 | 58,000 | 28,566 | 58,000 |
| 230-754-931.003 * | REPAIRS COMMUNITY CENTER | 2,070 | 1,218 | 1,700 | 1,700 | 551 | 1,700 |
| 230-754-931.021 * | NON RECURRING R & M-COMM CTR | 4,626 | 3,392 | 4,500 | 46,271 | 17,063 | 10,000 |
| 230-754-933.001 * | MAINTENANCE CONTRACTS | 7,925 | 1,529 | 5,000 | 5,000 | 683 | 5,000 |
| 230-754-935.000 * | MOTORPOOL-MISC REPAIR | 5,784 | 706 | 5,000 | 5,000 | 1,854 | 5,000 |
| 230-754-941.000 * | EQUIPMENT RENTAL/LEASING | 4,170 | | | | | |
| 230-754-943.000 * | MOTORPOOL INTERNAL | 20,921 | 20,921 | 26,185 | 26,185 | 18,827 | 15,969 |
| 230-754-955.001 * | INSURANCE & BONDS FLEET | 7,075 | 7,761 | 8,214 | 8,214 | 5,174 | 8,141 |
| 230-754-956.136 | MISC-CASH OVER/SHORT | | (30) | | | | |
| 230-754-957.000 * | BANK CHARGES | 4,235 | 3,552 | 5,000 | 5,000 | 3,674 | 5,000 |
| 230-754-958.000 * | MEMBERSHIP AND DUES | 255 | 355 | 400 | 400 | 350 | 400 |
| 230-754-963.100 * | REC YOUTH SPORTS PROG | 16,149 | 7,087 | 17,000 | 17,000 | 8,766 | 17,000 |
| 230-754-963.150 * | REC ADULT SPORTS PROG | 659 | 2,340 | 1,000 | 1,000 | 550 | 1,000 |
| 230-754-963.200 * | REC DANCE PROGRAM | 17,480 | 4,644 | 12,000 | 10,000 | 1,182 | 12,000 |
| 230-754-963.400 * | REC ENRICHMENT PROGRAMS | 25,738 | 10,620 | 25,500 | 26,500 | 9,479 | 10,000 |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 230 RECREATION FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|---|----------------------------|---------------------|---------------|----------------------|---------------------|-----------------------------|-----------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 754 - RECREATION APPROPRIATIONS | | | | | | | |
| 230-754-963.500 * | REC SENIOR PROGRAMS | 2,037 | (171) | 2,250 | 2,250 | 109 | 2,250 |
| 230-754-963.600 * | ARTS & CRAFT PARK PROGRAMS | 1,242 | | 1,800 | 1,800 | 889 | 1,800 |
| 230-754-963.601 * | 50 & BEYOND TRIPS | | | | | | 500 |
| 230-754-963.602 * | SPECIAL EVENTS EXPENSE | | | | | | 5,000 |
| | TOTAL APPROPRIATIONS | 769,667 | 577,795 | 786,290 | 787,290 | 365,215 | 699,271 |
| NET OF REVENUES/APPROPRIATIONS - 754 - RECREATION | | (769,667) | (577,795) | (786,290) | (787,290) | (365,215) | (699,271) |

* NOTES TO BUDGET: DEPARTMENT 754 RECREATION

| | |
|---------|--|
| 705.000 | SALARY - SUPERVISION Salary for the Recreation Services Manager. |
| 706.000 | SALARY - PERMANENT WAGES Salaries for two (2) Recreation Coordinators, both Teamster Union members and four (4) Building Attendant positions. Currently no increase is budgeted for 2022 due to contract negotiation. We are proposing not to include the Clerk 3 position at this time. |
| 707.000 | SALARY - TEMPORARY/SEASONAL These part-time positions teach, coordinate and supervise most of our programs. Usually 17 employees ranging \$10 to \$18 per hour or a flat amount for program. |
| 707.075 | SALARY - TEMP SPORTS PROGRAM These part time positions are specific to the sports program. Includes one (1) Sports Assistant and multiple officials, workers, or teachers for mostly the youth sports leagues. Pay rate ranges usually \$10 - \$20 per hour or per game. This is a new line item. |
| 707.100 | SALARY - TEMP COMM CENTER STAFF These positions include Senior Aide, Buss Driver. Usually 3-4 employees ranging \$11 - \$13 per hour. |
| 707.200 | SALARY - TEMP DANCE STAFF These part-time positions teach/coordinate our dance program. Usually 5-6 employees ranging \$16-\$20 per hour. |
| 707.775 | SALARY - TEMP. FORD LAKE PARK Includes Park Rangers & Park Attendants. Usually 14-17 employees ranging \$10-\$14. |
| 708.004 | SALARIES PAY OUT-PTO&SICKTIME Used for payout of PTO time for employees that have over 360 hours accumulated or request a payout due to an emergency. Amounts are paid at 75%. |
| 708.010 | HEALTH INS BUYOUT Health insurance buyout for employees who receive health insurance through another source. |
| 709.000 | REG OVERTIME Overtime costs for the department. |
| 715.000 | F.I.C.A./MEDICARE |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 230 RECREATION FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|-----------------------|---|---------------------|---------------|----------------------|---------------------|-----------------------------|-----------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 754 - RECREATION | | | | | | | |
| | Figures provided by the Accounting Director. | | | | | | |
| 718.000 | MERS RETIREMENT | | | | | | |
| | Allocation of annual required contribution (ARC) provided by Accounting Director. Overall Township ARC increased 13.4% | | | | | | |
| 718.001 | RETIREMENT HEALTH CARE SAVINGS | | | | | | |
| | Amount placed into health care savings account for future use in health care expenses. This is for employees in the department who were hired after 1/1/14. | | | | | | |
| 718.002 | DEFERRED COMPENSATION | | | | | | |
| | Figures provided by Accounting Director based on 1.30% of payroll. | | | | | | |
| 718.003 | OPEB - RETIREMENT HEALTH | | | | | | |
| | Liability for the Other Post-Employment Benefits (OPEB) obligation of employees hired before 1/1/2014. Overall OPEB decrease from prior year is 3.8%. There are currently no employees working who were hired before 1/1/2014. This is a new number this year, prior year expenditure was in ending number 876.003. | | | | | | |
| 719.000 | HEALTH INSURANCE | | | | | | |
| | A decrease of 4.96 percent. Provided by HR | | | | | | |
| 719.003 | EMPLOYEE PAID HEALTH CONTRA | | | | | | |
| | Amount employees pay toward their health care coverage. | | | | | | |
| 719.015 | DENTAL BENEFITS | | | | | | |
| | No change for 2022. Provided by H. R. | | | | | | |
| 719.016 | VISION BENEFITS | | | | | | |
| | A decrease of 24% due to switching to Standard Insurance with the same VSP coverage. Provided by HR | | | | | | |
| 719.020 | HEALTH CARE DEDUCTION | | | | | | |
| | Cost to fund the Clarity Benefits card associated with the health insurance plan. Health care deductible accounts are budgeted at 70% of the total that could possibly be expended. Provided by Accounting Director. | | | | | | |
| 719.021 | ADMIN FEE - HEALTH DEDUCTIBLE | | | | | | |
| | Cost to manage card used to pay the health care deductibles, administered by Clarity Benefits. Provided by Accounting Director. | | | | | | |
| 719.022 | DISABILITY INSURANCE | | | | | | |
| | A decrease of 24% due to switching to Standard Insurance. Provided by HR | | | | | | |
| 719.023 | LIFE INSURANCE | | | | | | |
| | No change for 2022. Provided by H.R. | | | | | | |
| 719.030 | WORKERS COMPENSATION | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 230 RECREATION FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|-----------------------|--|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 754 - RECREATION | | | | | | | |
| | Workers Compensation allocation based on type of work performed and number of employees in the department or fund. Provided by the Accounting Director | | | | | | |
| 727.000 | OFFICE SUPPLIES Office supplies for the department. | | | | | | |
| 730.000 | POSTAGE Cost of Recreation Department mailings. | | | | | | |
| 740.000 | OPERATING SUPPLIES Supplies and equipment needed to operate programs and services. | | | | | | |
| 757.008 | COST OF SALES FOOD & BEV Cost of snacks and beverage sold at the Recreation Department. | | | | | | |
| 760.000 | PPE & FIRST AID SUPPLIES Covers all PPE, first aid supplies, and other supplies required by OSHA. | | | | | | |
| 776.003 | MAINT SUPPLIES - COMMUNITY CT Custodial supplies for Community Center. | | | | | | |
| 800.001 | ADMINISTRATION FEES Admin fees are paid to the General Fund for service provided by Human Resource, Accounting, Computer Tech, Auditing and other support personnel and shared expenses. Allocations are based on wages of the support and maintenance staff, floor space, staffing levels, computers, phones, etc. Provided by the Account Director. | | | | | | |
| 818.000 | CONTRACTUAL SERVICES Payments from this line item are for non-sports contractual instructors (Art, Jump-a-Rama, Yoga, Karate). Projected expense increased due to adding contractual non-sports instructors here. | | | | | | |
| 818.002 | CONTRACTUAL SERVICES COMM CEN Maintenance of the Community Center. | | | | | | |
| 818.018 | CONTRACTUAL - SPORTS OFFICIALS Payments made from this line item are to sports officials for Adult Leagues. Softball and Soccer during the spring-fall seasons. | | | | | | |
| 818.100 | CONTRACTUAL - SPORTS PROGRAM Payments from this line item are for contracted sports classes that are usually paid out a percentage of class revenue. (GNSL, Tennis, Skyhawks Sports Classes and Camps, G.A.S. it Up Fitness). This is a new line item. | | | | | | |
| 844.001 | SENIOR NUTRITION PROGRAM Cost of Senior Nutrition Program, reimbursed by a grant. | | | | | | |
| 850.000 | TELEPHONE | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 230 RECREATION FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | | | | 2022 REQUESTED BUDGET |
|-----------------------|--|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | |
| Dept 754 - RECREATION | | | | | | | |
| | Telephone services at the Community Center. | | | | | | |
| 867.000 | GAS & OIL Fuel for Township bus, two trucks (for the rangers' use), Township Senior van and Recreation Department vehicle. | | | | | | |
| 876.003 | OPEB FUNDING- RETIREE HEALTH All employees hired before 2014 have retired. | | | | | | |
| 880.000 | COMMUNITY PROMOTION Cost of promotion through Constant Contact (web-based newsletter program), Rec Guide, Program Advertising, etc. | | | | | | |
| 920.003 | UTILITIES - COMMUNITY CENTER Utility costs at the Community Center. | | | | | | |
| 931.003 | REPAIRS COMMUNITY CENTER Cost of maintenance supplies and repairs to the Community Center. | | | | | | |
| 931.021 | NON RECURRING R & M-COMM CTR Cost of unexpected "one time" repairs throughout the year. | | | | | | |
| 933.001 | MAINTENANCE CONTRACTS Maintenance agreement with Ricoh for copier. | | | | | | |
| 935.000 | MOTORPOOL-MISC REPAIR Covers miscellaneous vehicle repair. Provided by Accounting Director | | | | | | |
| 941.000 | EQUIPMENT RENTAL/LEASING This line item is no longer used. | | | | | | |
| 943.000 | MOTORPOOL INTERNAL Lease and maintenance cost of recreation department vehicles including Township senior bus, senior van, Ford Escape and two Ford trucks. The senior bus was paid off in 2021. Figures provided by Accounting Director. | | | | | | |
| 955.001 | INSURANCE & BONDS FLEET Insurance for buildings, equipment, and vehicles. Provided by the Accounting Director. | | | | | | |
| 957.000 | BANK CHARGES Processing fees for accepting credit cards. This cost is built into program fees. Figures provided by the Accounting Director. | | | | | | |
| 958.000 | MEMBERSHIP AND DUES Membership dues paid for staff, Park Commissioners and department for the Michigan Recreation & Park Association. | | | | | | |
| 963.100 | REC YOUTH SPORTS PROG | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 230 RECREATION FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|---|---|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 754 - RECREATION | | | | | | | |
| | Cost of supplies needed to operate Youth Sports (including renting gym space). | | | | | | |
| 963.150 | REC ADULT SPORTS PROG | | | | | | |
| | Cost of supplies needed to operate Adult Sports programs. | | | | | | |
| 963.200 | REC DANCE PROGRAM | | | | | | |
| | Supplies needed to operate Dance program (dance costumes, Batons, Poms etc.) | | | | | | |
| 963.400 | REC ENRICHMENT PROGRAMS | | | | | | |
| | Cost of supplies needed to operate Enrichment Programs (special events, classes, etc.). Request for this line item has decreased due to removing the contractual | | | | | | |
| 963.500 | REC SENIOR PROGRAMS | | | | | | |
| | Cost of supplies needed to operate Senior Programs, including caterer for Christmas Luncheon. | | | | | | |
| 963.600 | ARTS & CRAFT PARK PROGRAMS | | | | | | |
| | Covers cost of supplies for annual Rosie the Riveter Craft Show. | | | | | | |
| 963.601 | 50 & BEYOND TRIPS | | | | | | |
| | Cost of supplies for trips. | | | | | | |
| 963.602 | SPECIAL EVENTS EXPENSE | | | | | | |
| | Cost of supplies to operate special events. In 2021 we added community special events such as Pop-Up Concerts, Food Truck Days. This is an new line item to cover the | | | | | | |
| ESTIMATED REVENUES - FUND 230 | | 790,915 | 568,077 | 786,290 | 787,290 | 502,345 | 699,271 |
| APPROPRIATIONS - FUND 230 | | 769,667 | 577,795 | 786,290 | 787,290 | 365,215 | 699,271 |
| NET OF REVENUES/APPROPRIATIONS - FUND 230 | | 21,248 | (9,718) | | | 137,130 | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 236 14B DISTRICT COURT

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | | | | 2022 REQUESTED BUDGET |
|--|--------------------------------|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | |
| Dept 000 | | | | | | | |
| ESTIMATED REVENUES | | | | | | | |
| 236-000-528.000 | OTHER FEDERAL GRANTS | | | | 22,450 | | |
| 236-000-540.000 * | STATE GRANT REVENUE | 108,079 | 111,161 | 100,000 | 100,000 | 30,159 | 85,000 |
| 236-000-574.236 * | 14B STATE SHARED REVENUE | 45,724 | 45,724 | 45,724 | 45,724 | 34,293 | 45,724 |
| 236-000-602.136 * | 14B COURT COSTS | 494,657 | 348,923 | 423,200 | 423,200 | 275,457 | 398,000 |
| 236-000-602.544 * | 14B-ST OF MI CASEFLOW ASSISTA | 12,655 | 12,010 | 25,000 | 25,000 | 7,082 | 25,000 |
| 236-000-603.136 * | 14B CIVIL FEES | 231,400 | 159,355 | 128,800 | 128,800 | 83,989 | 95,000 |
| 236-000-604.000 * | 14B PROBATION FEES | 92,675 | 80,852 | 84,800 | 84,800 | 54,455 | 70,000 |
| 236-000-605.001 * | 14B ORDINANCE FINES AND COSTS | 469,499 | 262,639 | 500,000 | 500,000 | 149,360 | 380,000 |
| 236-000-605.003 * | 14B BOND FORFEITURES | 23,156 | 11,350 | 15,000 | 15,000 | 3,950 | 12,000 |
| 236-000-605.005 | 14B MISCELLANEOUS INCOME | 599 | 22 | | | | |
| 236-000-609.000 * | 14B ST OF MI JUROR COMP REIMB | 3,233 | 2,775 | 2,500 | 2,500 | 608 | 2,000 |
| 236-000-665.000 * | INTEREST EARNED | 4,089 | 265 | 200 | 200 | 2 | |
| 236-000-676.012 * | INSURANCE REIMBURSEMENTS | 1,315 | 601 | | | 961 | |
| 236-000-678.000 | SETTLEMENTS & JUDGMENTS | 163 | | | | 300 | |
| 236-000-699.101 * | CONTRIBUTION FROM GENERAL FUND | | 510,000 | 383,109 | 383,109 | 300,000 | 682,051 |
| TOTAL ESTIMATED REVENUES | | 1,487,244 | 1,545,677 | 1,708,333 | 1,730,783 | 940,616 | 1,794,775 |
| NET OF REVENUES/APPROPRIATIONS - 000 - | | 1,487,244 | 1,545,677 | 1,708,333 | 1,730,783 | 940,616 | 1,794,775 |

* NOTES TO BUDGET: DEPARTMENT 000

| | | | | | | | |
|---------|-------------------------------|---|--|--|--|--|--|
| 540.000 | STATE GRANT REVENUE | Funds received through a grant from the Supreme Court Administrative Office for a Human Trafficking Docket and Drug Court Docket. The current grant expires September 30, 2021. The court is currently applying for grant money under the drug court program through Supreme Court Administrative Office. If the court receives drug court grant funding it will be the only drug court in Washtenaw County. In addition to traditional drug court services, the court will continue the efforts of the previous grant. This line item is offset by a corresponding expenditure item. | | | | | |
| 574.236 | 14B STATE SHARED REVENUE | Represents payment from State of Michigan toward that portion of the Judge's salary that is paid directly by the Township. This results in the Township paying no "out of pocket" expense for salary of Judge. This line item remains the same as the previous year. | | | | | |
| 602.136 | 14B COURT COSTS | This line item includes the amounts collected as "Court costs" in criminal and traffic cases. It is dependent upon the number of criminal and traffic cases filed by the police agencies and the Court's effectiveness in collecting fines assessed. In the past year there has been a decrease in cases filed and therefore a decrease in costs collected. The Court has made a number of changes to improve collections over the past few years. The Court anticipates that while production from law enforcement may continue to decrease or flatten, the trend of improved collections will continue. The amount may need to be adjusted based on year to date revenues. | | | | | |
| 602.544 | 14B-ST OF MI CASEFLOW ASSISTA | The amount reflects money received from the State of Michigan based upon the number of drunk driving and drug cases filed with the Court. The Court files a report with the State in March of each year for the previous calendar year. Payments are usually received in June and are dependent upon the number of such cases filed and the amount of fees collected by the Secretary of State for "License Reinstatement Fees". The number of cases that qualify for caseflow assistance has been steadily increasing, but due to reductions in caseload for the prior 2 years, it is anticipated that the number of qualifying cases will remain decreased in 2020. The amount may need to be further reduced based on year to date revenues. | | | | | |
| 603.136 | 14B CIVIL FEES | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 236 14B DISTRICT COURT

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | | | | 2022 REQUESTED BUDGET |
|-----------|---|--|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | |
| Dept 000 | This reflects the amounts collected as Civil fees - including filing fees, writ and motion fees. Most of the amount collected for a filing fee (approximately 65%) is taken by the State of Michigan and the balance remains as local money. There have been a number of legislative changes affecting this line item. Changes in State law regarding the frequency with which garnishments are filed is the most significant. Prior to these changes, garnishments for wages had to be renewed periodically. Now a wage garnishment is effective for the life of the judgment. The legislation did not provide for an increase in filing fees to account for the reduction in filings. In addition to a reduction in the amount the Court is able to collect, there has been a trend for reduced filing of new civil cases. Year to date civil case filings are lower than last year. As a result this line item is reduced. | | | | | | |
| 604.000 | 14B PROBATION FEES | This item includes payments received as an oversight fee paid by those on probation with the Court. Currently the monthly fee is \$30. There has been a trend over the past few years has been that the percentage of cases that are sent to probation has decreased. As the numbers of cases and tickets filed has decreased, this line item is decreased. The amount may need to be reduced further based on year to date revenues. | | | | | |
| 605.001 | 14B ORDINANCE FINES AND COSTS | This amount is the money collected and designated as a Penal Fine for violation of an Ypsilanti Township Ordinance. This amount is dependent upon the number of cases filed by the Sheriff's Dept. and the Court's effectiveness in collecting fines assessed. This line item is particularly effected by the number of citations issued as a result of traffic stops. In the past two years there has been a decrease in cases filed and therefore a decrease in costs collected. The amount may need to be reduced further based on year to date revenues. | | | | | |
| 605.003 | 14B BOND FORFEITURES | This sum is the money collected by the Court for forfeiture of a bond posted by a criminal defendant. A bond is forfeited when a defendant fails to appear for a scheduled court hearing. This line item has seen a decrease in the last year. Over the past few years this has been a varied amount. If more defendants are utilizing bail bond's services, there is a decrease in the cash bonds deposited with the court and this could contribute to a reduction. The Court anticipates that this number will decrease for 2020. The amount may need to be reduced further based on year to date revenues. | | | | | |
| 609.000 | 14B ST OF MI JUROR COMP REIMB | The State of Michigan reimburses the Township for a portion of the Jury Fees paid to jurors. A report is made every six months by the Court and the amount reimbursed by the State is done according to a formula and dependent upon the amount of fees collected by the State. The payments are received twice during the fiscal year. The Court reduced this amount due to a change in how juries are selected. Beginning in 2016 the Court began holding a hearing the day before jurors were required to attend. Often cases are resolved on the day prior to jurors' obligation to attend. If that occurs, jurors do not come to the Court and we are not obligated to pay them. This reduction in payments to jurors will result in a reduction in the amount reimbursed for juror payments. | | | | | |
| 665.000 | INTEREST EARNED | Interest earned on accounts. | | | | | |
| 676.012 | INSURANCE REIMBURSEMENTS | Some years we receive dividends back from MML Workers Comp and/or Insurance Liability. | | | | | |
| 699.101 | CONTRIBUTION FROM GENERAL FUND | Amount needed from Fund Balance for operations. | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 236 14B DISTRICT COURT

| | | 2022 BUDGET REQUEST | | | | | |
|----------------------|---------------------------------|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| GL NUMBER | DESCRIPTION | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
| Dept 286 - COURT | | | | | | | |
| APPROPRIATIONS | | | | | | | |
| 236-286-703.001 * | SALARY - JUDGE | 45,724 | 45,724 | 45,724 | 45,724 | 32,065 | 45,724 |
| 236-286-706.000 * | SALARY - PERMANENT WAGES | 485,066 | 539,801 | 563,230 | 563,230 | 314,203 | 560,690 |
| 236-286-706.001 * | SALARY - BAILIFF | 47,523 | 30,177 | 30,000 | 30,000 | 20,933 | 30,000 |
| 236-286-706.002 * | SALARY - MAGISTRATE/COURT ADMIN | 80,560 | 82,589 | 82,604 | 82,604 | 53,689 | 84,664 |
| 236-286-707.000 * | SALARY - TEMPORARY/SEASONAL | 19,859 | 1,046 | | | 4,340 | |
| 236-286-708.004 * | SALARIES PAY OUT-PTO&SICKTIME | 2,085 | 68,221 | | | | 5,510 |
| 236-286-708.008 | RETIREE TIME PAYOUTS | 17,929 | | | | | |
| 236-286-708.010 * | HEALTH INS BUYOUT | 3,000 | 3,000 | 3,000 | 3,000 | 1,500 | 3,000 |
| 236-286-709.000 | REG OVERTIME | 2,536 | 3,190 | | | 1,659 | |
| 236-286-715.000 * | F.I.C.A./MEDICARE | 45,317 | 49,896 | 53,569 | 53,569 | 28,072 | 53,954 |
| 236-286-718.000 * | MERS RETIREMENT | 156,715 | 151,322 | 159,720 | 159,720 | 106,246 | 210,465 |
| 236-286-718.001 * | RETIREMENT HEALTH CARE SAVINGS | 950 | 3,700 | 7,800 | 7,800 | 4,250 | 7,800 |
| 236-286-718.002 * | DEFERRED COMPENSATION | 835 | 397 | 494 | 494 | 296 | 390 |
| 236-286-718.003 * | OPEB - RETIREMENT HEALTH | | | | | | 112,077 |
| 236-286-719.000 * | HEALTH INSURANCE | 217,091 | 246,741 | 263,898 | 263,898 | 165,960 | 250,819 |
| 236-286-719.003 * | EMPLOYEE PAID HEALTH CONTRA | (16,838) | (16,763) | (18,400) | (18,400) | | (18,400) |
| 236-286-719.015 * | DENTAL BENEFITS | 11,589 | 11,028 | 12,990 | 12,990 | 8,636 | 12,287 |
| 236-286-719.016 * | VISION BENEFITS | 2,672 | 3,149 | 3,648 | 3,648 | 2,196 | 2,626 |
| 236-286-719.020 * | HEALTH CARE DEDUCTION | 35,353 | 41,712 | 65,100 | 65,100 | 30,800 | 65,100 |
| 236-286-719.021 * | ADMIN FEE - HEALTH DEDUCTIBLE | 843 | 935 | 936 | 936 | 530 | 1,008 |
| 236-286-719.022 * | DISABILITY INSURANCE | 3,978 | 4,518 | 4,296 | 4,296 | 2,860 | 3,578 |
| 236-286-719.023 * | LIFE INSURANCE | 2,589 | 2,854 | 2,778 | 2,778 | 1,918 | 2,949 |
| 236-286-719.025 | UNEMPLOYMENT EXPENSE | 831 | 21 | | | (12) | |
| 236-286-719.030 * | WORKERS COMPENSATION | 6,054 | 5,105 | 6,041 | 6,041 | 3,093 | 6,462 |
| 236-286-727.000 * | OFFICE SUPPLIES | 10,716 | 9,146 | 10,500 | 10,500 | 7,263 | 10,500 |
| 236-286-730.000 * | POSTAGE | 9,255 | 11,101 | 8,000 | 8,000 | 8,597 | 8,000 |
| 236-286-740.000 * | OPERATING SUPPLIES | 6,811 | 5,819 | 6,000 | 6,000 | 2,802 | 6,000 |
| 236-286-760.000 * | PPE & FIRST AID SUPPLIES | | 17 | 500 | 500 | 63 | 500 |
| 236-286-800.001 * | ADMINISTRATION FEES | 37,317 | 37,315 | 41,084 | 41,084 | 24,877 | 42,279 |
| 236-286-801.007 | ATTORNEY FEES CRIMINAL | 45,603 | | | | | |
| 236-286-801.009 * | 14B OTHER CONTRACTUAL SERVICE | 7,500 | 5,625 | 10,000 | 10,000 | 1,875 | 10,000 |
| 236-286-801.010 * | CONTRACTUAL/VISITING JUDGE | | | 1,000 | 1,000 | | 3,500 |
| 236-286-801.012 * | CONTRACTUAL/INTERPRETER FEES | 9,198 | 7,960 | 6,500 | 6,500 | 5,181 | 6,500 |
| 236-286-802.100 * | COURT INNOVATION GRANT | 132,032 | 104,536 | 100,000 | 100,000 | 54,884 | 100,000 |
| 236-286-812.000 * | 14B JURY FEES | 3,315 | 1,545 | 3,000 | 3,000 | 1,080 | 3,000 |
| 236-286-812.002 * | 14B ENHANCED JURY FEES | 2,318 | 945 | 1,500 | 1,500 | 473 | 1,500 |
| 236-286-812.003 * | 14B JUROR EXPENSES | 828 | 372 | 500 | 500 | 201 | 500 |
| 236-286-819.006 * | COMPUTER PROGRAMS/LIEN | 15,242 | 14,272 | 24,960 | 24,960 | 10,697 | 46,910 |
| 236-286-819.010 * | COMPUTER NETWORK SUPPORT | 40,713 | 41,527 | 40,713 | 40,713 | | 40,713 |
| 236-286-821.001 * | LIBRARY SUBSCRIPTION | 5,515 | 2,136 | 5,000 | 5,000 | 83 | 1,000 |
| 236-286-850.000 * | TELEPHONE | 2,152 | 2,325 | 2,500 | 2,500 | 1,425 | 2,500 |
| 236-286-860.000 * | TRAVEL | 1,726 | 196 | 2,000 | 2,000 | | 2,000 |
| 236-286-876.003 * | OPEB FUNDING- RETIREE HEALTH | 95,589 | 92,391 | 85,388 | 85,388 | 85,388 | |
| 236-286-900.000 * | PUBLISHING | 2,952 | 1,760 | 3,000 | 3,000 | | 3,000 |
| 236-286-920.014 * | UTILITIES - COURT | 18,082 | 14,884 | 17,600 | 17,600 | 11,933 | 17,600 |
| 236-286-931.000 * | REPAIRS AND MAINTENANCE | 12,307 | 11,551 | 15,000 | 15,000 | 8,371 | 15,000 |
| 236-286-933.001 * | MAINTENANCE CONTRACTS | 4,692 | 4,992 | 6,500 | 6,500 | 3,404 | 6,500 |
| 236-286-955.002 * | INSURANCE & BONDS FIRE & LIAB | 8,750 | 9,599 | 10,160 | 10,160 | 7,506 | 10,070 |
| 236-286-956.000 | MISCELLANEOUS | | 8,015 | 500 | 500 | | |
| 236-286-957.000 * | BANK CHARGES | 8,425 | 6,342 | 8,500 | 8,500 | 4,273 | 6,000 |
| 236-286-958.000 * | MEMBERSHIP AND DUES | 1,785 | 1,430 | 2,000 | 2,000 | 545 | 2,000 |
| 236-286-960.000 * | EDUCATION AND TRAINING | 475 | 1,287 | 2,000 | 2,000 | | 2,000 |
| 236-286-974.038 | CAPITAL - COVID-19 GRANT | | | | | 22,450 | |
| 236-286-977.000 * | EQUIPMENT | 3,759 | 6,759 | 6,500 | 6,500 | 458 | 6,500 |
| TOTAL APPROPRIATIONS | | 1,659,318 | 1,682,210 | 1,708,333 | 1,730,783 | 1,024,613 | 1,794,775 |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 236 14B DISTRICT COURT

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | | | | 2022 REQUESTED BUDGET |
|--|---------------------------------|---|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | |
| Dept 286 - COURT | | | | | | | |
| NET OF REVENUES/APPROPRIATIONS - 286 - COURT | | (1,659,318) | (1,682,210) | (1,708,333) | (1,730,783) | (1,024,613) | (1,794,775) |
| * NOTES TO BUDGET: DEPARTMENT 286 COURT | | | | | | | |
| 703.001 | SALARY - JUDGE | Represents "pass through" payment for Ypsilanti Township's share of Judge's salary - this amount is reimbursed to the Township by the State as reflected in Revenue line item 574.236 | | | | | |
| 706.000 | SALARY - PERMANENT WAGES | This line item includes salary for the Deputy Clerk positions (6 full-time); two Probation Agents; one Probation Secretary and two Judicial Secretaries. | | | | | |
| 706.001 | SALARY - BAILIFF | Salary paid to the Bailiffs. These positions are paid an hourly wage, on an "as needed" basis. These positions are paid no benefits. | | | | | |
| 706.002 | SALARY - MAGISTRATE/COURT ADMIN | Salary for Magistrate/Court Administrator. | | | | | |
| 707.000 | SALARY - TEMPORARY/SEASONAL | This line item represents the wages paid to a temporary employee who is hired during a medical (or personal) leave taken by a full-time employee. | | | | | |
| 708.004 | SALARIES PAY OUT-PTO&SICKTIME | Used for payout of PTO time for employees that have over 360 hours accumulated or request a payout due to an emergency. Amounts are paid at 75%. | | | | | |
| 708.010 | HEALTH INS BUYOUT | This line item is used for the health insurance buyout for employees who receive health insurance through another source. | | | | | |
| 715.000 | F.I.C.A./MEDICARE | Figures provided by the Accounting Director. | | | | | |
| 718.000 | MERS RETIREMENT | Allocation of annual required contribution (ARC) provided by Accounting Director. Overall Township ARC increased 13.4% | | | | | |
| 718.001 | RETIREMENT HEALTH CARE SAVINGS | Amount placed into a health care savings account for future use in health care expenses. This is for employees in the department hired after 1/1/14. | | | | | |
| 718.002 | DEFERRED COMPENSATION | Figures provided by Accounting Director based on 1.30% of payroll. | | | | | |
| 718.003 | OPEB - RETIREMENT HEALTH | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 236 14B DISTRICT COURT

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|------------------|---|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 286 - COURT | | | | | | | |
| | Liability for the Other Post-Employment Benefits (OPEB) obligation of employees hired before 1/1/2014. Overall OPEB decrease from prior year is 3.8%. This is a new number this year, prior year expenditure was in ending number 876.003. | | | | | | |
| 719.000 | HEALTH INSURANCE A decrease of 4.96 percent. Provided by HR | | | | | | |
| 719.003 | EMPLOYEE PAID HEALTH CONTRA Amount employees pay toward their health care coverage. | | | | | | |
| 719.015 | DENTAL BENEFITS No change for 2022 | | | | | | |
| 719.016 | VISION BENEFITS A decrease of 24% due to switching to Standard Insurance with the same VSP coverage. Provided by HR | | | | | | |
| 719.020 | HEALTH CARE DEDUCTION Cost to fund the Clarity Benefits card associated with the health insurance plan. Health care deductible accounts are budgeted at 70% of the total that could possibly be expended. Provided by Accounting Director. | | | | | | |
| 719.021 | ADMIN FEE - HEALTH DEDUCTIBLE Cost to manage card used to pay the health care deductibles, administered by Clarity Benefits. | | | | | | |
| 719.022 | DISABILITY INSURANCE A decrease of 24% due to switching to Standard Insurance. Provided by HR | | | | | | |
| 719.023 | LIFE INSURANCE No change for 2022. Provided by H.R. | | | | | | |
| 719.030 | WORKERS COMPENSATION Workers Compensation allocation based on type of work performed and number of employees in the department or fund. Provided by the Accounting Director | | | | | | |
| 727.000 | OFFICE SUPPLIES Office supplies for the department. | | | | | | |
| 730.000 | POSTAGE Cost of mailings. | | | | | | |
| 740.000 | OPERATING SUPPLIES No change for 2022. | | | | | | |
| 760.000 | PPE & FIRST AID SUPPLIES Covers all PPE, first aid supplies, and other supplies required by OSHA. | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 236 14B DISTRICT COURT

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | | | | 2022 REQUESTED BUDGET |
|------------------|---|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | |
| Dept 286 - COURT | | | | | | | |
| 800.001 | ADMINSTRATION FEES | | | | | | |
| | Admin fees are paid to the General Fund for service provided by Human Resource, Accounting, Computer Tech, Auditing and other support personnel and shared expenses. Allocations are based on wages of the support and maintenance staff, floor space, staffing levels, computers, phones, etc. Provided by the Account Director. | | | | | | |
| 801.009 | 14B OTHER CONTRACTUAL SERVICE | | | | | | |
| | Includes payments for Labor Law Attorney, if needed. In addition, it is used for payment to the Dispute Resolution Center (DRC). The DRC mediates all small claims matters filed to achieve resolution among the parties rather than a resolution imposed by the Court. The Dispute Resolution Center (DRC) has requested an increase in fees paid to them. We currently pay them \$7,500 annually. | | | | | | |
| 801.010 | CONTRACTUAL/VISITING JUDGE | | | | | | |
| | Cost of having a substitute or "visiting" judge in the absence of our Judge. It is currently the custom to seek assistance of one of the other sitting Judges in the County District Courts to fill in, when requested, for a colleague. The per diem cost of a visiting judge is \$350, plus mileage. It is not always possible to get a sitting Judge to substitute as the Judges are often attending the same meeting or conference causing the need for a visiting Judge. All efforts are undertaken to avoid the need of a visiting Judge. We are recommending that 5 visiting Judge days be budgeted. | | | | | | |
| 801.012 | CONTRACTUAL/INTERPRETER FEES | | | | | | |
| | Cost of a language or deaf interpreter for defendants in a criminal or civil case. This is a statutory obligation of the Court. | | | | | | |
| 802.100 | COURT INNOVATION GRANT | | | | | | |
| | Funds received through a grant from the Supreme Court Administrative Office for a Human Trafficking Docket and Drug Court Docket. The current grant expires September 30, 2021. The court is currently applying for grant money under the drug court program through Supreme Court Administrative Office. If the court receives the grant funding, it will be the only drug court in Washtenaw County. In addition to traditional drug court services, the court will continue the efforts of the previous grant. This line item is offset by a corresponding expenditure item. | | | | | | |
| 812.000 | 14B JURY FEES | | | | | | |
| | Payment for Jury duty for the first half or full day of service. The Court has implemented pretrial conferences prior to the date of jury selection which eliminates the need for jurors to appear of all matters scheduled are resolved at the pretrial conference. | | | | | | |
| 812.002 | 14B ENHANCED JURY FEES | | | | | | |
| | Payment for Jury duty for the second (or subsequent) half, or full, day of service. | | | | | | |
| 812.003 | 14B JUROR EXPENSES | | | | | | |
| | Cost of water, coffee and snacks offered the Jury panel during jury selection day. May also be used to supply lunch for the jury, if the lunch break occurs during actual deliberations. | | | | | | |
| 819.006 | COMPUTER PROGRAMS/LIEN | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 236 14B DISTRICT COURT

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | | | | 2022 REQUESTED BUDGET |
|------------------|---|--|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | |
| Dept 286 - COURT | | | | | | | |
| | This line item represents the licensing fee charged by the Michigan State Police for access to the Law Enforcement Information Network (LEIN), in order to obtain copies of criminal histories, warrant entry and recall, and Secretary of State driving records. In 2013 the Court joined CLEMIS. This gives the Court access to electronic data for downloading citations issued by the Washtenaw County Sheriff's Department. This will streamline the citation process and give the Court immediate access to citation information thus allowing the public to contact the Court upon receipt of the ticket and pay it or request a hearing. Currently law enforcement has 72 hours to file a ticket with the court. In addition all citation information will be electronic which will allow the clerks to upload the citation rather than imputing it manually as is the current practice. A final benefit will be that this near immediate upload of citations to the Court's case management software will allow defendants to pay certain citations on-line through a web based payment program the Court is in the process of implementing. Beginning in April of 2022 the court will be invoiced by the State of Michigan for use of the statewide case management system. This cost had been waived for the past 10 years due to a development agreement the court and Township entered into with the State to produce a new case management system. That new system never came to be and as a result of the State's default in that agreement the court was given a series of credits against the hosing cost of the case management system. Those credits have now expired and beginning with the April 2022 invoice, the court is obligated to pay the user fees. For 2022 those user fees will total \$21,941.10. | | | | | | |
| 819.010 | COMPUTER NETWORK SUPPORT | This line item had previously represented the amounts paid under a joint memorandum of understanding for the development of the next generation of computer software known as Judicial Information Services. That obligation has been fulfilled. The amount requested at this time reflects the cost of renewing the contract Washtenaw County IT for computer support. This reflects the costs associated with computer support for 20 computers. Included in the cost is software licensing, data storage, internet connection, help desk support and on site support, email and support for ENACT. There are a number of IT initiatives in the county that the Court is and will be impacted by due to our concurrent jurisdiction agreement with the County Trial Court and the 14A and 15th District Courts that County IT is proceeding with that makes the continuation of the relationship with County IT more favorable than other options. | | | | | |
| 821.001 | LIBRARY SUBSCRIPTION | Reduced from 2021 Budget. | | | | | |
| 850.000 | TELEPHONE | This line item is based upon estimates provided by Township IT | | | | | |
| 860.000 | TRAVEL | Used to pay mileage to employees for travel directed by the Court. | | | | | |
| 876.003 | OPEB FUNDING- RETIREE HEALTH | Moved to 236-286-718.003 | | | | | |
| 900.000 | PUBLISHING | Covers the cost of file folders for criminal and civil cases, as well as printing Traffic Citations for the Sheriff's Dept. and citation books for the Ordinance Department. | | | | | |
| 920.014 | UTILITIES - COURT | Utility costs for the court. | | | | | |
| 931.000 | REPAIRS AND MAINTENANCE | Repair and maintenance expenses for the Court. | | | | | |
| 933.001 | MAINTENANCE CONTRACTS | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 236 14B DISTRICT COURT

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | | | | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|---|--|---------------------|------------------|----------------------------|---------------------------|------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY | | |
| Dept 286 - COURT | Cost of W.J. O'Neil maintenance contract. | | | | | | | |
| 955.002 | INSURANCE & BONDS FIRE & LIAB Insurance for buildings, equipment, and vehicles. Provided by the Accounting Director. | | | | | | | |
| 957.000 | BANK CHARGES Cost of banking fees, most notably for charge card expenses. | | | | | | | |
| 958.000 | MEMBERSHIP AND DUES Cost of annual Bar dues for the Judge and Magistrate; State Association dues for the Judge, Magistrate and Probation Officer and State fees for certification of court recorders. | | | | | | | |
| 960.000 | EDUCATION AND TRAINING Cost of attendance and related expenses for continuing training for professional staff. | | | | | | | |
| 977.000 | EQUIPMENT Cost to purchase new equipment. There is a need to upgrade computers. The Court plans to upgrade them on a 5 year cycle as recommended by both County and Township IT. | | | | | | | |
| ESTIMATED REVENUES - FUND 236 | | 1,487,244 | 1,545,677 | 1,708,333 | 1,730,783 | 940,616 | 1,794,775 | |
| APPROPRIATIONS - FUND 236 | | 1,659,318 | 1,682,210 | 1,708,333 | 1,730,783 | 1,024,613 | 1,794,775 | |
| NET OF REVENUES/APPROPRIATIONS - FUND 236 | | (172,074) | (136,533) | | | (83,997) | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 584 GOLF COURSE FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|--|-------------------------------|---------------------|---------------|----------------------|---------------------|-----------------------------|-----------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 000 | | | | | | | |
| ESTIMATED REVENUES | | | | | | | |
| 584-000-642.005 * | SALES FOOD & BEVERAGE | 35,201 | 23,031 | 90,000 | 90,000 | 25,930 | 32,000 |
| 584-000-642.007 * | SALES MERCHANDISE PRO SHOP | 23,723 | 21,824 | 24,500 | 24,500 | 24,914 | 25,000 |
| 584-000-651.001 * | USE & ADMISSION FEE 18 HOLES | 235,628 | 233,185 | 230,000 | 230,000 | 209,089 | 240,000 |
| 584-000-651.002 * | USE & ADMISSION FEE 9 HOLES | 54,285 | 101,512 | 65,000 | 65,000 | 95,235 | 90,000 |
| 584-000-651.003 * | USE & ADMISSION FEE LEAGUES | 30,664 | 22,313 | 35,000 | 35,000 | 31,612 | 35,000 |
| 584-000-651.004 * | GIFT CARDS AND COUPONS | 3,272 | | 750 | 750 | | |
| 584-000-651.005 * | USE& ADMISSION FEE SEASON PAS | 39,898 | 34,372 | 38,000 | 38,000 | 45,336 | 42,000 |
| 584-000-651.007 * | EQUIPMENT RENTALS -CARTS | 145,534 | 164,005 | 142,000 | 142,000 | 146,619 | 150,000 |
| 584-000-651.008 * | GOLF CART STORAGE RENTAL | 2,100 | 1,410 | 1,800 | 1,800 | | 1,400 |
| 584-000-665.000 * | INTEREST EARNED | 2,166 | 8,330 | | | 14 | |
| 584-000-676.012 * | INSURANCE REIMBURSEMENTS | 5,733 | 17,237 | | | 825 | 500 |
| 584-000-683.000 * | OTHER INCOME-MISCELLANEOUS | 7,461 | 1,586 | | | 723 | 500 |
| 584-000-693.002 | SALES OF FIXED ASSETS-EQUIP. | | 2,288 | | | | |
| 584-000-699.213 * | TRANSFER IN: FROM BSRII FUND | 125,000 | 135,000 | 184,650 | 184,650 | | 200,395 |
| TOTAL ESTIMATED REVENUES | | 710,665 | 766,093 | 811,700 | 811,700 | 580,297 | 816,795 |
| NET OF REVENUES/APPROPRIATIONS - 000 - | | 710,665 | 766,093 | 811,700 | 811,700 | 580,297 | 816,795 |

* NOTES TO BUDGET: DEPARTMENT 000

- 642.005 SALES FOOD & BEVERAGE
 Revenue received from sale of food and beverage sold in the golf shop. Sales of merchandise and sales of food and beverage are split into two general ledger numbers in order to track sales more efficiently. Decreased due to no alcohol sales as projected in 2021.
- 642.007 SALES MERCHANDISE PRO SHOP
 Revenue received from sale of merchandise sold in golf shop. Sales of merchandise and sales of food and beverage are split into two general ledger numbers in order to track sales more efficiently.
- 651.001 USE & ADMISSION FEE 18 HOLES
 Revenue received from 18-hole play.
- 651.002 USE & ADMISSION FEE 9 HOLES
 Revenue received from 9-hole play.
- 651.003 USE & ADMISSION FEE LEAGUES
 Revenue from League play.
- 651.004 GIFT CARDS AND COUPONS
 Revenue received from gift cards and coupons outstanding at year end.
- 651.005 USE& ADMISSION FEE SEASON PAS
 This line item reflects revenue from the sale of seasonal membership passes.
- 651.007 EQUIPMENT RENTALS -CARTS
 Revenue received from the rental of golf carts.
- 651.008 GOLF CART STORAGE RENTAL

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 584 GOLF COURSE FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | | | | 2022 REQUESTED BUDGET |
|-----------|--|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | |
| Dept 000 | Revenue received from the storage of personal golf carts. Due to this being a grandfathered clause, only 6 personal carts and one cart off site still remain. | | | | | | |
| 665.000 | INTEREST EARNED Interest earned on funds deposited at various banks. | | | | | | |
| 676.012 | INSURANCE REIMBURSEMENTS Some years we receive dividends back from MML Workers Comp and/or Insurance Liability. | | | | | | |
| 683.000 | OTHER INCOME-MISCELLANEOUS Revenues received from one-time deposits, including advertising fees collected for ads on scorecards and special revenues that do not have a designated line item. | | | | | | |
| 699.213 | TRANSFER IN: FROM BSRII FUND Funds needed from Fund 212-BSR II. | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 584 GOLF COURSE FUND

| | | 2022 BUDGET REQUEST | | | | | |
|-----------------------------|--------------------------------|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| GL NUMBER | DESCRIPTION | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
| Dept 784 - GOLF COURSE FUND | | | | | | | |
| APPROPRIATIONS | | | | | | | |
| 584-784-702.001 * | SALARIES - GREENSKEEPER | 82,157 | 84,224 | 84,240 | 84,240 | 54,752 | 86,341 |
| 584-784-702.002 * | SALARIES - PRO SHOP DIRECTOR | 50,906 | 52,186 | 52,196 | 52,196 | 35,469 | 56,007 |
| 584-784-706.000 * | SALARY - PERMANENT WAGES | 32,395 | 33,210 | 33,216 | 33,216 | 21,591 | 34,048 |
| 584-784-706.008 * | WAGES PROSHOP | 36,664 | 37,985 | 37,992 | 17,992 | 9,648 | 38,000 |
| 584-784-707.001 * | WAGES- TEMPORARY MAINTENANCE | 48,117 | 33,878 | 55,000 | 55,000 | 26,574 | 55,000 |
| 584-784-707.002 * | WAGES- TEMPORARY PRO SHOP | 29,017 | 35,264 | 40,000 | 60,000 | 42,264 | 40,000 |
| 584-784-708.010 * | HEALTH INS BUYOUT | 3,000 | 3,000 | 3,000 | 3,000 | 1,500 | 3,000 |
| 584-784-709.000 * | REG OVERTIME | 5,562 | 3,073 | 4,000 | 4,000 | 3,278 | 4,000 |
| 584-784-710.000 | ACC COMP ABSENCES-LNGTERM | 402 | (402) | | | | |
| 584-784-715.000 * | F.I.C.A./MEDICARE | 16,712 | 16,772 | 17,798 | 17,798 | 10,418 | 18,315 |
| 584-784-718.000 * | MERS RETIREMENT | 19,511 | 20,156 | 25,226 | 25,226 | 16,273 | 33,011 |
| 584-784-718.001 * | RETIREMENT HEALTH CARE SAVINGS | 1,275 | 1,303 | 2,600 | 2,600 | 850 | 2,600 |
| 584-784-718.002 * | DEFERRED COMPENSATION | 1,005 | 900 | 1,235 | 1,235 | 895 | 1,235 |
| 584-784-718.003 * | OPEB - RETIREMENT HEALTH | | | | | | 16,011 |
| 584-784-719.000 * | HEALTH INSURANCE | 58,346 | 60,284 | 59,977 | 59,977 | 31,845 | 57,005 |
| 584-784-719.003 * | EMPLOYEE PAID HEALTH CONTRA | (4,725) | (4,200) | (4,200) | (4,200) | | (4,200) |
| 584-784-719.015 * | DENTAL BENEFITS | 3,777 | 3,336 | 3,635 | 3,635 | 2,085 | 3,635 |
| 584-784-719.016 * | VISION BENEFITS | 885 | 930 | 1,018 | 1,018 | 581 | 768 |
| 584-784-719.020 * | HEALTH CARE DEDUCTION | 16,066 | 18,087 | 14,805 | 14,805 | 12,699 | 14,805 |
| 584-784-719.021 * | ADMIN FEE - HEALTH DEDUCTIBLE | 241 | 236 | 234 | 234 | 145 | 252 |
| 584-784-719.022 * | DISABILITY INSURANCE | 1,146 | 1,146 | 1,146 | 1,146 | 653 | 872 |
| 584-784-719.023 * | LIFE INSURANCE | 680 | 680 | 680 | 680 | 397 | 680 |
| 584-784-719.025 * | UNEMPLOYMENT EXPENSE | 5,919 | 8,041 | 5,000 | 5,000 | 710 | 5,000 |
| 584-784-719.030 * | WORKERS COMPENSATION | 3,867 | 3,326 | 3,959 | 3,959 | 1,905 | 3,245 |
| 584-784-727.001 * | OFFICE SUPPLIES MAINTENANCE | 40 | | 100 | 100 | 4 | 100 |
| 584-784-727.002 * | OFFICE SUPPLIES PRO SHOP | | 102 | 200 | 200 | | 200 |
| 584-784-757.001 * | OPERATING SUPPLIES MAINTENANC | 6,599 | 6,307 | 6,500 | 6,500 | 6,178 | 6,500 |
| 584-784-757.002 * | OPERATING SUPPLIES PRO SHOP | 2,774 | 2,284 | 3,500 | 3,500 | 2,839 | 3,500 |
| 584-784-757.003 * | OPERATING SUPPLIES-CART RENTA | 48,754 | 56,378 | 55,257 | 55,257 | 44,384 | 47,000 |
| 584-784-757.007 * | COST OF SALES PRO SHOP | 14,232 | 13,455 | 15,000 | 15,000 | 12,246 | 15,000 |
| 584-784-757.008 * | COST OF SALES FOOD & BEV | 13,439 | 8,459 | 30,000 | 30,000 | 6,134 | 16,000 |
| 584-784-760.000 * | PPE & FIRST AID SUPPLIES | | | 500 | 500 | 12 | 500 |
| 584-784-776.004 * | BLDG MAIN SUPPLIES PRO SHOP | 32 | 241 | 250 | 250 | | 250 |
| 584-784-776.005 * | BLDG MAIN SUPPLIES MAINTENANC | 547 | 820 | 750 | 750 | 431 | 750 |
| 584-784-783.001 * | SEED PLANTING -FERTILIZER | 24,247 | 24,432 | 26,000 | 26,000 | 18,423 | 26,000 |
| 584-784-783.002 * | SEED PLANTING -CHEMICALS | 13,476 | 14,519 | 16,000 | 16,000 | 11,728 | 16,000 |
| 584-784-783.003 * | SEED PLANTING -TOP SOIL | 3,479 | 1,496 | 4,500 | 4,500 | 1,777 | 4,500 |
| 584-784-783.004 * | TREE MAINTENANCE | | 495 | 1,500 | 1,500 | 450 | 1,500 |
| 584-784-800.001 * | ADMINISTRATION FEES | 18,220 | 18,241 | 19,981 | 19,981 | 12,162 | 20,593 |
| 584-784-801.000 * | PROFESSIONAL SERVICES | 2,984 | 3,320 | 3,500 | 3,500 | 2,245 | 3,500 |
| 584-784-818.000 * | CONTRACTUAL SERVICES | 279 | 16,650 | 1,200 | 1,200 | 785 | 1,200 |
| 584-784-867.000 * | GAS & OIL | 6,542 | 5,738 | 8,000 | 8,000 | 3,748 | 8,000 |
| 584-784-867.100 * | GAS & OIL - OTHER EQUIP | 13,666 | 8,228 | 13,000 | 13,000 | 11,239 | 13,000 |
| 584-784-900.000 * | PUBLISHING | 730 | 930 | 2,000 | 2,000 | 930 | 2,000 |
| 584-784-900.003 * | GOLF COURSE ADVERTISING | 708 | 1,941 | 2,000 | 1,000 | | 2,000 |
| 584-784-920.008 * | UTILITIES-MAINTENANCE ELECTRIC | 9,825 | 11,526 | 15,000 | 11,000 | 5,133 | 15,000 |
| 584-784-920.009 * | UTILITIES MAINTENANCE HEATING | 2,169 | 1,245 | 3,000 | 3,000 | 1,016 | 3,000 |
| 584-784-920.010 * | UTILITIES MAINTENANCE PHONE | 77 | 77 | 700 | 700 | 43 | 700 |
| 584-784-920.011 * | UTILITIES MAINTENANCE WATER | 2,984 | 2,752 | 1,500 | 1,500 | 512 | 1,500 |
| 584-784-920.013 * | UTILITIES PRO SHOP | 1,635 | 2,023 | 2,000 | 2,000 | 974 | 2,000 |
| 584-784-930.000 * | REPAIRS MAINTENANCE-MACHINERY | 3,508 | 963 | 3,500 | 3,500 | 2,967 | 3,500 |
| 584-784-931.009 * | BLDG MAINTENANCE | 5,325 | 425 | 500 | 500 | 83 | 500 |
| 584-784-931.010 * | BLDG MAINTENANCE PRO SHOP | 1,182 | 175 | 2,000 | 2,000 | 968 | 2,000 |
| 584-784-933.000 * | EQUIPMENT MAINTENANCE | 33,773 | 50,775 | 35,000 | 35,000 | 34,827 | 35,000 |
| 584-784-939.001 * | MOTORPOOL - MISC REPAIR | 257 | | 500 | 500 | 21 | 500 |
| 584-784-939.003 * | GOLF CARTS EXPENSE | 19 | 163 | 1,800 | 1,800 | 370 | 1,800 |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 584 GOLF COURSE FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|---|-------------------------------|---------------------|---------------|----------------------|---------------------|-----------------------------|-----------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 784 - GOLF COURSE FUND | | | | | | | |
| APPROPRIATIONS | | | | | | | |
| 584-784-943.000 * | MOTORPOOL INTERNAL | 1,386 | 1,386 | 1,614 | 1,614 | 924 | 3,228 |
| 584-784-955.002 * | INSURANCE & BONDS FIRE & LIAB | 8,378 | 9,190 | 9,727 | 9,727 | 6,129 | 9,641 |
| 584-784-956.008 * | MISCELLANEOUS EXP-PRO SHOP | 1,863 | 1,640 | 1,000 | 1,000 | 245 | 1,000 |
| 584-784-957.000 * | BANK CHARGES | 7,498 | 9,636 | 6,000 | 11,000 | 9,827 | 10,000 |
| 584-784-958.001 * | MEMBERSHIPS & DUES NATL SUPER | 400 | 400 | 400 | 400 | 400 | 400 |
| 584-784-958.004 * | MEMBERSHIPS & DUES PRO SHOP | 561 | 561 | 600 | 600 | 561 | 600 |
| 584-784-968.000 * | DEPRECIATION EXPENSE | 71,371 | 71,344 | 69,364 | 69,364 | | 68,703 |
| 584-784-971.000 | CAPITAL OUTLAY/OTHER | | | 5,000 | 5,000 | | |
| | TOTAL APPROPRIATIONS | 735,884 | 761,732 | 811,700 | 811,700 | 475,247 | 816,795 |
| NET OF REVENUES/APPROPRIATIONS - 784 - GOLF COURSE FU | | (735,884) | (761,732) | (811,700) | (811,700) | (475,247) | (816,795) |

* NOTES TO BUDGET: DEPARTMENT 784 GOLF COURSE FUND

| | |
|---------|--|
| 702.001 | SALARIES - GREENSKEEPER Salary of the Golf Course Superintendent. |
| 702.002 | SALARIES - PRO SHOP DIRECTOR Salary of the Golf Operations Director. |
| 706.000 | SALARY - PERMANENT WAGES Salary of the Assistant to the Golf Course Superintendent. |
| 706.008 | WAGES PROSHOP Salary to the assistant of the golf operations director. |
| 707.001 | WAGES- TEMPORARY MAINTENANCE Used for the employment of seasonal employees who work on the maintenance of the golf course. |
| 707.002 | WAGES- TEMPORARY PRO SHOP Used for seasonal employees who work in the golf shop. |
| 708.010 | HEALTH INS BUYOUT This line item is used for the health insurance buyout for employees who receive health insurance through another source. |
| 709.000 | REG OVERTIME Overtime costs for the Assistant Superintendent position. It is recommended that \$4,000 be budgeted to be used on an as needed basis during the busier months of May through September. |
| 715.000 | F.I.C.A./MEDICARE Figures provided by the Accounting Director. |
| 718.000 | MERS RETIREMENT Allocation of annual required contribution (ARC) provided by Accounting Director. Overall Township ARC increased 13.4% |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 584 GOLF COURSE FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | | | |
|-----------------------------|--|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 |
| Dept 784 - GOLF COURSE FUND | | | | | | |
| 718.001 | RETIREMENT HEALTH CARE SAVINGS | | | | | |
| | Amount placed into a health care savings account for future use in health care expenses. This is for employees in the department hired after 1/1/14. | | | | | |
| 718.002 | DEFERRED COMPENSATION | | | | | |
| | Figures provided by Accounting Director based on 1.30% of payroll. | | | | | |
| 718.003 | OPEB - RETIREMENT HEALTH | | | | | |
| | Liability for the Other Post-Employment Benefits (OPEB) obligation of employees hired before 1/1/2014. Overall OPEB decrease from prior year is 3.8%. This is a new number this year, prior year expenditure was in ending number 876.003. | | | | | |
| 719.000 | HEALTH INSURANCE | | | | | |
| | A decrease of 4.96 percent. Provided by HR | | | | | |
| 719.003 | EMPLOYEE PAID HEALTH CONTRA | | | | | |
| | Amount employees pay toward their health care coverage. | | | | | |
| 719.015 | DENTAL BENEFITS | | | | | |
| | No change for 2022 | | | | | |
| 719.016 | VISION BENEFITS | | | | | |
| | A decrease of 24% due to switching to Standard Insurance with the same VSP coverage. Provided by HR | | | | | |
| 719.020 | HEALTH CARE DEDUCTION | | | | | |
| | Cost to fund the Clarity Benefits card associated with the health insurance plan. Health care deductible accounts are budgeted at 70% of the total that could possibly be expended. Provided by Accounting Director. | | | | | |
| 719.021 | ADMIN FEE - HEALTH DEDUCTIBLE | | | | | |
| | Cost to manage card used to pay the health care deductibles, administered by Clarity Benefits. | | | | | |
| 719.022 | DISABILITY INSURANCE | | | | | |
| | A decrease of 24% due to switching to Standard Insurance. Provided by HR | | | | | |
| 719.023 | LIFE INSURANCE | | | | | |
| | No change for 2022. Provided by H.R. | | | | | |
| 719.025 | UNEMPLOYMENT EXPENSE | | | | | |
| | Figures provided by the Accounting Director. | | | | | |
| 719.030 | WORKERS COMPENSATION | | | | | |
| | Workers Compensation allocation based on type of work performed and number of employees in the department or fund. Provided by the Accounting Director | | | | | |
| 727.001 | OFFICE SUPPLIES MAINTENANCE | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 584 GOLF COURSE FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|-----------------------------|--|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 784 - GOLF COURSE FUND | | | | | | | |
| | This line item is used for office supplies in the maintenance area. | | | | | | |
| 727.002 | OFFICE SUPPLIES PRO SHOP | | | | | | |
| | This line items is used for office supplies in the pro shop. | | | | | | |
| 757.001 | OPERATING SUPPLIES MAINTENANC | | | | | | |
| | This line item is used to purchase general operating supplies regarding the maintenance of the golf course. | | | | | | |
| 757.002 | OPERATING SUPPLIES PRO SHOP | | | | | | |
| | This line item is used for the purchase of operational supplies needed in the golf shop such as credit card processing supplies, miscellaneous food related equipment, thermal paper, score pencils, and employee uniforms. | | | | | | |
| 757.003 | OPERATING SUPPLIES-CART RENTA | | | | | | |
| | This line item covers annual lease of the golf carts \$41,400, cart maintenance \$2,985 and personal property taxes estimate at \$2,615. Contract through 9/30/2025 | | | | | | |
| 757.007 | COST OF SALES PRO SHOP | | | | | | |
| | This line item is used for recording the cost of merchandise inventory after it is sold. We split the cost of inventory sold for food and beverage into two general ledger numbers in order to track our costs more efficiently. This is in correlation with the revenue for sales of merchandise. The net effect is the profit of goods sold. | | | | | | |
| 757.008 | COST OF SALES FOOD & BEV | | | | | | |
| | This line item is used for recording the cost of food & beverage inventory after it is sold. We split the cost of inventory sold for merchandise and food & beverage into two general ledger numbers in order to track our costs more efficiently. This is in correlation with the revenue for sales of food & beverage. The net effect is the profit of goods sold. | | | | | | |
| 760.000 | PPE & FIRST AID SUPPLIES | | | | | | |
| | Covers all PPE, first aid supplies, and other supplies required by OSHA. | | | | | | |
| 776.004 | BLDG MAIN SUPPLIES PRO SHOP | | | | | | |
| | This line item is for the purchase of maintenance supplies for the golf shop. | | | | | | |
| 776.005 | BLDG MAIN SUPPLIES MAINTENANC | | | | | | |
| | This line item is for the purchase of maintenance supplies for the maintenance building. | | | | | | |
| 783.001 | SEED PLANTING -FERTILIZER | | | | | | |
| | This line item reflects the cost of fertilizer to be used on the golf course. | | | | | | |
| 783.002 | SEED PLANTING -CHEMICALS | | | | | | |
| | This line item reflects the cost of planting chemicals to be used on the golf course. | | | | | | |
| 783.003 | SEED PLANTING -TOP SOIL | | | | | | |
| | This line item reflects the cost of planting top soil to be used on the golf course. | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 584 GOLF COURSE FUND

| GL NUMBER | DESCRIPTION | 2022 BUDGET REQUEST | | 2021 ORIGINAL BUDGET | 2021 AMENDED BUDGET | 2021 ACTIVITY THRU 08/31/21 | 2022 REQUESTED BUDGET |
|-----------------------------|---|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 784 - GOLF COURSE FUND | | | | | | | |
| 783.004 | TREE MAINTENANCE | | | | | | |
| | This line item is used in the event that a tree either has fallen or needs to be taken down by professionals in order to prevent a danger to our staff. | | | | | | |
| 800.001 | ADMINISTRATION FEES | | | | | | |
| | Admin fees are paid to the General Fund for service provided by Human Resource, Accounting, Computer Tech, Auditing and other support personnel and shared expenses. Allocations are based on wages of the support and maintenance staff, floor space, staffing levels, computers, phones, etc. Provided by the Account Director. | | | | | | |
| 801.000 | PROFESSIONAL SERVICES | | | | | | |
| | This line item is used for professional services including the alarm company, pest control, gutter cleaning, locksmith, etc. | | | | | | |
| 818.000 | CONTRACTUAL SERVICES | | | | | | |
| | This line item is used to cover the costs of deep root aeration and back flow prevention. | | | | | | |
| 867.000 | GAS & OIL | | | | | | |
| | This line item is used for gas and oil in the golf carts. | | | | | | |
| 867.100 | GAS & OIL - OTHER EQUIP | | | | | | |
| | This line item is used for gas and oil for the golf equipment | | | | | | |
| 900.000 | PUBLISHING | | | | | | |
| | This line item is used to cover the cost of scorecards and printed marketing materials. | | | | | | |
| 900.003 | GOLF COURSE ADVERTISING | | | | | | |
| | This line item is for the advertisement of the golf course. | | | | | | |
| 920.008 | UTILITIES-MAINTENANCE ELECTRIC | | | | | | |
| | This line item is used for electric service for the maintenance building at the golf course. | | | | | | |
| 920.009 | UTILITIES MAINTENANCE HEATING | | | | | | |
| | This line item is used for gas service in the maintenance building. | | | | | | |
| 920.010 | UTILITIES MAINTENANCE PHONE | | | | | | |
| | This line item is used for phone service at the maintenance building. | | | | | | |
| 920.011 | UTILITIES MAINTENANCE WATER | | | | | | |
| | This line is used for water at the maintenance garage. | | | | | | |
| 920.013 | UTILITIES PRO SHOP | | | | | | |
| | This line item is used for phone service and Comcast service in the golf shop. | | | | | | |
| 930.000 | REPAIRS MAINTENANCE-MACHINERY | | | | | | |

BUDGET REPORT FOR CHARTER TOWNSHIP OF YPSILANTI
 Fund: 584 GOLF COURSE FUND

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|---|---|---------------------|------------------|----------------------------|---------------------------|-----------------------------------|-----------------------------|
| | | 2019 ACTIVITY | 2020 ACTIVITY | | | | |
| Dept 784 - GOLF COURSE FUND | | | | | | | |
| | This line item is used for repair and winter maintenance of machinery at the golf course. | | | | | | |
| 931.009 | BLDG MAINTENANCE | | | | | | |
| | This line item is used to cover the cost of maintenance at the golf course. | | | | | | |
| 931.010 | BLDG MAINTENANCE PRO SHOP | | | | | | |
| | This line item is used to cover the cost of maintaining the golf shop. | | | | | | |
| 933.000 | EQUIPMENT MAINTENANCE | | | | | | |
| | This line item is used to cover the cost of maintaining the golf course equipment. | | | | | | |
| 939.001 | MOTORPOOL - MISC REPAIR | | | | | | |
| | Covers miscellaneous vehicle repair. Provided by Accounting Director | | | | | | |
| 939.003 | GOLF CARTS EXPENSE | | | | | | |
| | This line item is used to cover the cost of repairs and supplies for the golf carts. | | | | | | |
| 943.000 | MOTORPOOL INTERNAL | | | | | | |
| | This line item is used for motor pool lease charges. Figures provided by the Accounting Director. | | | | | | |
| 955.002 | INSURANCE & BONDS FIRE & LIAB | | | | | | |
| | Insurance for buildings, equipment, and vehicles. Provided by the Accounting Director. | | | | | | |
| 956.008 | MISCELLANEOUS EXP-PRO SHOP | | | | | | |
| | This line item is for incidental items occasionally needed. | | | | | | |
| 957.000 | BANK CHARGES | | | | | | |
| | Charges for bank accounts and Credit card company's fees for processing credit card sales. | | | | | | |
| 958.001 | MEMBERSHIPS & DUES NATL SUPER | | | | | | |
| | This line item is used for the payment of membership dues for the golf course superintendent. | | | | | | |
| 958.004 | MEMBERSHIPS & DUES PRO SHOP | | | | | | |
| | This line item is for the payment of PGA National membership dues for the golf director. | | | | | | |
| 968.000 | DEPRECIATION EXPENSE | | | | | | |
| | Cost of Capital depreciation. Figures provided by the Accounting Director. | | | | | | |
| ESTIMATED REVENUES - FUND 584 | | 710,665 | 766,093 | 811,700 | 811,700 | 580,297 | 816,795 |
| APPROPRIATIONS - FUND 584 | | 735,884 | 761,732 | 811,700 | 811,700 | 475,247 | 816,795 |
| NET OF REVENUES/APPROPRIATIONS - FUND 584 | | (25,219) | 4,361 | | | 105,050 | |



YPSILANTI TOWNSHIP ZONING ORDINANCE UPDATE

TOWNSHIP BOARD WORK SESSION #1



PURPOSE

Working with Township elected and appointed officials, staff and counsel, the Zoning Ordinance was revised for the following reasons:

- Implement the Ypsilanti Township 2040 Master Plan,
- Make Township policies friendly to development and business with standards for the quality development envisioned for the Township, and
- Update the ordinance to comply with current state and federal law, as well as case law.

TIMELINE

This process started in 2019, with a series of workshops with the Planning Commission and the Development Team.

Using that input as a guide, drafting started but was interrupted by the pandemic.

The project was rebooted in 2021, with intensive sessions between staff, counsel and consultants. Periodic updates were given to the Development Team.

Two work sessions have been conducted with the Planning Commission.

AGENDA

- Major Proposed Zoning Map Changes
 - Questions after review of all proposed changes
- Major Proposed Zoning Text Changes – Articles 1 – 7
 - Questions after review of each Article

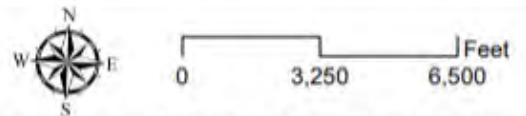
Zoning Map Charter Township of Ypsilanti

- R-1 One-Family Residential
- R-2 One-Family Residential
- R-3 One-Family Residential
- R-4 One-Family Residential
- R-5 One-Family Residential
- RM-2 Multiple-Family Residential
- RM-3 Multiple-Family Residential
- RM-4 Multiple-Family Residential
- MHP Mobile Home Park
- OS-1 Office Service
- B-1 Local Business
- B-2 Community Business
- B-3 General Business
- TC-1 Town Center
- TC-3 Town Center
- IRO Industrial Research Office
- I-1 Light Industrial
- I-2 General Industrial
- I-3 Heavy Industrial
- I-C Industrial and Commercial
- P-1 Vehicular Parking
- PD Planned Development
- Ecorse Road Form Based District
- ★ Conditional Rezoning
- Water

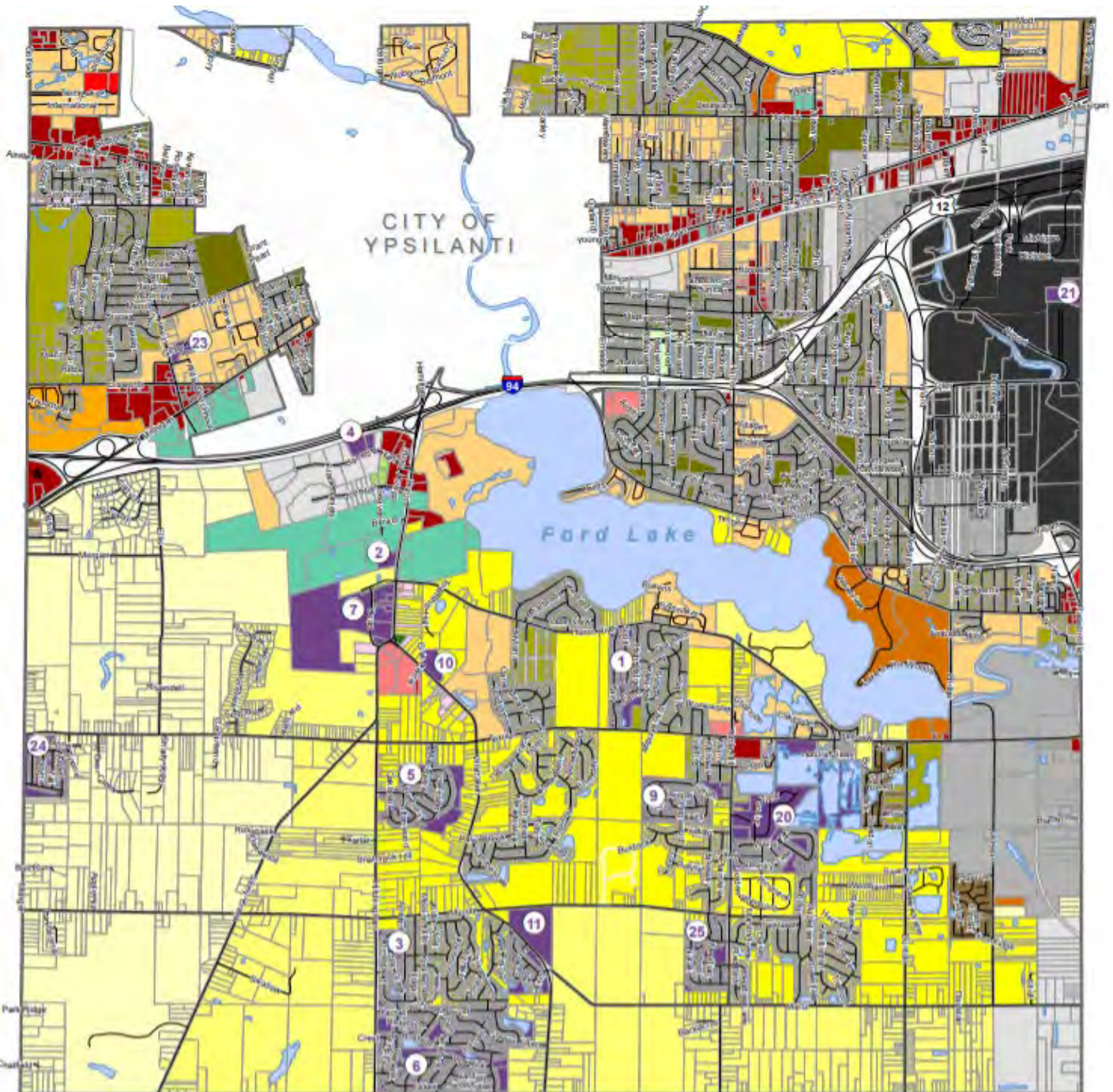
Planned Developments

- | | |
|-----------------------------|----------------------------------|
| 1 Ford Lake Village | 11 Whittaker Village Condominium |
| 2 Post Office | 12-19 N/A |
| 3 Amberly Grove Condominium | 20 Majestic Lakes |
| 4 Burning Bush | 21 Yankee Air Museum |
| 5 Paint Creek Farms | 22 Villas at McCalla Woods |
| 6 Greene Farms | 23 Latter Rain Ministries |
| 7 Paint Creek Crossing | 24 Aspen Ridge |
| 8 N/A | 25 Creekside South/Manors |
| 9 Whispering Meadows | 26 Forestview Estates |
| 10 Library | |

We hereby certify the above zoning map is the original adopted and made a part of Ordinance No. 74 the Zoning Ordinance of the Charter Township of Ypsilanti, by the Board of Trustees assembled at a special meeting held on February 14, 2000 and includes approved zoning amendments last updated on July 19, 2019.

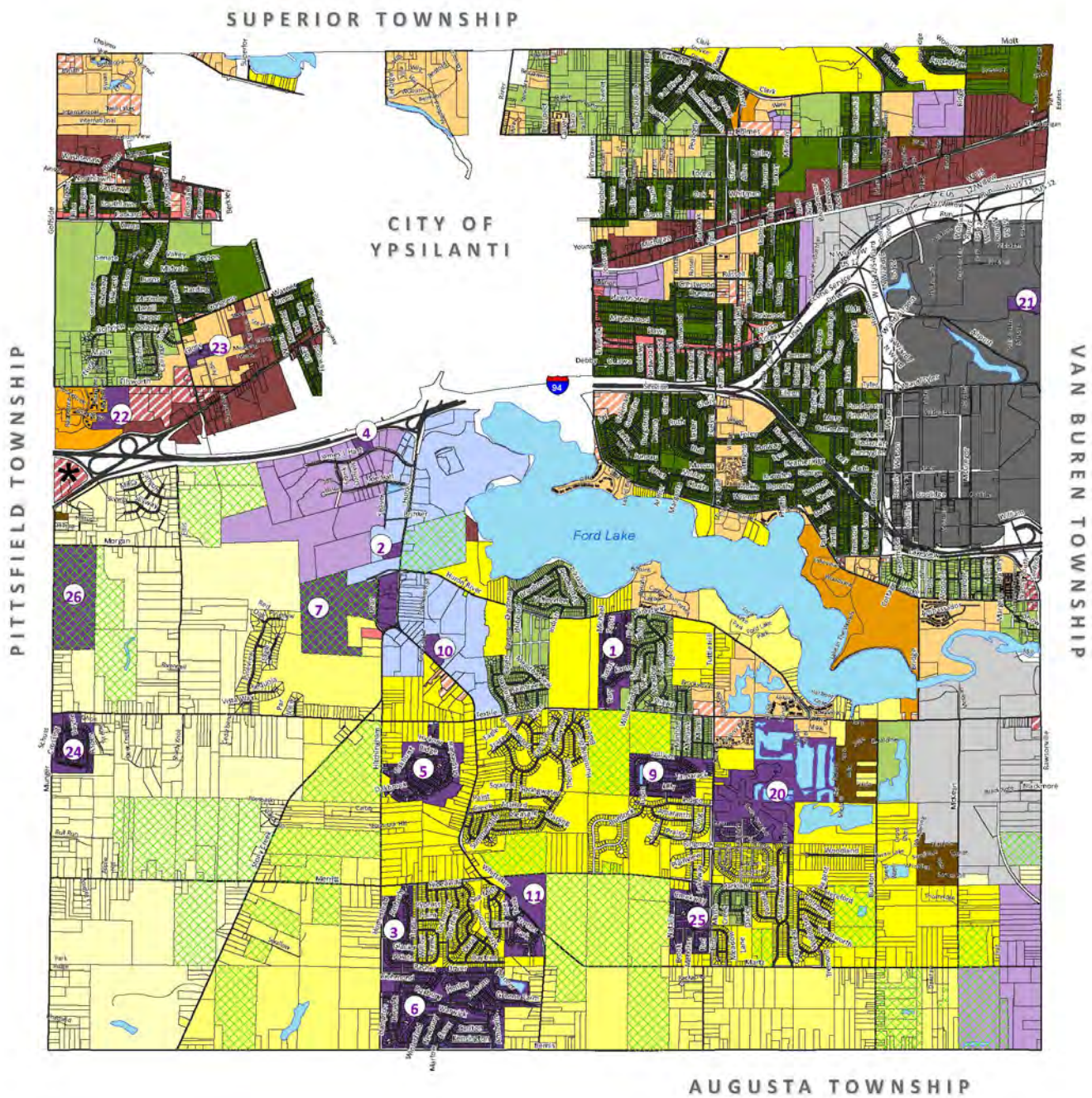


Sources: Charter Township of Ypsilanti, State of Michigan



Existing
Zoning Map

Proposed Zoning Map



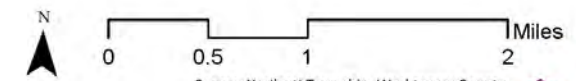
DRAFT Zoning Map: Version 1 Charter Township of Ypsilanti

7200 South Huron River Drive
Ypsilanti, Michigan 48197

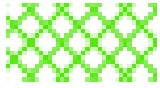
- Agricultural Overlay District
- R-1 One Family Residential
- R-2 One Family Residential
- R-3 One Family Residential
- R-4 One Family Residential
- R-5 One Family Residential
- RM-LD Multiple Family (Low Density)
- RM-MD Multiple Family (Medium Density)
- RM-HD Multiple Family (High Density)
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- NC Neighborhood Business
- GC General Business
- NCR Neighborhood Corridor
- RC Regional Corridor
- I-T Innovation and Technology
- L-M Logistics and Manufacturing
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- PD Planned Development
- TC Town Center
- * Conditional Zoning

Planned Developments

- | | |
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| 1 Ford Lake Village | 11 Whittaker Village Condominium |
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MAJOR ZONING MAP CHANGES PROPOSED

- Agricultural Overlay 
 - A rezoning would be required for any new farm outside of the overlay.
 - Allow farm operation of all kinds, but also agritourism (corn mazes, tasting rooms, events) and small-scale on-site processing as special land uses.
- Elimination and renaming of RM districts
 - Eliminate RM-1 and RM-5.
 - Rename RM-2, RM-3, and RM-4, to be low, medium and high-density multiple family.
 - No changes to bulk standards other than adding height limit to high-density.
 - No rezoning any properties to any RM district.

MAJOR ZONING MAP CHANGES PROPOSED

- Elimination of O-1 and B-1 and B-2 districts
Now form-based districts.
- Eliminate P-1, Parking district
Those areas currently zoned P-1 are proposed to be zoned like the adjacent properties.

MAJOR ZONING MAP CHANGES PROPOSED

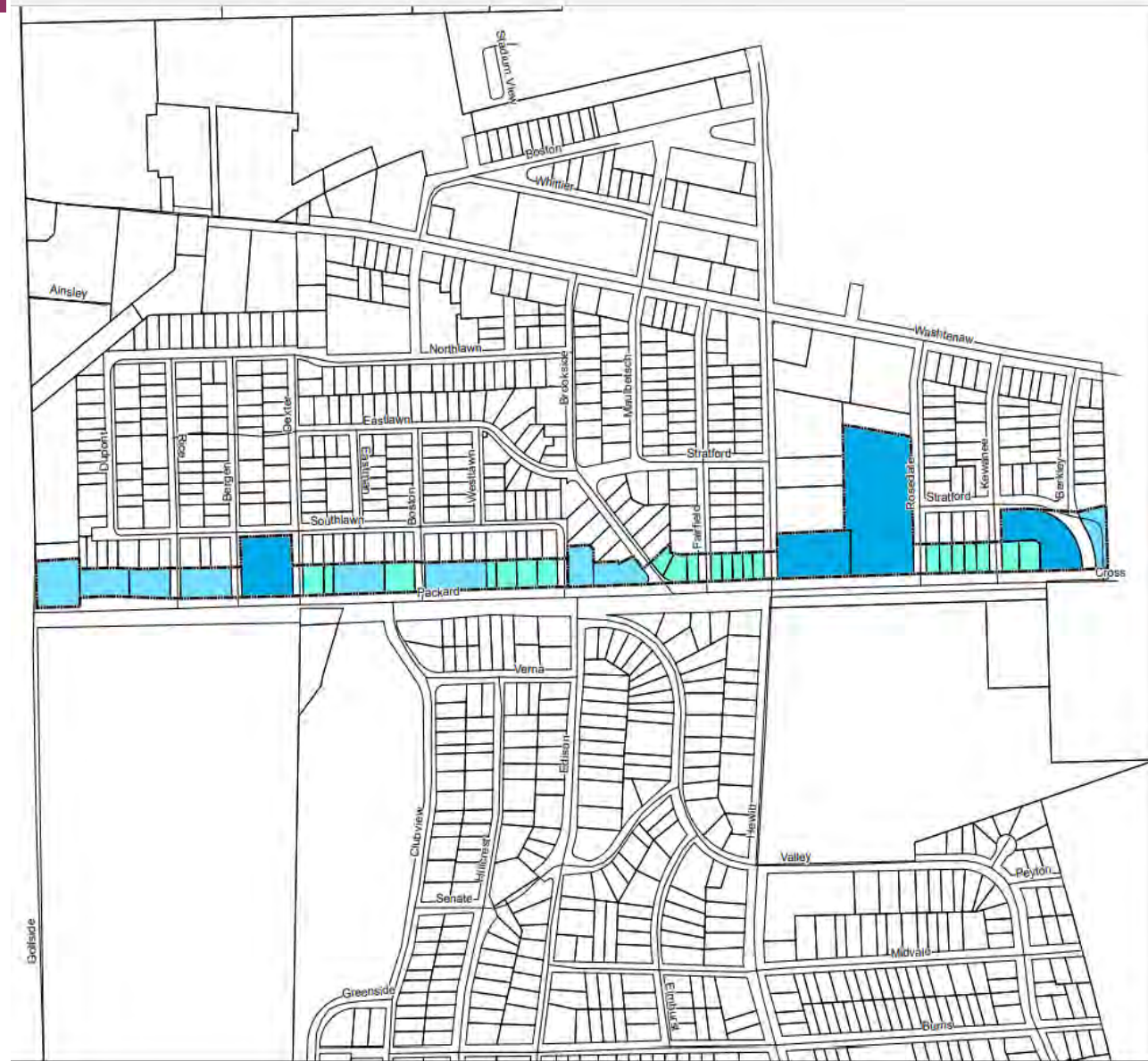
- Reconsolidation and Renaming of I Districts
 - IRO and I-1 are proposed to be combined as Innovation and Technology (I-T), generally in the same location.
 - I-2 and I-3 are proposed to become Logistics and Manufacturing (L-M), generally in the same location.
 - I-C is proposed to keep the same name, but the district boundaries would slightly expand, and the allowed uses increase to allow a range of creative and marijuana businesses.

MAJOR ZONING MAP CHANGES PROPOSED

- Creation of Form-Based districts
 - Neighborhood: Packard
 - Regional: Washtenaw & Michigan Ave.
 - Town Center: Huron

NEIGHBORHOOD: PACKARD, ECORSE

Packard Regulating Plan

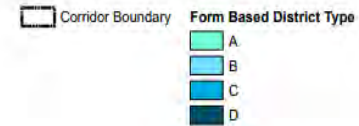


Packard Corridor
Golfside to Straford Rd
Ypsilanti Township
Washtenaw County, Michigan

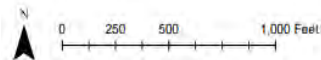
Source: Ypsilanti Twp and Washtenaw Co Data
July 9th, 2021
Curiale/Worlman Associates, Inc.
Ann Arbor, Michigan



REGIONAL: WASHTENAW, MICHIGAN AVE.



Washtenaw Regulating Plan

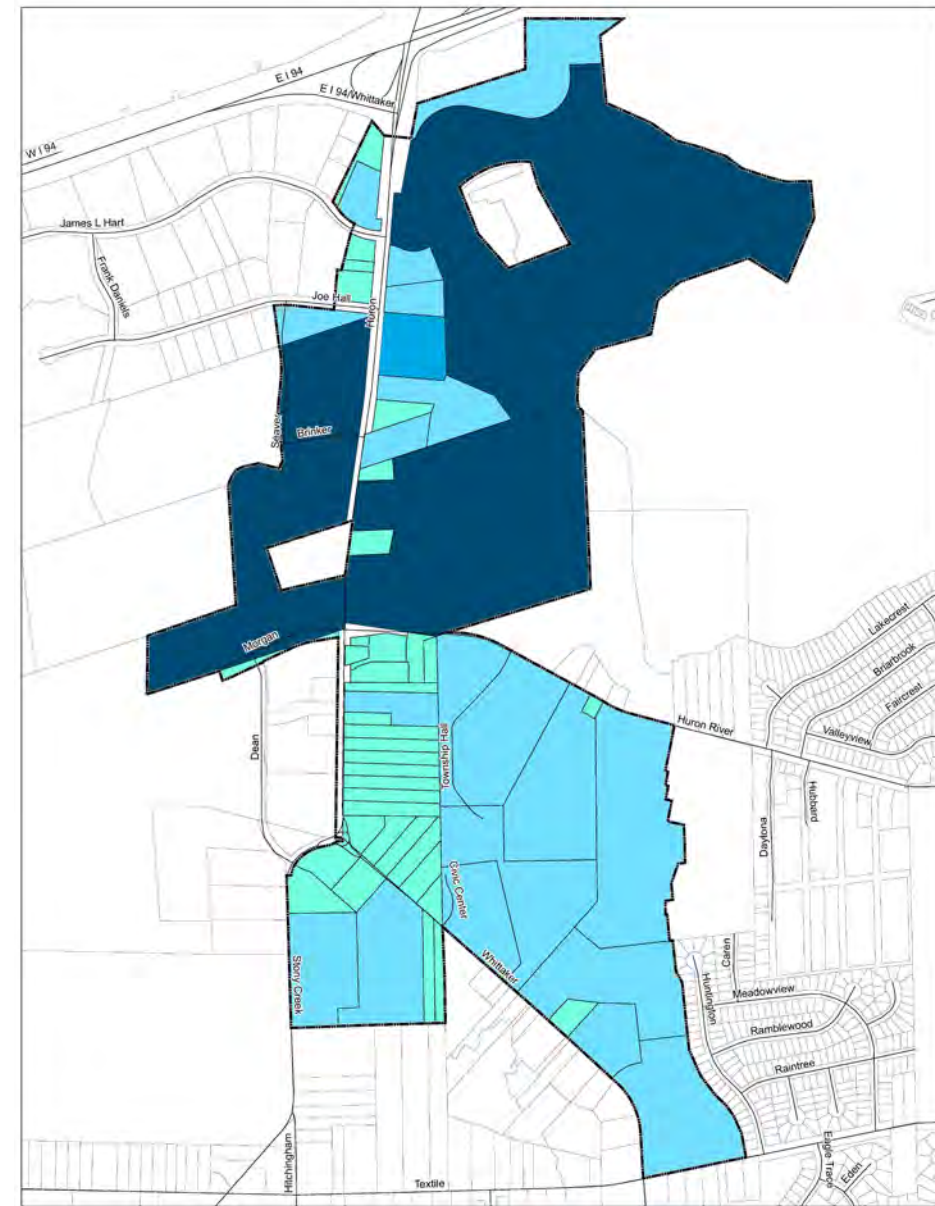


Washtenaw Corridor
Golfside to Hewitt Rd
 Ypsilanti Township
 Washtenaw County, Michigan

Source: Ypsilanti Twp and Washtenaw City Data
 July 9th, 2021
 Carlisle/Wertzman Associates, Inc
 Ann Arbor, Michigan

TOWN CENTER: HURON

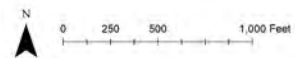
Huron Regulating Plan



Corridor Boundary

Form Based District Type

- A
- B
- C
- D

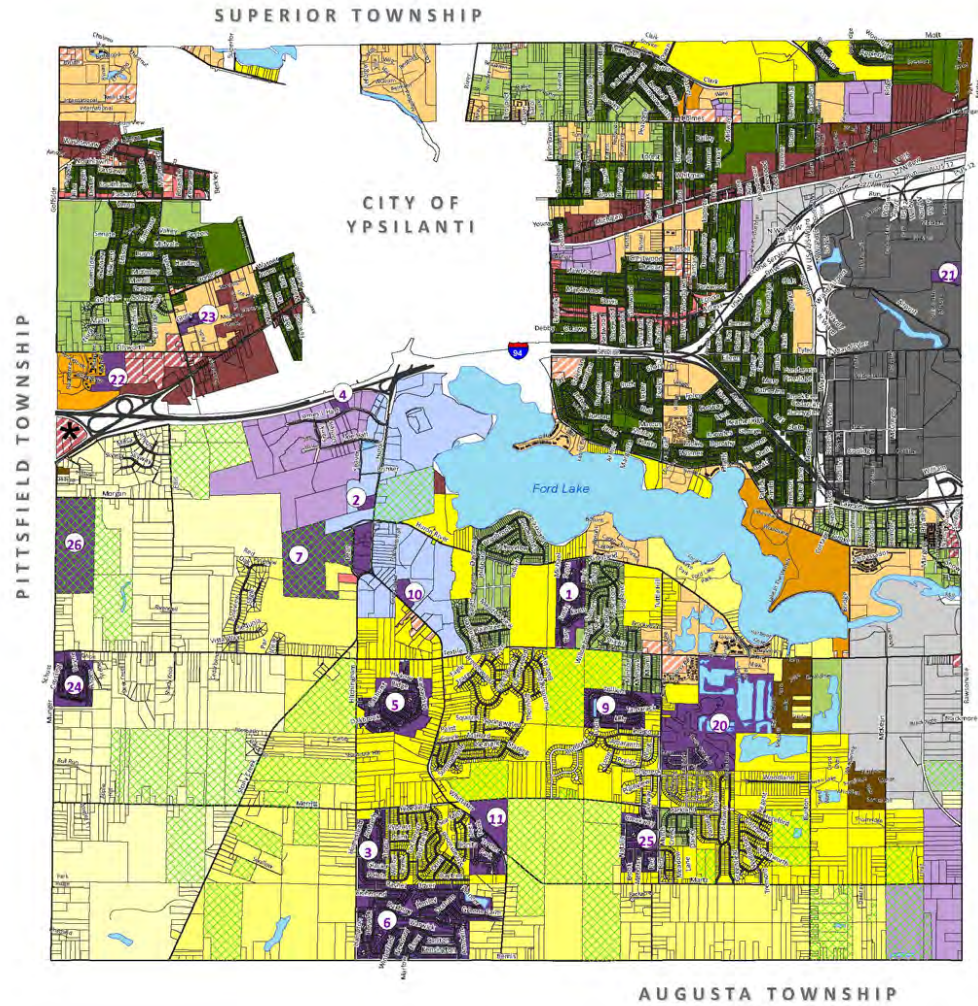


Huron Corridor
I-94 to Textile Rd
Ypsilanti Township
Washtenaw County, Michigan

Source: Ypsilanti Twp and Washtenaw City Data
July 9th, 2021
Corliss/Wortman Associates, Inc
Ann Arbor, Michigan



Questions Proposed Zoning Map



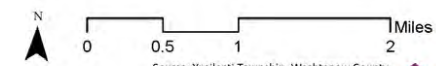
DRAFT Zoning Map: Version 1 Charter Township of Ypsilanti

7200 South Huron River Drive
Ypsilanti, Michigan 48197

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| 10 Library | |



Source: Ypsilanti Township, Washtenaw County
Prepared by Carlisle/Wortman Associates, Inc.
September 24, 2021

ARTICLE I: SHORT TITLE

Purpose:

Set the legal stage for the Zoning Ordinance

Major Proposed Changes:

The text has been updated to meet best practices and cross-references have been updated.

Questions?

ARTICLE 2: DEFINITIONS

Purpose:

Provide definitions for terms used in the Zoning Ordinance

Major Proposed Changes:

- All definitions have been consolidated in this Article, except for adult regulated uses.
- Definitions have been updated or added to reflect current technologies and new uses.

Questions?

ARTICLE 3: ADMINISTRATION

Purpose:

Lays out who does what and how key procedures occur

Major Proposed Changes:

- The duties of the Zoning Administrator have been detailed to reflect current practices.
- Sections on the use of consultants and development agreements have been added.
- The Section on performance guarantees has been updated to reflect current practices.
- Additional detail has been added to the Section on public notices.

Questions?

ARTICLE 4: DISTRICT REGULATIONS

Purpose:

Establishes districts on Zoning Map. Lays out bulk, setback and use regulations for R1-R-5, RM-LD, RM-MD, RM-HD, MHP, NB, GB, I-T, L-M & I-C zoning districts

Major Proposed Changes:

- Consolidates intent and supplemental standards from stand-alone Articles for each district with dimensional requirements from current Schedule of Regulations.
- Makes a traditional subdivision a special land use and an open space development option a principal use in the R-1 through R-5 zoning districts.

Questions?

ARTICLE 5: FORM BASED

Purpose:

Lays out form-based and use regulations for NC, RC, and TC zoning districts

Major Proposed Changes:

- Buildings close to street
- Parking behind buildings
- Mixed use desired, less auto-oriented uses
- Architectural standards

Questions?

| Building Form B | | |
|---|--|--|
| Building Form B: Medium-sized, single- or multiple-purpose buildings for retail, office, restaurant, or service uses. Typically situated in an out lot of a larger classification building form, or on a smaller, more remote site location within the district. | | |
| Building Height | | |
| Minimum 1 story, 14-foot height, Maximum 2 stories, 28-foot height (Site type B), Max: 3 stories, 38 foot height (Site type C, D) | | |
| Building Placement | | |
| Front Yard: 10-foot required build-to line ¹ 75% of the building façade must meet the required build-to line, while up to 25% of the façade can be setback to allow for architectural consideration | Side Yard: No minimum side setback If provided, minimum 5 feet | Rear Yard: Minimum 10-foot rear setback |
| Lot | | |
| Impervious Surface: Maximum 80% Access and circulation: Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way. | Parking location: Parking shall be located in a side or rear yard; when located in a side yard and abutting the required build-to line adjacent to the right-of-way, parking shall be screened with a minimum 30-inch masonry wall on the required build-to line, or within 5 feet of the required build-to line, provided that a landscape treatment is added between the wall and the required build-to line. | |
| ¹ The Planning Commission may adjust the required build-to line to a maximum of 30 feet beyond the property line for projects incorporating a permanent space for an outdoor café, public space, or a cross access drive with an adjacent parcel. Outdoor cafés or public spaces must be developed as part of the primary building and must incorporate a permanent wall or landscaping area along the required build-to line. | | |

Diagram illustrating Building Form B regulations. Key features include:

- 10-foot minimum rear setback
- 10-foot required build-to line
- 30-inch masonry wall within 5 feet
- Parking in side and rear yard
- No minimum side setback. If provided: 5 feet minimum
- Building: Minimum 14 feet, 1 story; Maximum: Site type B: 28 feet, 2 stories; Site type C: 38 feet, 3 stories
- 10-foot minimum rear setback
- No minimum side setback. If provided: 5 feet minimum
- 10-foot required build-to line
- 30-inch masonry wall within 5 feet

ARTICLE 6: PLANNED UNIT DEVELOPMENT

Purpose:

Lays out eligibility, process and standards for Planned Unit Developments

Major Proposed Changes:

- Changed eligibility requirements so that sites other than new single-family residential qualify.
- Updated per best practices.

Questions?

ARTICLE 7: DEVELOPMENT OPTIONS

Purpose:

Lays out different development options to divide land or residential development.

Major Proposed Changes:

- Site condominium regulations proposed to be moved to this Article and updated per current and best practices.
- An open space development option for residential communities is proposed. It is intended to be the vision of preferred, new residential development.

Questions?

THANK YOU & NEXT STEPS

- Township Board Work Session #2:
 - Questions on Proposed Zoning Map Changes
 - Questions on Proposed Zoning Text Changes: Articles 1 – 7
 - Review of Proposed Major Zoning Text Changes: Articles 8 - 19
- Planning Commission Public Hearing (November 23)
- 1st Reading by the Township Board (December 2021)
- 2nd Reading & Adoption by the Township Board (January 2022)



YPSILANTI TOWNSHIP ZONING ORDINANCE UPDATE

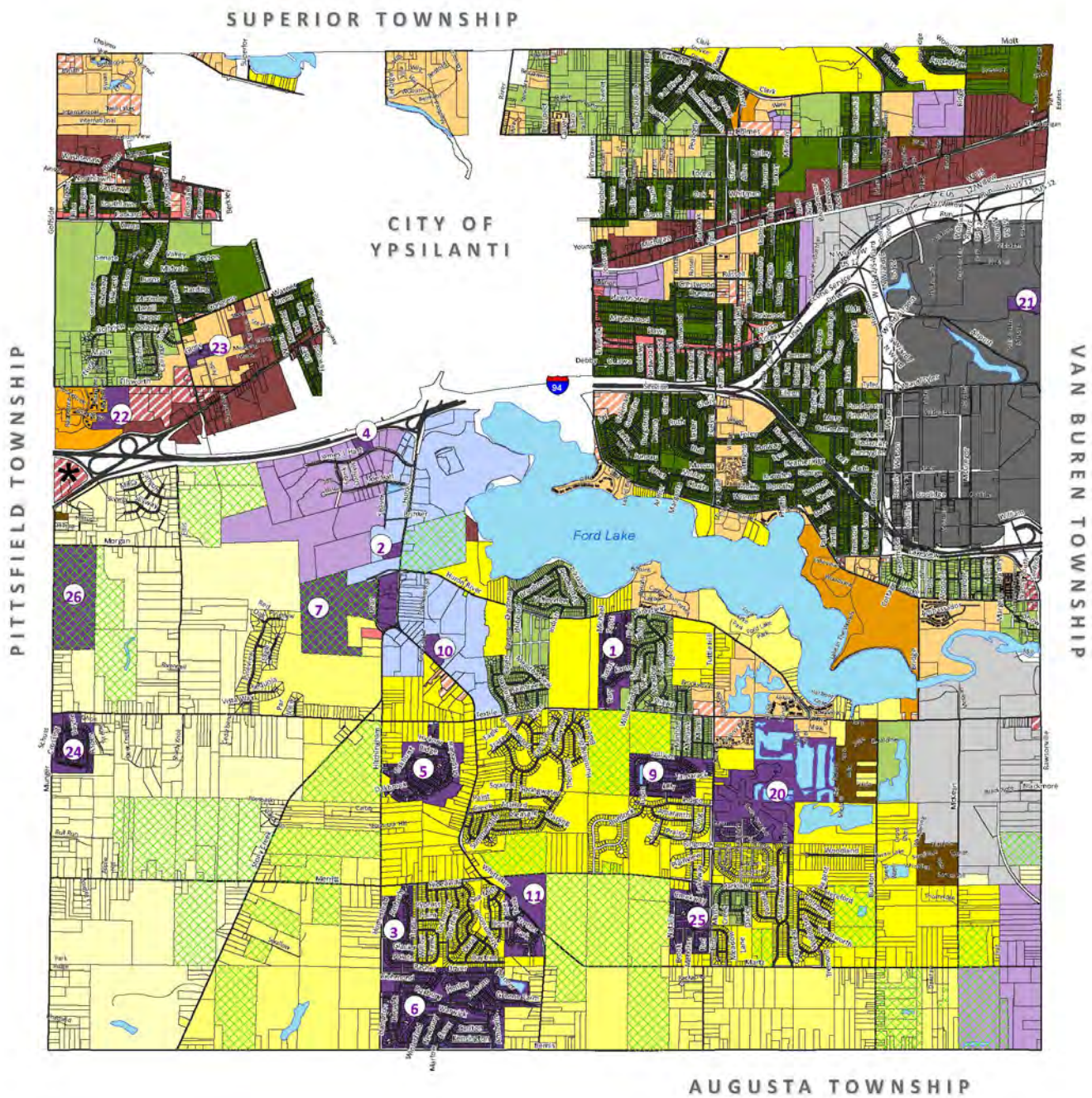
TOWNSHIP BOARD WORK SESSION #2



AGENDA

- Questions on Proposed Zoning Map Changes
- Questions on Proposed Zoning Text Changes: Articles 1 – 7
- Review of Proposed Major Zoning Text Changes: Articles 8 - 19

Proposed Zoning Map



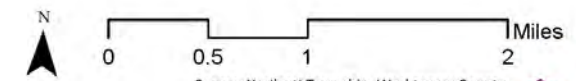
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| 2 Post Office | 12-19 N/A |
| 3 Amberly Grove Condominium | 20 Majestic Lakes |
| 4 Burning Bush | 21 Yankee Air Museum (YAM) |
| 5 Paint Creek Farms | 22 Villas at McCalla Woods |
| 6 Greene Farms | 23 Latter Rain Ministries |
| 7 Paint Creek Crossing | 24 Aspen Ridge |
| 8 N/A | 25 Creekside South/Manors |
| 9 Whispering Meadows | 26 Forestview Estates |
| 10 Library | |

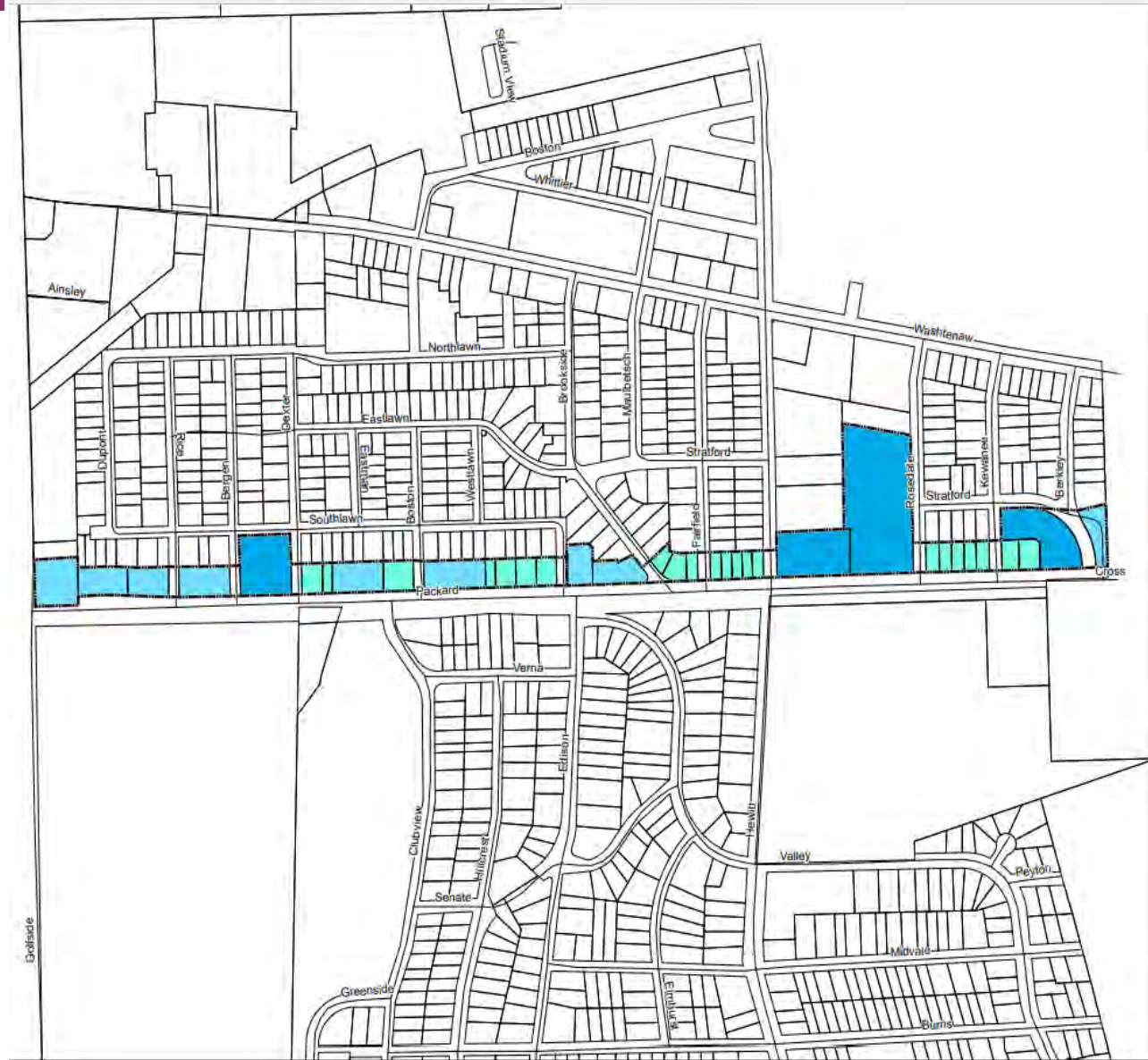


MAJOR ZONING MAP CHANGES PROPOSED

- Agricultural Overlay
- Elimination and renaming of RM districts
- Elimination of O-1 and B-1 and B-2 districts
- Elimination of P-1, Parking district
- Creation of NB and GB Districts
- Creation of Form-Based Districts

NEIGHBORHOOD: PACKARD, ECORSE

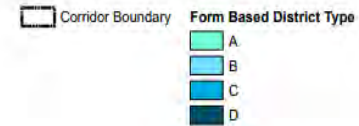
Packard Road Regulating Plan



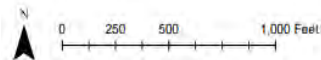
Packard Corridor
Golfside to Stratford Rd
Ypsilanti Township
Washtenaw County, Michigan

Source: Ypsilanti Twp and Washtenaw Co Data
July 9th, 2021
Curiale/Worlman Associates, Inc.
Ann Arbor, Michigan

REGIONAL: WASHTENAW, MICHIGAN AVE.



Washtenaw Regulating Plan



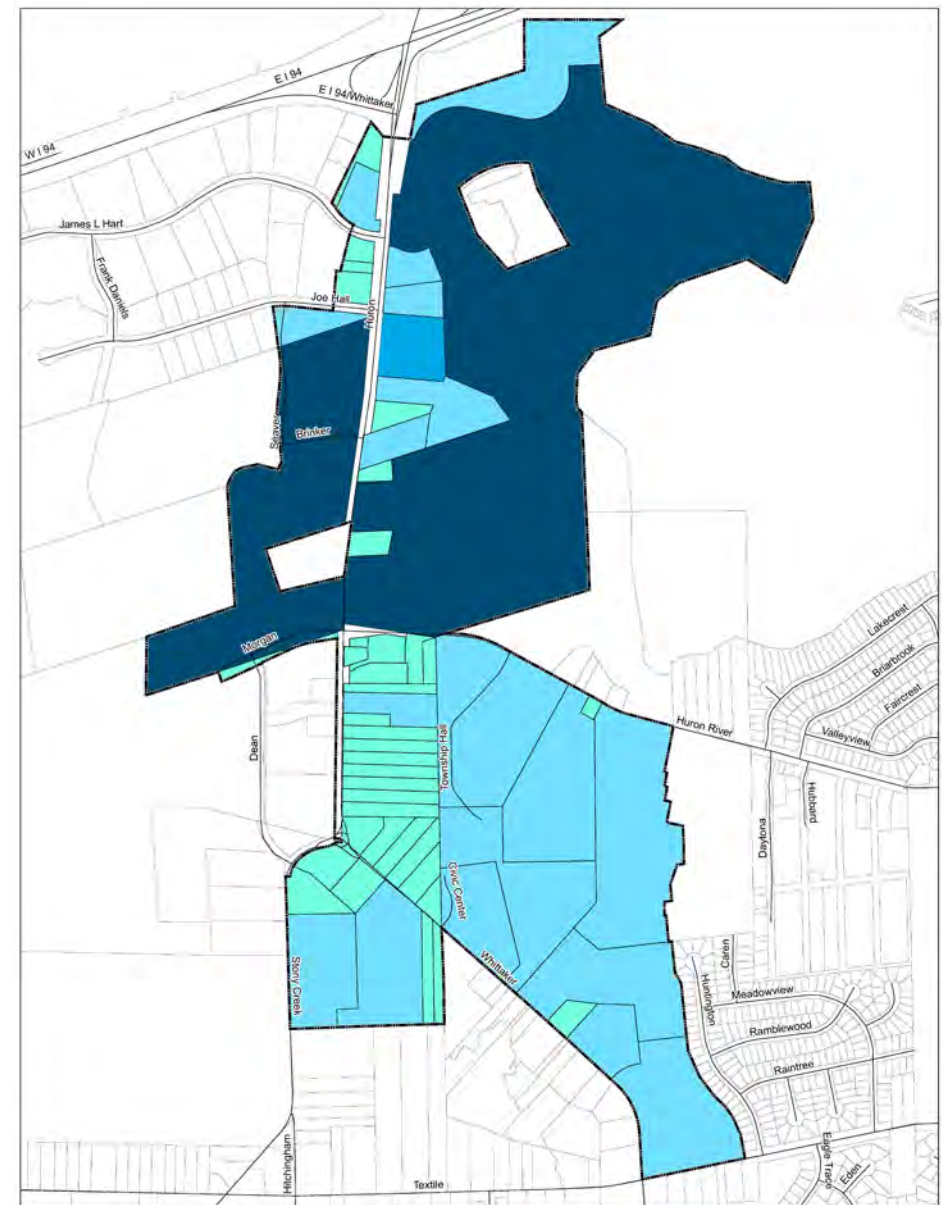
Washtenaw Corridor
Golfside to Hewitt Rd
Ypsilanti Township
Washtenaw County, Michigan

Source: Ypsilanti Twp and Washtenaw City Data
July 9th, 2021
Carlisle/Wertzman Associates, Inc
Ann Arbor, Michigan



TOWN CENTER: HURON

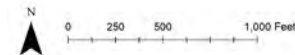
Town Center Regulating Plan



Corridor Boundary

Form Based District Type

- A
- B
- C
- D



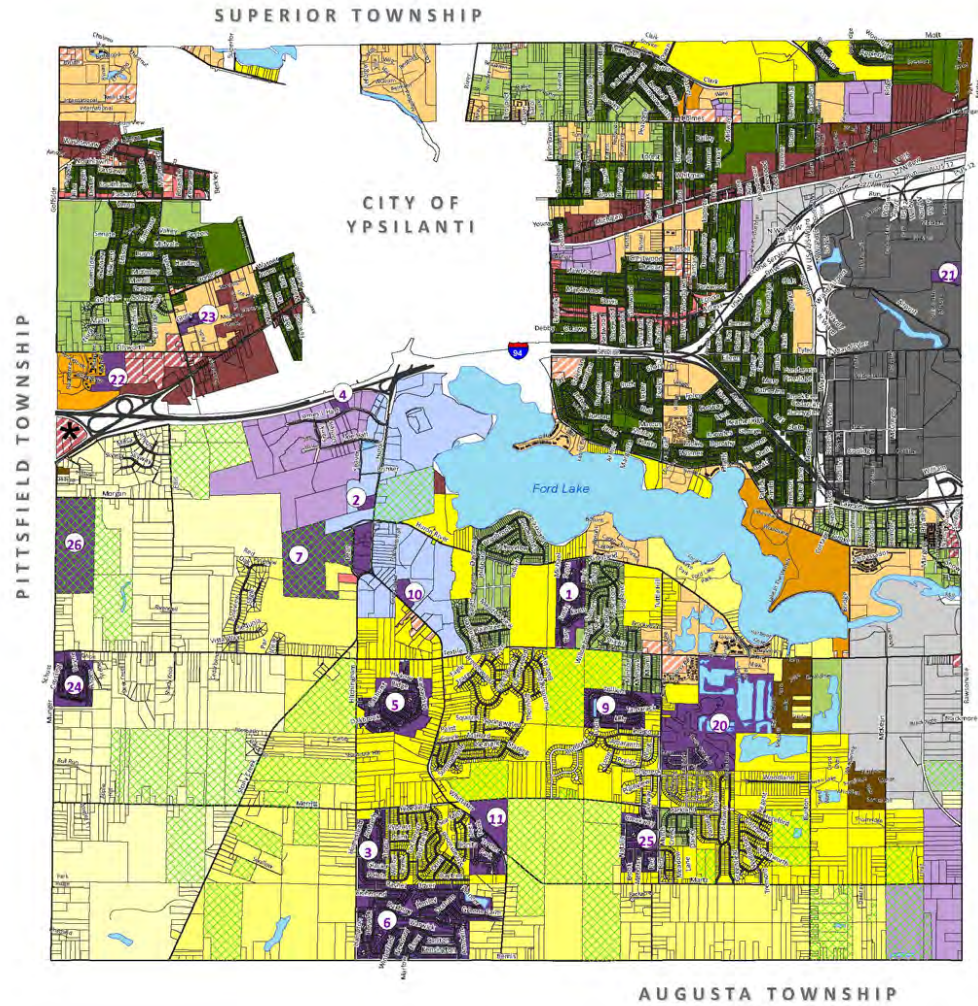
Huron Corridor
I-94 to Textile Rd

Ypsilanti Township
Washtenaw County, Michigan

Source: Ypsilanti Twp and Washtenaw City Data
July 9th, 2021
Cirkle/Worlman Associates, Inc.
Ann Arbor, Michigan



Questions Proposed Zoning Map



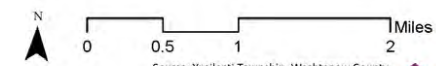
DRAFT Zoning Map: Version 1 Charter Township of Ypsilanti

7200 South Huron River Drive
Ypsilanti, Michigan 48197

- Agricultural Overlay District
- R-1 One Family Residential
- R-2 One Family Residential
- R-3 One Family Residential
- R-4 One Family Residential
- R-5 One Family Residential
- RM-LD Multiple Family (Low Density)
- RM-MD Multiple Family (Medium Density)
- RM-HD Multiple Family (High Density)
- MHP Mobile Home Park
- NC Neighborhood Business
- GC General Business
- NCR Neighborhood Corridor
- RC Regional Corridor
- I-T Innovation and Technology
- L-M Logistics and Manufacturing
- I-C Industrial and Commercial
- PD Planned Development
- TC Town Center
- Conditional Zoning

Planned Developments

- | | |
|-----------------------------|----------------------------------|
| 1 Ford Lake Village | 11 Whittaker Village Condominium |
| 2 Post Office | 12-19 N/A |
| 3 Amberly Grove Condominium | 20 Majestic Lakes |
| 4 Burning Bush | 21 Yankee Air Museum (YAM) |
| 5 Paint Creek Farms | 22 Villas at McCalla Woods |
| 6 Greene Farms | 23 Latter Rain Ministries |
| 7 Paint Creek Crossing | 24 Aspen Ridge |
| 8 N/A | 25 Creekside South/Manors |
| 9 Whispering Meadows | 26 Forestview Estates |
| 10 Library | |



Source: Ypsilanti Township, Washtenaw County
Prepared by Carlisle/Wortman Associates, Inc.
September 24, 2021

QUESTIONS

ARTICLES 1-7

- Article 1: Short Title
- Article 2: Definitions
- Article 3: Administration & Enforcement
- Article 4: District Regulations
- Article 5: Form-Based Districts
- Article 6: Planned Unit Development
- Article 7: Development Options

ARTICLE 8: GENERAL PROVISIONS

Purpose:

Place for zoning rules that apply to all properties in the Township.

Major Proposed Changes:

- Sections have moved to other places in Zoning Ordinance when only apply to site plan review.
- Additional regulations for Recreational Vehicles, Entranceways, Essential Services & Utilities.
- New sections for Temporary Structures, Solar Energy Systems, Geothermal & Security Cameras.

Questions?

ARTICLE 9: SITE PLAN REVIEW

Purpose:

Lay out the rules and process for site plan review.

Major Proposed Changes:

- Preliminary site plan does not require approvals from outside agencies.
- Final site plan approval is an administrative function, unless the approving body requests final approval.
- If a proposal needs a variance, the process is: consideration by the Planning Commission, variance granted by the BZA & then preliminary site plan approval.
- Updated standards
- New sections on Completion Guarantee, Certificate Of Compliance, Revocation and Abandonment, and Development Agreements.

Questions?

ARTICLE 10: SPECIAL LAND USE REVIEW

Purpose:

Lay out the rules and process for special land use review.

Major Proposed Changes:

- Conditional land uses become special land uses requiring Township Board approval.
- New sections on Procedures; Conditions Of Approval; Effectiveness; Amendments, Expansions, or Change In Use; Inspection; and Revocation.

Questions?

ARTICLE 11: SPECIFIC USE STANDARDS

Purpose:

Provide rules for specific uses, which could be accessory, permitted or special land uses.

Major Proposed Changes:

- Sections for uses no longer listed removed.
- Sections for certain uses added or amended based on best practices.
- Sections on sexually oriented businesses and extraction of natural resources have been updated to cite case law and best defensibility.

Questions?

ARTICLE 12: ACCESS, PARKING & LOADING

Purpose:

Lays out rules for vehicle infrastructure.

Major Proposed Changes:

- Access management and driveway standards, and parking requirements updated based on best practices.
- New sections on bicycle and pedestrian accommodations.

Questions?

ARTICLE 13: SITE DESIGN STANDARDS

Purpose:

Lays out rules for landscaping, trash & recycling receptacles, lighting, fences, building design requirements.

Major Proposed Changes:

- Landscaping updated including prohibited species list, allowances for public art and screening between uses.
- Trash & Recycling Receptacles & Exterior Lighting updated on best practices.
- Additional Building Design Requirements for new buildings in the NB & GB Districts.

Questions?

ARTICLE 14: ENVIRONMENTAL STANDARDS

Purpose:

Lays out rules to protect the environment and natural features.

Major Proposed Changes:

- Performance standards updated.
 - A natural features impact statement as part of site plan review where a site has water, wetlands, tree stands and steep slopes.
 - The natural features setback is kept but in its own section with additional rules and clarifications.
 - Sections on Protection of Water Quality and Quantity, Flood Hazard Regulations, and Steep Slope Protection.
-
- **Questions?**

ARTICLE 15: SIGNS

Purpose:

Lays out rules for ground mounted, wall mounted, temporary & permanent signs.

Major Proposed Changes:

- Due to U.S. Supreme Court decision, sign regulations are content neutral.
- Sign illumination standards added.

Questions?

ARTICLE 16: NONCONFORMITIES

Purpose:

Lays out rules for land uses, buildings, structures, lots and sites that do not meet the rules in the Zoning Ordinance.

Major Proposed Changes:

- Definitions moved to Article 2.
- Standards for determining abandonment removed.

Questions?

ARTICLE 17: ZONING BOARD OF APPEALS

Purpose:

Lays out the creation, membership, powers of the ZBA as well as the procedures and standards for applications to that body.

Major Proposed Changes:

- ZBA becomes the deciding body for a variance from the Private Road Ordinance.
- If a proposal needs a variance, the process is: consideration by the Planning Commission, variance granted by the BZA & then preliminary site plan approval.
- Clarification that the ZBA cannot rule on a variance for a special use permit or within a PD, with an exception for PD lot owners seeking a variance from other rules in the Zoning Ordinance.

Questions?

ARTICLE 18: CHANGES AND AMENDMENTS

Purpose:

Lays out the procedures, rules and standards for rezoning, text amendments and conditional rezonings.

Major Proposed Changes:

- Codification of current practices.
- Section on Conditional Rezonings.

Questions?

ARTICLE 19: ENFORCEMENT

Purpose:

Lays out fines for violations, what is a nuisance, etc.

Major Proposed Changes:

- None

Questions?



THANK YOU!

NEXT STEPS:

- Planning Commission Public Hearing (November 23)
- 1st Reading by the Township Board (December 2021)
- 2nd Reading & Adoption by the Township Board (January 2022)



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

TO: Ypsilanti Township Board of Trustees
Ypsilanti Township Planning Commission

FROM: Benjamin Carlisle, AICP
Megan Masson-Minock, AICP

DATE: August 17, 2021

RE: Draft Zoning Ordinance and Map

Please find attached a revised draft Zoning Ordinance and Zoning Map. Working with Township elected and appointed officials, staff and counsel, the Zoning Ordinance was revised for the following reasons:

- Implement the Ypsilanti Township 2040 Master Plan,
- Make Township policies friendly to development and business with standards for the quality development envisioned for the Township, and
- Update the ordinance to be in compliance with current state and federal law, as well as case law.

This process started in 2019, with a series of workshops with the Planning Commission and the Development Team. Using that input as a guide, drafting started but was interrupted by the pandemic. The project was rebooted in 2021, with intensive sessions between staff, counsel and consultants. Periodic updates were given to the Development Team.

The attached drafts have been vetted by both Township staff and attorneys. This memo documents the significant changes to both the Zoning Ordinance and the Zoning Map as well as the zoning districts in both.

Zoning Districts

The draft Zoning Ordinance and Map propose changes to business and industrial districts while keeping the location and regulation single-family residential districts mostly unchanged. Multiple family districts have been consolidated and updated, while form-based, mixed-use corridor zoning districts have been added. The table on the following page lays out the proposed changes by current zoning district.

| District | Proposed Zoning Ordinance and Map |
|---|--|
| R-1 – R-5, One-family residential district | <p>Locations remain the same.</p> <p>For new residential development, Open Space Communities are a permitted use and a traditional subdivision is a special land use.</p> <p>An Agricultural Overlay is proposed in some of these districts, applied to parcels identified as active farms in the existing land use survey during the Master Plan. A rezoning would be required for any new farm outside of the overlay. The overlay district would allow farm operation of all kinds, but also agritourism (corn mazes, tasting rooms, events) and small-scale on-site processing as special land uses.</p> |
| RM-1 , Multiple-family residential district | Proposed for elimination, since never placed on the Zoning Map previously. |
| RM-2 , Multiple-family residential district | RM-2 becomes RM-Low Density, with the same locations except for one property. The regulations would remain the same. |
| RM-3, Multiple-family residential district | RM-3 becomes RM-Medium Density. This designation would apply to Roundtree Apartments, currently the only area zoned RM-3. |
| RM-4 , Multiple-family residential district | RM-4 becomes RM-High Density (areas fronting Ford Lake, Clark East Tower apartments and Township owned land on Ford Boulevard), with one exception. A maximum height of eight stories has been added. Currently, there is no height limit. |
| RM-5, Townhouse residential district | Proposed for elimination, since never placed on the Zoning Map previously. Townhouses are proposed in the multiple-family districts and form-based, mixed-use districts. Townhouses not in the form-based districts would need to meet the proposed standards in Section 1163. |
| MHP, Mobile home park district | Locations and regulations are not proposed to change. |

| District | Proposed Zoning Ordinance and Map |
|--|--|
| OS-1 , Office service district | This district is proposed for elimination. The areas currently zoned OS-1 would be either a form-based, mixed-use corridor, or Neighborhood Business, depending on the location. |
| B-1 , Local business district | B-1 and B-2 are proposed to be either a form-based, mixed-use corridor, or Neighborhood Business, depending on the location. |
| B-2 , Community business district | |
| B-3, General business district | B-3 zoned properties are proposed to be either a form-based, mixed-use corridor, or General Business, depending on the location. |
| IRO, Industrial research office district | IRO and I-1 are proposed to be combined as Innovation and Technology (I-T), generally in the same location. |
| I-1, Light industrial district | |
| I-2, General industrial district | I-2 and I-3 are proposed to become Logistics and Manufacturing (L-M), generally in the same location. |
| I-3, Heavy industrial district | |
| I-CR, Industrial and commercial revitalization districts | Newly named I-CR would be primarily in the existing I-C area but would slightly expand. In addition, the allowed uses increase to allow a range of creative high tech, green tech and infrastructure, logistics, and marihuana businesses. |
| P-1 , Vehicular parking district | Proposed for elimination. Those areas currently zoned P-1 are proposed to be zoned like the adjacent properties. |
| PD , Planned development district | Locations remain the same. Regulations are proposed to change to allow more types of properties to be eligible for PD and to streamline the process. |

Zoning Ordinance

The text of the Zoning Ordinance is proposed to change in almost every Article. The table below summarizes proposed changes by each article of the final draft attached.

| Draft Article | Major Changes |
|-----------------------------------|---|
| Article 1 Short Title | The text has been updated to meet best practices and cross-references have been updated. |
| Article 2 Definitions | All definitions have been consolidated in this Article, except for adult regulated uses. Definitions have been updated or added to reflect current technologies and new uses. |
| Article 3 Administration | The duties of the Zoning Administrator have been detailed to reflect current practices. Sections on the use of consultants and development agreements have been added. The Section on performance guarantees has been updated to reflect current practices. Additional detail has been added to the Section on public notices. |
| Article 4 District Regulations | The zoning districts, as proposed above, have been added or consolidated, with updated district names. The dimensional requirements for each zoning district have been added to the corresponding section. The schedule of uses has been updated in terms of new uses, use names matching those elsewhere in the Zoning Ordinance and cross references. |
| Article 5 Form Based Districts | New Article – see more information in the Zoning Map section. |
| Article 6 Planned Development | This article has been updated based on best practices and tools to implement the Master Plan. |
| Article 7 Development Options | Site condominium regulations are proposed to be moved to this article and updated per current and best practices. An open space development option for residential communities has been added to comply with state law and to provide a clear vision of preferred, new residential development. |
| Article 8 General Provisions | With many of the current sections in the General Provisions proposed to move to their own article (site plan review) or section in a different |

| Draft Article | Major Changes |
|--|---|
| <p>Article 8 General Provisions</p> | <p>article (landscaping or parking), this article proposed to be much slimmer.</p> <p>A section on recreational vehicles is proposed.</p> <p>The sections on temporary uses and essential services have been rewritten to reflect current and best practices.</p> <p>To implement the Township’s commitment to healthy and sustainable places, sections on solar energy systems and geothermal have been added in addition to the unchanged section on wind energy.</p> <p>A section requiring security cameras for all non-residential properties has been added.</p> |
| <p>Article 9 Site Plan Review</p> | <p>Site plan review regulations are proposed as a separate article.</p> <p>Preliminary site plan is proposed as a less intense application, without requiring approvals from outside agencies. Final site plan approval has been amended to be an administrative function, unless the approving body – either the Township Board or Planning Commission – requests the final approval to come back to them.</p> |
| <p>Article 10 Special Land Use</p> | <p>Special land use regulations are proposed as a separate article.</p> <p>Conditional land uses are proposed to become special land uses requiring Township Board approval.</p> <p>Sections on procedures; conditions of approval; effectiveness; amendments, expansions, or change in use; inspection; and revocation have been added based on current and best practices.</p> |
| <p>Article 11 Specific Provisions</p> | <p>Sections on uses no longer listed, such as arcades, are proposed for deletion.</p> <p>Sections on home occupations, golf courses, bed and breakfasts, commercial greenhouses, cemeteries, nursing homes, drive-through facilities, open air businesses, garden centers, vehicle fueling stations, temporary sales, vehicle washes, outdoor recreation, smoking lounges, self-storage facilities, massage therapy regulations, farms with agricultural commercial and tourism, child and adult care facilities, contractor’s yards, and commercial kennels have been updated based on best practices, in consultation with staff and counsel.</p> <p>Sections on sexually oriented businesses and extraction of natural resources have been updated to directly cite the most recent court cases in those areas and to match the processes and regulations that can most protect the Township within current state, federal and case law.</p> |

| Draft Article | Major Changes |
|--|--|
| <p>Article 11 Specific Provisions</p> | <p>Sections on townhouses and mobile home parks are proposed to move to this Article.</p> <p>Regulations on common household gardening have been moved to a section here from the definition for that term.</p> <p>Standards and conditions for approval of wireless communication facilities have been updated.</p> <p>Sections for the following new uses have been added: community-supported agriculture, hotels and extended stay hotels, food trucks, incidental sales and services, garage sales, artisan food and beverage production, and senior and assisted living.</p> |
| <p>Article 12 Access, Parking & Loading</p> | <p>Sections on access management and driveway standards, and parking requirements are proposed to be updated based on best practices, in consultation with staff and counsel.</p> <p>A section on bicycle and pedestrian accommodations is proposed.</p> |
| <p>Article 13 Site Design Standards</p> | <p>Landscape requirements are proposed to be updated with an intent section; changes to the parking lot landscaping to be consistent with other landscaping requirements; standards for raingardens and bioswales; standards for installation, maintenance and completion based on current practices and Township expectations; a prohibited species list; allowances for public art; and updated tables for screening between uses, and minimum size and space of landscaping.</p> <p>Sections on trash and recycling receptacles, exterior lighting are proposed to be updated based on best practices and the latest technology, in consultation with staff and counsel.</p> <p>In the building design section, the current standards are proposed for industrial and business parks with new design requirements for the Neighborhood and General Business districts proposed.</p> |
| <p>Article 14 Environmental Standards</p> | <p>Performance standards are proposed to be updated.</p> <p>A natural features impact statement as part of site plan review where a site has water, wetlands, tree stands and steep slopes is proposed.</p> <p>The natural features setback is proposed to be in its own section with additional rules and clarifications.</p> <p>The following sections are proposed: protections of water quality and quantity, flood hazard regulations, and steep slope protection.</p> |
| <p>Article 15 Signs</p> | <p>Due to a U.S. Supreme Court case, the sign regulations have been updated and revamped to be content-neutral. Sign illumination standards are also proposed.</p> |

| Draft Article | Major Changes |
|---------------------------------------|--|
| Article 16 Nonconformities | A few text changes are proposed, mainly for clarification. |
| Article 17 Zoning Board of Appeals | <p>The text proposed to change is mainly to codify current practices.</p> <p>The Zoning Board of Appeals is proposed to be the deciding body for a variance from the Private Road Ordinance. If this change goes forward, the Private Road Ordinance would need to be amended as well.</p> <p>For site plans requiring variances, the following process is proposed: review of the site plan but no decision by the Planning Commission, action by the Zoning Board of Appeals on the variance and then, a decision by the Planning Commission on the site plan.</p> <p>A clarification that the Zoning Board of Appeals cannot rule on a variance for a special use permit or within a PD is proposed, with the exception for an individual lot or unit owners for variances from other sections of the Zoning Ordinance following final approval of a Planned Unit Development if the variances do not affect the terms or conditions of the original approval..</p> |
| Article 18 Amendments | <p>The text proposed to change is to codify current practices.</p> <p>A section for conditional rezoning is proposed.</p> |
| Article 19 Enforcement | The Article and section numbers are proposed to change. |

Zoning Map

The main proposed change to the Zoning Map is the addition of mixed use, form-based corridor zoning districts.

The regional mixed-use corridors are located along the busiest corridors, which support a high volume of both local and regional traffic. This area may include large national chains, regional retailers, and auto-oriented uses that draw customers both regionally and locally. Regional mixed-use corridors include:

- Washtenaw
- Michigan Avenue (east and west)

Proposed uses in the regional mixed-use corridors:

- National, regional, and specialized big-box retailers.
- Auto-oriented commercial such as gas stations, auto-repair, and car dealerships.
- Drive-through uses.

- Day-to-day retail and services such as grocery stores, convenience stores, dry cleaners, pharmacies and beauty services.
- Restaurants, cafes and bars that offer various food options.
- Professional and medical office.
- Higher density multiple-family residential.
- Mixed-use that includes uses noted above.
- Public and institutional facilities such as schools, places of worship, police stations, and community centers

Neighborhood mixed-use corridors are located along high traffic areas and intended for local businesses to serve daily needs and services of the adjacent residential areas. Buildings are set close the street with parking in back. Generally, the sites and buildings are of a smaller scale that can be accessed by pedestrians with as much ease as vehicles. Neighborhood mixed-use corridors include:

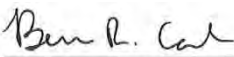
- Packard
- Huron
- Ecorse


Proposed uses in the neighborhood mixed-use corridors:

- Day-to-day neighborhood scale retail and services such as grocery and convenience stores, dry cleaners, pharmacies, banks, and beauty services.
- Restaurants, cafes and bars that offer various food options.
- No drive-through uses.
- Professional and medical office.
- Medium density multiple-family residential.
- Mixed-use that includes uses noted above.
- Public parks and recreational areas.
- Public and institutional facilities such as schools, places of worship, police stations, and community centers, which support the surrounding residential properties.

We appreciate you time and contributions to the update of the Zoning Ordinance!

Yours Truly,


CARLISLE/WORTMAN ASSOC., INC.
Benjamin R. Carlisle, AICP, LEED AP
Principal


CARLISLE/WORTMAN ASSOC., INC.
Megan Masson-Minock, AICP
Planner

Attachments: Draft Zoning Ordinance
Draft Zoning Map

APPENDIX A - ZONING^[1]

ORDINANCE NO. 74 _____

An ordinance enacted under Act No. ~~184-110~~ of the Public Acts of Michigan of ~~1943 (MCL 125.351 et seq.)~~2006 (MCL 125.3101 et seq.), as amended, governing the unincorporated portions of the Charter Township of Ypsilanti, Washtenaw County, Michigan, to regulate and restrict the location and use of buildings, structures and land for trade, industry, residence and for public and semipublic or other specified uses; and to regulate and limit the height and bulk of buildings, and other structures; to regulate and to determine the size of yards, courts, and open spaces; to regulate and limit the density of population; and for said purposes to divide the Township into districts and establish the boundaries thereof; to provide for changes in the regulations, restrictions and boundaries of such districts; to define certain terms used herein; to provide for enforcement; to establish a board of appeals and to impose penalties for the violation of this ordinance.

ARTICLE I. - SHORT TITLE

Sec. 100. - Short title:

This Ordinance shall be known and may be cited as the Charter Township of Ypsilanti zoning ordinance.

Sec. 101. - Preamble:

1. The Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended, M.C.L. 125.3101 et seq.) establishes the right to adopt comprehensive zoning regulations and empowers the Township to enact a zoning ordinance and provides for its administration, enforcement, and amendment.
2. The Township deems it necessary to enact said regulations for the purpose of promoting and protecting the health, safety, comfort, convenience, and general welfare of its residents.
3. The Township has prepared and adopted a Master Plan designed to guide growth in a logical and orderly fashion; to lessen congestion on the public streets; to minimize the burden on public services and utilities; to protect and preserve energy and natural resources, and to ensure a well-balanced community considering its present and potential physical, economic, cultural, and environmental assets.
4. The Township has identified districts and prepared regulations pertaining to such districts in accordance with the Master Plan and in consideration of the character of the districts and their unique suitability for particular uses, with a view towards conserving property values and encouraging the most appropriate use of land throughout the Township.

Sec. 102. - Purpose:

The purpose of this ordinance is to promote and safeguard the public health, safety, and welfare, implement the Master Plan, and achieve the following purposes:

1. Promote and regulate growth of the Township to obtain orderly and beneficial development with a balanced mix of uses that will support economic vitality and sustainability.
2. Protect the character and stability of residential neighborhoods.
3. Regulate the intensity and form of land development to ensure compatibility among land uses and, where applicable, provide transitions between land uses to reduce potential negative impacts.
4. Promote the wise use and conservation of energy and vital natural resources.
5. Improve the appearance and design quality of development.
6. Prevent an unreasonable burden on public facilities and services.
7. Lessen and avoid congestion on highways and streets and provide safe and convenient access for property.
8. Conserve the taxable value of land, buildings, and structures of the Township.

Sec. 103. - Validity And Severability:

1. If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling.
2. If any court of competent jurisdiction shall declare invalid the application of any provision of this Ordinance to a particular parcel, lot, use, building, or structure, such ruling shall not affect the application of said provision to any other parcel, lot, use, building, or structure not specifically included in said ruling.

Sec. 104. - Scope And Construction Of Regulations:

1. This Ordinance shall be liberally construed in such manner as to best effectuate its purpose. In the interpretation and application of this Ordinance, these provisions are the minimum requirements adopted for the promotion of public health, safety, convenience, comfort, prosperity, and general welfare. Wherever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions, or limitations than are imposed or required by any other law, rule, regulation, or permit, then the provisions of this Ordinance shall control. Whenever any provision of this Ordinance imposes less stringent requirements, regulations, restrictions, or limitations than are imposed or required by any other law, rule, regulation, or permit, then the provisions of the other law, rule, regulation, or permit shall control.
2. No building or structure, or part thereof, shall be erected, constructed, reconstructed, or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except as permitted by and in conformity with the provisions of this Ordinance.

Sec. 105. - Conflict With Other Laws:

1. Except as otherwise provided under the Michigan Zoning Enabling Act (PA 110 of 2006, as amended, M.C.L. 125.3101 et seq.), this Ordinance shall be controlling in the case of any inconsistencies between this Ordinance and an ordinance adopted under any other law.
2. This Ordinance is not intended to prevent compliance with any Federal, State, or local law, ordinance, or regulation, provided that where this Ordinance is more restrictive or imposes a higher standard, the provisions of this Ordinance shall prevail.
3. This Ordinance is not intended to abrogate or annul any easement, covenant, or other private agreement. However, where any provision of this Ordinance is more restrictive or imposes a higher standard or requirement than such easement, covenant or other private agreement, the provision of this Ordinance shall govern.
4. Nothing within this Ordinance shall be construed to prevent compliance with an order by the appropriate authority to correct, improve, strengthen, or restore to a safe or health condition, any part of a building or premises declared unsafe or unhealthy.

Sec. 106. - Repeal Of Ordinance:

The Charter Township of Ypsilanti Zoning Ordinance, and all amendments thereto, and all prior zoning ordinances of the Township, are hereby repealed effective coincident with the effective date of this Ordinance. Pursuant to the authority conferred by the Public Acts of the State of Michigan in such case, made and provided and for the purpose of promoting, and protecting the public health, safety, peace, morals, comfort, convenience, and general welfare of the inhabitants of the

~~ARTICLE I. – SHORT TITLE~~

~~Sec. 100. – Short title:~~

~~This ordinance shall be known and may be cited as the Charter Township of Ypsilanti zoning ordinance.~~

ARTICLE II. - CONSTRUCTION OF LANGUAGE AND DEFINITIONS

Sec. 200. - Construction of language:

The following rules of construction apply to the text of this Ordinance:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for" or "occupied for."
7. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
8. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," "either...or," the conjunction shall be interpreted as follows:
 - A. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - B. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - C. "Either...or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
9. Terms not herein defined shall have the meaning customarily assigned to them.

Sec. 201. - Definitions:

Abut: To touch, to lie immediately next to, to share a common wall or lot line, or to be separated by only a street, alley, or right-of-way.

Access Property: A property, parcel, or lot abutting Ford Lake, either natural or man-made, and used or intended to be used for providing access to Ford Lake by pedestrian or vehicular traffic to and from offshore land regardless of whether said access to the water is gained by easement, common fee ownership, single fee ownership, lease, license, gift, business invitation or any other form or dedication or conveyance.

Accessory Use, or Accessory: A use, which is clearly incidental to, customarily found in connection with, and located on the same zoning lot, unless otherwise specified, as the principal use to which it is related.

When "accessory" is used in this text, it shall have the same meaning as accessory use.

An accessory use includes, but is not limited to, the following:

1. Residential accommodations for servants and/or caretakers.
2. Outdoor swimming pools, hot tubs, and saunas for the use of the occupants of a residence, or their guests.
3. Domestic storage in a barn, shed, toolroom or similar accessory building or other structure.
4. A newsstand primarily for the convenience of the occupants of a building, which is located wholly within such building and has no exterior signs or displays.
5. Storage of merchandise normally carried in stock in connection with a business or industrial use. Such storage maybe excluded in the applicable district regulations.
6. Storage of goods used in or produced by industrial uses or related activities. Such storage maybe excluded in the applicable district regulations.
7. Accessory off-street parking spaces, open or enclosed. Accessory off-street parking spaces are subject to the accessory off-street parking regulations for the district in which the zoning lot is located.
8. Uses clearly incidental to a main use such as but not limited to: offices of an industrial or commercial complex located on the site of the commercial or industrial complex.
9. Accessory off-street loading. Accessory off-street parking is subject to the off-street loading regulations for the district in which the zoning lot is located.
10. Accessory signs. Accessory signs are subject to the sign regulations for the district in which the zoning lot is located.
11. Solar panels, wind generators, television reception antenna and air conditioning units.
12. Common household gardening in a residential district. For purposes of this Ordinance, common household gardening shall include the growing of fruits and vegetables for consumption solely by members of the family residing in the dwelling unit located on the same zoning lot.

Active Solar Energy Structure: A structure which utilizes mechanically operating solar collectors to collect, transfer, or store solar energy.

Adjoining: Touching or contiguous, as distinguished from lying near or adjacent.

Adult Day Care Center: A center other than a private residence, in which more than six (6) adults are supervised and receive group care for periods of time not to exceed sixteen (16) hours in a twenty-four (24) hour period.

Adult Day Care Home: A private residence, in which six (6) adults or less are given care and supervision for periods of time not to exceed sixteen (16) hours in a twenty-four (24) hour period.

Adult care facility, state licensed: A governmental or non-governmental establishment that provides foster care to adults. It included facilities and foster care family homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis but who do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation centers, residential centers for

persons released from or assigned to a correctional, facility, or any other facilities which have been exempted from the definition of adult foster care facility by the Adult Foster Care Facility Licensing Act, 218 of 1979, MCL 400.701, as amended. The types of licensed adult foster care facilities include the following: Any structure constructed for residential purposes that is licensed by the State of Michigan pursuant to Public Act 287 of 1972, Public Act 116 of 1973, or Public Act 218 of 1979. These acts provide for the following types of residential structures:

1. *Adult foster care facility.* A residential structure that is licensed to provide room, board, and supervised care, but not continuous nursing care, for unrelated adults over the age of seventeen (17), in accordance with Public Act 218 of 1979, as amended, and the Adult Foster Care Administrative Rules as administered by the Michigan Department of Social Services. The following four (4) types of adult foster care homes are provided for by these rules:
 - a. *Adult foster care family home.* A residence for six (6) or fewer adults. Licensee must live in the home; and local zoning approval is not required prior to issuance of a license.
 - b. *Adult foster care small group home.* Residence for twelve (12) or fewer adults. Licensee is not required to live in the home. Local zoning approval is required prior to issuance of a license only if seven (7) or more residents will live in the house.
 - c. *Adult foster care large group home.* Residence for thirteen (13) to twenty (20) adults. Licensee is not required to live in the home. Local zoning approval is required prior to issuance of a license.
 - d. *Congregate facility.* Residence for more than twenty (20) adults.

Agricultural Commercial And Tourism: A business venture on a working farm, ranch or agricultural enterprise that offers educational and recreational experiences for visitors while generating supplemental income for the owner. Examples include but are not limited to u-pick operations, corn mazes, farm stands, or cider mills.

Adult entertainment facilities:

- ~~1.— *Adult bookstore.* An establishment having as a substantial or significant portion of its stock in trade, magazines and other periodicals with an emphasis on matter depicting, describing, or relating to "specified sexual areas" or "specified anatomical areas" (as defined below), or an establishment with a segment or section devoted to the sale or display of such material and which excludes minors by virtue of age.~~
- ~~2.— *Adult motion picture theater.* An enclosed building, with a capacity of 50 or more persons, used for presenting material with an emphasis on matters depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" (as defined below), for observation by patrons therein and which excludes minors by virtue of age.~~
- ~~3.— *Adult mini motion picture theater.* An enclosed building with a capacity for less than 50 persons, used for presenting material with an emphasis on matters depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" (as defined below), for observation by patrons therein and which excludes minors by virtue of age.~~
- ~~4.— *Adult cabaret.* An establishment in which alcoholic beverages are not served and which provides dancers or other live entertainers who display or describe "specified sexual activities" or~~

~~"specified anatomical areas" (as defined herein), for observation by patrons therein and which excludes minors by virtue of age.~~

Alley: Any dedicated public way affording a secondary means of access to abutting property, and not intended for general traffic circulation. A street shall not be considered an alley.

Alterations: Any change, addition or modification in construction or type of occupancy, or in the structural members of a building such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed."

Ambient: Ambient is defined as the sound pressure level exceeded ninety percent (90%) of the time or L90.

Ambient Noise: Regularly occurring background noise not produced by the object or device in question.

ANSI: American National Standards Institute.

Antique Goods: Personal property purchased or made more than fifty (50) years ago.

Antenna: Any device or array that transmits and/or receives electromagnetic signals for voice, data or video communications purposes including, but not limited to, television, AM/FM radio, microwave, cellular telephone, and similar forms of communications.

~~*Apartment, efficiency:* A dwelling unit consisting of not more than one room in addition to kitchen, dining and necessary sanitary facilities.~~

~~*Apartments:* A suite of rooms in a multiple family building arranged and intended for a place of residence of a single family or a group of individuals living together as a single housekeeping unit.~~

~~*Arcade:* A building or structure, or any part thereof, which is devoted to the commercial use of amusement devices, pinball machines, electronic tables featuring pool, billiards, bowling, basketball, football, or the like, or electronic games of skill or dexterity utilizing videotapes or video screen or TV adaptations, etc., automatic sport devices or tables or similar activities for hire, or for amusement.~~

Architectural features: Steps, windowsills, belt courses, brick and/or wrought iron wing walls, chimneys, architraves, pediments.

Artisan Food And Beverage Production: A facility typically operated by a single business entity for the production of small-scale, hand-crafted, specialty food and beverage products for on- and/or off-site sales and consumption. The facility may include wholesale and/or retail sales.

Awning: A roof-like mechanism, which projects from the wall of a building for the purpose of affording weather protection to doorways and windows. Often, awnings provide identity for a business and provide shade for display areas.

Basement: That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story.

Bed and Breakfast Operations: A use which is subordinate to the principal use of a dwelling unit as a single-family dwelling unit and a use in which transient guests are provided room and board in return for payment.

Berm: An earthen mound of definite height and location to serve as an obscuring device in carrying out the requirements of this Ordinance.

Best Management Practices: Structural and non-structural practices and techniques that mitigate the adverse impacts caused by land development on water quality and quantity.

BUILDING HEIGHT

Block: The property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets (crossing or terminating), or between the nearest such street and railroad right-of-way, unsubdivided acreage, lake, river, or live stream; or between any of the foregoing and any other barrier to the continuity of development, or corporate boundary lines of the Township.

Boarding House: A private house that provides accommodations and meals for paying guests.

Body-piercing: The perforation of human tissue other than an ear for a non-medical purpose.

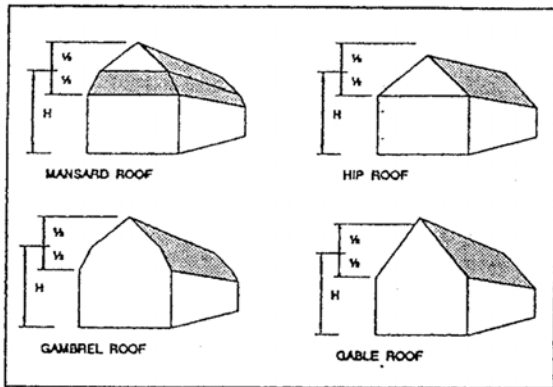
Branding: A permanent mark made on human tissue by burning with a hot iron or other instrument.

Buffer: Landscaping (other than solely grass on flat terrain), or the use of landscaping along with berms, walls, or decorative fences, that at least partially and periodically obstruct the view from the street, in a continuous manner, of vehicular use areas; parking lots and their parked cars; detention and retention ponds; different land uses; cellular tower facilities; and other similar uses.

Building: Any structure, either temporary or permanent, having a roof supported by columns or walls, and intended for the shelter, or enclosure of persons, animals, chattels, or property of any kind.

Building height: The vertical measured distance from the established grade to the highest point of the roof surface for flat roofs, to the deck line for mansard roofs, and the average height between eaves and the ridge for gable, hip, and gambrel roofs. Any extension of a mansard, gambrel, hip, or gable roof below a wall shall require building height measurement to take place at the average height between the top of the building wall and the ridge line and the established building grade. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

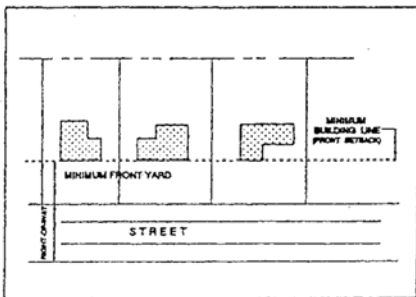
BUILDING HEIGHT



Building, Main or Principal: A building in which is conducted the principal use of the lot on which it is situated.

Building Line: The minimum distance which any building must be located from a street right-of-way or high-water line.

BUILDING LINE



Building, Temporary: Any building not designed to be permanently located at the place where it is, or where it is intended to be, temporarily placed, or affixed.

Building Footprint Area: The area enclosed by the perimeter of a structure as viewed from above, including any overhang or attached structure.

Caliper: The method by which nursery tree stock is measured. Caliper is the diameter of the trunk of a tree measured in inches at a point six (6) inches above ground line if caliper measurement is four (4) inches or less; if caliper measurement is larger, then the measurement is taken twelve (12) inches above the ground.

Cemetery: Grounds and facilities including any one (1) or a combination of more than one (1) of the following: a burial ground for earth interment; a mausoleum for crypt entombment; a crematory for the cremation of human remains; and a columbarium for the deposit of cremated remains.

Cessation: To terminate, abandon or discontinue a use of land for a period of time that, under the provisions of this ordinance, would prevent the use from being resumed.

Child Care Organization, State Licensed: A facility for the care of children under eighteen (18) years of age, as licensed and regulated by the State under Act No. 116 of the Public Acts of 1973 and Act No. 218 of the Public Acts of 1979 and the associated rules promulgated by the Michigan Department of Licensing and Regulatory Affairs. Definitions for various care organizations are listed below:

1. *Child Care Center or Day Care Center.* A facility other than a private residence, receiving more than six (6) children for group day care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day.

The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Child care center" or "day care center" does not include a Sunday school conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

2. *Child Caring Institution.* A child care facility which is organized for the purpose of receiving children for care, maintenance, and supervision, usually on a twenty-four (24) hour basis, in a building maintained for that purpose, and operates throughout the year. It includes a maternity home for the care of unmarried mothers who are minors, an agency group home, and institutions for mentally retarded or emotionally disturbed children. It does not include hospitals, nursing homes, boarding schools, or an adult foster care facility in which a child has been placed.
3. *Foster Family Home.* A private home in which at least one (1) but not more than four (4) children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for twenty-four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.
4. *Foster Family Group Home.* A private home in which more than four (4) but less than seven (7) children, who are not related to an adult member of the household by blood, marriage, or adoption, are provided care for twenty-four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.
5. *Family Day Care Home.* A private home in which at least one (1) but less than seven (7) children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year.
6. *Group Day Care Home.* A private home in which more than six (6) but not more than twelve (12) children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian except children related to an adult member of the family

by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year.

Class A nonconforming designation: A nonconforming structure or use of land that has been designated by the Planning Commission to be allowed to be perpetuated and improved in accordance with the provisions of this article and an approved site plan.

Class B nonconforming status: Nonconforming structures or uses of land, other than those designated as Class A, are considered to be Class B and are allowed to continue within the restricted provisions of this ordinance.

Club: An organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, or the like, ~~not operated for profit with state and national not for profit tax status.~~

Commercial Vehicle. Any of the following shall be considered a commercial vehicle:

1. All motor vehicles used for the transportation of passengers for hire, or constructed or used for transportation of goods, wares, or merchandise, and/or all motor vehicles designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn;
2. A bus, school bus, or motor vehicle, except a motor home, having a gross vehicle weight rating of 26,001 or more pounds, a motor vehicle towing a vehicle with a gross vehicle weight rating of more than 10,000 pounds, or a motor vehicle carrying hazardous material on which is required to be posted a placard as defined and required under Title 49 of the U.S. Code of Federal Regulations, parts 100 to 199. A commercial motor vehicle does not include a vehicle used exclusively to transport personal possessions or family members for nonbusiness purposes;
3. Truck tractor;
4. Semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures.
5. Vehicles of a type that are commonly used for the delivery of ice cream, milk, bread, fruit or similar vending supply or delivery trucks. This category shall include vehicles of a similar nature which are also of a type commonly used by electrical, plumbing, heating, and cooling, and other construction-oriented contractors;
6. Tow trucks;
7. Commercial hauling trucks;
8. Vehicle repair service trucks;
9. Snow plowing trucks (subject to listed exclusions below);
10. Any vehicle exceeding twelve (12) feet in height or thirty-five (35) feet in length;

A. *Vehicles excluded from definition of commercial vehicle.*

Pickup trucks and passenger vehicles, with or without snowplows, are specifically excluded from the above definition of commercial vehicle for the purposes of this Section.

Community Supported Agriculture (CSA): An area of land managed by an individual or group of individuals to grow and harvest food and/or farm products for shareholder consumption or for sale or donation.

Composting: The process of biologically decomposing organic matter.

Condominium: A place or project consisting of not less than two (2) condominium units established in conformance with the condominium act, Public Act 59 of 1978 (MCL 559.101 et seq.), as amended, and this Ordinance. The following additional definitions shall apply in the application of the regulations of this Ordinance:

1. *Condominium Documents*: The master deed recorded pursuant to the condominium act, and any other instrument referred to in the master deed or bylaws that affects the rights and obligations of a co-owner in the condominium.
2. *Condominium Unit*: The portion of a condominium project designed and intended for separate ownership and use, as described in the master deed.
3. *General Common Elements*: The common elements other than the limited common elements.
4. *Limited Common Elements*: A portion of the common elements reserved in the master deed for the exclusive use of less than all of the co-owners.
5. *Master Deed*: The condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and the condominium subdivision plan for the project and all other information required by Section 8 of the Condominium Act, Public Act 59 of 1978, as amended (MCL 559.108 et. seq.). See "Site Condominium definitions" for definitions specific to site condominiums, also referred to as condominium subdivisions.

Conservation Easement: Conservation easement means an interest in land that provides limitation on the use of land or a body of water or requires or prohibits certain acts on or with respect to the land or body of water, whether or not the interest is stated in the form of a restriction, easement, covenant, or condition in a deed, will, or other instrument executed by or on behalf of the owner of the land or body of water or in an order of taking, which interest is appropriate to retaining or maintaining the land or body of water, including improvements on the land or body of water, predominantly in its natural, scenic, or open condition, or in an agricultural, farming, open space, or forest use, or similar use or condition.

Crematorium: An enclosed facility wherein human remains are cremated in a cremation retort.

dB(A): The sound pressure level in decibels. Refers to the "a" weighted scale defined by ANSI. A method of weighting the frequency spectrum to mimic the human ear.

D.B.H. (Diameter At Breast Height): A measurement of the diameter of a tree trunk taken on the outside bark at breast height. Breast height is defined as four and one-half (4.5) feet from the uphill side of the tree.

Debilitating Medical Condition: One (1) or more of the following:

1. Cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Crohn's disease, agitation of Alzheimer's disease, nail-patella syndrome (NPS), or the treatment of these conditions.
2. A chronic or debilitating disease or medical condition that produces one or more of the following: Cachexia or wasting syndrome; severe and chronic pain; severe nausea; seizures, including but not limited to those characteristic of epilepsy; or severe and persistent muscle spasm, including but not limited to those characteristic of multiple sclerosis.

3. Any other medical condition or its treatment approved by the department, as provided for in Section 5 of the Michigan Medical Marihuana Act (MCL 333.26425).

Decibel: The unit of measure used to express the magnitude of sound pressure and sound intensity.

Deck Line: The intersection of two (2) roof surfaces of a mansard or gambrel roof forming the highest horizontal line of the steeper roof slope.

Dedicated Open Space: Open land that is permanently set aside by the owner for retention in a generally undeveloped state which preserves natural features, scenic or wooded conditions, agricultural uses, open space, or similar conditions.

Development: The construction of a new building or other structure on a zoning lot, the relocation of an existing building on another zoning lot, or the use of open land for a new use.

Dirt Tract: An earth track on which motorized recreational vehicles such as motorcycles, mopeds, all-terrain vehicles, and similar vehicles are operated.

District: A portion of the incorporated area of the Township within which certain regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

Dripline: The area directly located under the outer circumference of the tree branches.

Drive-Through: An establishment so developed that some portion of its retail or service character is dependent upon providing a driveway approach and staging area specifically designed for motor vehicles so as to serve patrons while in their motor vehicles, rather than within a building or structure, for carrying out and consumption or use after the vehicle is removed from the premises.

Drug Paraphernalia: All equipment, products and materials of any kind, which is used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance as defined in Section 7104 of the Michigan Public Health Code (Act No. 368 of the MI Public Acts of 1978 as amended) in violation of the laws of the State of Michigan.

Dry Cleaning And Laundry Establishment: A commercial establishment providing dry cleaning and laundry services on-site for businesses and residents.

Dry Cleaning Plant: A facility used or intended to be used for cleaning fabrics, textiles, clothing, laundry, or other similar Articles by immersion and/or agitation in solvents or other processes.

Durable Medical Supplies: Sales of medical equipment used in the home to aid in a better quality of living.

Dwelling: Any building, or part thereof, containing sleeping, kitchen, and bathroom facilities designed for and occupied by one family. In no case shall a travel trailer, motor home, automobile, tent, or other portable building not defined as a recreational vehicle be considered a dwelling. In the case of mixed occupancy where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purposes of the zoning Ordinance.

1. *Manufacture Dwelling Unit.* A dwelling unit which is substantially built, constructed, assembled, and finished off the premises upon which it is intended to be located.

2. *Site Built Dwelling.* A dwelling unit which is substantially built, constructed assembled, and finished on the premises upon which it is intended to serve as its final location. Site built dwelling units shall include dwelling units constructed of precut materials, and panelized wall roof and floor Sections when such Sections require substantial assembly and finishing on the premises upon which it is intended to serve as its final location.
3. *One-Family or Single-Family Detached Dwelling.* An independent, detached residential dwelling designed for and used or held ready for use by one (1) family only.
4. *Two-Family or Duplex Dwelling.* A detached building, designed exclusively for and occupied by two (2) families living independently of each other, with separate housekeeping, cooking, and bathroom facilities for each.
5. *Single-Family Attached Dwelling.* A self-contained single-family dwelling unit attached to a similar single-family attached dwelling unit with party or common walls, designed as part of a series of three or more dwelling units, each with:
 - A. A separate entryway with direct access to the outdoors at ground level;
 - B. Each dwelling shall comprise of a single unit from the lowest floor to the highest floor of the structure between the common walls (i.e., units shall not be stacked on top of each other);
 - C. A separate basement, if applicable;
 - D. A separate utility connection and;
 - E. Defined front and rear yards.

Single-family attached dwelling units may also be known as townhouses, row houses, or clustered single-family dwellings. Any three (3) or more attached dwellings not meeting the above criteria shall be considered a multiple-family dwelling.

6. *Multiple-Family Dwelling.* A building designed for and occupied by three (3) or more families living independently, with separate housekeeping, cooking, and bathroom facilities for each.
7. *Apartment Dwelling.* An apartment is an attached dwelling unit with party or common walls, contained in a building with other dwelling units or sharing the occupancy of a building with other than a residential use. Apartments are commonly accessed by a common stair landing or walkway. Apartments are typically rented by the occupants. Apartment buildings often may have a central heating system and other central utility connections. Apartments typically do not have their own yard space. Apartments are also commonly known as garden apartments or flats.

Engineering Standards: The Engineering Standards of Ypsilanti Charter Township, as they may be amended from time to time, adopted by resolution of the Township Board, upon recommendation of the Planning Commission, to serve as the minimum standard for evaluating development plans and developing property.

Erected: Built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises which are required for construction, excavation, fill, drainage, and the like shall be considered a part of erection.

Essential Services: The erection, construction, alteration or maintenance by public utilities or municipal departments of underground, surface, or overhead gas, electrical, steam, fuel or water transmission or distribution systems, collection, communication, supply or disposal systems, including

poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police callboxes, traffic signals and hydrants in connection therewith that are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety and welfare. Wireless communication towers or antennas, utility buildings and other associated structures shall not be considered essential services under this Article.

Excavation: Any breaking of ground, except common household gardening and ground care.

Excavation Of Gravel, Sand, Topsoil, Or Earth: Premises from which any rock, gravel, sand topsoil, or earth in excess of fifty (50) cubic yards in any calendar year is excavated or removed from the purpose of disposition away from the premises except excavation in connection with the construction of a building or within public highway rights-of-way.

Extraction: The process of removing stone, rock, aggregate, sand, gravel, earth, clay, or similar materials from an open excavation but not including extraction by underground methods.

Extractive Operations: Any pit, excavation, or mining operation for the purpose of searching for, or removing for commercial use, any earth, sand, gravel, clay, stone, slate, marble, or other nonmetallic mineral in excess of fifty (50) cubic yards in any calendar year but shall not include an oil well or excavation preparatory to the construction of a building or structure.

Family: Means either of the following:

1. A domestic family, that is, one (1) or more persons living together and related by the bonds of consanguinity, marriage, or adoption, together with servants of the principal occupants and not more than one (1) additional unrelated person, with all of such individuals being domiciled together as a single, domestic, housekeeping unit in a dwelling.
2. The functional equivalent of the domestic family, that is, persons living together in a dwelling unit whose relationship is of a permanent and distinct character and is the functional equivalent of a domestic family, with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie organization or group whose association is temporary or seasonal in character or nature. For the purposes of enforcement, it is presumed [that a functional equivalent of a domestic family is limited to six (6) or fewer persons].

Farm: The carrying on of any agricultural activity or the raising of livestock, small animals or poultry not including household gardening. The land, plants, animals, buildings, structures including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

Farm Operation: Operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products, and includes, but is not limited to:

1. Marketing produce at roadside stands or farmers markets.
2. The generation of noise, odors, dust, fumes, and other associated conditions.
3. The operation of machinery and equipment necessary for a farm including, but not limited to, irrigation and drainage systems and pumps and on-farm grain dryers, and the movement of

vehicles, machinery, equipment, and farm products and associated inputs necessary for farm operations on the roadway as authorized by the Michigan Vehicle Code.

4. Field preparation and ground and aerial seeding and spraying.
5. The application of chemical fertilizers or organic materials, conditioners, liming materials, or pesticides.
6. Use of alternative pest management techniques.
7. The fencing, feeding, watering, sheltering, transportation, treatment, use, handling, and care of farm animals.
8. The management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes.
9. The conversion from a farm operation activity to other farm operation activities.
10. The employment and use of labor.

Farm Product: Those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry (ex. chicken) and poultry products, Cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan commission of agriculture. Farm Stand or Roadside Stand: See Farm Operation.

Farmers Market: A public market at which farmers, ranchers, artisans, or agricultural businesses sell local and regional foods, farm products, or similar added-value products they have grown, raised, produced, or created. Farmers markets may be seasonal or occur year-round.

Financial Institution: A bank, savings and loan, credit union, mortgage office, or similar institution, including branch offices and automated teller machines.

Finished Ground Floor: The finished surface of the floor level above the basement or cellar of a structure or building, or the upper surface of the floor of the ground story of a structure or building.

Finished Ground Floor Height: The vertical distance from the grade elevation at the top of the curb to the top of the finished ground floor.

Fence: The following definitions are related to fences; see Section 2114.

1. Chain-link fence - A fence constructed of galvanized steel or similar materials as approved by the building official for the purpose of enclosing or securing an area. Chain-link fences shall not include wire fences or fences of similar construction.
2. Construction fence - A fence erected for the purpose of securing a construction site against unauthorized access. The building official may require such fences as part of an approved permit.
3. Damaged fence or wall - A fence or wall that is not properly secured, in danger of collapse or has otherwise been found by the building official to be in a damaged condition.
4. Decorative wall - A masonry wall consisting of brick, stone or similar materials as approved by the building official and constructed with a design that includes specific pattern elements or ornamentation.

5. Illegal fence or wall - A fence that was illegally erected or installed, or a fence that is not in compliance with the provisions of this article and does not meet the definition of a legal nonconforming fence.
6. Industrial fence - A chain-link or ornamental fence constructed of materials approved by the building official for the purpose of enclosing or securing an industrial use.
7. Legal nonconforming fence or wall - A fence or wall which was legally erected or installed but is no longer in compliance with the provisions of this article. Such fences or walls must be located outside of any existing right-of-way and wholly upon the parcel to which they are associated.
8. Living fence - A continuous hedgerow of living plant material planted and maintained for the purpose of enclosing an area.
9. Obscuring wall - A masonry wall consisting of brick, stone or similar materials as approved by the building official and constructed for the purpose of enclosing, obscuring or screening an area from view.
10. Ornamental fence - A fence consisting of wrought iron, galvanized steel, aluminum, vinyl, wood or similar materials fabricated into a design with specific pattern elements or ornamentation. All spaces in the fence shall be open and unobstructed and the fence shall not block vision to an extent greater than 40 percent. Ornamental fences shall not include chain-link or wire fences or fences of similar construction.
11. Privacy fence - A fence constructed of wood, vinyl or similar materials that blocks vision to an extent greater than 40 percent for the purpose of obscuring or screening an area from public view.
12. Rail fence - A fence constructed of wood, vinyl or similar materials and consisting of one to four horizontal rails connecting to vertical posts spaced a minimum of six feet apart. All spaces in such fences shall be open and unobstructed and such fences shall not block vision to an extent greater than 40 percent.
13. Special events fence - A fence erected for the purposes of public safety at a special event. Such fences shall not be erected across public rights-of-way except as authorized by the and the Washtenaw County Road Commission for special community events only.
14. Temporary fence - A fence constructed of canvas, plastic, chain-link, wood or similar material as approved by the building official for the purpose of enclosing or securing an area for a limited period of time.

Firearm Retail Sales: An establishment, or part thereof, devoted to the sale, lease, or purchase of firearms or ammunition.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.
3. The collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by and unusually high-water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which result in flooding.

Flood, Base: The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

Flood Hazard Area: Land which, on the basis of available floodplain information, is subject to a one percent (1%) or greater change of flooding in any given year.

Flood Insurance Rate Map (Firm): The official map of Ypsilanti Charter Township prepared by the Federal Emergency Management Agency, delineating both the areas of special flood hazard and the risk premium zones applicable to Ypsilanti Charter Township.

Flood Insurance Study: The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, the water surface elevation of the base flood, and may include a Flood Boundary-Floodway Map.

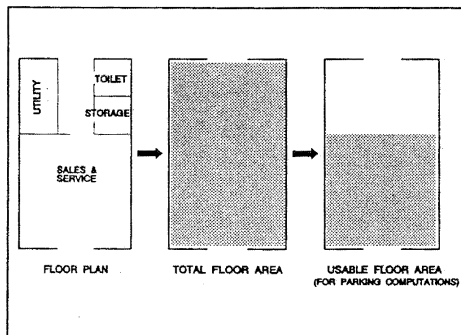
Floodplain: Any land area susceptible to be inundated by water from any source (see definition of base flood).

Floodway: The channel of a river or other watercourse and the adjacent land areas which must be reserved in order to discharge the base flood.

Floor Area, Residential: For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) dwellings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages, breezeways, and enclosed and unenclosed porches.

Floor Area, Usable (for the purposes of computing parking): That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways or for utilities or sanitary facilities, shall be excluded from this computation of "usable floor area." Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

USABLE FLOOR AREA



Food Processing: A commercial establishment operated under license or permit of an appropriate regulatory authority where food is manufactured or packaged for human consumption at another establishment or place.

Freeway: A divided highway of not less than two (2) lanes in each direction to which owners or occupants of abutting property or the public have no right of ingress or egress to, from or across the highway, except at points determined by, or as otherwise provided, by the authorities responsible, therefore.

Garage, private: An accessory building or portion of a main building designed or used solely for the storage of motor-driven vehicles, boats and similar vehicles and such other lawn and home care equipment owned and used by the occupant of the building to which it is accessory.

Garage Sale: Any sale of personal effects, jewelry, or household items, furnishings and equipment belonging to the owner or occupant of the property held in any district by the owner, occupant, or his personal representative.

Garage, Service: Any premises used for the storage or care of motor-driven vehicles, or where any such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.

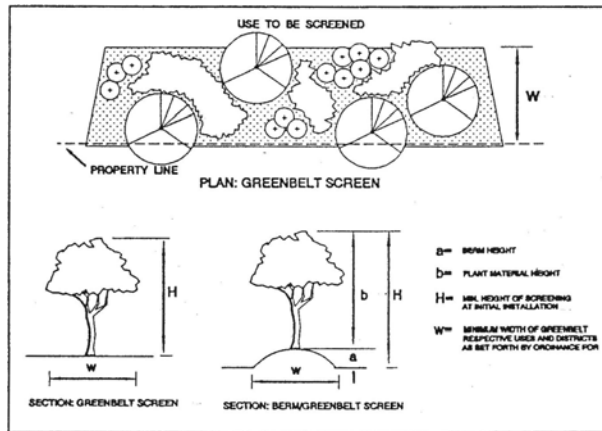
Generally Accepted Agricultural And Management Practices: Those practices as defined by the Michigan Commission of Agriculture pursuant to the Michigan Right to Farm Act (MCL 286.471 et seq.).

Golf Course: A tract of land laid out for at least nine (9) holes for playing the game of golf and improved with tees, greens, fairways, and hazards and that may include a clubhouse, driving range, pro shop, shelter, and related accessory uses.

Grade: The ground elevation established for the purpose of regulating the number of stories and the height of buildings. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

Greenbelt: A planting of trees and shrubs to serve as a screening device between abutting land uses.

GREENBELT PLANTING SCREEN ILLUSTRATIONS



Greenhouse, Commercial: A building that is used for wholesale commercial purposes, constructed of permanent or temporary framing that is set directly on the ground and is covered with glass panels or plastic or other transparent material, and is used to grow plants.

Ground Story Activation: The incorporation of specific design characteristics intended to allow the ground story interior of a building to interact with the public realm immediately outdoors.

Guarantee: A cash deposit, certified check, irrevocable bank letter of credit, or such other instrument acceptable to the city.

~~*Hardship:* Situations created by circumstances unique to an individual property that do not generally occur to land or buildings in the neighborhood or zoning district of the property in question and which circumstances make the use of such property in question infeasible under conditions imposed by the zoning ordinance. Hardship shall not include personal or financial hardship or economic disadvantage nor shall it constitute circumstances that are self-created.~~

Health Club/Athletic Clubs: A building or portion of a building designed and equipped for the conduct of sports, exercise, leisure time activities, or other customary or usual recreational activities, operated for profit or not-for-profit and which can be open only to members and guests of the organization or open to the public for a fee.

Home Occupation: An occupation carried on by an occupant of a dwelling unit as a secondary use which is clearly subservient to the use of the dwelling for residential purposes.

Hotel: A building or part of a building, with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and in which one (1) or more of the following services are offered: maid service, furnishing of linen, telephone, secretarial or desk service, and bellboy service. A hotel may include a restaurant or cocktail lounge, public banquet halls, ballrooms, or meeting rooms. This definition does not include apartments.

Hydraulic Fracturing (Fracking): Fluid-driven fracturing of rock for the purpose of stimulating natural gas or oil production.

Illegal structure: A structure or portion thereof, which is not a conforming or a nonconforming structure, or is not in compliance with all applicable federal, state, county and township laws, ordinances, regulations and codes.

Illegal use of land: A use that occupies one or more contiguous parcels of land, or structures and land in combination, which is not a conforming or a nonconforming use, or is not in compliance with all applicable federal, state, county and township laws, ordinances, regulations and codes.

Impervious Material: Any material that substantially reduces or prevents the infiltration of water.

Impervious Surface: A surface which does not allow water to be absorbed so it may percolate into deeper ground. Such surfaces are those constructed of Portland cement, bituminous asphalt, paving brick, composed stone or gravel, or any other surface that allows no water penetration.

Impervious Surface Ratio: The percentage of lot area covered by all building, pavement, driveways, parking lots, and all other structures (area of all structures, pavement, and parking lots divided by the gross lot area).

Improvements: Those features, and actions associated with a project which are considered necessary by the Township to protect natural resources or the health, safety, and welfare of the residents of the Township, and future users or inhabitants of the proposed project or project area, including parking areas,

landscaping, roadways, lighting, utilities, sidewalks, screening, and drainage. Improvements do not include the entire project which is the subject of zoning approval.

Indoor Commercial Recreation Facility: An enterprise conducted entirely within a building, which receives a fee in return for the provision of some recreational activity or facility. Such activities and facilities include, but are not limited to: racquetball, tennis courts, gymnasiums, swimming pools, skating rinks, performance studios, indoor skateboard parks, climbing facilities, indoor driving ranges, batting cages, firing ranges, basketball courts, indoor soccer fields and similar activities or facilities. Such facilities may provide ancillary accessory uses such as pro shops or snack bars.

Industrial Park: A group of two (2) or more lots or parcels devoted to industrial, research, warehousing, or business park uses, developed according to an overall plan for the park, sharing a common public or private street system, and usually identified by a name for the park.

Interstate Highway: A highway officially designated as a part of the national system of interstate and defense highways by the Department of Transportation and approved by the appropriate authority of the Federal government.

~~*Institutional farm:* A farm utilized as a working and learning environment where resident patients reside on the premises for short periods of time not exceeding nine consecutive months.~~

Junkyard: An open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled including but not limited to: scrap iron and other metals, paper, rags, rubber tires and bottles. A junkyard includes automobile wrecking yards and includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of junk but does not include uses established entirely within enclosed buildings. A junkyard shall also include any premises upon which two (2) or more motor vehicles, which cannot be operated under their own power, are kept, or stored for a period of fifteen (15) days or more.

Kennel, Commercial: Any lot or premises on which three (3) or more dogs, cats or other household pets are either permanently or temporarily boarded or bred and raised for remuneration.

Lighting: The following definitions are related to lighting:

~~1.~~ *Candela:* A unit of luminance or brightness for electronic message signs. A common candle emits light with a luminous intensity of roughly one (1) candela.

~~4-2.~~ *Canopy Structure* - Any overhead protective structure that is constructed in such a manner to allow pedestrians and/or vehicles to pass under.

~~2-3.~~ *Flood or Spotlight* - Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.

~~3-4.~~ *Footcandle* - A unit of illuminance, which is the quantity of light, or luminous flux, arriving at a surface divided by the area of the illuminated surface, amounting to one lumen per square foot.

~~4-5.~~ *Glare* - Directed light emitted by a lamp, luminous tube lighting or other light source.

~~5-6.~~ *Light Fixture* - The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.

~~6-7.~~ *Light Pollution* - Artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties.

~~7-8.~~ *Light Trespass* - The shining of light produced by a luminaire beyond the boundaries of property in which it is located.

~~9.~~ *Lumen* ÷ Unit of luminous flux; the flux emitted within a unit solid angle by a point source with a uniform luminous intensity of one candela. One (1) foot-candle is one (1) lumen per square foot. One (1) lux is one (1) lumen per square meter. One (1) foot-candle equals 10.8 lumen per square meter.

~~8-10.~~ *Luminaire* - The complete lighting system including the lamp and light fixture.

~~9-11.~~ *Luminaire Cut-Off Angle* - The angle, measured up from the lowest level or nadir, between the vertical axis and the first line of sight at which the bare source is not visible.

~~10-12.~~ *Luminaire, Fully Shielded* - A luminaire constructed or shielded in such a manner that all light emitted by the luminaire, either directly from the lamp or indirectly from the luminaire, is projected below the horizontal plane through the luminaire's lowest light emitting part as determined by photometric test or certified by the manufacturer.

~~13.~~ *Luminance*: At a point and in a given direction, the luminous intensity in the given direction produced by an element of the surface surrounding the point divided by the area of the projection of the element on a plane perpendicular to the given direction. Units: candelas per unit area. The luminance is the perceived brightness that we see, the visual effect of the illuminance, reflected, emitted, or transmitted from a surface.

~~11-14.~~ *Luminous Tube Lighting* - Gas filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.

~~15.~~ *Photometric Plan* – A plan which illustrates the intensity of light on a site measured in footcandles.

~~12-16.~~ *Outdoor Light Fixtures* - Outdoor artificial illuminating devices, outdoor fixtures, lamps, and other similar devices, permanently installed or portable, used for flood lighting, general illumination, or advertisement.

~~13-17.~~ *Shielded Fixture* - Outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, i.e., "shoe-box type" fixtures. A luminaire mounted in a recessed fashion under a canopy or other structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this Ordinance.

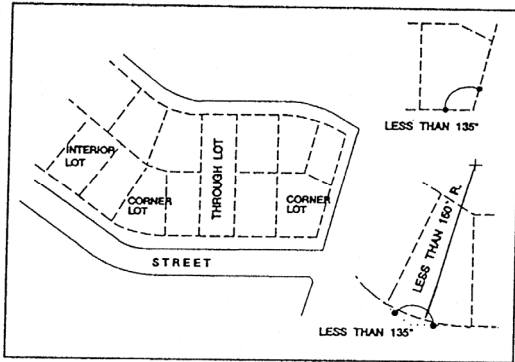
Livestock: Means and includes horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, swine, poultry, and fur-bearing animals being raised in captivity.

Loading Space: An off-street space on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

~~*Lot*: A parcel of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this ordinance. A lot may or may not be specifically designated as such on public records. Lot shall mean the same as homesite and condominium unit in site condominium developments.~~

INTERIOR, THROUGH AND CORNER LOTS

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Lot: A parcel of land, excluding any portion in a street or other right-of-way, of at least sufficient size to meet minimum requirements for lot area, and to provide such yards and other open spaces as herein required. In no case of division or combination shall any lot or parcel created, including residuals, be less than that required by this Ordinance. Such lot shall have frontage on a public street, or on an approved private street, and may consist of:

1. A single lot of record.
2. A portion of a lot of record.
3. Any combination of complete and/or portions of lots of record.
4. A parcel of land described by metes and bounds.

Lot Area (Gross): The area contained within the lot lines.

Lot Area (Net): The area contained within the lot lines, less the total area of that portion encumbered by road or street easements, rights-of-way, required access easements, and all portions covered by wetlands, bodies of water (including streams, ponds, and lakes), or pre-existing County Drain easements multiplied by 0.90.

Lot area: The total horizontal area within the lot lines of the lot.

Lot, Corner: A lot located at the intersection of two (2) or more streets. A lot where the interior angle of two adjacent sides at the intersection of two streets is less than 135 degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of this ordinance if the arc is of less radius than 150 feet and the tangents to the curve, at the two points where the lot lines meet the curve or the straight street line extended, form an interior angle of less than 135 degrees.

Lot Coverage: The part or percent of the lot occupied by buildings including accessory buildings and including but not limited to: patios, decks, pools, and similar structures.

Lot Depth: The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

Lot, Interior: Any lot other than a corner lot.

Lot Lines: The lines bounding a lot as defined herein:

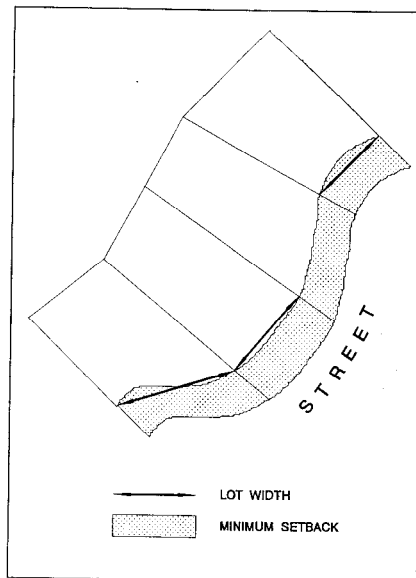
1. *Front Lot Line.* In the case of an interior lot, is that line separating said lot from the street. In the case of a through lot, is that line separating said lot from each street.
2. *Rear Lot Line.* That lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot. On a corner lot the rear yard shall be that yard opposite the front facade of the main building.
3. *Side lot Line.* Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot, or lots is an interior side lot line.

Lot of Record: A parcel of land, the dimensions of which are shown on a document or map on file with the County Register of Deeds or in common use by municipal or county officials, and which actually exists as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.

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.

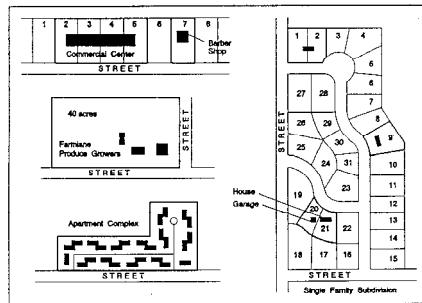
Lot width: The horizontal straight-line distance between the side lot lines, measured between the two (2) points where the required front setback line intersects the side lot lines.

LOT WIDTH



Lot, Zoning: A single tract of land, located within a single block which, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. A zoning lot shall satisfy this Ordinance with respect to area, size, dimensions, and frontage as required in the district in which the zoning lot is located. A zoning lot, therefore, may not coincide with a lot of record as filed with the County Register of Deeds, but may include one or more lots of record.

EXAMPLES OF ZONING LOTS



Lot of Record: A lot which is part of a subdivision and is shown on a map thereof which has been recorded in the Office of the Register of Deeds of Washtenaw County, or a lot described by metes and bounds, the deed to which has been recorded in said office.

Main Building: A building in which is conducted the principal use of the lot upon which it is situated.

Main Use: The principal use to which the premises are devoted and the principal purpose for which the premises exist.

Manufacturing: The process of making products by hand, by machinery, or by other agency, often with the provision of labor and the use of machinery.

Manufacturing, Compounding, or Processing: An enclosed establishment engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, usually in a continuous and regular action or succession of actions.

Manufactured Home: A housing structure that is transportable in one (1) or more Sections.

Marihuana: Means that term as defined in Section 7106 of the Public Health Code, (Public Act 368 of 1978, as amended, MCL 333.7106 and MCL 333.27102).

Marina: A privately owned commercial facility which extends into or over Ford Lake and offers service to the general public or members of the marina for launching, docking, loading or other servicing of watercraft.

~~*Massage:* A method of treating external parts of the body for remedial or hygienic purposes, consisting of rubbing, stroking, kneading, adjusting or tapping with the hand or any instruments, electric, magnetic or otherwise, with or without supplementary aids.~~

~~*Massage Therapist:* Any person who is engaged in the business or profession of massage therapy, and who receives compensation for his or her services.~~

~~*Massage Therapy:* The act of massage offered or performed by a massage therapist in conjunction with a beauty salon, spa, health club, athletic club, medical office, or physical therapy clinic which is operating legally under this Ordinance.~~

~~*Massage Therapy Establishment:* Any establishment or business wherein massage is practiced, including establishments commonly known as health clubs, physical culture studios, massage studios, massage parlors, or similar establishments by whatever name designated.~~

~~*Materials Recovering Facility:* A specialized plant that receives, separates, and prepares recyclable materials for marketing to end-user manufacturers.~~

Major thoroughfare: An arterial street which is intended to serve as a large volume trafficway for both the immediate municipal area and the region beyond, and is designated as an interstate, freeway, major or minor arterial by the National Functional Classification Map published by the Michigan Department of Transportation.

Master Deed: The condominium document recording the condominium project as approved by the Township to which is attached as exhibits and incorporated by reference the bylaws for the project and the condominium subdivision plan for the project and all other information required by Section 8 of the Condominium Act, (Public Act 59 of 1978 (MCL 559.101 et seq.), as amended.

Master Plan: The comprehensive community plan including graphic and written proposals indicating the general location for streets, parks, schools, public buildings, and all physical development of the Township, and includes any unit or part of such plan, and any amendment to such plan or parts thereof.

~~*Medical Clinic:* A place for the care, diagnosis, and treatment of sick or injured persons and those in need of medical or minor surgical attention. A clinic may incorporate laboratories and pharmacies, but may not include facilities for in-patient care or major surgery. Facilities for medical, dental, or psychiatric diagnosis and treatment, exclusive of major surgical procedures, for sick, ailing, and injured persons who are not kept overnight on the premises.~~

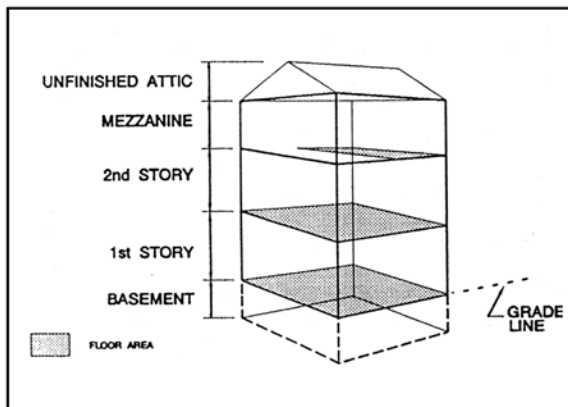
Medical Marihuana Dispensary: Any structure used for dispensing marihuana by a primary caregiver or caregivers to one (1) or more qualifying patient(s). A medical marihuana dispensary does not include a qualifying patient's residence if the marihuana transferred is exclusively for the qualifying patient's use.

Medical Marihuana Nursery: Any structure which is used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, producing, processing, preparing, packaging, repackaging, or storing medical marihuana for one or more qualifying patients. A medical marihuana nursery does not include a qualifying patient's residence if the marihuana is exclusively for the qualifying patient's use.

Medical Office: The place of work for physicians, dentists, or similar professionals where persons are examined or treated on an outpatient basis only. An office may not include facilities for outpatient surgery, laboratories, pharmacies, or facilities for in-patient care.

Mezzanine: An intermediate floor in any story occupying not less than one-third (1/3) of the floor area of such story.

BASIC STRUCTURAL TERMS



Mixed-Use Development: A development of a tract of land, building, or structure with a variety of complementary and integrated uses as permitted by the applicable zoning district, in a compact form that promotes multiple forms of transportation and supports public gathering spaces.

Mobile Home: Any building or structure, transportable in one (1) or more Sections, which is built on a chassis and designed to be sold as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in the structure. Mobile home does not include recreational equipment.

Mobile Home Park: A parcel or tract of land under the control of a person upon which three (3) or more mobile homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home and which is not intended for use as a temporary trailer park. ~~Mobile home park: Any plot of ground upon which three or more mobile homes, occupied for dwelling or sleeping purposes, are located.~~

Mortuary/Funeral Home: An establishment in which the dead are prepared for burial or cremation, and in which wakes, and funerals may be held.

Motel: A series of attached, semidetached or detached rental units containing a bedroom, bathroom, and closet space. Units shall provide for overnight lodging, have separate entrances and are offered to the public for compensation. This definition does not include apartments.

Multiple Dwelling, High-Rise: A multiple-family dwelling of over four (4) stories in height.

Multiple Dwelling, Mid-Rise: A multiple-family dwelling of two to four (2 to 4) stories in height.

Municipality: The Charter Township of Ypsilanti.

Native Plant Species: A native plant species is one (1) that has naturally evolved over thousands of years under certain soil, hydrologic, and other site conditions. Where “native plant species” is used in the text, this means a straight species, not a cultivar of a species.

~~*Nonconforming lots, structures, sites or uses of land:* See Article 22 (XXII).~~

New Construction: Structures for which start of construction commenced on or after the effective date of this Ordinance.

Nonconforming Building Or Structure: Any building or structure lawfully established which does not comply with all the regulations of this Ordinance or of any amendment thereto governing bulk of the district in which such building or structure is located.

Nonconforming Use: Any use thereof or the use of land that does not conform with the regulations of this comprehensive amendment or any amendments thereto governing use of the district in which it is located but conformed with all of the codes, Ordinances, and other legal requirements applicable at the time such building or structure was erected, enlarged, or altered, and the use thereof or the use of land was established.

Nonconforming lot: A platted or unplatted parcel of land lawfully existing at the effective date of this ordinance or amendments thereto that does not conform to ordinance provisions for the district in which it is located.

Nonconforming site: A parcel of land that was developed or improved with structures and other site improvements prior to the date of adoption of current zoning ordinance provisions for site design, landscaping, pedestrian access, exterior lighting, paving and other site elements.

Nuisance Factors: An offensive, annoying, unpleasant or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things, such as, but not limited to: (a) noise, (b) dust, (c) smoke, (d) odor, (e) glare, (f) fumes, (g) flashes, (h) vibration, (i) shock waves, (j) heat, (k) electronic or atomic radiation, (l) objectionable effluent, (m) noise of congregation of people, particularly at night, (n) passenger traffic, (o) invasion of nonabutting street frontage by traffic, (p) a burned structure, (q) a condemned structure.

Nursery, Plant Materials: A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruits, vegetables, or Christmas trees.

Obscene Material: Any "material" as defined in Section 2 of the Obscene Material Act (Public Act 343 of 1984, as amended, MCL 752.362.2(4), et. seq.) and found to be "obscene" as also defined in that same Act (MCL 752.362.2(5) et. seq.).

Office Park: A group of two (2) or more buildings, on individual lots, or one (1) undivided parcel, with a common street or driveway system, developed according to an overall plan for the park, and identified by a name for the park.

Off-Grid Energy System: An energy production facility or device that is not connected to the available public utility.

Off-Street Parking Lot: A facility providing off-street vehicular parking spaces and drives or aisles for the parking of more than three vehicles.

On-Grid Energy System: A supplemental energy production facility or device that is connected to the available public utility.

On-Site Use Wind Energy Systems: An on-site use wind energy system is intended to primarily serve the needs of the property owner and/or occupant.

Open Air Businesses: Sales and/or display of retail merchandise or services outside of a permanent structure.

Outdoor Commercial Recreation: An enterprise conducted primarily outdoors, which receives a fee in return for the provision of some recreational activity or facility. Such activities and facilities include, but are not limited to soccer, baseball, football, or other athletic fields, outdoor miniature golf courses and driving ranges, tennis, basketball or other athletic courts, and other similar facilities or activities.

Outdoor Storage: The keeping of personal or business property or motor vehicles in a required open parking space or any other area outside of a building for a period exceeding seventy-two (72) consecutive hours.

Open Front Store: A business establishment so developed that service to the patrons may be extended beyond the walls of the structure, not requiring the patron to enter the structure. The term "open front store" shall not include automobile repair or gasoline service stations.

Open Space: A parcel or area of land that is intended to provide light and air, and is designed for resource protection, aesthetic, or recreational purposes. Open space uses may include, but are not limited to lawns, decorative plantings, walkways, active and passive recreation areas, land use buffers, playgrounds, fountains, woodlands, wetlands, and bio-retention facilities. Open space shall not include streets, driveways, parking lots, or other surfaces designed or intended for vehicular traffic.

Open Space, Common: Open space within or related to a development, not in individually owned lots, which is designed for and dedicated to the common use or enjoyment of the residents of the development or general public.

Open Storage: The storage of any materials or objects outside the confines of a building.

Parking Garage: A building or portion thereof designed or used exclusively for storage of motor vehicles, and in which motor fuels and oils are not sold, and motor vehicles are not equipped, repaired, hired, or sold.

Parking Space: An area of definite length and width, said area shall be exclusive of drives, aisles or entrances giving access thereto, and shall be fully accessible for the parking of permitted vehicles.

Parole and/or Probation Offices: A facility for the offices of parole supervisory officials or probation supervisory officials, as further described below:

1. *Parole:* A term of community supervision afforded by the parole board to a prisoner who has served the minimum portion of his or her sentence, less good time or disciplinary credits if applicable. While on parole, a parolee is supervised by an agent who is an employee of the Department of Corrections. At the successful completion of the parole period, the offender is "discharged" from his or her sentence. If a parolee violates the parole terms, he or she can be sent back to prison. The parole board retains jurisdiction until the maximum-sentence is served in prison or the offender discharges from parole.

2. *Probation*: A term of supervision afforded either a convicted felon or a convicted misdemeanant by a court as an alternative to prison or jail, although some judges may sentence offenders to a combination of both probation and jail or boot camp. The Michigan Department of Corrections supervises convicted felons who are serving probation sentences under the jurisdiction of the sentencing court.

Passive Solar Energy Structure: A structure which uses natural and architectural components to collect and store solar energy without using external mechanical energy.

Pawnbroker: Any person, corporation, or member of a co-partnership or firm who loans money on deposit or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price.

Performance Standard: A criterion established to control smoke and particulate matter, noise, odor, toxic or noxious matter, vibration, fire and explosion hazards, glare or heat, or radiation hazards generated by or inherent in uses of land or buildings.

Physician: An individual licensed as a physician under Part 170 of the Public Health Code, Public Act 368 of 1978, as amended, (MCL 333.17001 to 333.17084, et. seq.) or an osteopathic physician under Part 175 of the Public Health Code, Public Act 368 of 1978, as amended, (MCL 333.17501 to 333.17556, et. seq.).

Places of Worship: A site used for or intended for the regular assembly of persons for the conducting of religious services and accessory uses therewith.

Planned Unit Development (PUD): A development consisting of a combination of land uses in which the specific development configuration and use allocation is based upon a comprehensive physical plan meeting the requirements of this Ordinance.

Planning Commission: The Planning Commission of the Ypsilanti Township.

Primary Caregiver: A person who has agreed to assist with a patient's medical use of marijuana and has a valid registry identification card issued ~~by~~under the Michigan ~~Department of Community Health~~Marijuana Act.

Principal Building: A building or structure in which is conducted the principal use of the lot on which it is situated. May be referred to as the "main building".

Principal Use: The principal use to which the premises are devoted and the principal purpose for which the premises exist. Commonly referred to as "main use".

Public Access Launch Site: A publicly owned facility which extends into or over Ford Lake and offers to the general public a site for launching, docking, loading or other servicing of recreational watercraft or parking of watercraft trailers.

Public Service Building And Facilities: Building or facility used for a public service or purpose.

Public Utilities: A person, firm, corporation, municipal department, board, or commission duly authorized to furnish and furnishing under federal, state, or municipal regulations or franchise agreements to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation, or water. Wireless communications towers or antennas shall not be considered public or private utilities under this Section.

Qualifying Patient: A person who has been diagnosed by a physician as having a debilitating medical condition and has a valid registry identification card issued by the Michigan Department of Community Health under the Michigan Marijuana Act.

Recreational Equipment: Travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats, and boat trailers, snowmobiles, horse trailers, dune buggies, and other similar equipment and conveyances.

Registry Identification Card: A document issued by the Michigan Department of Community Health that identifies a person as a registered qualifying patient or registered primary caregiver.

Regulating Plan: A plan which dictates building forms and uses allowed on every property within an area regulated by a form-based code.

Resident Patient: A person under treatment for substance abuse but not including persons under the jurisdiction of the Department of Corrections.

Restaurant: Any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a fast food, standard restaurant, bar/lounge, or combination thereof, as defined below:

1. *Restaurant, Drive-In:* A restaurant whose method of operation involves delivery of prepared food so as to allow its consumption in a motor vehicle or elsewhere on the premises, but primarily outside of an enclosed building.
2. *Restaurant, Fast Food:* A restaurant in which the method of operation involves minimum waiting for delivery of ready-to-consume food to the customer for consumption on the premises either inside or outside of the structure, or for consumption off the premises, but not intended to be consumed in a motor vehicle at the site.
3. *Restaurant, Standard:* A restaurant in which the method of operation involves either: 1) The delivery of prepared food by waiters and waitresses to customers seated at tables within a completely enclosed building; or 2) The preparation of food to be delivered to customers at a cafeteria line and subsequently consumed by the customers at tables within a completely enclosed building.
4. *Bar/Lounge:* A type of restaurant which is operated primarily for the dispensing of alcoholic beverages with the ancillary sale of prepared food or snacks. If a bar or lounge is part of a larger dining facility, it shall be defined as that part of the structure so designated or operated.

Retail Establishment: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. A retail establishment does not include establishments whose principal business is that of a pawnbroker, secondhand dealer, or junk dealer.

Retail Sales, Large Scale: A retail establishment, commonly referred to as a “big box” store, which exceeds fifty thousand (50,000) square feet in gross floor area.

Ridgeline: The intersection of two (2) roof surfaces forming the highest horizontal line of the roof.

Right-Of-Way: A strip of land occupied or intended to be occupied by a street or related facilities, public path or trail, railroad, electric line, oil or gas pipeline, water main, sanitary or storm sewer, communication line, or for other special uses.

Roof: The outside top covering of a building.

Room: For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bedroom, equal to at least eighty (80) square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways, and storage. Plans presented showing one-, two- or three-bedroom units and including a "den," "library" or other extra room shall count such extra room as a bedroom for the purpose of computing density.

Rooming House: A residential building where rooms or suites of rooms are rented, for compensation whether under a written lease or not, by arrangement for definite periods, where the renters use common facilities, such as hallways and bathrooms. A rooming house shall not include hotels, motels, apartment houses, tourist homes, one-family dwellings, two- and multi-family dwellings or fraternity and sorority houses.

Rotor: An element of a wind energy system that acts as a multi-bladed airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind.

Satellite Earth Station: A structure designed, intended, or used to receive communications or other signals from geostationary, communications satellites or other extraterrestrial sources.

School: A building operated and maintained for educational purposes and such other community uses as deemed necessary and desirable. The term "school" shall include all educational functions, the building or structure required to house them, and all accessory uses normally incidental to a school, including but not restricted to, athletic fields, field houses, gymnasiums, parking lots, greenhouses, playgrounds, stadiums, and open space.

Secondhand Apparel: Personal property designed to be worn as clothing which has been previously worn by another person.

Secondhand Dealer or Junk Dealer: Any person, corporation, or member of a co-partnership or firm whose principal business is that of purchasing storing, selling, exchanging and/or receiving secondhand personal property of any kind or description. A secondhand dealer or junk dealer does not include any person, corporation, or member of a co-partnership or firm whose principal business is antique goods or secondhand apparel.

Self-Storage Facility: A building or group of buildings containing fully enclosed, compartmentalized stalls or lockers which are rented or leased as individual units for the storage of personal property customarily related to residential, office, and/or local commercial activities.

Senior Housing: An institution other than a hospital or hotel, which provides housing or room and board to non-transient persons primarily sixty (60) years of age or older. Housing for seniors may include:

1. Independent Living: A multiple-family housing form with full facilities for self-sufficiency in each individual dwelling unit.
2. Congregate Care: A dependent elderly housing facility with cooking facilities within the unit, but with a central dining service option. Limited medical care is available.
3. Assisted Living: A dependent elderly housing facility without cooking facilities in individual rooms and with and only central dining service. Limited medical care, including memory care, may be provided.
4. Convalescent Home: A state licensed medical establishment providing accommodation and care for aged or infirmed persons, or for those who are bedfast or needing considerable nursing care.

but not including facilities for the treatment of sickness or injuries or facilities for surgical care. Commonly referred to as "nursing home".

Setback: The distance required to obtain minimum front, side, or rear yard open space provisions of this Ordinance. Setbacks for a public street shall be measured from existing or proposed right-of-way lines, whichever is greater. Setbacks for buildings shall be measured from the foundation wall.

Sidewalk Sales Area: A paved sidewalk surface abutting a principal building on a zoning lot for display and sales of merchandise.

Sign definitions: See section 2109.

Single Housekeeping Unit: All of the associated rooms in a dwelling unit available to and occupied by all of the occupants with a single set of cooking facilities also available to and utilized by all of the occupants of the dwelling unit.

Site Condominium Definitions:

1. *Condominium Unit.* Means that portion of a condominium project designed and intended for separate ownership and use, as described in the master deed and is a parcel of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this Ordinance. A lot may or may not be specifically designated as such on public records. Lot shall mean the same as homesite and condominium unit in site condominium developments.
2. *Site Condominium (condominium subdivision).* A method of subdivision where the sale and ownership of sites is regulated by the Condominium Act, Public Act 59 of 1978 as amended, (MCL 559.101 et. seq.) as opposed to the Subdivision Control Act of 1967 (Act No. 288 of the Public Acts of Michigan of 1967 (MCL 560.101 et seq.), as amended. Condominium subdivision shall be equivalent to the term "subdivision" as used in this zoning Ordinance and the Township subdivision regulations Ordinance.
3. *Site Condominium Subdivision Plan.* Means the site, survey, and utility plans; floor plans; and Sections, as appropriate, showing the existing and proposed structures and improvements including the location thereof on the land.

Shopping Center: A group of commercial establishments, primarily retail uses, that are compatible with each other and are mutually supportive, in one (1) or more buildings, on a site that is planned, developed, and managed as one (1) operating unit, with common driveways, parking areas, identification signs and other common facilities and services.

Smoking Lounge: An establishment that allows smoking of tobacco products or non-tobacco products or substances on the premises. The term "smoking lounge" includes but is not limited to facilities commonly described as cigar bars and lounges, hookah bars, cafes and lounges, tobacco bars and lounges, tobacco clubs or zero percent nicotine establishments.

Solar Energy Collector: A panel or panels and/or other devices or equipment, or any combination thereof, that collect, store, distribute and/or transform solar, radiant energy into electrical, thermal or chemical energy for the purpose of generating electric power or other form of generated energy for use in or associated with a principal land use on the parcel of land on which the solar energy collector is located and, if permitted, for the sale and distribution of excess available electricity to an authorized public utility for distribution to other lands.

1. *Building-Mounted Solar Energy Collector*: A solar energy collector attached to the roof or wall of a building, or which serves as the roof, wall or window or other element, in whole or in part, of a building.
2. *Ground-Mounted Solar Energy Collector*: A solar energy collector that is not attached to and is separate from any building on the parcel of land on which the solar energy collector is located.
3. *Commercial Solar Energy System*: A utility-scale facility of solar energy collectors with the primary purpose of wholesale or retail sales of generated electricity. Commonly referred to as solar farms.

Sound Pressure: Average rate at which sound energy is transmitted through a unit area in a specified direction. The pressure of the sound measured at a receiver.

Sound Pressure Level: The sound pressure mapped to a logarithmic scale and reported in decibels (dB).

Specified Anatomical Areas:

- Less than completely and opaquely covered:
 - Human genitals, pubic region,
 - Buttock, and
 - Female breast below a point immediately above the top of the areola; and
- Human male genitals in a discernible turgid state, even if completely and opaquely covered.

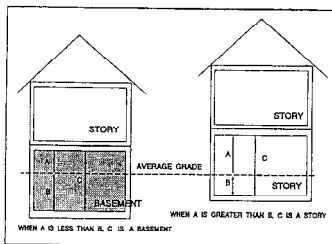
Specified Sexual Activities:

- Human genitals in a state of sexual stimulation or arousal
- Acts of human masturbation, sexual intercourse, or sodomy.
- Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

Story: That part of a building, except a mezzanine as defined herein, included between the surface of one (1) floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. A story thus defined shall not be counted as a story when more than fifty percent (50%), by cubic content, is below the height level of the adjoining ground.

Story, Half: An uppermost story lying under a sloping roof having an area of at least two hundred (200) square feet in area with a clear height of seven (7) feet six (6) inches. For the purposes of this Ordinance, the usable floor area is only that area having at least four (4) feet clear height between floor and ceiling.

BASEMENT AND STORY



Street: That portion of a public or private right-of-way that affords a primary means of vehicular access to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane, or throughway or however otherwise designated, but not including driveways to buildings. An alley shall not be considered a street. A public dedicated right-of-way, other than an alley, which affords the principal means of access to abutting property.

Street Frontage: All of the property fronting on one side of a street, measured along such street between an intersecting or intercepting street and another intersecting or intercepting street, a right-of-way in excess of thirty (30) feet, an end of a dead-end street, or a municipal boundary.

Streetscape: The visual elements of a street, including the road, adjoining buildings, street furniture, trees, and open spaces, etc., that combine to form the street's character.

Street Line: The dividing line between the street right-of-way and the lot. When such right-of-way is not definable, a line shall be defined as thirty-three (33) feet on either side of the center of the street.

Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

Subdivision: The partitioning or dividing of a parcel or tract of land by the proprietor thereof or by his heirs, executors, administrators, legal representatives, successors or assigns for the purpose of sale, or lease of more than one (1) year, or of building development, where the act of division creates five (5) or more parcels of land, each of which is ten (10) acres or less in area; or five (5) or more parcels of land, each of which is ten (10) acres or less in area are created by successive divisions within a period of ten (10) years.

Substantial Construction: Work of a substantial character done by way of preparing the site for actual use, which includes obtaining all necessary approvals and building permits, and actual physical placement of building materials in their permanent position. Clearing trees, ground, and other preparatory work does not constitute substantial construction.

Substantial Improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceed fifty percent (50%) of the market value of the structure either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "Substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structures. The term does not, however include any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions.

Tattoo: One (1) or more of the following:

1. An indelible mark made upon the body of another individual by the insertion of a pigment under the skin;
2. An indelible design made upon the body of another individual by production of scars other than by branding.

Tattoo Parlor: A structure or building at which one (1) or more of the following procedures is done for compensation:

1. Tattooing;

2. Branding;
3. Body-Piercing.

Temporary Use or Building: A use or building permitted to exist during a specified period of time.

Tent Sale: A temporary structure of demountable construction in which merchandise is displayed and sold.

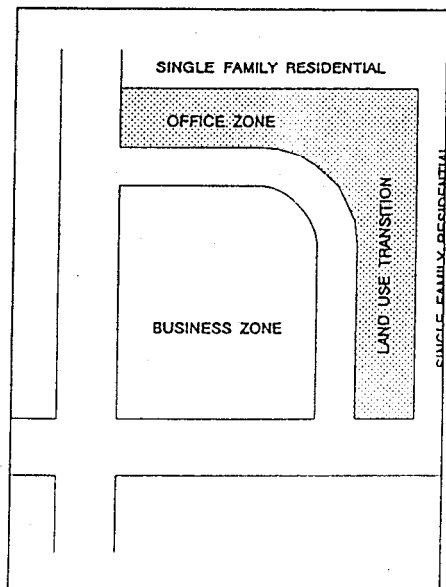
Township Board: The Board of Trustees of the Charter Township of Ypsilanti, also referred to as the Board of Trustees.

Trade Contractor: A building or portion thereof where building and construction trade services are provided to the public. "Trade Contractor" shall include, but will not be limited to, contractor offices, including landscaper's showrooms, construction supplies and storage including plumbing, heating, air conditioning, and building equipment and materials, and other uses similar in nature and impact.

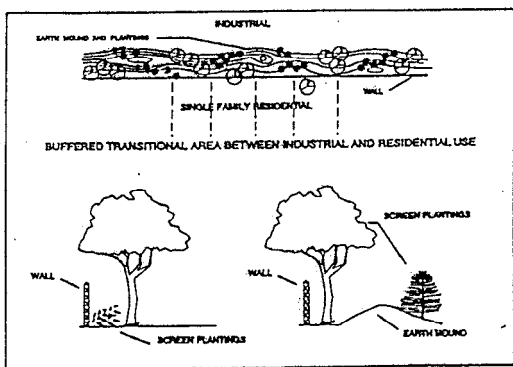
Transition: For the purposes of this Ordinance, the word "transition" or "transitional" shall mean one (1) or more of the following:

1. A zoning district which may serve as a district of transition, i.e., a buffer zone between various land use districts or land use types.
2. A residential rear or side yard lot or land parcel arrangement abutting a land use of more intense development character.
3. A device such as an earth berm, wall, screening fence, heavy shrub and tree planting or a combination of such devices providing a buffer between land use types.

LAND USE TRANSITION THROUGH ZONING DISTRICT



TRANSITION DETAILS



Trash Enclosure Or Recycling Enclosure: An area, screened in accordance with requirements of this Ordinance, designed for the storage of garbage dumpsters and other trash receptacles.

Usable Marihuana: The dried leaves and flowers of the marihuana plant, and any mixture or preparation thereof, but does not include the seeds, stalks, and roots of the plant.

Use: The principal purpose for which land or a building is arranged, designed, or intended, or for which land or a building is or may be occupied.

USGS: United States Geological Survey

Variance: The term ‘variance’ shall mean a modification of the literal physical provisions of the Zoning Ordinance, which may be granted by the Zoning Board of Appeals in accordance with the authority bestowed upon that Board by the provisions of this Ordinance.

Vehicle Filling/Multi-Use Station: A building or premises used primarily for the dispensing, sale, or offering for sale of motor fuels directly to users of motor vehicles; together with the sale of minor accessories and services for motor vehicles such as filling tires with air, checking fluid levels, adding water to batteries or radiators, and similar activities but not including major vehicle repair; as well as selling convenience foods and other such items through a convenience store.

Vehicle Repair, Major: The general repair, engine rebuilding, rebuilding, or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair; and painting of automobiles and any repair of a major component part as defined by the administrative rules promulgated pursuant to the State of Michigan Motor Vehicle Service and Repair Act (MCL 257.1302).

Vehicle Repair, Minor: Repairs other than major repair including but not limited to lubrication; oil changes; installing, changing, or otherwise servicing the antifreeze or other coolant; and the replacement, adjustment, repair, or servicing of tires, batteries, fuel pumps, gaskets, brakes and other parts and assemblies listed as minor repair services by the administrative rules promulgated pursuant to in State of Michigan Motor Vehicle Service and Repair Act (MCL 257.1302).

Vehicle Wash: A building, or portion thereof, the primary purpose of which is that of washing vehicles either by automatic or self-service means.

Veterinary Hospital: A facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases and injuries.

Visiting Qualifying Patient: A patient who is not a resident of this state or who has been a resident of this state for less than thirty (30) days.

Wall, Obscuring: A structure of definite height and location to serve as an obscuring screen in carrying out the requirements of this Ordinance.

Watercraft: A contrivance used or designed for navigation on water, including a vessel, boat, motor vessel, steam vessel, vessel operated by machinery either permanently or temporarily affixed, scow, or any marine equipment or device capable of carrying passengers.

Warehouse: A building or structure used principally for the storage of goods and merchandise.

Wholesale, Establishment: Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to

other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Wind Energy Conversion System (WECS): Any device such as a turbine, windmill or charger that converts wind energy to a usable form of energy. WECS shall fall within two (2) classifications: on-site or commercial and shall typically be defined as horizontal axis or vertical axis.

1. On-Site Wind Energy Conversion: A WECS, the energy from which is used only by the primary residence or residences in a cooperative effort, business or agricultural operation and not sold or transferred to the electrical grid for commercial profit. This does not exclude the sale of excess energy sold to a utility through net metering for on-site WECS when the WECS produces more energy than can be stored or used onsite.
2. Commercial Wind Energy Conversion System: Any WECS that is exclusively designed and built to provide electricity to the electric utility's power grid as an ongoing commercial enterprise or for commercial profit.
3. Horizontal-Axis Wind Energy Conversion Systems: Conventionally designed systems that have a main rotor shaft that is parallel to the ground and a series of "blades" that are perpendicular to the ground, as in a traditional agricultural windmill. Horizontal-axis wind energy conversion systems are traditionally mounted on a tower or pole and must be pointed into the wind.
4. Vertical-Axis Wind Energy Conversion Systems: Systems that have a main rotor shaft that is perpendicular to the ground and the system does not need to be pointed into the wind. These systems are more common in areas where wind direction is variable. These systems often resemble a drum, cylinder, or helix.

Wind energy system: A wind energy conversion system which converts wind energy into electricity through the use of a wind turbine generator and includes the turbine, blades and tower as well as related electrical equipment. This does not include wiring to connect the wind energy system to the grid.

Wireless Communications Facilities: All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, television towers, telephone devices and exchanges, micro-wave relay facilities, telephone transmission equipment building and commercial mobile radio service facilities. Not included within this definition are: citizen band radio facilities; short wave receiving facilities; amateur (ham) radio facilities; satellite dishes; and, governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority. For purposes of this Ordinance, the following additional terms are defined:

1. Wireless Communications Antenna (WCA): Shall mean any antenna used for the transmission or reception of wireless communication signals excluding those used for dispatch communications by public emergency stations, ham radio antennas, and satellite antennas, those who receive video programming services via multi-point distribution services which are forty (40) inches or less in diameter and those which receive television broadcast signals. Antenna may be affixed to existing structures, such as existing buildings, towers, water tanks, utility poles, and the like. A wireless communication support structure proposed to be newly established shall not be included within this definition.
2. Wireless Communication Support Structures: Shall mean structures erected or modified to support wireless communication antennas. Support structures within this definition include, but

shall not be limited to, monopoles, lattice towers, light poles, wood poles and guyed towers, or other structures which appear to be something other than a mere support structure.

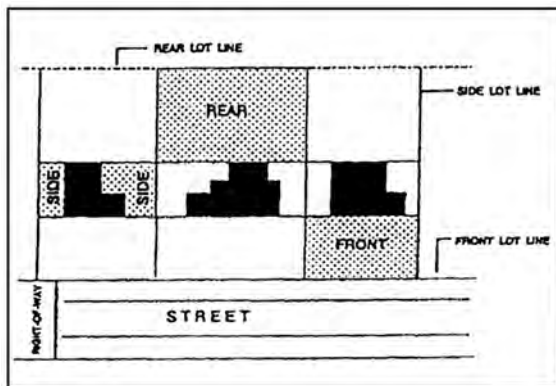
3. Collocation: Shall mean the location by two (2) or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, with the view toward reducing the overall number of structures required to support wireless communications antennas within the community.

Written Certification: A document signed by a physician, stating the patient's debilitating medical condition, and stating that, in the physician's professional opinion, the patient is likely to receive therapeutic or palliative benefit from the medical use of marihuana to treat or alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

Yard: The open spaces on the same lot with the main building, unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance, and as defined in this Ordinance:

1. Front Yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building.
2. Rear Yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the main building. In the case of a corner lot, one (1) of the non-front yards shall be considered a side yard; the other side shall be considered a rear yard. In the case of a corner lot, the rear yard shall not extend into the front yard.
3. Side Yard: An open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the main building. In the case of a corner lot, one (1) of the non-front yards shall be considered a side yard; the other side shall be considered a rear yard.

YARDS



Zoning Administrator: The official of Ypsilanti Township charged with the administration of this Ordinance.

Zoning Board of Appeals: The Zoning Board of Appeals of the Charter Township of Ypsilanti.

Zoning District: An area or areas within the incorporated area of the Ypsilanti Township within which regulations and requirements governing use, lot area, lot size, and other provisions are uniform.

Zoning Enabling Act: The Michigan Zoning Enabling Act, as amended, MCL 125.3101 et. seq. as adopted by Public Act 110 of 2006.

Yards: ~~The open spaces on the same lot with a main building unoccupied and unobstructed from the ground upward except as otherwise provided in this ordinance, and as defined herein:~~

- ~~1. *Front yard.* An open depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building.~~
- ~~2. *Rear yard.* An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of a corner lot, the rear yard shall be opposite the front building facade side of such lot.~~
- ~~3. *Side yard.* An open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the nearest point of the main building.~~

(Ord. No. 95-137, 10-17-95; Ord. No. 96-145, 3-5-96; Ord. No. 97-169, 6-17-97; Ord. No. 98-182, 2-17-98; Ord. No. 99-205, 3-16-99; Ord. No. 99-209, 5-4-99; Ord. No. 99-227, 11-16-99; Ord. No. 2000-238, 7-18-00; Ord. No. 2000-249, § 1, 10-3-00; Ord. No. 2000-260, § 1, 12-19-00; Ord. No. 2000-261, § 1, 12-19-00; Ord. No. 2001-266, § 1, 5-15-01; Ord. No. 2001-273, 8-21-01; Ord. No. 2001-289, § 1, 11-20-01; Ord. No. 2004-333, § 1, 4-20-04; Ord. No. 2004-334, § 1, 4-20-04; Ord. No. 2009-390, 4-7-09; Ord. No. 2010-402, § 1, 3-16-10; Ord. No. 2010-404, § 1, 5-18-10; [Ord. No. 2016-462](#), § 1, 3-15-16; [Ord. No. 2016-471](#), §§ I—III, 12-6-16; [Ord. No. 2018-476](#), § 1, 2-20-18)

ARTICLE III. - ADMINISTRATION AND ENFORCEMENT

Sec. 300. - Enforcement:

The provisions of this Ordinance shall be administered and enforced by the ~~building official or by such deputies of his department as the building official may delegate to enforce the provisions of this ordinance.~~ Zoning Administrator or any other employees, inspectors, and officials as designated by the Township Supervisor.

Sec. 301. - Duties of the Zoning Administrator:

The duties and responsibilities of the Zoning Administrator shall include the following:

1. Receive and review for completeness all applications for site plan review, special land uses, planned unit developments, or other matters that the Planning Commission is required to decide under this Ordinance and refer such applications to the Planning Commission, and where applicable, the Township Board for determination.
2. Receive and review for completeness all applications for appeals, variances, or other matters than the Zoning Board of Appeals is required to decide under this Ordinance and refer such applications to the Zoning Board of Appeals for determination.
3. Receive and review for completeness all applications for text or map (rezonings) amendments to this Ordinance and refer such applications to the Planning Commission and Township Board for determination.
4. Investigate complaints regarding violations of the Zoning Ordinance and make periodic site inspections to determine compliance with this Ordinance.
- 4.5. Implement the decisions of the Planning Commission, Zoning Board of Appeals, and Township Board.
6. Enforce and interpret the meaning and applicability of the requirements of the Zoning Ordinance.
7. Issue Certificates of Zoning Compliance.

Sec. 302. - Duties of Building Official:

1. The Building Official shall have the power to grant ~~zoning compliance and~~ occupancy permits, to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Building Official to approve any plans or issue any permits or certificates of occupancy for any excavation or construction until he or she has inspected such plans in detail and found them to conform with this Ordinance.
- ~~2. The building official shall record all nonconforming uses existing at the effective date of this ordinance for the purpose of carrying out the provisions of section 2102.~~
- 3.2. Under no circumstances is the Building Official permitted to make changes to this Ordinance nor to vary the terms of this Ordinance in carrying out his or her duties as Building Official.

~~4.3.~~ The Building Official shall not refuse to issue a permit when conditions imposed by this Ordinance are complied with by the applicant despite violations of contracts, such as covenants or private agreements which may occur upon the granting of said permit. ~~Sec. 2302. – Plot plan:~~

~~The building official shall require that all applications for building permits for uses not covered in section 2115 shall be accompanied by plans and specifications including a plot plan, in triplicate, drawn to scale, showing the following:~~

- ~~1. The actual shape, location, and dimensions of the lot.~~
- ~~2. The shape, size and location of all buildings or other structures to be erected, altered, or moved and of any building or other structures already on the lot.~~
- ~~3. The existing and intended use of the lot and of all such structures upon it, including, in residential areas, the number of dwelling units the building is intended to accommodate.~~
- ~~4. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this ordinance are being observed.~~

~~Sec. 2303. – Permits:~~

~~The following shall apply in the issuance of any permit:~~

- ~~1. *Permits not to be issued:* No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof, or for the use of any land, which is not in accordance with all provisions of this ordinance.~~
- ~~2. *Permits for new use of land:* No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.~~
- ~~3. *Permits for new use of building:* No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.~~
- ~~4. *Permits required:* No building or structure, or part thereof, shall be hereafter erected, altered, moved, or repaired unless a building permit shall have been first issued for such work. The terms "altered" and "repaired" shall include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of egress and ingress, or other changes affecting or regulated by the Township of Ypsilanti building code, housing law or this ordinance, except for minor repairs or changes not involving any of the aforesaid features.~~

~~Sec. 2304. – Certificates:~~

~~No land, building, or part thereof, shall be occupied by or for any use unless and until a certificate of occupancy shall have been issued for such use. The following shall apply in the issuance of any certificate:~~

- ~~1. *Certificates not to be issued:* No certificates of occupancy shall be issued for any building, structure or part thereof, or for the use of any land, which is not in accordance with all the provisions of this ordinance.~~

- ~~2.—Certificates required: No building or structure, or parts thereof, which is hereafter erected, or altered, shall be occupied or used or the same caused to be done, unless and until a certificate of occupancy shall have been issued for such building or structure.~~
- ~~3.—Certificates including zoning: Certificates of occupancy as required by the township building code for new buildings or structures, or parts thereof, or for alterations to or changes of use of existing buildings or structures, shall also constitute certificates of occupancy as required by this ordinance.~~
- ~~4.—Certificates for existing buildings: Certificates of occupancy shall be issued for existing buildings, structures, or parts thereof, or existing uses of land if, after inspection, it is found that such buildings, structures, or parts thereof, or such use of land, are in conformity with the provisions of this ordinance.~~
- ~~5.—Record of certificates: A record of all certificates issued shall be kept on file in the office of the building official, and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the property involved.~~
- ~~6.—Certificates for dwelling accessory buildings: Buildings or structures accessory to dwellings shall not require separate certificates of occupancy but may be included in the certificate of occupancy for the dwelling when shown on the plot plan and when completed at the same time as such dwellings.~~
- ~~7.—Application for certificates: Application for certificates of occupancy shall be made in writing to the building official on forms furnished by that department, and such certificates shall be issued within five days after receipt of such application if it is found that the building or structure, or part thereof, or the use of land is in accordance with the provisions of this ordinance. If such certificate is refused for cause, the applicant therefor shall be notified of such refusal and cause thereof, within the aforesaid five-day period.~~

~~Sec. 2305. — Final inspection:~~

~~The holder of every building permit for the construction, erection, alteration, repair, or moving of any building, structure or part thereof, shall notify the building official immediately upon the completion of the work authorized by such permit, for a final inspection.~~

~~Sec. 303. - Fees:~~

~~Fees for zoning change review, site plan review for projects requiring review under [sec. 2115](#), [Section 903 Site plan review process](#), uses permitted subject to specific use provisions, special land use review, inspection and the issuance of permits or certificates or copies thereof required or issued under the provisions of this Ordinance may be collected by ~~the building official~~[the Township](#) in advance of issuance. The amount of such fees shall be established by resolution of the Township Board and shall cover the cost of inspection and supervision resulting from enforcement of this Ordinance.~~

~~Sec. 304. - Use of Consultants~~

~~From time to time, at the cost of the applicant, the Township may employ planning, engineering, legal, traffic, or other special consultants to assist in the review of special use permits, site plans, rezoning applications, or other matters related to the planning and development of the Township.~~

Sec. 305. - ~~Security for completion of improvements~~Development Agreements:

1. ~~Approval of a preliminary plat or site condominium plan shall be conditioned upon the execution of a development agreement which secures the completion of improvements required on the plat or site condominium plan. Where the timing or nature of improvements require such security, the approval of a site plan may be conditioned upon the execution of a development agreement.~~Development agreement requirement. Prior to the issuance of permits for approval of a site plan, conditional use, or planned unit development, based on the determination of the Zoning Administrator or Township Attorney, or conditional rezoning, an applicant ~~shall~~may be required to execute a development agreement, in a form approved by the Township, specifying all the terms and understandings relative to the proposed development. All costs incurred by the Township, including attorney fees, in drafting and approving the development agreement shall be paid by the applicant. Unless designated as optional, all improvements shown on the site plan shall be completed prior to the issuance of a certificate of occupancy. However, where it would be impractical to delay occupancy prior to the completion of certain improvements, a certificate of occupancy can be issued upon the approval of the Building Official if an adequate guarantee as required in Section ~~231008~~306 is presented to the Township to secure the improvements.
2. Minimum terms. The content of the agreement shall outline the specifics of the proposed development, but shall at a minimum provide the following terms:
 - A. Legal description of subject property.
 - B. A description of the ownership of the subject property.
 - C. A land use description, including a specific description of the proposed uses, density, lot dimensions, setbacks, and other dimensional standards.
 - D. Proposed method of dedication or mechanism to protect areas designated as common areas, open spaces, or conservation areas.
 - E. Description of required improvements to common areas, recreational facilities, and non-motorized pathways.
 - F. General description of any improvements to roads or utilities.
 - G. Mechanisms to ensure the continued maintenance of common areas, including but not limited to roadways, sidewalks, lighting, landscaping, utilities, and other site improvements.
 - H. Provisions assuring that open space areas shown on the plan for use by the public or residents of the development will be irrevocably committed for that purpose. The Township may require conveyances or other documents to be placed in escrow to accomplish this.
 - I. Provisions for the future financing of any improvement shown on the plan as site improvements, open space areas, and common areas, which are to be included within the development, and that maintenance of such improvements is assured by means satisfactory to the Township.
 - J. Provisions to ensure adequate protection of natural features.
 - K. Financial assurances in accordance with Section ~~3~~306, Performance Guarantee, to guarantee the completion of all site improvements.

L. Requirements that the applicant maintain insurance coverage during development in amounts established by the Township, naming the Township as an additional insured, and further, required insurance provisions after the development is completed.

M. The site plan, special, planned unit development, or conditional rezoning shall be incorporated by reference and attached as an exhibit.

N. Description of the timing to complete the development of the project. If the project is to be developed in phases, a timeline to complete the construction of each phase.

~~An acknowledgement by the applicant that the terms and conditions of the approval are fair, reasonable, and equitable, and that the terms and conditions do not violate any constitutional rights, and that the applicant freely agrees to be bound by each and every condition and provision of the development agreement.~~

Sec. 306. - Performance Guarantee:

1. Purpose and intent. In the interest of insuring compliance with the Zoning Ordinance provisions, protecting the natural resources and the health, safety, and welfare of the residents of the Township and future users or inhabitants of an area for which a site plan for a proposed use has been submitted, the Township may require the applicant to deposit a performance guarantee for any or all site improvements required by this Ordinance.

A. ~~Guarantee in the form of a cash deposit, certified check, or irrevocable bank letter of credit or surety bond shall be provided in a form acceptable to the township.~~ The amount of such guarantee shall cover all improvements not normally covered in the building permit, i.e., berms, walls, landscaping, lighting, surfacing of drives, parking, service drives, acceleration/deceleration lanes, bypass lanes and other traffic control devices, etc. The guarantee shall include a schedule of costs assigned to the different improvements based upon an estimate submitted by the applicant and verified by the Township. The Township shall be authorized to employ the Township Engineer and/or other Township consultants to review cost estimates and conduct periodic inspection of the progress of improvements. Monies may be released to the applicant in proportion of work completed on the different elements after inspection of work and approval of the Building Official. ~~Any partial release of funds shall be less than ten percent which shall be retained by the township until all work has been completed and subsequently inspected and approved by the building official.~~

B. If more than one ~~bond or~~ guarantee is involved in construction of the improvements required in this section, each such assurance shall be treated as a separate agreement ~~and and the ten-percent holdback~~ may be released upon satisfactory completion of such phase of construction and approval of the Building Official.

C. In instances where all improvements, as required in this section, are not completed, and a temporary certificate of occupancy is requested, the estimated cost of such improvement shall be verified by the Building Official, particularly with respect to any delay to another construction season. In those instances where the estimated cost has changed, then a revised guarantee, acceptable to the Township, shall be filed with the ~~clerk-Township~~ covering such improvements.

2. Procedure.

- A. When a performance guarantee is required, said performance guarantee shall be deposited with the Township prior to the issuance of a building permit for the development and use of the land. Upon the deposit of the performance guarantee, the Township shall issue the appropriate building permit, and the Township shall thereafter deposit the performance guarantee, in the form of a cash deposit or certified check.
 - B. At the time the performance guarantee is deposited with the Township and prior to the issuance of a building permit, the applicant shall enter into an agreement with the Township incorporating the performance guarantee provisions.
 - C. The agreement shall also prescribe the period of time within which the improvements for which the performance guarantee has been required are to be completed. The period will begin from the date of the issuance of the building permit.
 - D. In the event the performance guarantee deposited is a cash deposit or a certified check, the Township shall rebate to the applicant, upon request from the applicant, fifty percent (50%) of the deposited funds when the applicant has completed seventy-five percent (75%) of the required improvements as confirmed by the Township. The remaining fifty percent (50%) of the deposited funds shall be returned when the applicant has completed one hundred percent (100%) of the required improvements and is in compliance with the Ordinance as confirmed by the Township.
 - E. In the event the applicant defaults in making the improvements for which the performance guarantee was required within the time period established by the Township, the Township shall have the right to use the performance guarantee deposited and any interest earned thereon to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements.
 - F. If the performance guarantee is not sufficient to allow the Township to complete the improvements for which such guarantee was posted, the applicant shall be required to pay the Township the amount by which the cost of completing the improvements exceeds the amount of the performance guarantee, or a portion thereof, to complete the required improvements, any amounts remaining after said completion shall be applied first to the Township's administrative costs including, without limitation, attorney fees, planning consultant fees, and engineering consultant fees in completing the improvement with any balance remaining being refunded to the applicant.
3. Guarantee with other agencies. If the applicant has been required to post a performance guarantee or bond with another governmental agency other than the Township to ensure completion of an improvement associated with the site, the applicant shall not be required to deposit with the Township a performance guarantee for that same improvement.
 4. Site plan completion guarantee.
 - (1) Prior to the issuance of any building permit for any building, and prior to signing of the final plat by the Township Clerk in a platted subdivision, or prior to the issuance of any building permit for any building in a site condominium project, or prior to issuance of a certificate of occupancy for any development which requires site plan review under this Ordinance, the applicant for same shall provide to the Township the following:

- a. A completion guarantee deposit to the Township. Said deposit shall guarantee completion of all site improvements shown on the approved final site plan or final preliminary plat. For the purpose of this section, completion shall mean inspection by the appropriate Township officials and/or other government agencies for compliance with the final site plan approved by the Planning Commission or preliminary plat finally approved by the Township Board, not less than six (6) months after all site plan or plat improvements have been installed.
- i. The Township may require the guarantee deposit to cover one hundred twenty-five percent (125%) of landscaping cost and installation for up to one (1) year.
- b. All site condominiums and subdivision plats shall comply with all of the rules and regulations for posting financial securities of the Township Subdivision Ordinance.
- (2) Site improvements shall mean, but shall not be limited to, drives and streets, curbs and gutters, sidewalks, water and sanitary sewer systems, drainage facilities and retention/detention basins, final grading and swales, retaining walls, landscaping and parking lots.
- (3) In the event the applicant fails to correct any deficiencies within thirty (30) days of written notice from the Township, the Township shall have the authority to use the guarantee to complete the site improvements, or repairs to said improvements, within a period of nine (9) months following the issuance of the last certificate of occupancy unless good cause can be shown by the applicant for the delay in completion. The Township may, at its sole discretion, agree in writing to a specific extension of the nine (9) month period. The Township may use the completion guarantee to hire sub-contractors to complete work, fund inspections and for the administration of the required work including legal fees.
- (4) The guarantee, or portion thereof, shall be promptly released upon the inspection and approval of all improvements in compliance with the approved final site plan or special use permit and all applicable Township standards and specifications. Portions of the guarantee may be released, in not more than three (3) installments, provided:
- a. The project or approved phase of a project has been completed for six (6) months and the improvements for which the release is requested have been inspected and approved in accordance with the above standards, and the remaining balance is sufficient to cover the remaining improvements, including administrative and contingency expenses.
- ~~(1)~~(5) Types of completion guarantees. The applicant may provide a guarantee in the form of a cash deposit or certified check, or in the form of a ~~surety bond or~~ letter of credit in a form acceptable to the Township. ~~Surety bonds and~~ Letters of credit shall be valid for a period of one (1) year past the anticipated request for the last certificate of occupancy for the entire project and shall contain language acceptable to the Township, that thirty (30) days prior to its expiration the ~~bond or~~ letter of credit shall automatically renew for one (1) year periods unless the issuer of the security sends by certified mail to the Township a notice of its intention to not ~~review~~ renew the financial security not less than (60) days prior to the expiration of the security.

Sec. 307. - Public Hearing Notice Requirements.

1. When required. Public hearings are required in those instances where public hearings are required by this Ordinance and the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended, M.C.L. 125.3101 et. seq.)
2. Notice requirements. Notice shall be given not less than fifteen (15) days before each public hearing at which an application will be considered. Notice shall be given by publication in a newspaper that circulates in Charter Township of Ypsilanti, and by personal delivery or mailing, where required, to the following:
 - A. The applicant, and the owner(s) of the property, if the applicant is not the owner.
 - B. All persons to whom real property is assessed within three hundred (300) feet of the boundary for the property for which the approval has been requested, as shown by the latest assessment roll, regardless of whether the owner and property is located within Ypsilanti Township.
 - C. The occupants of any structures within three hundred (300) feet of the boundary for the property for which the approval has been requested, regardless of whether the owner and property is located within Ypsilanti Township, except as set forth below.
 - D. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different persons, one (1) occupant of each unit or spatial area shall be given notice. If a single structure contains more than four (4) dwelling units or other distinct spatial areas owned or leased by different persons, notice may be given to the manager or owner of the structure, who shall be requested to post the notice at the primary entrance to the structure.
 - E. The notice under this section is considered to be given when personally delivered or when deposited during normal business hours for delivery with the United States Postal Service or other public or private delivery service. If the name of the occupant is not known, the term "occupant" may be used for the intended recipient of the notice.
3. Actions exempt from notification.
 - A. Requirements for individual notice to property owners shall not apply to Ordinance text amendments.
 - B. For any group of adjacent properties numbering eleven (11) or more that is proposed for rezoning, the requirement for individual notice as set forth in ~~Section 3.09.B.3 and 4~~ subsection 307.2 does not apply to that group of adjacent properties.
4. Content of notice. The notice shall include:
 - A. The nature of the request.
 - B. The property(ies) for which the request has been made.
 - C. A listing of all existing street addresses within the property(ies) which is (are) the subject of the request. Street addresses do not need to be created and listed if no such addresses exist. If there are no street addresses, another means of identification may be used.
 - D. The location where the application documents can be viewed and copied prior to the date the hearing.

E. The date, time, and location of when the hearing on the application will take place.

F. The address at which written comments should be directed prior to the hearing.

Sec. 308. - Establishment of a Planning Commission with zoning authority:

1. ~~1.—~~*Scope, purpose and intent.* The purpose of this Ordinance is to provide that the Township Board of Trustees shall hereby confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 et seq., of the Charter Township of Ypsilanti Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321 et seq., to establish the appointments, terms, and membership of the Planning Commission; to identify the officers and the minimum number of meetings per year of the Planning Commission; and to prescribe the authority, powers and duties of the Planning Commission.

This Ordinance is adopted pursuant to the authority granted the Charter Township of Ypsilanti Board (hereinafter Township Board) under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 et seq., and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 et seq., to establish a Planning Commission with the powers, duties and limitations provided by those Acts and subject to the terms and conditions of this Ordinance and any future amendments to this Ordinance.

~~The purpose of this ordinance is to provide that the township board shall hereby confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 et seq., of the Charter Township of Ypsilanti Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321 et seq., to establish the appointments, terms, and membership of the planning commission; to identify the officers and the minimum number of meetings per year of the planning commission; and to prescribe the authority, powers and duties of the planning commission.~~

2. ~~*Establishment*~~*Membership.* ~~The township board hereby confirms the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 et seq., of the Ypsilanti Township Planning Commission (hereinafter planning commission) formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321 et seq.~~ The Planning Commission shall have seven (7) members. Members of the Planning Commission as of the effective date of this Ordinance shall, except for an ex officio member whose remaining term on the Planning Commission shall be limited to his or her term on the Township Board, continue to serve for the remainder of their existing terms so long as they continue to meet all of the eligibility requirements for Planning Commission membership set forth within the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 et seq.
3. *Appointments and terms.* Subject to approval by a majority vote of the elected and serving members of the Township Board, the Township Supervisor shall appoint all members of the Planning Commission, including one member of the Township Board who shall serve as an ex officio member with full voting rights. The Planning Commission members, other than the ex officio member, shall serve for terms of three (3) years each. The ex officio member's term shall expire with his or her term on the Township Board. A Planning Commission member shall hold office until his or her successor is appointed. A vacancy shall be filled by appointment to the

unexpired term in the same manner as the original appointment. Other than the ex officio member, no other elected officer or employee of the Township is eligible to be a member of the Planning Commission.

Planning commission members shall be qualified electors of the Township, except that one (1) Planning Commission member may be an individual who is not a qualified elector of the Township. The membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the Township, in accordance with the major interests as they exist in the Township, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the Township to the extent practicable.

4. *Removal.* The Township Board may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.
5. *Conflict of interest.* The Planning Commission shall in its bylaws provide rules regarding what constitutes a conflict of interest.
6. *Compensation.* The Planning Commission members may be compensated for their services as provided by Township Board resolution. The Planning Commission may adopt bylaws relative to compensation and expenses of its members for travel when engaged in the performance of activities authorized by the Township Board, including, but not limited to, attendance at conferences, workshops, educational and training programs and meetings.
7. *Officers and committees.* The Planning Commission shall elect a chairperson and a secretary from its members, and may create and fill other offices as it considers advisable. An ex-officio member of the planning-commissionTownship Board is not eligible to serve as chairperson. The term of each office shall be one (1) year, with opportunity for reelection as specified in the Planning Commission bylaws.

The Planning Commission may also appoint advisory committees whose members are not members of the Planning Commission.

8. *Bylaws, meetings and records.* The Planning Commission shall adopt bylaws for the transaction of business.

The Planning Commission shall hold at least four (4) regular meetings each year and shall by resolution determine the time and place of the meetings.

Unless otherwise provided in the Planning Commission's bylaws, a special meeting of the Planning Commission may be called by the chairperson or by two (2) other members, upon written request to the secretary. Unless the bylaws otherwise provide, the secretary shall send written notice of a special meeting to Planning Commission members at least forty-eight (48) hours before the meeting.

The business that the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 et seq.

The Planning Commission shall keep a public record of its resolutions, transactions, findings, and determinations. A writing prepared, owned, used, in the possession of, or retained by the Planning

Commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976, MCL 15.231 et seq.

9. *Annual report.* The Planning Commission shall make an annual written report to the Township Board concerning its operations and the status of the planning activities, including recommendations regarding actions by the Township Board related to planning and development.
10. *Authority to make master plan.* Under the authority of the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 et seq., and other applicable planning statutes, the Planning Commission shall make a master plan as a guide for development within the Township's planning jurisdiction. The procedure for adoption or amendment of a master plan shall be as prescribed in Article III of the Act, MCL 125.3831 through 125.3851.

Final authority to approve a master plan or any amendments thereto shall rest with the Township Board after recommendation of the Planning Commission in accordance with the Act. The Township Board shall pass a resolution in accordance with MCL 125.3843(3) asserting its right to approve or reject a master plan.

Unless rescinded by the Township, any plan adopted or amended under the Township Planning Act, Public Act 168 of 1959, MCL 125.321 et seq., need not be readopted under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 et seq.

11. *Zoning powers.* The Township Board hereby confirms the transfer of all powers, duties, and responsibilities provided for zoning boards or zoning commissions by the former Township Zoning Act, Public Act 184 of 1943, MCL 125.271 et seq.; the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 et seq.; or other applicable zoning statutes to the Charter Township of Ypsilanti Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321 et seq.

Any existing zoning ordinance shall remain in full force and effect except as otherwise amended or repealed by the Township Board.

12. *Subdivision and land division recommendations.* The Planning Commission may recommend to the Township Board provisions of an ordinance or rules governing the subdivision of land. Before recommending such an ordinance or rule, the Planning Commission shall hold a public hearing on the proposed ordinance or rule. The Planning Commission shall give notice of the time and place of the public hearing not less than fifteen (15) days before the hearing by publication in a newspaper of general circulation within the Township.

The Planning Commission shall review and make recommendation on a proposed plat before action thereon by the Township Board under the Land Division Act, Public Act 288 of 1967, MCL 560.101 et seq. The Planning Commission shall recommend approval, approval with conditions, or disapproval of a plat within sixty-three (63) days after the plat is submitted to the Planning Commission unless the plat proprietor waives this requirement and consents to an extension of the sixty-three (63) day period. Before making its recommendation, the Planning Commission shall hold a public hearing on the proposed plat. A plat submitted to the Planning Commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than fifteen (15) days before the date of the hearing, notice of the date, time and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the Township. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

ARTICLE IV. – DISTRICT REGULATIONS

Sec. 3400. - Districts established:

For the purpose of this Ordinance, the Charter Township of Ypsilanti is hereby divided into the following districts:

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|-------------------|--|
| R-1 | One-family residential district. |
| R-2 | One-family residential district. |
| R-3 | One-family residential district. |
| R-4 | One-family residential district. |
| R-5 | One-family residential district. |
| RM-LD | Multiple-family low density residential district. |
| RM-1MD | Multiple-family medium density residential district. |
| RM-2HD | Multiple-family high density residential district. |
| RM-3 | Multiple family residential district |
| RM-4 | Multiple family residential district |
| RM-5 | Townhouse residential district |
| MHP | Mobile home park district. |
| OS-1NB | Office-service <u>Neighborhood business</u> district. |
| B-1GB | Local <u>General</u> business district. |
| B-2NC | Community business <u>Neighborhood corridor</u> district. |
| B-3RC | General business <u>Regional corridor</u> district. |
| FS | Freeway service district |
| IRO | Industrial-research-office district |
| I-1T | Light industrial <u>Innovation and technology</u> district. |
| I-2L-M | General industrial <u>Logistics and manufacturing</u> district. |
| I-3 | Heavy industrial district |

| | |
|------------------|---|
| I-C | Industrial and a commercial revitalization nd commercial districts. |
| P-1AG | Vehicular parking Agricultural overlay district |
| PD | Planned development district. |

(Ord. No. 99-224, § I, 8-3-99; Ord. No. 2001-284, 12-18-01; Ord. No. 2001-285, 12-18-01; Ord. No. 2001-286, 12-18-01; Ord. No. 2001-287, 12-18-01; [Ord. No. 2018-476](#), § 2, 2-20-18)

Sec. ~~34~~01. - District boundaries:

The boundaries of these districts are hereby established as shown on the zoning map for the Charter Township of Ypsilanti, which accompanies this Ordinance, and which map with all notations, references and other information shown thereon shall be as much a part of this Ordinance as if fully described herein.

Sec. ~~34~~02. - District boundaries interpreted:

Where uncertainty exists with respect to the boundaries of the various districts as shown on the zoning map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys, shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following Township limits shall be construed as following Township limits.
4. Boundaries indicated as following railroad lines shall be construed to be the midway between the main tracks.
5. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerline of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines.
6. Boundaries indicated as parallel to or extensions of features indicated in subsections ~~1-~~ through ~~5-~~ above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
7. Where physical or natural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections 1 through 6 above, the Board of Appeals shall interpret the district boundaries.
8. Insofar as some or all of the various districts may be indicated on the zoning map by patterns or lines which, for the sake of map clarity, do not cover public rights-of-way, it is intended that such district boundaries do extend to the center of any public right-of-way.

Sec. ~~43~~03. - Text interpreted:

Where uncertainty exists with respect to uses permitted in any district, or any condition set forth in this Ordinance, the following rules shall apply:

1. No use of land shall be permitted in any use district except those uses specifically set forth in the district.
2. Uses or structures not specifically permitted in a zoning district shall be prohibited in such district.
3. Unless otherwise provided for in this appendix where uses of yard areas are indicated as being permitted, the use of any other yard area for such use shall be prohibited.

Sec. ~~34~~04. - Zoning of vacated areas:

Whenever any street, alley, or other public way, within the Township of Ypsilanti shall be vacated, such street, alley, or other public way or portion thereof, shall automatically be classified in the same zoning district as the property to which it attaches.

Sec. ~~34~~05. - District requirements:

All buildings and uses in any district shall be subject to the provisions of Article ~~8XXI~~, General Provisions. ~~and article XXII "General Exceptions"~~

Sec. 406. - R-1 to R-5 one-family residential districts:

1. Intent: The intent the R-1 to R-3 one-family residential districts is to preserve open space and natural features while providing for an environment of predominantly low-density, one-family dwellings along with other residentially related facilities which serve the residents in the district. The intent the R-4 and R-5 one-family residential districts is to preserve and maintain existing neighborhoods of one-family dwellings along with other residentially related facilities to serve the residents in the district, including maintenance of community assets and re-use and rehabilitation of non-residential buildings
2. Use regulations: Section 420 sets forth permitted, accessory and special land uses within the R-1 to R-5 one-family residential districts.
3. Dimensional requirements: The following dimensional requirements shall apply to the R-1 to R-5 one-family residential districts.

| District | Min. Lot Size | | Max. Lot Coverage (all buildings) | Max. Height | | Min. Yards & Setbacks in feet | | | Min. ground floor area in sq. ft. | |
|----------|---------------|---------------|--------------------------------------|-------------|------|-------------------------------|-------|-------|-----------------------------------|-------|
| | Sq. Ft. | Width in feet | | Stories | Feet | Front | Side | | | Rear |
| | | | | | | | Least | Total | | |
| R-1 | 32,500 | 100 | 30% | 2 | 25 | 25 | 12 | 25 | 35 | 1,200 |
| R-2 | 21,780 | 90 | | | | | 10 | 20 | | 900 |
| R-3 | 14,000 | 80 | | | | | 5 | 16 | | 720 |

| | | | | | | | | | |
|-----|-------|----|-----|--|--|----|--|--|--|
| R-4 | 8,400 | 60 | | | | | | | |
| R-5 | 5,400 | 50 | 35% | | | 20 | | | |

4. Corner Lots: When a side yard is across a separating street from a front yard on the opposing lot, the side yard abutting a street must meet the minimum front yard setback of the district in which located. On all other corner lots, the street side yard shall be the larger required side yard. The lot width for corner lots shall be at least ten (10) feet wider than the minimum required for other lots to ensure lot area is adequate to accommodate homes which are similar in size to those which could be constructed on adjacent lots.

5. Supplemental district standards:

A. In addition to those bulk regulations listed in Section 406.3, all development shall conform to supplemental bulk regulations listed in Section 419.

A-B. Non-residential uses permitted in the R-1 to R-5 one-family residential districts, the following dimensional requirement shall apply.

| Min. Lot Size in acres | Max. Lot Coverage (all buildings) | Max. Height in feet | Min. Yards & Setbacks in feet | | |
|------------------------|-----------------------------------|---------------------|---|------|------|
| | | | Front | Side | Rear |
| 1 | 35 % | 48 | Equal to the height of the principal building | | |

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

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

Commented [MM1]: RM-1 and RM-2 combined: RM-1 is not on the map so used RM-2 dimensions

| 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 ¹ | 80 | 25% | 3 | 35 | 30 | 30 | 60 | 30 |

¹ 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

| <u>Efficiency</u> | <u>1 Bedroom</u> | <u>2 Bedroom</u> | <u>3 Bedroom</u> | <u>4+ Bedroom</u> |
|--------------------|--------------------|--------------------|--------------------|----------------------|
| <u>350 sq. ft.</u> | <u>500 sq. ft.</u> | <u>700 sq. ft.</u> | <u>900 sq. ft.</u> | <u>1,100 sq. ft.</u> |

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.

| <u>Min. Lot Size</u> | | <u>Max. Lot Coverage (all buildings)</u> | <u>Max. Height</u> | | <u>Min. Yards & Setbacks in feet</u> | | | |
|---------------------------|----------------------|--|--------------------|-------------|--|--------------|--------------|-------------|
| <u>in acres</u> | <u>Width in feet</u> | | <u>Stories</u> | <u>Feet</u> | <u>Front</u> | <u>Side</u> | | <u>Rear</u> |
| | | | | | | <u>Least</u> | <u>Total</u> | |
| <u>1 or 3¹</u> | <u>100</u> | <u>15%</u> | <u>4</u> | <u>45</u> | <u>40</u> | <u>40</u> | <u>80</u> | <u>50</u> |

¹ 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

| <u>Efficiency</u> | <u>1 Bedroom</u> | <u>2 Bedroom</u> | <u>3 Bedroom</u> | <u>4+ Bedroom</u> |
|--------------------|--------------------|--------------------|--------------------|----------------------|
| <u>350 sq. ft.</u> | <u>500 sq. ft.</u> | <u>700 sq. ft.</u> | <u>900 sq. ft.</u> | <u>1,100 sq. ft.</u> |

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.

Commented [MM2]: RM-4 (Clark East Tower apts & Twp owned land across the street and then all lakefront – Lake Shore and Lake Pointe apartments.)

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-HD 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 ¹ | 150 | 15% | 8 | 85 | 50 | 50 | 100 | 50 |

Commented [MM3]: Currently, no height restriction. We recommend having a maximum.

¹ 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. |

Sec. 410. - Mobile home park districts:

1. Intent: The intent is to provide for mobile home and manufactured housing communities.

2. Use regulations: Section 420 sets forth permitted, accessory and special land uses within the MHP district.

3. Dimensional requirements: The following dimensional requirements shall apply to the MHP districts.

| | | |
|------------------|-------------------------------------|---------------|
| Minimum Lot Area | Total Lot area for Mobile Home Park | 5,500 sq. ft. |
| Maximum Height | Feet | 25 |

4. Supplemental district standards. Refer to Section 1162, Mobile home parks.

Sec. 411. - Agricultural overlay district:

1. Intent: The intent is to preserve agricultural lands and prime agricultural soils for farming and provide stability for the farming economy. This overlay zoning district is intended only for existing

farm operations at the time of the adoption of this Zoning Ordinance or areas designated for farmland or open space preservation by the Master Plan.

2. Use regulations: The AG district is an overlay district where the uses in the underlying zoning district are allowed as well as the uses in the AG district. Section 420 sets forth permitted, accessory and special land uses within the AG district and the underlying zoning district.
3. Dimensional requirements: The dimensional requirements of the underlying zoning district shall apply in AG districts.
4. Supplemental district standards: In addition to those bulk regulations listed for the underlying zoning district, all development shall conform to supplemental bulk regulations listed in Section 419.

Sec. 412. - Neighborhood business district:

1. Intent: The intent is to meet the day-to-day convenience shopping and service needs of persons residing in immediately adjacent residential areas.
2. Use regulations: Section 420 sets forth permitted, accessory and special land uses within the NB district.
- ~~4.~~3. Dimensional requirements: The following dimensional requirements shall apply to the NB districts.

| Min. Lot Size | | Max. Lot Coverage (all buildings) | Max. Height | | Min. Yards & Setbacks in feet | | |
|---------------|---------------|--------------------------------------|-------------|------|-------------------------------|-----------------------|-----------------------|
| Sq. Ft. | Width in feet | | Stories | Feet | Front | Side | Rear |
| None | None | None | 2 | 25 | 20 | 10 or 50 ¹ | 20 or 50 ¹ |

¹ If a lot borders a residential zoning district or street, the minimum setback shall be fifty (50) feet.

4. Supplemental district standards: In addition to those bulk regulations listed in Section 412.3, all development shall conform to supplemental bulk regulations listed in Section 419.

Sec. 413. - General business district:

1. Intent: The intent is to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the neighborhood business district or neighborhood or regional corridor districts.
2. Use regulations: Section 420 sets forth permitted, accessory and special land uses within the GB district.
3. Dimensional requirements: The following dimensional requirements shall apply to the GB districts.

| Min. Lot Size | | Max. Lot Coverage (all buildings) | Max. Height | | Min. Yards & Setbacks in feet | | |
|---------------|---------------|--------------------------------------|-------------|------|-------------------------------|------|------|
| Sq. Ft. | Width in feet | | Stories | Feet | Front | Side | Rear |

| | | | | | | | |
|----------------------|----------------------|----------------------|-------------------|--------------------|--------------------|--------------------------------------|--------------------------------------|
| None | None | None | 2 | 25 | 20 | 10 or 50¹ | 20 or 50¹ |
|----------------------|----------------------|----------------------|-------------------|--------------------|--------------------|--------------------------------------|--------------------------------------|

¹ If a lot borders a residential zoning district or street, the minimum setback shall be fifty (50) feet.

4. Supplemental district standards: In addition to those bulk regulations listed in Section 413.3, all development shall conform to supplemental bulk regulations listed in Section 419.

Sec. 414. - Innovation and technology district:

1. Intent: The intent is to provide areas for technology, office, craft manufacturing and light industrial uses.
2. Use regulations: Section 420 sets forth permitted, accessory and special land uses within the I-T district.
3. Dimensional requirements: The following dimensional requirements shall apply to the I-T districts.

| <u>Min. Lot Size</u> | | <u>Max. Lot Coverage (all buildings)</u> | <u>Max. Height in feet</u> | <u>Min. Yards & Setbacks in feet</u> | | | |
|----------------------|----------------------|--|--------------------------------|--|--------------------------------------|--------------------------------------|--------------------------------------|
| <u>Sq. Ft.</u> | <u>Width in feet</u> | | | <u>Front</u> | <u>Side</u> | | <u>Rear</u> |
| | | | | | <u>Least</u> | <u>Total</u> | |
| None | None | None | 40 | 20 | 20 or 50¹ | 40 or 70¹ | 20 or 50¹ |

¹ If a lot borders a residential zoning district or street, the minimum side yard setback shall be fifty (50) feet.

4. Supplemental district standards:
- A. In addition to those bulk regulations listed in Section 414.3, all development shall conform to supplemental bulk regulations listed in Section 419.
 - B. All storage shall be in the rear yard and shall be completely screened from all public streets and any adjacent residential, business or corridor zoning district with an obscuring wall or fence, no less than six (6) feet high or with a chain link type fence and greenbelt planting.

Sec. 415. - Logistics and manufacturing district:

1. Intent: The intent is to provide areas for manufacturing, assembling and fabrication activities including large scale or specialized industrial operations, whose external physical effects will be felt to some degree by surrounding districts.
2. Use regulations: Section 420 sets forth permitted, accessory and special land uses within the L-M district.
3. Dimensional requirements: The following dimensional requirements shall apply to the L-M districts.

| <u>Min. Lot Size</u> | | <u>Max. Lot Coverage (all buildings)</u> | <u>Max. Height in feet</u> | <u>Min. Yards & Setbacks in feet</u> | | |
|----------------------|----------------------|--|--------------------------------|--|-------------|-------------|
| <u>Sq. Ft.</u> | <u>Width in feet</u> | | | <u>Front</u> | <u>Side</u> | <u>Rear</u> |
| | | | | | | |

| | | | | | | | |
|-------------|-------------|-------------|-----------|-----------|-----------------------------|-----------------------------|-----------|
| | | | | | <u>Least</u> | <u>Total</u> | |
| <u>None</u> | <u>None</u> | <u>None</u> | <u>50</u> | <u>40</u> | <u>40 or 50¹</u> | <u>80 or 90¹</u> | <u>50</u> |

¹ If a lot borders a residential zoning district or street, the minimum side yard setback shall be fifty (50) feet.

4. Supplemental district standards:

- A. In addition to those bulk regulations listed in Section 415.3, all development shall conform to supplemental bulk regulations listed in Section 419.
- B. All storage shall be in the rear yard and shall be completely screened from all public streets and any adjacent residential, business or corridor zoning district with an obscuring wall or fence, no less than six (6) feet high or with a chain link type fence and greenbelt planting.

Sec. 416. - Industrial and commercial district:

1. Intent: The intent is to revitalize the area and provide employment opportunities with a focus on high-tech industrial and manufacturing, distribution, and specific and targeted marihuana uses.

~~The intent is to accommodate manufacturing, assembling and fabrication activities including business activities which are not well suited to locations in business districts due to their impact on abutting neighborhoods or due to their requirements for large site areas not available in the township's business and corridor districts.~~

2. Use regulations: Section 420 sets forth permitted, accessory and special land uses within the I-C district.

~~4-3. Dimensional requirements: The following dimensional requirements shall apply to the I-C-C districts.~~

| <u>Min. Lot Size</u> | | <u>Max. Lot Coverage (all buildings)</u> | <u>Max. Height in feet</u> | <u>Min. Yards & Setbacks in feet</u> | | | |
|----------------------|----------------------|--|--------------------------------|--|-----------------------------|-----------------------------|-------------|
| <u>Sq. Ft.</u> | <u>Width in feet</u> | | | <u>Front</u> | <u>Side</u> | | <u>Rear</u> |
| | | | | | <u>Least</u> | <u>Total</u> | |
| <u>None</u> | <u>None</u> | <u>None</u> | <u>50</u> | <u>20</u> | <u>40 or 50¹</u> | <u>80 or 90¹</u> | <u>50</u> |

¹ If a lot borders a residential zoning district or street, the minimum side yard setback shall be fifty (50) feet.

4. Supplemental district standards:

- A. In addition to those bulk regulations listed in Section 416.3, all development shall conform to supplemental bulk regulations listed in Section 419.
- B. All storage shall be in the rear yard and shall be completely screened from all public streets and any adjacent residential, business or corridor zoning district with an obscuring wall or fence, no less than six (6) feet high or with a chain link type fence and greenbelt planting.

5. Marihuana regulations:

A. Co-location shall be permitted in accordance with the Medical Marihuana Facilities Licensing Act.

B. Standards by type:

(1) Grower: Applicable standards for grower facilities:

- a. All grower facilities and operations must be within an enclosed building.
- b. A grower may hold more than one (1) class of grower license.
- c. Class A grower and Class B grower only permitted.
- d. A grower shall comply with all of the following:
 - i. No pesticides or insecticides which are prohibited by applicable law for fertilization or production of edible produce shall be used on any marihuana cultivated, produced, or distributed by an adult-use marihuana business.
 - ii. An adult marihuana business shall be ventilated so that the odor of marihuana cannot be detected by a person with a normal sense of smell at the exterior of the adult-use marihuana business or at any adjoining use or property.

(2) Processor: Applicable standards for processor facilities:

- a. Only one (1) processor facility license permitted per parcel or lot.
- b. All processing operations must be conducted within an enclosed building.

(3) Secure transporter: Applicable standards for secure transporter:

- a. A secure transporter license authorizes the storage and transport of marihuana, marihuana-infused products and money associated with the purchase or sale of marihuana and marihuana-infused products between marihuana facilities at the request of a person with legal custody of the marihuana, marihuana-infused products, or money. It does not authorize transport to a registered qualifying patient or registered primary caregiver who is not a licensee.

(4) Dispensary: Applicable standards for dispensary:

- a. Only one (1) dispensary license per parcel or lot.
- b. All dispensary activities must be conducted within an enclosed building.
- c. A dispensary license authorizes the provisioning center to transfer marihuana to or from a safety compliance facility for testing by means of a secure transporter.

(5) Safety compliance facility: Applicable standards for safety compliance:

- a. All testing must be conducted within an enclosed building.

C. Regulations applicable to all districts:

- (1) All other applicable state laws, rules, and regulations.
- (2) No person shall establish or operate a medical marihuana commercial entity in the Township without first having obtained from the State a license for each such facility to be operated. License certificates shall be kept current and publicly displayed within the

facility. Failure to maintain or display a current license certificate shall be a violation of this Article subject to Section 1900, Violations, civil infractions.

(3) Applicant shall be fully licensed with the State of Michigan and any other required licensing body including compliance with all other applicable Township Ordinances.

(4) It shall be unlawful to operate or cause to be operated a marihuana facility or establishment within:

a. One thousand (1,000) feet of any of the following:

i. A place of worship.

ii. A school or childcare facility.

iii. Three hundred (300) feet of a public park.

(5) For the purpose of this Section, measurements shall be made in a straight line in all directions without regard to intervening structures or objects, from the closest part of the structure used in conjunction with the marihuana retail sales operation to the closest point on a property boundary or right-of-way associated with any of the land use(s) identified in j, ii, and iii above. If the marihuana retail sales operation is located in a multitenant structure, the distance shall be measured from the closest part of the tenant space occupied by the marihuana retail sales operation to the closest point on a property boundary or right-of-way associated with any of the land use(s) identified in subsection j, ii, and iii above.

(6) A marihuana facility or establishment lawfully operating is not rendered a nonconforming use by the subsequent location of a place of worship, school, childcare facility, public park, residential district, or a residential lot within the distances specified in this Ordinance of the marihuana facility or establishment. However, if a marihuana facility or establishment ceases operation for a period of one hundred and eighty (180) days or more, regardless of any intent to resume operation, it may not recommence operation in that location unless it achieves conformity with the Township Ordinances.

(7) Co-Location shall be permitted in accordance with the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as amended (MCL 333.27951...333.27967 et. seq.)

(8) A marihuana facility or establishment shall be closed for business, and no sale or other distribution of marihuana in any form shall occur upon the premises or be delivered to or from the premises, between the hours of 9:00 p.m. and 7:00 a.m.

(9) Visibility of activities; control of emissions:

a. All activities of marihuana commercial entities, including, without limitation, the cultivating, growing, processing, displaying, manufacturing, and storage of marihuana and marihuana-infused products shall be conducted indoors and out of public view.

b. No medical marihuana or paraphernalia shall be displayed or kept in a business so as to be visible from outside the licensed premises.

c. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids, and other substances from exiting a marihuana commercial entity must be provided at all

times. In the event that any odors, debris, dust, fluids, or other substances exit a marihuana commercial entity, the owner of the subject premises and the licensee shall be jointly and severally liable for such conditions and shall be responsible for immediate, full clean-up and correction of such condition. The licensee shall properly dispose of all such materials, items, and other substances in a safe, sanitary, and secure manner and in accordance with all applicable federal, state, and local laws and regulations.

(10) Odor control:

- a. No person, tenant, occupant, or property owner shall permit the emission of any odor from any source to result in detectable odors that leave the premises upon which they originated and interfere with the reasonable and comfortable use and enjoyment of another's property.
- b. Whether or not an odor emission interferes with the reasonable and comfortable use and enjoyment of a property shall be measured against the objective standards of a reasonable person of normal sensitivity.
- c. A grower or a processor shall install and maintain in operable condition a system which precludes the emission of marihuana odor from the premises.

(11) Amount of marihuana: The amount of marihuana on the permitted property and under the control of the permit holder or owner or operator of the facility or establishment shall not exceed that amount permitted by the state license or applicable law.

(12) Use of marihuana: The sale, consumption or use of alcohol or tobacco products on the permitted premises is prohibited. Smoking or consumption of controlled substances, including marihuana, on the permitted premises is prohibited except as expressly allowed by state law.

(13) Indoor operation: All activities of commercial medical marihuana facilities and marihuana establishments, including without limitation distribution, growth, cultivation, or the sale of marihuana, and all other related activity permitted under the permit holder's license or permit, must occur indoors. The facility or establishment's operation and design shall minimize any impact to adjacent uses, including the control of any odor, by maintaining and operating an air filtration system so that no odor is detectable outside the permitted premises.

(14) Distribution: No person operating a facility or establishment shall provide or otherwise make available marihuana to any person who is not legally authorized to receive marihuana under state law.

(15) Permits: All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the permitted premises in which electrical, wiring, lighting, or watering devices that support the cultivation, growing, and harvesting of marihuana are located.

(16) Waste disposal: The permit holder, owner and operator of the facility or establishment shall use lawful methods in controlling waste or by-products from any activities allowed under the license or permit.

(17) An authorized person shall consent to the entry into a marihuana facility by the Building Official and Zoning Administrator for the purpose of inspection to determine compliance with this Section pursuant to a notice posted in a conspicuous place on the premises two (2) or more days before the date of the inspection or sent by first class mail to the address of the premises four (4) or more calendar days before the date of the inspection.

Sec. 417. - Neighborhood corridor and general corridor districts:

For intent, location, standards, and submittal requirements for the NC and GC Districts refer to Article 5.

Sec. 418. - PD districts:

For intent, location, standards, and submittal requirements for the PD Districts refer to Article 6.

Sec. 419. - Supplemental dimensional regulations applicable to all districts:

1. Continued conformity with bulk regulations: The maintenance of setback, height, lot coverage, open space, mobile home site, transition strip, lot area and lot area per dwelling unit required for one (1) use, lot, building or structure shall be a continuing obligation of the owner of such building, structure, or lot on which such use, building or structure exists. No setback, height, lot coverage, open space, mobile home site, transition strip, lot area per dwelling unit allocated to or required about or in connection with one (1) lot, use, building or structure may be allocated to any other lot, use, building, or structure.
2. Setbacks and yard requirements: The setback and yard requirements established by this Ordinance shall apply to every lot, principal building, or principal structure, except for the following structures, which may be located anywhere on any lot unless as specified below:
 - A. Trees, plants, shrubs, gardens, and hedges.
 - B. Window-mounted air conditioning units, access drives, arbors and trellises, open stairways without a roof, steps and stoops, antennas exempt from review under Section 1150, and little libraries.
 - C. Awnings, canopies, and flag poles, except as regulated in Article 15.
 - D. Bay windows, windowsills, belt courses, cornices, eaves, overhanging eaves and other architectural features may project into a required side yard not more than two (2) inches for each one (1) foot of width of such side yard, and may extend into any front or rear yard not more than twenty-four (24) inches.
 - E. Terraces, decks, and porches: Open porches, decks and paved terraces may project into a side or rear yard but may not be located closer than five (5) feet from a side or rear property line.
3. Minimum lot size: The following regulations apply to the minimum lot size in all districts:
 - A. All lots that are not served by either public sanitary sewer or public water, as defined by the Michigan Department of Public Health, (i.e., lots with both on-site well and septic) shall have a minimum lot area as required by the Washtenaw County Health Department.

4. Lot depth to width ratio: The maximum ratio of lot depth to lot width shall not exceed a depth of four (4) times the width.
5. Height: The height requirements established by this Ordinance shall apply to every building and structure with the following exceptions provided their location shall conform to the requirements of the Charter Township of Ypsilanti, the Federal Communications Commission, the Federal Aviation Administration, the Willow Run Airport Zoning Agency, and other public authorities having jurisdiction:
- A. Public utility towers, structures, transmission and distribution lines and related structures; radio and television broadcasting and receiving antennae; water towers; and wireless communication facilities where the aforementioned structures are permitted in the district therein located or are a special use in said district subject to the provisions of Article 10.
 - B. The highest point of chimneys, spires, cupolas, domes, and towers may be erected to a height that does not exceed one hundred fifty percent (150%) of the maximum permitted building height in the district therein located.
 - C. Rooftop structures for the housing of elevators, stairways, tanks, heating and air conditioning equipment, and other similar apparatus may be erected above the height limits if the Planning Commission finds that the elevation plans illustrate the following conditions are met:
 - (1) All rooftop equipment and apparatus shall be housed in a parapet wall or screening structure constructed of the same type of building material and same color used in the principal structure.
 - (2) Structures shall be set back from the outermost vertical walls or parapet of the principal structure a distance equal to at least two (2) times the height of such structure. The height of such structure shall in no instance exceed fifteen (15) feet.
 - (3) Such structure shall not have a total floor area greater than fifteen percent (15%) of the total roof area of the building.
 - D. Architectural details incorporated into the façade(s) of a commercial or industrial structure provided that the overall height of any wall area extending above the maximum permitted height for the district therein located shall not exceed one hundred twenty-five percent (125%) of the permitted building height and shall not involve more than fifteen percent (15%) of the width of the front façade.
- ~~4-6.~~ Setbacks and distances between buildings for multi-building developments: In addition to the required setback lines provided elsewhere in this Ordinance, in multiple-family dwellings (including semi-detached and multiple dwellings), the following minimum distances shall be as required by the Maximum Distance Between Buildings Table.

| |
|---|
| <u>Minimum Distance Between Buildings Table</u> |
| <u>Minimum Setback From</u> |

| | Internal Drive | Building Side to Building Side | Building Side to Building Front or Building Rear | Building Front to Building Front or Building Rear Building Rear to Building Rear |
|---|--------------------------------|--|--|---|
| Buildings thirty-five (35) feet in height or under | 20 feet | 20 feet | 30 feet | 40 feet |
| Buildings thirty-six (36) feet in height and higher | 20 feet | 30 feet | 36 feet | 50 feet |

Sec. ~~342006~~. - ~~Schedule of uses~~[Residential use table](#):

1. In all districts, no building or land shall be used, and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided in this Article. The following land use schedules show the uses which are permitted, permitted as a special use, permitted as an accessory use, or prohibited in specific districts or zones in the Charter Township of Ypsilanti. The land use schedules are intended to serve as a guide for the convenience of the user of this zoning Ordinance. More detailed standards regarding uses are contained within the individual district standards within Article 11.
2. The schedules of use regulations identifies uses as follows:
 - A. P: Principal permitted uses. Uses permitted by right in the applicable zoning district, subject to compliance with all other applicable requirements of this zoning Ordinance.
 - B. ~~SL-PC~~: Special ~~conditional~~[land uses approved by the Planning Commission](#). Uses which may be permitted upon the granting of a permit for such use by the ~~p~~Planning ~~e~~Commission, subject to the compliance with all applicable requirements of this ~~z~~Zoning ~~e~~Ordinance, and subject further to such other reasonable conditions which in the opinion of the ~~p~~Planning ~~e~~Commission are necessary to provide adequate protection to the neighborhood and to abutting properties and subject further to a public hearing in accord with ~~s~~Section ~~2309~~310, Public hearing requirements ~~and~~ further shall be reviewed as provided for in ~~section 2419~~[Article 10](#).
 - C. ~~SL-TB~~: [Special land uses approved by the Board of Trustees. Uses which may be permitted upon the granting of a permit for such use by the Board of Trustees, upon recommendation by the Planning Commission, subject to the compliance with all applicable requirements of this Zoning Ordinance, and subject further to such other reasonable conditions which in the opinion of the Board of Trustees are necessary to provide adequate protection to the neighborhood and to abutting properties and subject further to a public hearing in accord with Section 310, Public hearing requirements and further shall be reviewed as provided for in Article 10.](#)
 - ~~C.D.~~ ~~A~~: Accessory uses. Uses which may be permitted as an accessory use incidental to the principal use of the premises, subject to compliance with all other applicable requirements of this ~~z~~Zoning ~~e~~Ordinance.
 - ~~D.E.d~~ ~~—~~: Not permitted. Uses not permitted within the district.

3. Residential districts schedule of uses identifies the uses allowed in the following residential districts:

- a. R-1 to R-5 one family residential districts: The intent is to provide for an environment of predominantly low density, one family dwellings along with other residentially related facilities which serve the residents in the district.
- b. RM-1 and RM-2 multiple family residential districts: The intent is to provide sites for low to moderate density multiple family dwelling structures, and related uses.
- c. RM-3 and RM-4 multiple family residential districts: The intent is to provide sites for high density multiple dwelling developments.
- d. RM-5 townhouse residential districts: The intent is to provide for moderate density infill housing.
- e. MHP mobile home park districts: The intent is to provide for mobile home and manufactured housing communities.

| Residential Districts Use Table | R-1 to R-5 3 | R-4 to R-5 | RM-1 and RM-2 RM-LD to RM-MD | RM-HDS 3 and RM-4 | RM-5 AG | MHP | Notes |
|---|-------------------------|------------|------------------------------|------------------------------|---------|-----|---|
| P = Permitted Use SL-PC = Special Conditional Use <u>Planning Commission Approval</u> SL-TB = Special Use Township Board Approval A = Accessory Use — = Not permitted | | | | | | | |
| Residential Uses | | | | | | | |
| Detached single-family residential | P | P | P | P | — | — | Subject to regulations in Section 1101 |
| Open Space Communities | <u>P</u> | <u>P</u> | = | = | = | = | Subject to regulations in Section 702. |
| Single-Family Residential Plat or Site Condominium | <u>SL- TB</u> | <u>P</u> | = | = | = | = | |
| Two-family residential | — | — | P | P | — | — | Must have with individual entrances and garages for each dwelling unit |
| Townhouses | = | = | <u>P</u> | <u>P</u> | = | = | Subject to regulations in Section 1163. |
| Multiple-family dwelling units | — | — | P | P | — | — | Subject to design regulations in underlying zoning district. |

-Article 5 – District Regulations
Final Draft

DATE: August 6, 2021

| Residential Districts Use Table | R-1 to R-53 | R-4 to R-5 | RM-1 and RM-2 to RM-MD | RM-HDS3 and RM-4 | RM-5 AG | MHP | Notes |
|---|-------------|------------|------------------------|------------------|---------|-----|--|
| P = Permitted Use SL-PC = Special Conditional Use <u>Planning Commission Approval</u> SL-TB = Special Use Township Board Approval A = Accessory Use — = Not permitted | | | | | | | |
| Senior independent and assisted living | — | — | P | P | — | — | Subject to regulations in Section <u>1160</u> . |
| Convalescent and nursing homes | — | — | SL-TB | SL-TB | — | — | Subject to conditions in Section <u>1114, 1816</u> |
| Mobile Home Parks/mobile homes | — | — | — | — | — | P | Subject to conditions in Section <u>1162</u> . |
| Accessory Uses | | | | | | | |
| Accessory home occupations | A | A | A | A | A | A | Subject to conditions in Section 1802 <u>1102</u> . |
| Retail uses accessory to high rise multiple family dwelling | — | — | — | A | — | — | Subject to conditions in section 1817 |
| Keeping of up to four (4) hens | A | A | — | — | — | — | Subject to conditions in Section <u>11803</u> |
| <u>Garage and Yard Sales</u> | A | A | - | - | - | - | <u>Subject to conditions in Section 1158.</u> |
| Keeping of more than four dogs | S | — | — | — | — | — | Subject to conditions in section 1815 |
| Accessory buildings and uses customarily incident to any of the permitted uses in this table | A | A | A | A | A | A | |
| State-licensed residential child and adult care facilities | | | | | | | |
| Adult/child family day care homes | P | P | P | P | — | — | Subject to the conditions in <u>Section 1155, section 1861</u> |

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-Article 5 – District Regulations
Final Draft

DATE: August 6, 2021

| Residential Districts Use Table | R-1 to R-5 3 | R-4 to R-5 | RM-1 and RM-2 to RM-LD to RM-MD | RM-HDS 3 and RM-4 | RM-5 AG | MHP | Notes |
|---|-------------------------|--------------|---------------------------------|------------------------------|--------------|----------|---|
| P = Permitted Use SL-PC = Special Conditional Use <u>Planning Commission Approval</u> SL-TB = Special Use Township Board Approval A = Accessory Use — = Not permitted | | | | | | | |
| Adult/child group day care homes | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | — | — | Subject to the conditions in <u>Section 1155</u> , section 1861 |
| Adult/child day care center + preschools | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | — | — | Subject to the conditions in <u>Section 1155</u> , section 1861 . Accessory to an allowed non-residential use in the R-1 to R-5 zoning districts |
| Adult and child foster care family home | P | <u>P</u> | P | P | — | — | Subject to the conditions in <u>Section 1155</u> , section 1861 |
| Adult foster care, small group home | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | — | — | Subject to the conditions in <u>Section 1155</u> , section 1861 |
| Adult foster care, large group home | — | <u>—</u> | <u>SL-PC</u> | <u>SL-PC</u> | — | — | Subject to the conditions in <u>Section 1155</u> , section 1861 |
| Adult foster care congregate facility | — | <u>—</u> | <u>SL-PC</u> | <u>SL-PC</u> | — | — | Subject to the conditions in section 1861 <u>Section 1155</u> . |
| Child foster care family group home | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | — | — | Subject to the conditions in <u>Section 1155</u> , section 1861 |
| Senior Assisted and Independent Living | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>SL-PC</u> | <u>—</u> | Subject to conditions in section 1160. |
| Agricultural | | | | | | | |

| Residential Districts Use Table | R-1 to R-5 3 | R-4 to R-5 | RM-1 and RM-2 RM-LD to RM-MD | RM-HDS 3 and RM-4 | RM-5 AG | MHP | Notes |
|---|-------------------------|------------|------------------------------|------------------------------|------------------|-----|---|
| P = Permitted Use SL-PC = Special Conditional Use <u>Planning Commission Approval</u> SL-TB = Special Use Township Board Approval A = Accessory Use — = Not permitted | | | | | | | |
| Farm operation | = P | = | — | — | P | — | Five acre minimum lot size Subject to conditions in section 1804 |
| <u>Community supported agriculture</u> | : | : | : | : | P | : | Subject to conditions in Section 1112. |
| Seasonal sale of produce on farms | = | = | — | — | P | — | Subject to conditions in section 1813 Subject to Michigan Generally Accepted Agricultural Management Practices |
| Farms with <u>agricultural commercial and tourism sales and entertainment facilities</u> | = S | = | — | — | SL-TB | — | Subject to conditions in Section 1149.855 |
| <u>Institutional farms</u> | S | — | — | — | — | — | Subject to conditions in section 1814 |
| Private stables | A | = | — | — | A | — | Subject to conditions in section 1810 Section 1109. |
| Public riding and/or boarding stables | = P | = | — | — | P | — | Subject to conditions in Section 1108, section 1809 |
| <u>Commercial kennel/pet day care</u> | : | : | : | : | SL-PC | : | Subject to conditions in Section 1161. |
| Greenhouse and plant material nursery (materials grown and sold on-site) | = S | = | — | — | P | — | Subject to conditions in section 1811 Section 1110. |
| <u>Artisan food and beverage production</u> | : | : | : | : | SL-PC | : | Subject to conditions in Section 1159. |

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| Residential Districts Use Table | R-1 to R-5 3 | R-4 to R-5 | RM-1 and RM-2 to RM-LD to RM-MD | RM-HDS 3 and RM-4 | RM-5 AG | MHP | Notes |
|--|-----------------------------------|----------------------------------|---------------------------------|------------------------------|-----------------------|-----|--|
| P = Permitted Use SL-PC = Special Conditional Use Planning Commission Approval SL-TB = Special Use Township Board Approval A = Accessory Use — = Not permitted | | | | | | | |
| Tasting rooms for vineyards, distilleries, or micro-breweries on farm operations | = | = | = | = | SL-PC | = | Subject to conditions in Section XX.XX 1149. |
| Farmers markets | = | = | = | = | SL-PC | = | |
| Large solar generation facility on a farm operation | = | = | = | = | SL-PC | = | Subject to conditions in Section 807, Solar energy systems. |
| Lodging | | | | | | | |
| Bed and breakfasts operations | SL-PC | SL-PC | — | — | — | — | Subject to conditions in section 1808 Section 1107 |
| Civic/Institutional | | | | | | | |
| Publicly owned and operated libraries | SL-PC | SL-PC | P | P | — | P | |
| Cemeteries | SL-PC | SL-PC | — | — | — | — | Subject to conditions in Section 1111. |
| Houses of worship | SL-PC | SL-PC | P | P | = | P | |
| Public, parochial and other private elementary schools offering courses in general education, and not operated for profit. Primary schools | PSL-PC | SL-PC | — | — | — | — | |
| Public, parochial and private intermediate and/or secondary schools offering courses in general education, not operated for profit. | SL-PC | SL-PC | — | — | — | — | Access must comply with regulations in section 2118 |

| Residential Districts Use Table | R-1 to R-5 3 | R-4 to R-5 | RM-1 and RM-2 to RM-LD to RM-MD | RM-HDS 3 and RM-4 | RM-5 AG | MHP | Notes |
|---|-------------------------|--------------|---------------------------------|------------------------------|--------------|--------------|---|
| P = Permitted Use SL-PC = Special Conditional Use <u>Planning Commission Approval</u> SL-TB = Special Use Township Board Approval A = Accessory Use — = Not permitted | | | | | | | |
| Colleges, universities, and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit | S | <u>S</u> | S | S | — | — | Subject to conditions in <u>Section 1106</u> |
| Utility and public service buildings and uses (without storage yards) when operating requirements necessitate the locating of said building within the district in order to serve the immediate vicinity. | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | |
| Recreation | | | | | | | |
| Parks, common greens, plazas, public gathering places and open space | P | <u>P</u> | P | P | P | P | |
| Publicly owned and operated recreational facilities | P | | P | P | — | P | |
| Golf courses | <u>SL-PC</u> | <u>SL-PC</u> | P | P | — | — | Subject to conditions in <u>Section 1105</u> section 1806 and <u>footnote 4 in the schedule of regulations</u> |
| Institutional or community recreation centers and nonprofit swimming pool clubs | <u>SL-PC</u> | <u>SL-PC</u> | P | P | P | P | Subject to conditions in section 1805 <u>Section 1104</u> |
| Community buildings for use by the tenants of the mobile home park as well as recreation areas and playgrounds | — | <u>—</u> | — | — | — | P | |

| Residential Districts Use Table | R-1 to R-5 3 | R-4 to R-5 | RM-1 and RM-2 RM-LD to RM-MD | RM-HDS 3 and RM-4 | RM-5 AG | MHP | Notes |
|---|--|------------|------------------------------|------------------------------|----------|-----|--|
| P = Permitted Use SL-PC = Special Conditional Use <u>Planning Commission Approval</u> SL-TB = Special Use Township Board Approval A = Accessory Use — = Not permitted | | | | | | | |
| Private or public recreation vehicle campgrounds | — | <u>P*</u> | — | — | — | — | *Principal use in R-4 only. <u>Subject to conditions in section 1852</u> <u>Subject to conditions in Section 1146.</u> |
| Other | | | | | | | |
| One office building to be used exclusively for conducting the business operation of the mobile home park | — | <u>—</u> | — | — | — | P | |
| Utility buildings for laundry facilities and auxiliary storage space for mobile home tenants | — | <u>—</u> | — | — | — | P | |
| Storage of recreation vehicles | — | <u>—</u> | — | — | — | P | Subject to conditions in <u>Section 1147, section 1853</u> |
| <u>Incidental Sales and Services</u> | — | — | A | A | — | — | <u>Subject to conditions in Section 1132.</u> |
| <u>Keeping of more than four (4) dogs in one-family residential districts</u> | <u>P</u> | <u>P</u> | — | — | <u>P</u> | — | <u>Subject to conditions in Section 1113.</u> |
| Wireless communication towers and antennas | See section 1850 <u>Section 1144.</u> | | | | | | |

4. ~~Office and business districts schedule of uses identifies the uses allowed in the following residential districts:~~

~~a. OS-1 office service districts: The intent is to accommodate uses such as offices, banks and personal services.~~

-Article 5 – District Regulations

Final Draft

DATE: August 6, 2021

b. ~~B-1 local business districts: The intent is to meet the day to day convenience shopping and service needs of persons residing in immediately adjacent residential areas.~~

c. ~~B-2 community business districts: The intent is to cater to the needs of a larger consumer population than is served by the local business districts.~~

d. ~~B-3 general business districts: The intent is to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the local business district or the community business district.~~

| Office and Business Districts Use Table | <u>NB</u> | <u>GB</u> | 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 | | | |
| Retail | <u>P</u> | <u>P</u> | |
| <u>With drive-through or drive-in facilities</u> | <u>SL-PCP</u> | <u>SL-PCP</u> | Subject to conditions in Section 1118.823 |
| Antique businesses | <u>P</u> | <u>P</u> | Pawnbrokers, secondhand dealers and junk dealers are not included in this use |
| Secondhand apparel businesses | <u>P</u> | <u>P</u> | Pawnbrokers, secondhand dealers, and junk dealers are not included in this use |
| <u>Coin Laundry</u> | | <u>P</u> | |
| Commercial kennel/ <u>Pet Day Care</u> | <u>--</u> | <u>--</u> | All activities are conducted within enclosed main building; all buildings are set back at least two hundred (200) feet from abutting residential districts on the same side of the street |
| Mortuary establishments <u>Mortuaries/Funeral Homes</u> | <u>SL-PC</u> | <u>SL-PC</u> | Subject to conditions in Section 1115.848 |
| Personal service establishments | <u>P</u> | <u>P</u> | |
| | <u>P</u> | <u>P</u> | Up to 15,000 square feet in size |
| Adult/child day care center + preschools | <u>P</u> | <u>P</u> | Subject to the conditions in Section 1155.864 |

| Office and Business Districts Use Table | <u>NB</u> | <u>GB</u> | Notes |
|---|------------------------------|---------------------------|---|
| P = Permitted Use SL-PC = Special Use Planning Commission Approval SL-TB = Special Use Township Board Approval A = Accessory Use -- = Not permitted | | | |
| Smoking lounges | -P | <u>PSL-PC</u> | Subject to the conditions in Section 1131.836 |
| Veterinary clinics | --P | <u>SL-PCP</u> | Subject to conditions in Section 1116.820 |
| Veterinary hospitals | -P | <u>SL-PCP</u> | Subject to conditions in Section 1117.824 |
| Temporary sidewalk, outdoor and tent sales for principal use | <u>A</u> | <u>A</u> | Subject to conditions in Section 1128.832 |
| Temporary sales unrelated to principal use | <u>A</u> | <u>A</u> | Temporary use subject to approval by the Zoning Board of Appeals. See Section 2404.3.f Appeals per Section 1704.4.B |
| Tattoo parlor | | <u>P</u> | |
| Building material sales, garden center, and similar uses. Retail sales of plant material not grown on the site, lawn furniture, playground equipment and/or garden supplies. | <u>S</u> | <u>SL-PC S</u> | Subject to conditions in Section 1125.828 |
| Open air business Outdoor storage or display of merchandise, goods or items associated with a permitted use | <u>S</u> | <u>SL-PC</u> | Subject to conditions in Section 1119.1824 |
| Banks, credit unions, savings and loan establishments and similar financial institutions | <u>P</u> | <u>P</u> | With no drive-through |
| | <u>PSL-PC</u> | <u>PSL-PC</u> | Up to two (2) drive-through teller windows or automated teller windows and stand-alone automatic bank teller machines, subject to conditions in Section 1118.823 |
| | <u>P -- SL-PC</u> | <u>PSL-PC</u> | With drive-through, subject to conditions in Section 1118.823 |

| Office and 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 | | | |
| Medical offices | <u>P</u> | <u>P</u> | Medical offices up to 15,000 square feet in size |
| | P — <u>SL-PC</u> | PSL-PC | Medical offices over 15,000 square feet in size |
| Medical clinics | = | <u>P</u> | |
| <u>Massage therapy</u> | | <u>P</u> | <u>Subject to conditions in Section 1140</u> |
| Urgent care facilities | = | <u>P</u> | |
| Office buildings and uses | <u>PSL-PC</u> | <u>PSL-PCS</u> | <u>Offices up to 15,000 square feet in size</u> |
| | = | PSL-PC | <u>Offices over 15,000 square feet in size</u> |
| Restaurants | <u>P</u> | <u>P</u> | SCU is subject to conditions in section 1822 |
| <i>Drive-through restaurants</i> | P — <u>SL-PC</u> | <u>PSL-PC</u> | Subject to conditions in Section <u>1118.823</u> |
| <i>Outdoor or sidewalk cafes</i> | <u>A</u> | <u>A</u> | Accessory use to existing restaurant, subject to conditions in Section <u>1120.825</u> |
| Hotels | = | SL-PCSL-PC | <u>Subject to conditions in Section 1123.</u> |
| <u>Extended Stay Hotels</u> | = | <u>SL-PC-SL-PC</u> | <u>Subject to conditions in Section 1124.</u> |
| Motels | - | SL-PC-SL-PC | Subject to conditions in Section <u>1122.827</u> |
| Civic/Institutional | | | |

| Office and Business Districts Use Table | <u>NB</u> | <u>GB</u> | Notes |
|--|--------------|---------------|---|
| P = Permitted Use SL-PC = Special Use Planning Commission Approval SL-TB = Special Use Township Board Approval A = Accessory Use -- = Not permitted | | | |
| Houses of worship | <u>SL-PC</u> | <u>SL-PC</u> | |
| Public/government buildings | <u>SP</u> | <u>SP</u> | |
| Public utility buildings, without storage yards; water and sewage | - | - | Water and sewage pumping stations are excluded in the OS-1 and B-1 districts. |
| Business schools and colleges or private schools operated for profit | -- | <u>SL-PC</u> | |
| Recreation | | | |
| Arcades and similar uses | | | Subject to conditions in section 1102.8 |
| Theaters, public assembly halls, concert halls or similar places of public assembly | <u>P</u> | <u>PP</u> | Conducted completely within enclosed buildings. |
| Outdoor batting cages, archery ranges and similar uses | <u>S</u> | <u>SL-PCS</u> | Subject to conditions in Section 1130.835 |
| Outdoor children's amusement parks, miniature golf courses, golf driving ranges and similar uses | - | <u>SL-PC</u> | Subject to conditions in Section 1130.834 |
| Health clubs, fitness centers, gyms and aerobic clubs, health and fitness center | <u>P</u> | <u>PSL-PC</u> | |
| Indoor recreational facility, including bowling alley, archery range, tennis/racquet ball court, skating rink, athletic field, swimming pool, and other similar uses | <u>P</u> | <u>SL-PC</u> | 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 |
| Automotive/Transportation | | | |
| Automobile car Vehicle wash, automatic or self-service | <u>P</u> | <u>SL-PC</u> | Subject to conditions in Section 1129.833 |
| Bus passenger stations | <u>A</u> | <u>A</u> | |

| Office and Business Districts Use Table | <u>NB</u> | <u>GB</u> | Notes |
|---|------------------|---------------|--|
| P = Permitted Use SL-PC = Special Use Planning Commission Approval SL-TB = Special Use Township Board Approval A = Accessory Use -- = Not permitted | | | |
| Gasoline service Vehicle fueling/multi-use station with or without minor repair and sale of incidental minor accessories or convenience items. | <u>SL-PCP</u> | <u>SL-PCP</u> | Subject to the conditions in Section 1126.829 |
| Minor automotive repair businesses | <u>SSL-PC</u> | <u>SSL-PC</u> | Subject to conditions in [section] 1127.830 |
| Dealership for sale of new or used automobiles, boats, house trailers or rental of trailers and/or automobiles | <u>S</u> | <u>SL-PC</u> | Subject to conditions in [Section] 1121.826 |
| Off street parking lots as primary use | <u>A</u> | <u>A</u> | Subject to conditions in section 1202. |
| Railroad lines, rail spurs and similar rail transport access facilities | <u>P-</u> | <u>P-</u> | Subject to conditions in Section 1145.854 |
| Towing services without an impound or storage yard, taxi terminals and dispatch facilities, limousine services and bus depots | - | - | Subject to conditions in Section 1156.862 |
| Accessory Uses | | | |
| Accessory buildings and uses customarily incident to any permitted use in this table | A | A | |
| <u>Incidental Sales and Services</u> | - | <u>A</u> | <u>Subject to conditions in Section 1132</u> |
| Other | | | |
| Wireless communication towers and antennas | See Section 1144 | | |

~~5. Town center districts: Schedule of uses identifies the uses allowed in the following residential districts:~~

~~a. TC 1 districts: The intent is for a non-residential zone with a mixture of commercial, office, research and development and recreational uses.~~

~~b. TC 2 districts: The intent is for a mixture of commercial, office, residential and recreational uses.~~

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-Article 5 – District Regulations

Final Draft

DATE: August 6, 2021

c. TC-3 districts: The intent is for commercial and office uses that provide convenience goods and services to residents of the township.

d. TC-4 districts: The intent is for primarily residential uses.

e. TC-5 district: The intent is for this area to be the civic zone with governmental and civic uses including the township hall, district court, National Guard Armory and library.

| Town Center Districts Use Table | TC-1 | TC-2 | TC-3 | TC-4 | TC-5 | Notes |
|--|------|------|------|------|------|--|
| P = Permitted Use S = Special Conditional Use A = Accessory Use — = Not permitted | | | | | | |
| Residential Uses | | | | | | |
| Detached single family residential | | P | P | P | | Subject to regulations in section 1801 |
| Two family residential with individual entrances and garages | | P | | P | | |
| Attached single family residential/townhouse uses with individual entrances and garages | | P | | P | | |
| Residential dwellings on upper floors within mixed-use buildings | | P | P | | | |
| Live/work units with a dwelling unit on the upper floor above a first floor space under the same ownership that can be used for a commercial use | | P | P | S | | |
| Senior assisted living | | P | P | P | | |

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-Article 5 – District Regulations
Final Draft
DATE: August 6, 2021

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| Nursing homes | | P | P | S | P | |
| Accessory Uses | | | | | | |
| Accessory home occupations | | P | P | P | | Subject to conditions in section 1802 |
| Accessory buildings and uses customarily incident to any permitted use in this table | A | A | A | A | A | |
| Retail and Services | | | | | | |
| Retail establishments within an enclosed building | P | P | P | | | Floor area 30,000 sq. ft. or less |
| | S | S | S | | | Floor area above 30,000 sq. ft. |
| Drive thru service accessory to a retail use | S | S | S | | | |
| Child care centers, preschool and commercial day care | P | P | P | | | Subject to the conditions in section 1861 |
| Dry cleaning drop-off stations | P | P | P | | | |
| Gasoline service stations and carwashes | S | | | | | |

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|--|---|---|---|---|---|--|
| Personal service establishments such as barber/beauty shops, dry-cleaning, drop-off stations, shoe repair shops and tailoring | P | P | P | | | |
| Lodging and Restaurants | | | | | | |
| Restaurants, taverns, bars, delicatessen, food carryout, and similar establishments serving food or beverages, including sidewalk cafes, but excluding drive-through | P | P | P | | | Sidewalk cafes are subject to conditions in section 1825 |
| Drive-through restaurants | S | | | | | |
| Hotels | P | P | P | | | |
| Bed and breakfast inns | P | P | P | S | | |
| Banquet halls | S | S | S | S | S | |
| Office and Financial | | | | | | |
| Banks with up to three drive-through teller lanes | P | S | S | | | |
| Medical offices, clinics and hospitals | P | P | P | | | |
| Professional offices | P | P | P | | | |
| Real estate, insurance and investment brokers | P | P | P | | | |

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-Article 5 – District Regulations
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| Research and development, including laboratories, prototype development and testing facilities | S | | | | | |
| Veterinary hospital, small animal | S | S | S | | | |
| Recreation | | | | | | |
| Assembly halls, recreational clubs, fraternal order halls, lodge halls or other similar places of assembly | P | P | P | | P | |
| Golf courses | P | P | P | P | P | |
| Health clubs, fitness centers, gyms and aerobic clubs | P | P | P | | | |
| Indoor recreation such as bowling alleys, racket ball courts, skating rinks and swimming pools | P | P | P | S | P | |
| Parks, common greens, plazas, public gathering places and open space | P | P | P | P | P | |
| Civic | | | | | | |
| Houses of worship | P | P | P | S | P | |
| Public, private or parochial schools | P | P | P | S | P | |
| Public/government buildings such as; township/state/co | P | P | P | | P | |

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|---|-------------------------|---|---|---|---|--|
| <p>unity offices, public museums, libraries and community centers</p> | | | | | | |
| <p>Essential public services</p> | P | P | P | P | P | |
| <p>Other</p> | | | | | | |
| <p>Wireless communication towers and antennas</p> | <p>See section 1850</p> | | | | | |

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56. Industrial districts schedule of uses identifies the uses allowed in the following residential districts:

- a. IRO industrial research office districts: The intent is to provide for a mixture of office, research and industrial facilities.
- b. I-1 light industrial districts: The intent is to primarily accommodate wholesale activities, warehouses, and industrial operations whose external, physical effects no manner affect in a detrimental way any of the surrounding districts.
- c. I-2 general industrial districts: The intent is for manufacturing, assembling and fabrication activities including large scale or specialized industrial operations, whose external physical effects will be felt to some degree by surrounding districts.
- d. I-3 industrial districts: The intent is to provide locations for industrial uses which, due to the nature of activities conducted, are not well suited to locations within I-1 or I-2 districts and whose effects on abutting property as well as beyond the district may impair the use of such abutting property.
- e. I-C industrial and commercial districts: The intent is to accommodate manufacturing, assembling and fabrication activities including business activities which are not well suited to locations in business districts due to their impact on abutting neighborhoods or due to their requirements for large site areas not available in the township's limited business district

| Industrial Districts Use Table | I-T | L-M | ICR-C | 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> | | | | |
| <p>Industrial Uses</p> | | | | |
| <p>Blast furnace, steel furnace, blooming or rolling mill</p> | | P | P | <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</p> |

| Industrial Districts Use Table | I-T | L-M | ICR-G | Notes |
|---|---------------|--------------|--------------|--|
| P = Permitted Use SL-PC = Special Use Planning Commission Approval SL-TB = Special Use Township Board Approval A = Accessory Use -- = Not permitted | | | | |
| Central dry-cleaning plant, service to more than one facility | P | P | | |
| <u>Crematorium</u> | | <u>S</u> | | Subject to conditions in Section 115 |
| Garbage, refuse and rubbish transfer stations | | P | P | Subject to conditions in Section 1152.1858 |
| Heating and electric power generating plants, and all necessary uses | | <u>SL-PC</u> | <u>SL-PC</u> | |
| Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant | | P | 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 |
| 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 | | P | P | Subject to conditions in Section 1842-1137 and Article V, j junkyards and automobile dismantling, of Chapter 22 of the Charter Township of Ypsilanti Code of Ordinances Charter Township of Ypsilanti |
| Lumber and planing mills | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | 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 |
| Manufacture of corrosive acid or alkali, cement, lime, gypsum, or plaster of Paris. | | P | P | 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 |
| Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other small molded rubber products | <u>SL-PCP</u> | P | | In RO-I , must be in enclosed building |

| Industrial Districts Use Table | I-T | L-M | ICR-C | Notes |
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| Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas | SL-PC | P | | In I-T ICR-C , must be in enclosed building |
| Manufacture or assembly of electrical appliances, electronic instruments and devices, radios, and phonographs | P-SL-PC | P | | In I-T ICR-C , must be in enclosed building |
| 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. | SL-PC | P | | In ICR-C I-T , must be in enclosed building |
| 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 | SL-PC | P | | In I-T ICR-C , must be in enclosed building |
| Metal plating, buffing, and polishing | SL-PC | SL-PC | SL-PC | Subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances |
| Mini-warehouses <u>Self-Storage Facilities</u> and storage buildings for lease to the public | SL-PC | SL-PC | | Subject to conditions in Section 1839 <u>1134</u> . |
| Petroleum or other inflammable liquids, production, refining or storage | | P | | 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 |

| Industrial Districts Use Table | I-T | L-M | ICR-G | Notes |
|--|--------------|-------------------|--------------|---|
| P = Permitted Use SL-PC = Special Use Planning Commission Approval | | | | |
| SL-TB = Special Use Township Board Approval A = Accessory Use -- = Not permitted | | | | |
| Sand and gravel extraction | | P | | Subject to conditions in Section <u>1148.854</u> |
| Smelting of copper, iron or zinc ore | | P | | 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 |
| <u>Last mile logistics and distribution warehouses and uses.</u> | | | P | |
| <u>Large Scale Customer Fulfillment Centers</u> | | | P | |
| <u>Laboratories, experimental technology testing facilities.</u> | | | P | |
| <u>Avionic repair and manufacturing including airplanes, helicopters, and drones.</u> | | | P | |
| <u>Green infrastructure and technology</u> | | | P | |
| <u>Data centers for the storage and warehousing of computer servers.</u> | | | P | |
| Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies <u>Outdoor Storage and Contractors/Landscapers Yard</u> | P | P | | Subject to conditions in Section <u>1157863</u> . |
| <u>Open Air Business</u> | <u>SL-PC</u> | PSL-PC | <u>SL-PC</u> | <u>Subject to condition is Section 1119.</u> |
| Warehouses and storage | P | P | | |

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| Industrial Districts Use Table | I-T | L-M | ICR-G | Notes |
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| P = Permitted Use SL-PC = Special Use Planning Commission Approval | | | | |
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| 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 | <u>SL-PC</u> | <u>SL-PC</u> | <u>SL-PC</u> | |
| Laboratories, experimental, film or testing | <u>SL-PC</u> | P | | In I-T-IRG , must be in enclosed building |
| Medical laboratories | P | P | | |
| Research and development, including laboratories, prototype development and testing facilities, design and pilot or experimental product development | P | P | | In I-TRG , must be in enclosed building |
| Agricultural | | | | |
| Farm operation | P | P | | |
| Greenhouse and plant material nursery (materials grown and sold on-site) | P | P | P | |
| <u>Community Supported Agriculture</u> | <u>SL-PC</u> | = | = | |
| Office and Financial | | | | |
| Office buildings | <u>P</u> | | | |
| Data processing and computer centers, including service and maintenance of electronic data processing equipment | <u>P</u> | | | |
| Retail and Services | | | | |
| Adult entertainment facilities <u>Sexually Oriented Businesses</u> | | | <u>SL-PC</u> | Subject to conditions in Section <u>1139844</u> |
| Adult/child day care center + preschools | <u>SL-PC</u> | | | |

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| Industrial Districts Use Table | I-T | L-M | ICR-G | Notes |
|---|------------------|------------------|-------|--|
| P = Permitted Use SL-PC = Special Use Planning Commission Approval | | | | |
| SL-TB = Special Use Township Board Approval A = Accessory Use -- = Not permitted | | | | |
| Commercial kennels/ <u>pet day care</u> | P | P | | <u>Subject to conditions in Section 1161</u> |
| Massage <u>therapy establishment</u> | | | SL-PC | Subject to conditions in Section <u>1140,845</u> |
| Medical marihuana dispensaries and medical marihuana nurseries | SL-PC | SL-PC | | Subject to conditions in Section ,841 |
| Pawnbroker, secondhand dealer, and junk dealer facilities | | | SL-PC | Subject to conditions in Section <u>1141,846</u> |
| <u>Incidental Sales and Services</u> | A | A | A | <u>Subject to conditions in Section 1132</u> |
| <u>Personal service establishments</u> | A | | | Permitted as accessory use only in I-TIRO, subject to conditions in section 1837 |
| <u>Retail</u> | SL-PC | | | Such uses shall comprise not more than 20 percent of the land area of an overall development, subject to conditions in section 1837 |
| Tattoo <u>facilities-parlor</u> | | | SL-PC | Subject to conditions in section 1847 |
| <u>Medical Marihuana</u> | | | | |
| <u>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 Grower (may grow up to one thousand-five hundred (1,500) marijuana plants)</u> | | | P | |
| <u>Processor</u> | | | P | |
| <u>Safety Compliance Facility</u> | | | P | |
| <u>Dispensary</u> | | | P | |

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|---|--------------|-----|----------|--|
| P = Permitted Use SL-PC = Special Use Planning Commission Approval | | | | |
| SL-TB = Special Use Township Board Approval A = Accessory Use -- = Not permitted | | | | |
| <u>Secure Transporter</u> | | | <u>P</u> | |
| <u>Provisioning Center</u> | | | <u>P</u> | |
| <u>Microbusiness</u> | | | <u>P</u> | |
| <u>Recreational Marihuana</u> | | | | |
| <u>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)</u> | | | <u>P</u> | |
| <u>Processor</u> | | | <u>P</u> | |
| <u>Safety Compliance Facility</u> | | | <u>P</u> | |
| <u>Provisioning Center</u> | | | <u>P</u> | |
| <u>Secure Transporter</u> | | | <u>P</u> | |
| <u>Retailer</u> | | | <u>P</u> | |
| <u>Microbusiness</u> | | | <u>P</u> | |
| Lodging and Restaurants | | | | |
| Hotels | <u>P</u> | | | <u>Subject to condition in Section 1123.</u> |
| Motels | <u>P</u> | | | Subject to conditions in Section 1122.837 |
| Restaurants | <u>SL-PC</u> | | | Subject to conditions in Section 1822.b |
| Civic/Institutional | | | | |
| Hospitals | <u>P</u> | | | |

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| Industrial Districts Use Table | I-T | L-M | ICR-C | Notes |
|--|--------------|--------------|------------------|--|
| P = Permitted Use SL-PC = Special Use Planning Commission Approval | | | | |
| SL-TB = Special Use Township Board Approval A = Accessory Use -- = Not permitted | | | | |
| Trade or industrial schools | P | P | | No outdoor storage |
| Parole or probation offices | | | <u>SL-PC</u> | Subject to conditions in Section 1143.849 |
| Public/government buildings | <u>P</u> | | | |
| Public utility buildings, excluding wastewater treatment plants | P | P | | |
| Transfer and electricity and gas service buildings and yards | P | P | | |
| Wastewater treatment plants | | <u>P</u> | <u>SL-PC</u> | Subject to conditions in Section 1154.860 |
| Recreation | | | | |
| Assembly halls, display halls, convention center, theater, or similar places of assembly | <u>P</u> | | | Conducted in completely enclosed building |
| Health clubs, fitness centers, gyms and aerobic clubs, health, and fitness center | <u>SL-PC</u> | <u>SL-PC</u> | | Permitted as accessory use only in IRQ-I-T |
| Indoor recreational facility, including bowling alley, archery range, tennis/racquet ball court, skating rink, athletic field, swimming pool, and other similar uses | <u>SL-PC</u> | <u>SL-PC</u> | | Permitted as accessory use only in I-IRQ . 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. <u>Subject to conditions in Section 1135.</u> |
| Lighted outdoor commercial sports centers, including baseball and other intense activities | | P | | Subject to conditions in Section 1153.859 |
| Outdoor sport ball, simulated war games and similar activities | | P | | Subject to conditions in Section 1151.857 |

| Industrial Districts Use Table | I-T | L-M | ICR-C | Notes |
|---|-------------------|-------|------------------|--|
| P = Permitted Use SL-PC = Special Use Planning Commission Approval | | | | |
| SL-TB = Special Use Township Board Approval A = Accessory Use -- = Not permitted | | | | |
| Outdoor theaters | | SL-PC | SL-PC | Subject to conditions in Section 1138,843 |
| Racetracks (including midget auto and karting tracks) and dirt tracks | | P | | Subject to conditions in Section 1150,856 |
| Automotive/Transportation | | | | |
| Airports | SL-PC | SL-PC | | Subject to conditions in Section 1402,31133 . |
| Auto engine and body repair, and undercoating shops | SL-PC | | | When conducted in enclosed building |
| Automobile mechanical component dismantling and recycling | | | SL-PC | Subject to conditions in Section 1142,848 |
| Freight terminals | P | P | | |
| Railroad transfer and storage tracks, railroad rights-of-way | P | P | | |
| Railroad lines, rail spurs and similar rail transport access facilities | P | P | P | Subject to conditions in Section 1145,854 |
| Accessory Uses | | | | |
| Accessory buildings and uses customarily incident to any permitted use in this table | A | A | A | |
| Other | | | | |
| Wireless communication towers and antennas | See Section 1144. | | | |

(Ord. No. 2018-476 , § 2, 2-20-18)

ARTICLE V – FORM BASED DISTRICTS

Sec. 500. - Intent and Purpose:

1. *Intent:* The Master Plan identified development areas within the Township that place greater emphasis on regulating urban form and character of development. Within these development areas the Township encourages development with a mix of uses, including public open space, in order to provide transit-oriented development in a sustainable way. The Form-Based Mixed-Use Districts are intended to implement the vision, goals, and objectives of the Township Master Plan, the E. Michigan Avenue and Ecorse Road Placemaking Plan, and the Re-Imagine Washtenaw Plan.

Located along Township corridors, the purpose is to transform the corridors into a vibrant, dynamic area through placemaking and the attraction of new investment. Development of buildings and sites, including retrofitting and redevelopment of existing sites and buildings, can include residential, retail, office, and service uses. The redevelopment of corridors will help diversify the Township housing and commercial stock and incorporate architecturally interesting buildings.

2. *Purpose:* The general purpose of these regulations is as follows:
 - A. Promote new investment opportunities by allowing a wide range of potential uses and techniques to expand the employment and economic base.
 - B. Ensure that development is of human scale, primarily pedestrian-oriented, and designed to create attractive streetscapes and pedestrian spaces.
 - C. Ensure that development is designed for all modes of transportation.
 - D. Promote mixed-use development.
 - E. Ensure reasonable transition between higher intensity development and adjacent neighborhoods.
 - F. Improve mobility options and reduce the need for on-site parking by encouraging all modes of transportation, through shared parking, and through on-street parking.
 - G. Provide predictable development approval process.
 - H. Encourage lot consolidation to provide for larger developable sites.

Sec. 501. - Factors for Regulation:

These regulations are based on three (3) significant factors: corridor type as identified the Master Plan, site context, and building features.

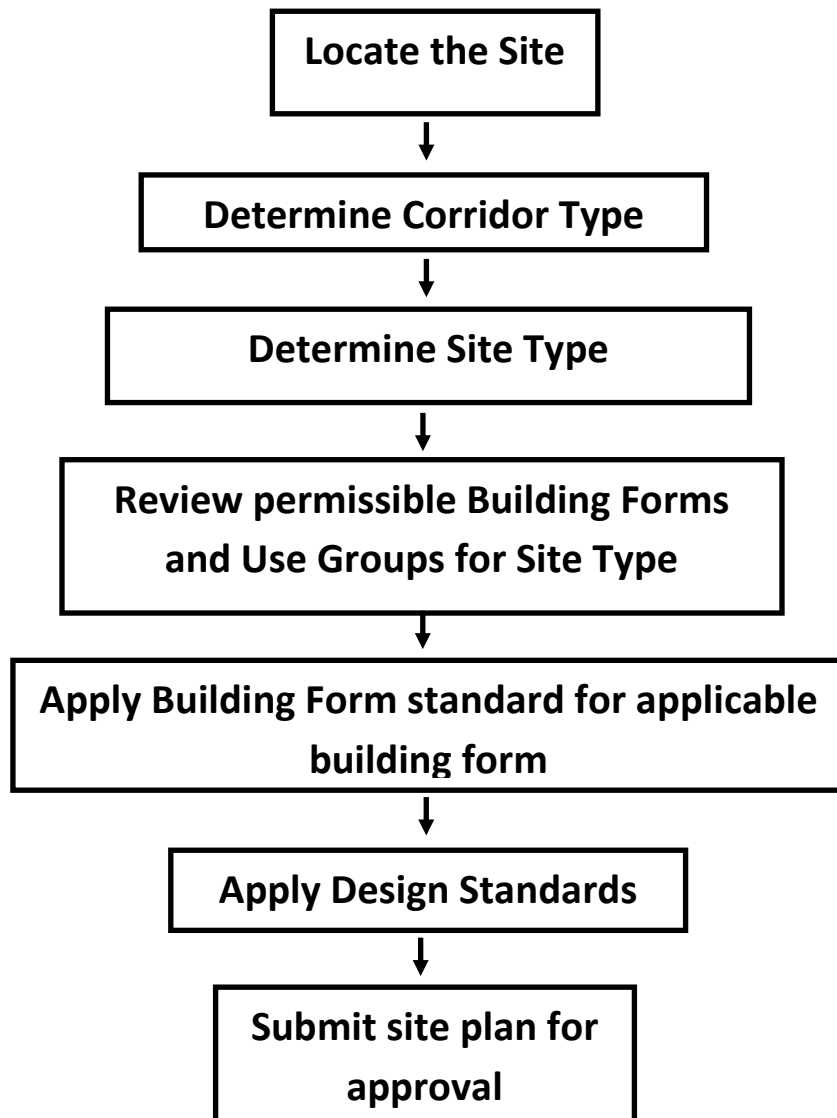
1. The Township Master Plan has identified two (2) types of corridors:
 - A. Neighborhood Mixed-Use Corridors are located along high traffic areas and intended for local businesses to serve daily needs and services of the adjacent residential areas; and
 - B. Regional Mixed-Use Corridors areas are located along the busiest corridors, which support a high volume of both local and regional traffic.

2. Site context is derived from existing and desired characteristics of an area and recognizes the inherent conditions of the areas where these regulations are applied. Regulated site types are organized by shape, size, orientation, and location.
3. Building feature addresses the manner in which buildings and structures relate to their lots, surrounding buildings, and street frontage. The shape of the building, the land area to volume ratio, and the orientation of the building has a significant impact upon the character of an area. Building form standards control height, placement, building configuration, parking location, and building transparency applicable to the site context.

Sec. 502. - Applicability and Organization:

1. *Applicability:*
 - A. Any new use or expansion of existing use that requires site plan review shall comply with the requirements of this Article and other applicable requirements of this Ordinance.
 - B. The requirements of this Article shall not apply to:
 - (1) Continuation of a permitted use within an existing structure.
 - (2) Changes of use within existing structures that do not require increased parking.
 - (3) Normal repair and maintenance of existing structures that do not increase its size or parking demand.
2. *Regulating plan:* The Form Based District shall be governed by a Regulating Plan that is specific to the area.
 - A. The Regulating plan based on the site type determines building form and allowable use for each property within a form-based district.
 - B. The Regulating plan is based on four (4) factors: Corridor Type, Site Type; Building Form; and Use Group.
 - (1) Corridor Type: Corridor types are identified as Neighborhood, Regional, or Town Center as determined by the Master Plan.
 - (2) Site Types: Site Types are determined by street orientation, lot size, lot configuration, location, and relationship to neighboring sites. Site type provides the basis for building forms and authorized use groups.
 - (3) Building Form Standards and Types: Building form standards and types establish the parameters for building form, height, and placement, and are specifically applied to each district based upon the regulating plan.
 - (4) Authorized Use Groups: Authorized land uses are organized by use groups. Authorized use groups are specifically applied to each District based upon the regulating plan.
 - C. The steps to determine the regulations that apply to a specific property within a form-based district are as follows:
 - (1) Find the site in question on the regulating plan map.

- (2) Identify the corridor type: Corridors will be classified Neighborhood, Regional, or Town Center.
- (3) Identify the site type for the site in question. Sites will be classified Site Type A, B, or C.
- (4) Consult the Use Groups and Building Forms Permitted table in which the site is located. The table will identify if a use group or building form is permitted, permitted with conditions, or not permitted for the site type and street type combination of the site in question.
- (5) Follow the regulations for the chosen building form when designing the development application.
- (6) Follow the design standards as listed in Section 507.
- (7) Obtain site plan approval or special use approval for the chosen building form and use, as appropriate.



3. Design standards: General design standards, set forth in Section 507, are supplementary to other requirements of the Ordinance. Generally, the design standards regulate building placement, parking orientation, landscaping, and other site design requirements.
4. Modification of district boundaries: Any modification to the boundaries of any form-based district shall require rezoning, in accordance with the provisions of Article 18.
5. Modification of regulating plan: Specific building form, use group, and design standards applied within each regulating plan are based upon the designation of site type. Any modification of site type may be determined by the Planning Commission, notice and after conducting a public hearing in accordance with Article 18.

The Planning Commission shall consider the following in making a determination to modify a site type or street type designation:

- A. The applicant's property cannot be used for the purpose permitted in the form-based district.
 - B. Area has been added to or deleted from the subject property in question, requiring the modification.
 - C. The proposed modification and resulting development will not alter the essential character of the area.
 - D. The proposed modification meets the intent of the district.
 - E. Existing streets have been improved and/or new streets constructed that may result in the modification of a specific site type.
 - F. Modification to the Regulating Plan is in conformance to the Master Plan and Placemaking Plan.
6. Nonconformities: Nonconformities shall be regulated in accordance with Article 16 of this Ordinance.

Sec. 503. – Standards:

1. *Corridor types:*

- A. Neighborhood: Neighborhood Mixed-Use Corridors are located along high traffic areas and intended for local businesses to serve daily needs and services of the adjacent residential areas. Buildings are set close the street with parking in back. Generally, the sites and buildings are of a smaller scale that can be accessed by pedestrians with as much ease as vehicles
- B. Regional: Regional Mixed-Use Corridors areas are located along the busiest corridors, which support a high volume of both local and regional traffic. This area may include large national chains, regional retailers, and auto oriented uses that draw customers both regionally and locally. Compared to Neighborhood Mixed-Use Corridors areas they are high intensity and feature the largest scale of commercial development.
- C. Town Center: The Township Core is intended to be the central core of the Township. It includes the governmental center of the Township with the Civic Center, County Courthouse, and the district library. Huron Street and the immediately surrounding area is meant to host a mix of uses from multiple-family residential to commercial to light industrial.

2. *Site types:*

Site types are determined by a number of factors including size, access, length of frontage, location, and context. Not all site types are located in every corridor.

A. Site Type A:

Site Type A is composed of lots one-half (0.5) acre or smaller and is reserved primarily for residential use and for smaller non-residential use which is compatible with a residential setting. Site Type A is generally located in areas which serve as a transition between the street and neighboring residential areas. Site Type A lots are typically mid-block and not located on a corner. The building form selected for these sites must consider both the front elevation that fronts on the street but also the rear/side elevation that is adjacent to residential in order to maintain compatibility with adjacent uses. These sites are intended for small sized neighborhood residential, commercial/office, or mixed-use sites.

B. Site Type B:

Made up mostly of lots mostly between one-half (0.5) and one (1) acre in area, the Site Type B category may include free standing single-use sites developed for residential, commercial and office uses serving the surrounding neighborhood or mixed-use developments. Size and character may vary based on the unique characteristic of each parcel. Small retail and food service uses would often be found in this category, as well as small single or multi-tenant commercial or office buildings.

C. Site Type C:

The sites in Site Type C are mostly larger than one (1) acre in area. Site Type C size and character may vary based on the unique characteristic of each parcel. This category can include free standing single-use or mixed-use developments that are designed to serve a broader community-wide market. These sites are intended for community commercial/office, multiple family residential, and mixed-use sites.

D. Site Type D:

The sites in Site Type D are very large sites are generally two (2) acres or greater in area. Site Type D size and character may vary based on the unique characteristic of each parcel. This category is intended for light industrial, mixed-use sites, large scale retail, and campus style developments. Site Type D are large lots with the potential for out lots of smaller building types on same parcel.

3. *Building form standards:*

A. The form-based districts permit a series of building forms, dependent on the site context. The building forms are designated within the district location based on the regulating plan. Building forms are classified in the following manner:

- (1) Permitted building forms: These building forms are permitted as of right in the locations specified.
- (2) Prohibited building forms: Building forms that are not identified as permitted in the locations specified are prohibited.

- (3) Exceptions: For all building forms in all locations, awnings, signs, other projections (architectural projections, bay windows, etc.) may project into the required building line by up to five (5) feet. Projections will be reviewed by the Township to ensure public safety.
- B. The regulating plan dictates the site type for each individual property in the district. Building forms are identified within each district as permitted or not permitted based upon the site type.
- C. Non-residential development shall follow the height, setback, and greenbelt provisions below when adjacent to any residentially zoned or used property:
- (1) Setback and greenbelt:
- a. Site Type A and B: The following setback and greenbelt shall be provided for any parcel zoned Site Type A or B that is adjacent to a residentially zoned or used parcel.
- i. When a parcel is abutting or adjacent to a residentially zoned or used parcel without an intervening constructed alley or street, the building setback from the property line of the residentially zoned or used parcel shall be no less than the height of the building on the parcel zoned form-based.
- ii. When a parcel is abutting or adjacent to a residentially zoned or used parcel without an intervening alley or street, a minimum ten (10) foot landscaped greenbelt shall be maintained from the property line of the residentially zoned or used parcel. The greenbelt shall be landscaped and screened with a solid fence or decorative wall up to six (6) feet in height erected parallel to any common lot line, with a ten (10) foot wide planting strip along the base of the wall or fence that consists of one (1) evergreen tree and one (1) canopy tree per thirty (30) lineal feet along the property line.
- iii. The Planning Commission may deviate from these setback and greenbelt provisions in the course of its site plan review process; however, the Planning Commission shall not permit a setback or greenbelt that is less than required in the building form. In the review of the deviation, the Planning Commission shall consider the standards as set forth in Section 503.c.2.a.
- b. Site Type C and D: The following setback and greenbelt shall be provided for any parcel zoned Site Type C and D that is adjacent to a residentially zoned or used parcel.
- i. When a property is abutting or adjacent to a residentially zoned or used parcel without an intervening alley or street, the setback from the property line of the residentially zoned or used parcel shall be no less than one and half (1.5) times the height of the building on the non-residential parcel.
- ii. When a property is abutting or adjacent to a residentially zoned or used parcel without an intervening alley or street, a minimum twenty (20) foot landscaped greenbelt shall be maintained from the property line of the residentially zoned or used parcel. The greenbelt shall be landscaped in accordance with Section 1301.3.H.
- iii. The Planning Commission may deviate from these setbacks and greenbelt provisions in the course of its site plan review process; however, the Planning Commission shall not permit a setback or greenbelt that is less than required in

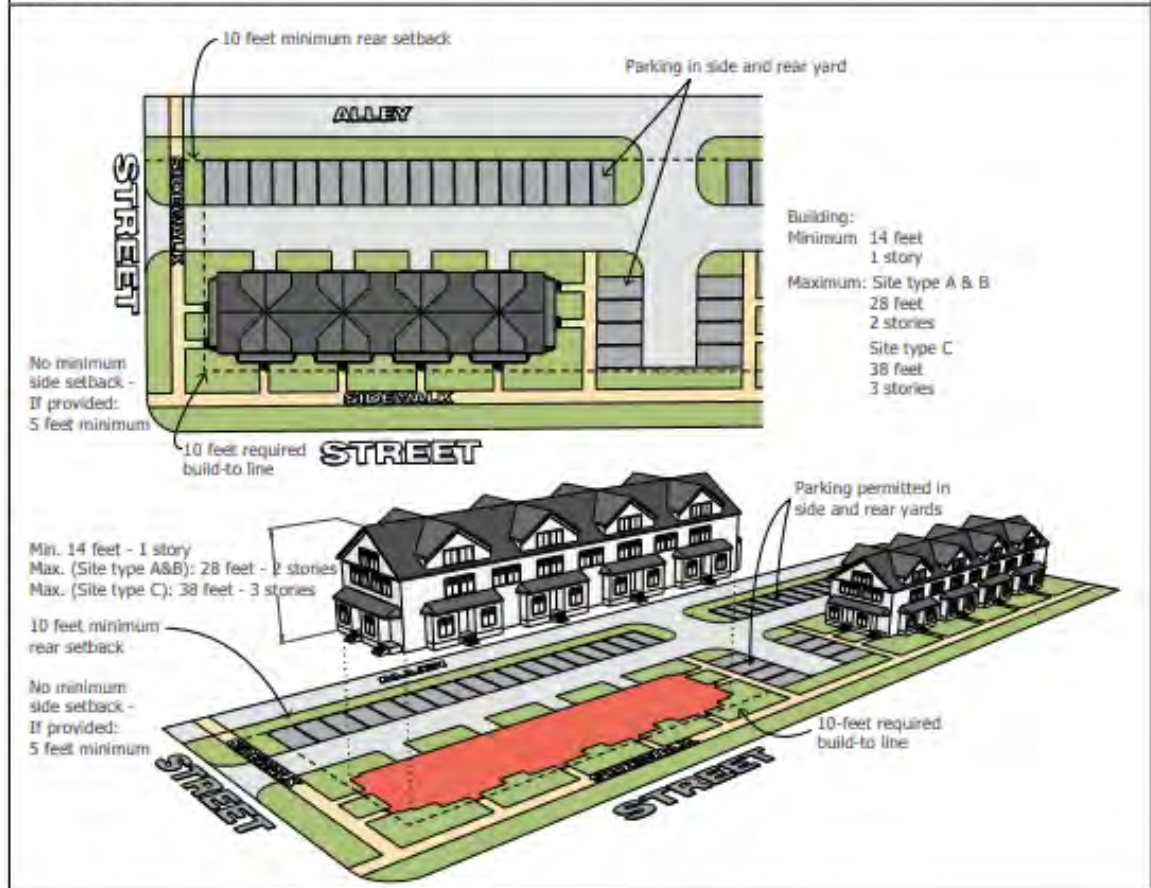
the building form. In the review of the deviation, the Planning Commission shall consider the standards set forth in Section 503.c.2.a.

(2) Deviation Standards:

- a. Height, setback, and greenbelt deviations may be granted by the Planning Commission if the following is found:
 - i. The deviation shall not adversely impact public health, safety, and welfare.
 - ii. The deviation shall maintain compatibility with adjacent uses.
 - iii. The deviation shall be compatible with the Master Plan and in accordance with the goals and objectives of the Master Plan and any associated subarea and corridor plans.
 - iv. The deviation shall not adversely impact essential public facilities and services, such as: streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, refuse disposal, water and sewage facilities, and schools.
 - v. The deviation shall be in compliance with all other standards in this Ordinance.
 - vi. The deviation shall not adversely impact any on-site or off-site natural features.

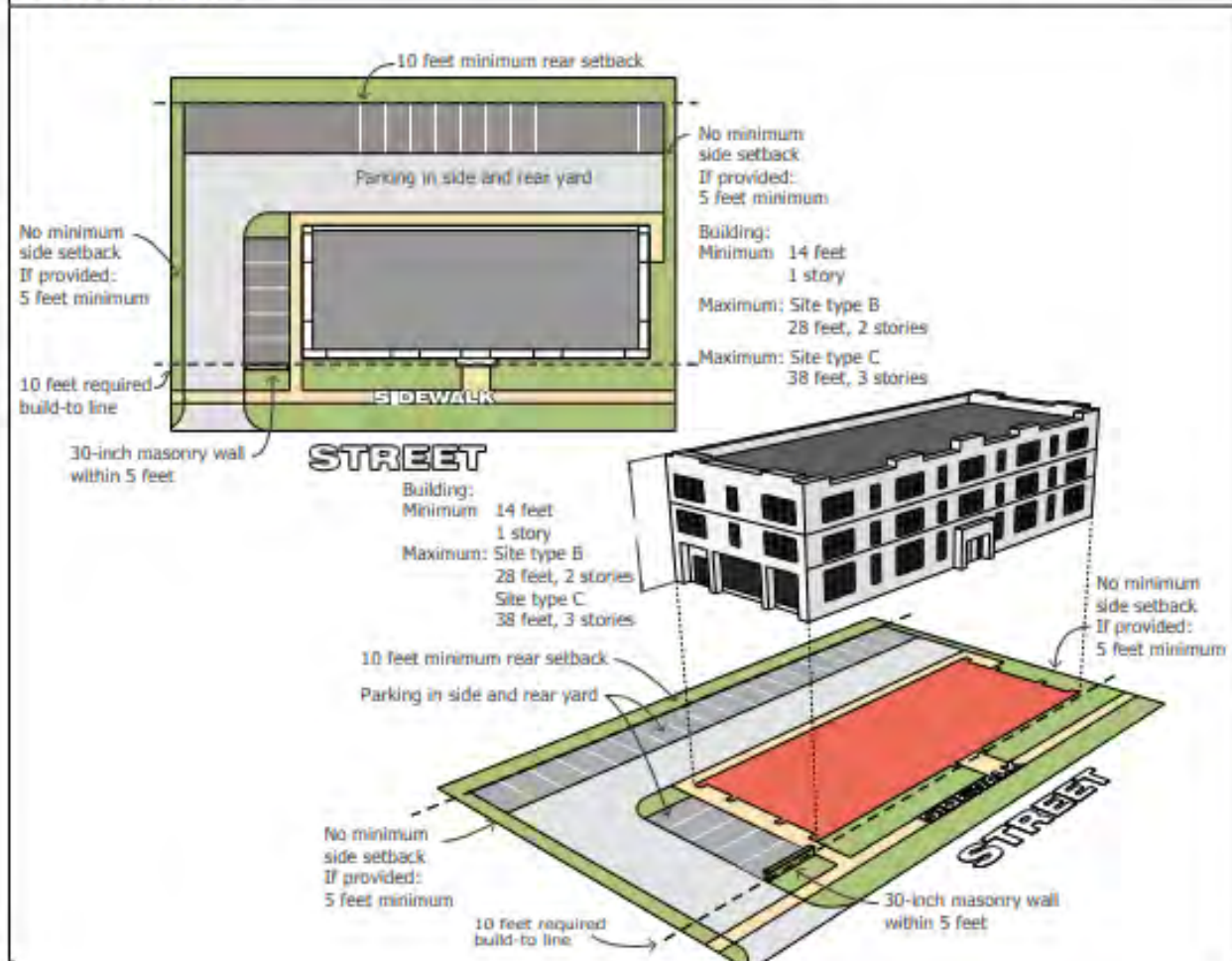
4. Building Form Types:

| Building Form A.1 | | |
|---|--|--|
| Building Form A.1: Small, generally single-purpose buildings for residential. Typically situated on a smaller lot, adjacent to single family residential. | | |
| Building Height | | |
| Minimum 1 story, 14-foot height, Max.: 2 stories, 28-foot height (Site type A & B), Max.: 3 stories, 38-foot height (Site type C & D) | | |
| Building Placement | | |
| Front Yard: 10-foot required build-to line. ³ 75% of the building façade must meet the required build-to line, while up to 25% of the façade can be setback to allow for architectural consideration. | Side Yard: No minimum side setback If provided, minimum 5 feet. For corner lots, side street yard, minimum 5 feet. | Rear Yard: Minimum 10-foot rear setback |
| Lot | | |
| Impervious Surface: Maximum 80% | Parking location: Parking shall be located in a side or rear yard; when located in a side yard and abutting the required build-to line adjacent to the right-of-way, parking shall be screened with a minimum 30-inch masonry wall on the required build-to line, or within 5 feet of the required build-to line, provided that a landscape treatment is added between the wall and the required build-to line. | |
| Access and circulation: Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way. | | |
| ³ The Planning Commission may adjust the required build-to line to a maximum of 30 feet beyond the property line for projects incorporating a permanent space for an outdoor café, public space, or a cross access drive with an adjacent parcel. Outdoor cafés or public spaces must be developed as part of the primary building and must incorporate a permanent wall or landscaping area along the required build-to line. | | |

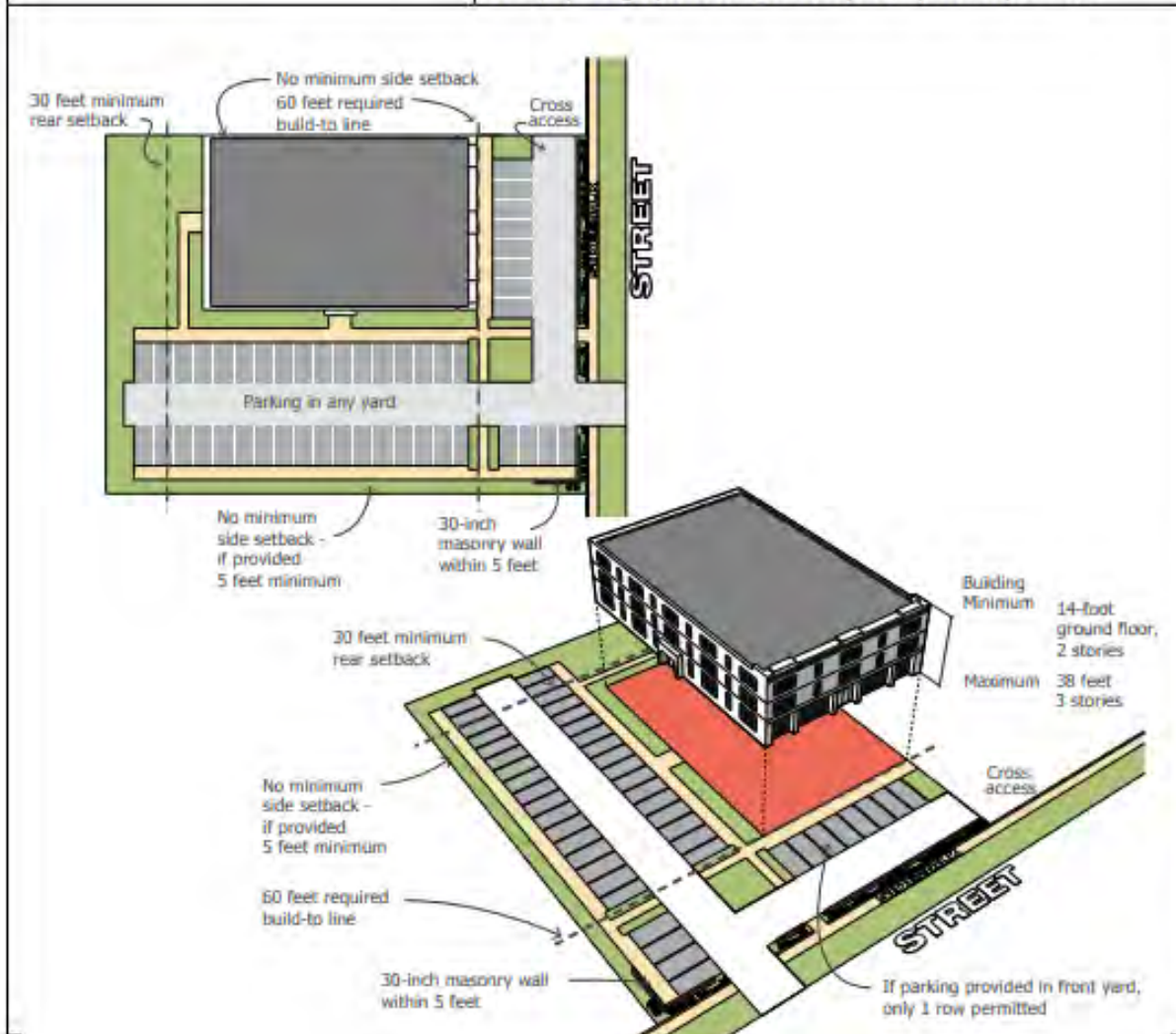


| Building Form A.2 | | |
|---|--|--|
| Building Form A.2: Small, generally single-purpose buildings for retail, office, restaurant, or service uses. Typically situated on a smaller lot within the district. Adjacent to single-family residential. | | |
| Building Height | | |
| Minimum 1 story, 14-foot height, Maximum 2 stories, 30-foot height | | |
| Building Placement | | |
| Front Yard: 10-foot required build-to line ¹ 75% of the building façade must meet the required build-to line, while up to 25% of the façade can be setback to allow for architectural consideration | Side Yard: No minimum side setback If provided, minimum 5 feet For corner lots, side street yard, minimum 5 feet. | Rear Yard: Minimum 10-foot rear setback |
| Lot | | |
| Impervious Surface: Maximum 80% Access and circulation: Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way. | Parking location: Parking shall be located in a side or rear yard; when located in a side yard and abutting the required build-to line adjacent to the right-of-way, parking shall be screened with a minimum 30-inch masonry wall on the required build-to line, or within 5 feet of the required build-to line, provided that a landscape treatment is added between the wall and the required build-to line. | |
| ¹ The Planning Commission may adjust the required build-to line to a maximum of 30 feet beyond the property line for projects incorporating a permanent space for an outdoor café, public space, or a cross access drive with an adjacent parcel. Outdoor cafés or public spaces must be developed as part of the primary building and must incorporate a permanent wall or landscaping area along the required build-to line. | | |
| | | |

| Building Form B | | |
|---|--|--|
| Building Form B: Medium-sized, single- or multiple-purpose buildings for retail, office, restaurant, or service uses. Typically situated in an out lot of a larger classification building form, or on a smaller, more remote site location within the district. | | |
| Building Height | | |
| Minimum 1 story, 14-foot height, Maximum 2 stories, 28-foot height (Site type B), Max: 3 stories, 38 foot height (Site type C, D) | | |
| Building Placement | | |
| Front Yard: 10-foot required build-to line ¹ 75% of the building façade must meet the required build-to line, while up to 25% of the façade can be setback to allow for architectural consideration | Side Yard: No minimum side setback If provided, minimum 5 feet | Rear Yard: Minimum 10-foot rear setback |
| Lot | | |
| Impervious Surface: Maximum 80% | Parking location: Parking shall be located in a side or rear yard; when located in a side yard and abutting the required build-to line adjacent to the right-of-way, parking shall be screened with a minimum 30-inch masonry wall on the required build-to line, or within 5 feet of the required build-to line, provided that a landscape treatment is added between the wall and the required build-to line. | |
| Access and circulation: Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way. | | |
| ¹ The Planning Commission may adjust the required build-to line to a maximum of 30 feet beyond the property line for projects incorporating a permanent space for an outdoor café, public space, or a cross access drive with an adjacent parcel. Outdoor cafés or public spaces must be developed as part of the primary building and must incorporate a permanent wall or landscaping area along the required build-to line. | | |



| Building Form C | | |
|---|---|--|
| Building Form C: Medium sized single- or multiple-tenant buildings for retail, restaurant, office, service, or residential uses. This category also includes multiple-tenant development, although it requires a second story to encourage a mix of use. | | |
| Building Height | | |
| Minimum 2 stories, Ground floor 14-foot minimum height, Maximum 3 stories, 38-foot height, Ground floor 14-foot min. height | | |
| Building Placement | | |
| Front Yard: Maximum 60-foot required build-to line. | Side Yard: No minimum side setback If provided, minimum 5 feet | Rear Yard: Minimum 30-foot rear setback |
| Lot | | |
| Impervious Surface: Maximum 80% | Access and circulation: Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way. | |
| Parking location: Parking may be located in any yard; when located in a front or side yard adjacent to the primary building and abutting the right-of-way, parking shall be screened with a minimum 30-inch masonry wall on the required build-to line, or within 5 feet of the required build-to line, provided that a landscape treatment is added between the wall and the required build-to line; if parking is provided in the front yard only 1 row is permitted | | |



| Building Form D | | |
|---|--|---|
| <p>Building Form D: This category is primarily designed for attached residential, however, non-residential use may be included in the ground floor. Townhouses and urban-style residential developments that are compatible with the Master Plan identified higher-density and more urban character of this area.</p> | | |
| Building Height | | |
| <p>Minimum: 2 stories, no minimum height, Maximum: 4 stories, 45-foot height, Ground floor: No minimum height</p> | | |
| Building Placement | | |
| <p>Front Yard: 10-foot required build-to line¹ 75% of the building façade must meet the required build-to line, while up to 25% of the façade can be setback to allow for architectural consideration.</p> | <p>Side Yard: No minimum side setback If provided, minimum 5 feet.</p> | <p>Rear Yard: Minimum 10-foot rear setback</p> |
| Lot | | |
| <p>Impervious Surface: Maximum 60%</p> <p>Access and circulation: Parking may be accessed from right-of-way (ROW) or alley; detached garages or multi-garage structures are permitted only in a rear yard, or behind primary buildings; pedestrian pathways shall be provided from the right-of way.</p> <p>Parking location: Parking shall be located in a rear yard; parking may also be provided in integrated garages or detached garages; on-street parking within private roads in developments is highly encouraged</p> | | |
| <p>¹ The Planning Commission may adjust the required build-to line to a maximum of 30 feet beyond the property line for projects incorporating a permanent space for an outdoor café, public space, or a cross access drive with an adjacent parcel. Outdoor cafés or public spaces must be developed as part of the primary building and must incorporate a permanent wall or landscaping area along the required build-to line.</p> | | |
| | | |

| Building Form E | | |
|---|---|---|
| <p>Building Form E: This category provides an opportunity for large-format retail or entertainment uses within the district. They directly abut the right-of-way, provide parking in the rear or side yards, and contribute to the street atmosphere by providing a consistent street front with other, more pedestrian-oriented projects. They may be set back from the right-of-way, but only when they provide out-lots within the same project for category B, C, or D building forms on the same or on separate lots.</p> | | |
| Building Height | | |
| <p>Rear Building: Minimum 14-foot minimum ground floor; Maximum 38 feet, 3 stories Front Buildings: Minimum 14-foot minimum ground floor; Maximum 30 feet, 2 stories</p> | | |
| Building Placement | | |
| <p>Front Yard: 10-foot required build-to line¹</p> | <p>Side Yard: No minimum side setback; if provided, minimum 5 feet</p> | <p>Rear Yard: Minimum 10 feet rear setback</p> |
| Lot | | |
| <p>Building Frontage: Minimum 70% of lot frontage for 2-story buildings and 50% for 3-story buildings or more Impervious Surface: Maximum 90% Access and circulation: Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way, and cross access shall be provided in instances where a development is within an out lot of a higher classified building form. Parking location: Parking shall be located in a side or rear yard; when located in a side yard and abutting the required build-to line adjacent the primary building, parking shall be screened with a minimum 30-inch masonry wall on the required build-to line, or within 5 feet of the required build-to line, provided that a landscape treatment is added between the wall and the required build-to line.</p> | | |
| | | |
| <p>¹ The Planning Commission may eliminate the required build-to line for projects incorporating a permanent series of additional lots or smaller buildings in the A, B, C, or D building form categories, provided that those additional lots and/or buildings make up the entire frontage of the overall development along the required build-to line, with the exception of access drives. The required build-to line frontage minimum for the additional lots and/or other buildings forms along the required build-to line shall apply for each individual additional lot and/or building.</p> | | |

Sec. 504. – Neighborhood corridors:

1. *Authorized use groups:*

- A. Authorized uses are categorized by use groups. Use groups generally contain similar types of uses in terms of function, character, and intensity.
- B. Use groups are designated in locations within each district based on the regulating plan. Use groups are classified in the following manner:
 - (1) Permitted Use Groups. These use groups are permitted as of right in the locations specified.
 - (2) Special Use Groups. These use groups are permitted after review and approval by the Planning Commission, in accordance with the procedures set forth in Article 10 and the standards in this Ordinance.
 - (3) Prohibited Use Groups. These use groups not indicated as permitted are prohibited in the locations specified.
 - (4) Uses permitted in all locations include public parks and essential public services.
 - (5) Similar Uses. If a use is not listed but is similar to other uses within a use group, the Zoning Administrator may make the interpretation that the use is similar to other uses within a use group.

The Zoning Administrator may also make the determination whether the use is permitted as of right, permitted in upper stories only, or permitted as a special use. The Zoning Administrator may obtain a recommendation from the Planning Commission as to whether or not the proposed use is similar to a use permitted as of right, permitted in upper stories only, or permitted as a special use.

2. *Use groups by category-neighborhood corridors:*

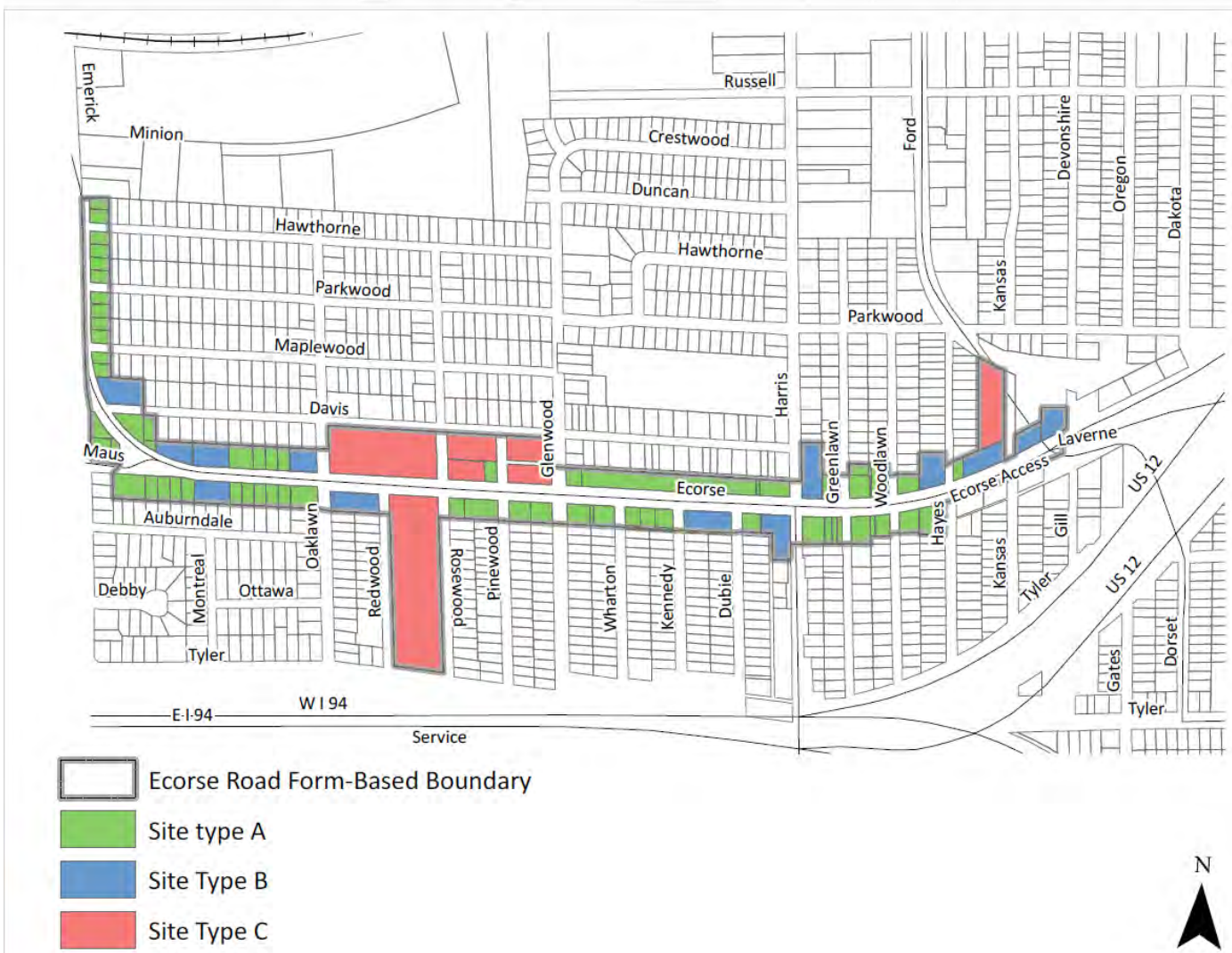
| |
|--|
| Neighborhood Corridors |
| Use Group 1 |
| Residential Uses: |
| One-Family detached and attached dwellings, subject to regulations in Section 1101. |
| Two-Family dwellings. |
| Use Group 2 |
| Misc. Residential/Related Uses: |
| Mixed-use. Any combination of uses located in group 1, 2 or 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. |
| Use Group 3 |
| Office/Institutional: |
| Civic buildings. |
| Place of worship. |
| Professional and medical office. |
| Publicly owned/operated office and service facilities. |
| Use Group 4 |
| Retail, Entertainment, and Service Uses: |
| Financial institution without drive-through. |
| General retail. |
| Quick serve food or restaurant use without a drive-through. |
| Personal services. |
| Business services. |
| Small group or one-on-one exercise or art studio. |
| Use Group 5 |
| Misc. Uses: |
| Any single use building over ten thousand (10,000) sq/ft. |
| Veterinary clinics or hospitals, subject to regulations in Section 1116, or Section 1117. |
| Commercial kennels/pet day care, subject to regulations in Section 1161. |
| Technology centers/office research/data center. |
| Mortuaries/Funeral homes, subject to regulations in Section 1115. |
| Senior assisted/independent living, subject to regulations in Section 1160. |
| Group day care homes, subject to regulations in Section 1155. |
| Lodging, subject to regulations in Section 1122, Section 1123, or Section 1124, as applicable. |
| Fitness, gymnastics, and exercise centers. |
| Theatres and places of assembly. |
| Indoor commercial recreational facilities, subject to regulations in Section 1135. |
| Use Group 6 |
| Automotive Uses: |
| Vehicle car wash, subject to regulations in Section 1129. |
| Financial Institution with drive-through, subject to regulations in Section 1118. |
| Vehicle fueling/multi-use station, subject to conditions in Section 1126. |

A. Uses are subject to Specific Use Standard set forth in Article 11 when applicable.

3. Ecorse Road:

A. Ecorse Road Form Based Code District Regulating Plan:

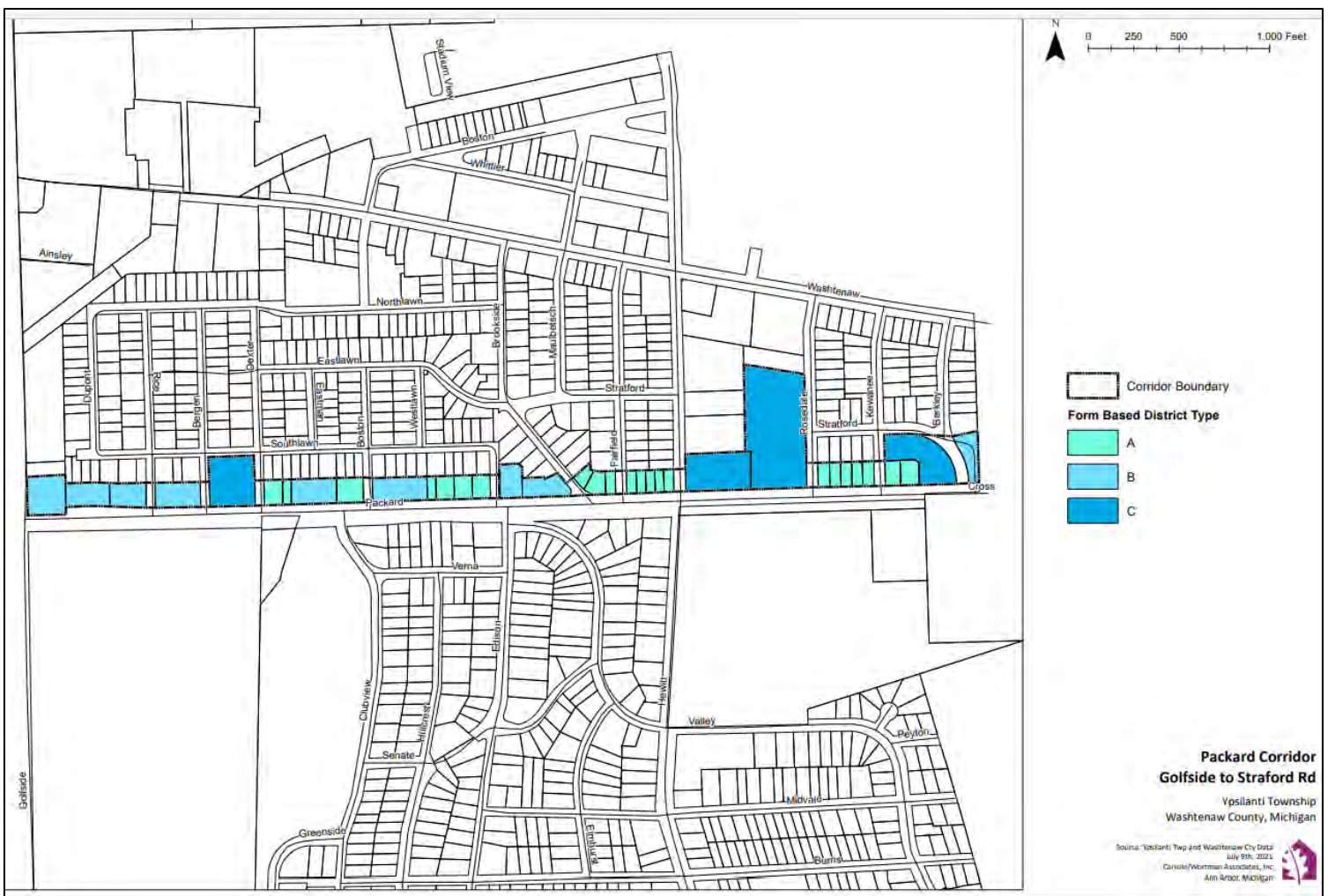


B. Ecorse Road Form Based Code District Regulating Plan Table:

| Site Type | Building Form | | Use Group-Table | |
|--------------|---|--|---------------------|-------------------|
| | | | Permitted Use Group | Special Use Group |
| Site Type: A | Permitted Building Form A1, A2 | | Permitted Use Group | 1, 2, 3, 4 |
| | | | Special Use Group | — |
| Site Type: B | Permitted Building Form A1, A2, B | | Permitted Use Group | 2, 3, 4 |
| | | | Special Use Group | |
| Site Type: C | Permitted Building Form A1, A2, B, C | | Permitted Use Group | 2, 3, 4 |
| | | | Special Use Group | 5, 6 |

4. Packard Road:

A. Packard Road Form Based Code District Regulating Plan:



B. Packard Road Form Based Code District Regulating Plan Table:

| Site Type | Building Form | | Use Group-Table | |
|--------------|-------------------------|--------------|---------------------|-------------------|
| | | | Permitted Use Group | Special Use Group |
| Site Type: A | Permitted Building Form | A1, A2 | Permitted Use Group | 1, 2, 3, 4 |
| | | | Special Use Group | — |
| Site Type: B | Permitted Building Form | A1, A2, B | Permitted Use Group | 2, 3, 4 |
| | | | Special Use Group | 5 |
| Site Type: C | Permitted Building Form | A1, A2, B, C | Permitted Use Group | 2, 3, 4 |
| | | | Special Use Group | 5, 6 |

Sec. 505. - Regional corridors:

1. *Authorized use groups:*

- A. Authorized uses are categorized by use groups. Use groups generally contain similar types of uses in terms of function, character, and intensity.
- B. Use groups are designated in locations within each district based on the regulating plan. Use groups are classified in the following manner:
 - (1) Permitted use groups: These use groups are permitted as of right in the locations specified.
 - (2) Special use groups: These use groups are permitted after review and approval by the Planning Commission, in accordance with the procedures set forth in Article 10 and the standards in this Ordinance.
 - (3) Prohibited use groups: These use groups not indicated as permitted are prohibited in the locations specified.
 - (4) Uses permitted in all locations include public parks and essential public services.
 - (5) Similar Uses: If a use is not listed but is similar to other uses within a use group, the Zoning Administrator may make the interpretation that the use is similar to other uses within a use group.

The Zoning Administrator may also make the determination whether the use is permitted as of right, permitted in upper stories only, or permitted as a special land use. The Zoning Administrator may obtain a recommendation from the Planning Commission as to whether or not the proposed use is similar to a use permitted as of right, permitted in upper stories only, or permitted as a special use.

2. Use groups by category-regional corridors:

| |
|--|
| Regional Corridors |
| Use Group 1 |
| Residential Uses: |
| One-Family detached and attached dwellings, subject to regulations in Section 1101. |
| Two-Family dwellings. |
| Use Group 2 |
| Misc. Residential/Related Uses: |
| 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. |
| Use Group 3 |
| Office/Institutional: |
| 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. |
| Use Group 4 |
| Retail, Entertainment, and Service Uses: |
| 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. |

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|--|
| Use Group 5 |
| Misc. Uses: |
| Retail over 30,000 sq./ft. |
| Commercial kennels/pet day care, subject to regulations in Section 1161. |
| Hospitals. |
| Technology centers/office research/data center. |
| Mortuaries/Funeral homes, subject to regulations in Section 1115. |
| Senior assisted/independent living, subject to regulations in Section 1160. |
| Group day care homes, subject to regulations in Section 1155. |
| Lodging, subject to regulations in Section 1122, Section 1123, or Section 1124, as applicable. |
| Fitness, gymnastics, and exercise centers. |
| Theatres and places of assembly. |
| Use with a drive-through, subject to regulations in Section 1118. |
| Indoor commercial recreational facilities, subject to regulations in Section 1135. |
| Use Group 6 |
| Automotive Uses: |
| Vehicle wash, subject to regulations in Section 1129. |
| Vehicle fueling/multi-use station, subject to regulations in Section 1126. |
| Dealership for sales of new or used vehicles, boats, house trailers or rental of trailers or vehicles, subject to regulations in Section 1121. |

A. Uses are subject to Specific Use Standard set forth in Article 11 when applicable.

3. *Washtenaw Avenue:*

A. Washtenaw Avenue Form Based Code District Regulating Plan:



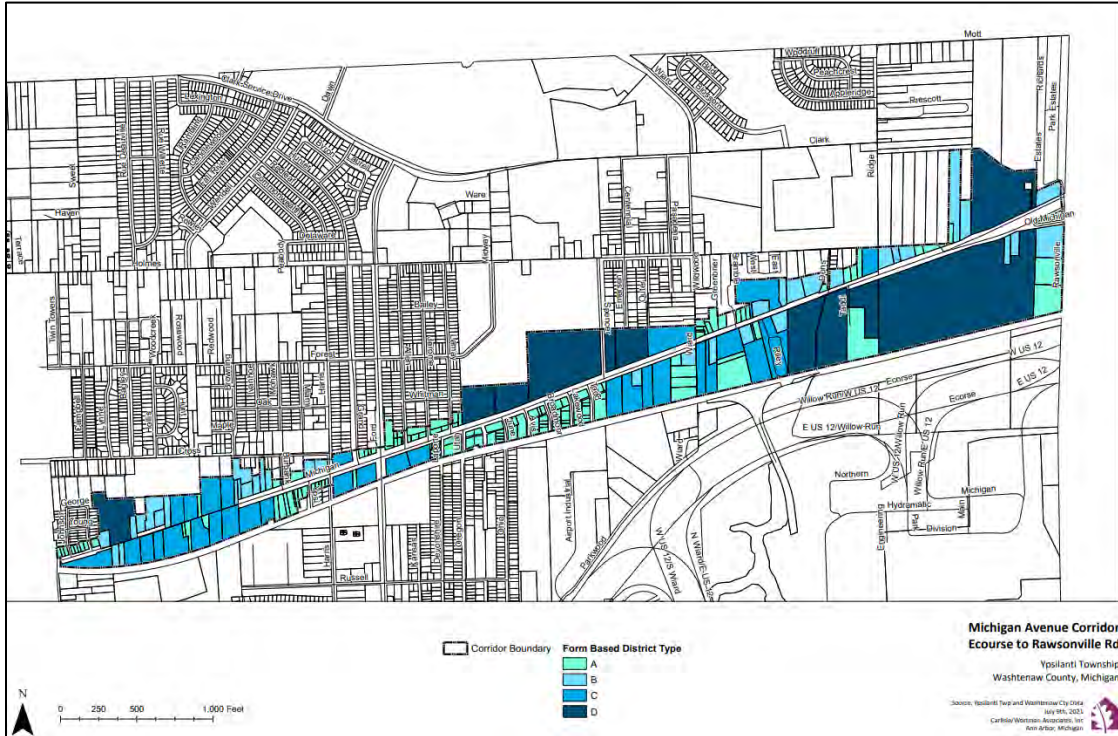
B. Washtenaw Avenue Form Based Code District Regulating Plan Table:

| Site Type | Building Form | | Use Group-Table | |
|--------------|-------------------------|--|---------------------|-------------------|
| | | | Permitted Use Group | Special Use Group |
| Site Type: A | Permitted Building Form | A1, A2 | Permitted Use Group | 1, 2, 3, 4 |
| | | | Special Use Group | — |
| Site Type: B | Permitted Building Form | A1, A2, B | Permitted Use Group | 2, 3, 4 |
| | | | Special Use Group | — |
| Site Type: C | Permitted Building Form | A2, B, C | Permitted Use Group | 2, 3, 4 |
| | | | Special Use Group | 5, 6 |
| Site Type: D | Permitted Building Form | B, C, D, E, and A2 as outlot development | Permitted Use Group | 2, 3, 4 |
| | | | Special Use Group | 5, 6 |

4.

5. Michigan Avenue:

A. Michigan Avenue Form Based Code District Regulating Plan:



B. Michigan Avenue Road Form Based Code District Regulating Plan Table:

| Site Type | Building Form | | Use Group-Table | |
|--------------|-------------------------|--|---------------------|-------------------|
| | | | Permitted Use Group | Special Use Group |
| Site Type: A | Permitted Building Form | A1, A2 | Permitted Use Group | 1, 2, 3, 4 |
| | | | Special Use Group | — |
| Site Type: B | Permitted Building Form | A1, A2, B | Permitted Use Group | 2, 3, 4 |
| | | | Special Use Group | — |
| Site Type: C | Permitted Building Form | A2, B, C | Permitted Use Group | 2, 3, 4 |
| | | | Special Use Group | 5, 6 |
| Site Type: D | Permitted Building Form | B, C, D, E, and A2 as outlot development | Permitted Use Group | 2, 3, 4 |
| | | | Special Use Group | 5, 6 |

Sec. 506. - Town Center:

1. *Authorized Use Groups:*

- A. Authorized uses are categorized by use groups. Use groups generally contain similar types of uses in terms of function, character, and intensity.
- B. Use groups are designated in locations within each district based on the regulating plan. Use groups are classified in the following manner:
 - (1) Permitted Use Groups: These use groups are permitted as of right in the locations specified.
 - (2) Special Use Groups: These use groups are permitted after review and approval by the Planning Commission, in accordance with the procedures set forth in Article 10 and the standards in this Ordinance.
 - (3) Prohibited Use Groups: These use groups not indicated as permitted are prohibited in the locations specified.
 - (4) Uses permitted in all locations include public parks and essential public services.
 - (5) Similar Uses: If a use is not listed but is similar to other uses within a use group, the Zoning Administrator may make the interpretation that the use is similar to other uses within a use group.

The Zoning Administrator may also make the determination whether the use is permitted as of right, permitted in upper stories only, or permitted as a special land use. The Zoning Administrator may obtain a recommendation from the Planning Commission as to whether or not the proposed use is similar to a use permitted as of right, permitted in upper stories only, or permitted as a special use.

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

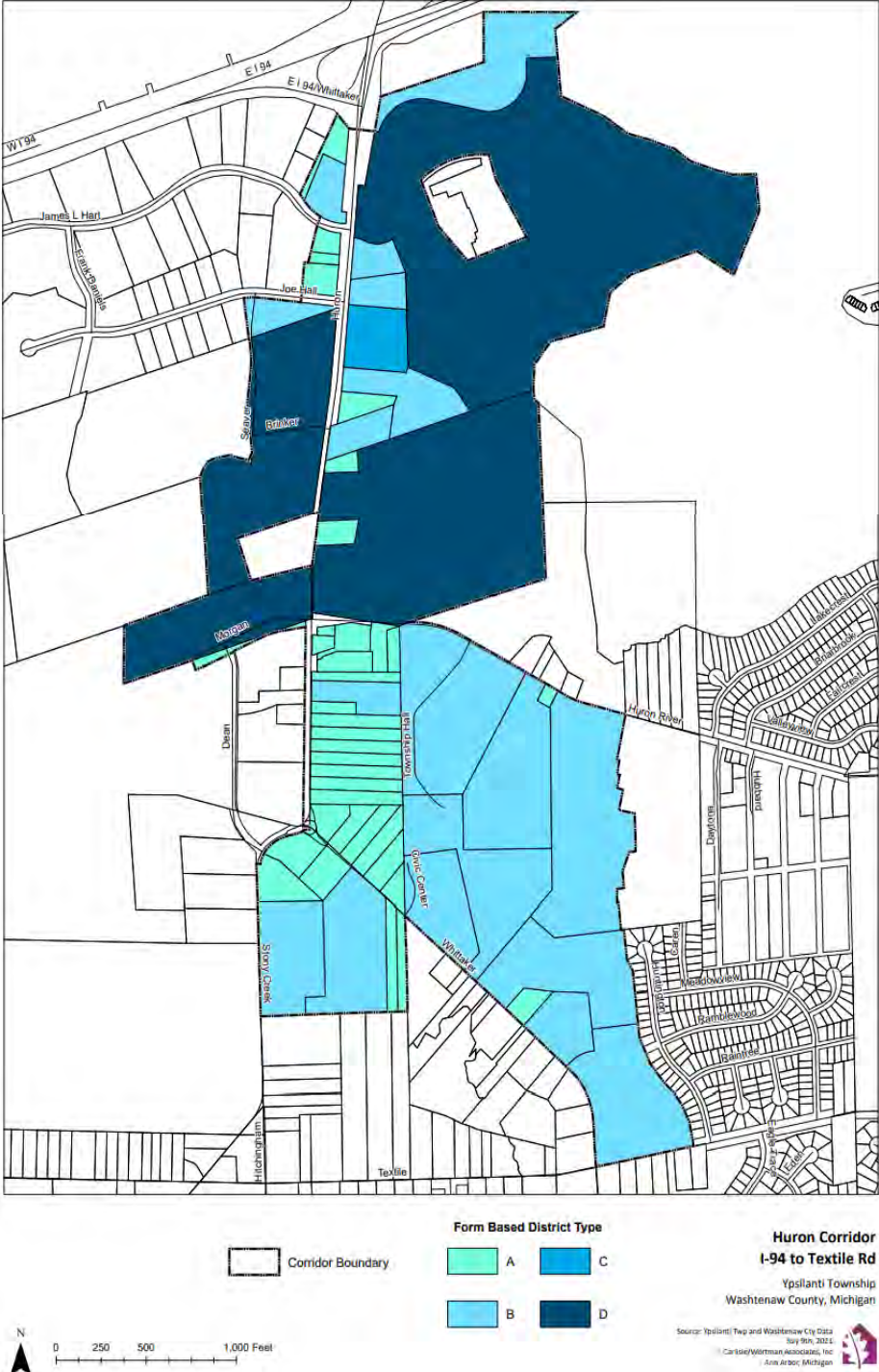
| |
|--|
| Town Center Corridors |
| Use Group 1 |
| Residential Uses: |
| One-Family detached and attached dwellings, subject to regulations in Section 1101. |
| Two-Family dwellings. |
| Use Group 2 |
| Misc. Residential/Related Uses: |
| Mixed-use. Any combination of uses located in group 1, 2 or 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. |
| Use Group 3 |
| Office/Institutional: |
| 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. |
| Use Group 4 |
| Retail, Entertainment, and Service Uses: |
| 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. |

| |
|--|
| Use Group 5 |
| Misc. Uses: |
| Commercial kennels/pet day care, subject to regulations in Section 1161. |
| Retail over 10,000 sq./ft. |
| Technology centers/office research/data center. |
| Senior assisted/independent living, subject to regulations in Section 1160. |
| Group day care homes, subject to regulations in Section 1155. |
| Lodging, subject to regulations in Section 1122, Section 1123, or Section 1124, as applicable. |
| Fitness, gymnastics, and exercise centers. |
| Theatres and places of assembly. |
| Light Industrial/Warehousing. |
| Research and development. |
| Indoor commercial recreational facilities, subject to regulations in Section 1135. |
| Use Group 6 |
| Automotive Uses: |
| Drive-through Use, subject to regulations in Section 1118. |

A. Uses are subject to Specific Use Standard set forth in Article 11 when applicable.

3. *Town Center:*

A. Town Center Form Based Code District Regulating Plan:



B. Town Center Avenue Form Based Code District Regulating Plan Table:

| Site Type | Building Form | | Use Group-Table | |
|--------------|-------------------------|--|---------------------|------------|
| | | | Permitted Use Group | 1, 2, 3, 4 |
| Site Type: A | Permitted Building Form | A1, A2 | Special Use Group | — |
| | | | Permitted Use Group | 2, 3, 4 |
| Site Type: B | Permitted Building Form | A1, A2, B | Special Use Group | — |
| | | | Permitted Use Group | 2, 3, 4 |
| Site Type: C | Permitted Building Form | A,2, B, C | Special Use Group | — |
| | | | Permitted Use Group | 2, 3, 4 |
| Site Type: D | Permitted Building Form | B, C, D, E, and A2 as outlot development | Special Use Group | 5, 6 |
| | | | Permitted Use Group | 2, 3, 4 |

Sec. 507. - Design Standards:

1. *Design standards:* In addition to standards set forth in this Ordinance, all proposed development shall comply with the standards set forth herein.

A. Pedestrian/non-motorized access:

- (1) Intent: To ensure that site layout and building design provides safe and convenient pedestrian and bicycle access both to and within a site and between adjacent sites.

(2) Standards:

- a. A pedestrian connection shall provide a clear connection between the primary street upon which the building fronts and the building. Connection may include pavement striping.
- b. Pedestrian access shall be clearly identified from parking areas and all entrances to a building.
- c. Where appropriate, sidewalks fronting the public right-of-way should be designed to accommodate space for activities such as outdoor dining.
- d. All sites shall provide a bike rack for at least two (2) bicycles within fifty (50) feet of the building entrance.

B. Building placement and orientation:

- (1) Intent: To require building placement that provides a strong visual and functional relationship with its site, adjacent sites, and the primary street upon which the site is located. Ensure consistency within sites and to adjacent sites to provide distinct building groups which exhibit similar orientation, scale, and proportion.

(2) Standards:

- a. Setbacks and building orientation shall reinforce a consistent pattern of siting.
- b. Primary building entrances shall be located so that they are easily identifiable with convenient public access.

- c. Buildings should enhance street corners through the use of prominent architectural or site features.
- C. Parking placement, orientation, and screening:
- (1) Intent: To provide a circulation system that efficiently moves vehicles in a well-defined manner, while reducing the visual impact of parking areas and mitigating conflict between pedestrians, bicycles, and automobiles.
 - (2) Standards:
 - a. Required Parking: Off-street parking shall be provided for a principal use erected, altered, or expanded after the effective date of this Ordinance in accordance with the standards set forth in Section 1205.
 - i. The Form Based districts are intended to encourage pedestrian and friendly design and compact mixed-use developments. Applicants are encouraged to consider the provisions for shared parking and flexibility in application set forth in Section 1205.
 - ii. The placement and design of parking areas and structures shall foster safe pedestrian access and circulation and clearly identifiable public access and visitor parking. Pedestrian access shall be provided between all parking areas and public building entrances.
 - b. Location:
 - i. When parking is located in a side yard (behind the front building line) but fronts on the required building line, no more than twenty-five percent (25%) of the total site's linear feet along the required building line or sixty (60) feet, whichever is less, shall be occupied by parking.
 - ii. For a corner lot, no more than twenty-five percent (25%) of the site's cumulative linear feet along the required building lines or sixty (60) feet, whichever is less, shall be occupied by parking. The building shall be located in the corner of the lot adjacent to the intersection.
 - iii. Where off-street parking is visible from a street, it should be screened in accordance with the standards set forth in Section 1301.3.D.
- D. Architectural design and building materials:
- (1) Intent: To create a character for the form-based district that encourage the greatest amount of visual interest, architectural consistency, and high-quality material use. The standards are not intended to limit imagination, innovation, or variety.
 - (2) Building materials: Building material should be of high quality and durable, such as but not limited to stone, brick, glass, and metal. E.I.F.S. or material equivalent shall only be used as an accent material.
 - (3) Architectural design standards:
 - a. Building massing and scale:

- i. Rooflines and pitches shall be proportionate to nearby structures so as to provide transition or mitigation of significant changes to scale. Variety in massing can occur though step-backs as a building ascends upward
 - ii. Buildings shall maintain a consistent street wall with the longest edge of the buildings oriented parallel to the roadway, where possible.
 - iii. Buildings within the same development shall be designed to provide a unified and easily identifiable image. Methods to achieve this include using similar architectural styles and materials, complementary roof forms, signs, and colors.
 - b. Façade variation:
 - i. Façade articulation or architectural design variations for building walls facing the street are required to ensure that the building is not monotonous in appearance, using the following architectural techniques: Building wall offsets (projections and recesses); cornices, varying building materials or pilasters used to break up the mass of a single building; staggering of vertical walls; recessing of openings; providing upper-level roof overhangs; contrasting compatible building materials; use of variety and rhythm of window and door openings; use of horizontal and vertical architectural elements, use of horizontal bands of compatible colors; and providing changes in roof shape or roof-line.
 - ii. Materials shall be selected for suitability to the type of buildings and the architectural design in which they are used.
 - iii. Material selection shall be consistent with architectural style in terms of color, shades, and texture; however, monotony shall be avoided.
- E. Transparency:
 - (1) Intent: The first floors of all buildings shall be designed to encourage and complement pedestrian-scale activity and crime prevention techniques. It is intended that this be accomplished principally by the use of windows and doors arranged so that active uses within the building are visible from or accessible to the street, and parking areas are visible to occupants of the building.
 - (2) Transparency standards:
 - a. Façade transparency shall be defined as the use of glass or transparent material that provides from the building exterior a view into the building of interior habitation and human scale. Signs covering windows, and the use of tinted, reflective, or opaque glass do not meet the definition of façade transparency.
 - b. The first floors of all buildings shall be designed to encourage and complement pedestrian-scale activity and crime prevention techniques. It is intended that this be accomplished principally by the use of windows and doors arranged so that active uses within the building are visible from or accessible to the street, and parking areas are visible to occupants of the building. The first floor of any front façade facing a right-of-way shall be no less than fifty percent (50%) windows and doors, and the minimum transparency for facades facing a parking area shall be no less than thirty percent (30%) of the façade.

- c. First-floor transparency is measured between two (2) and eight (8) feet above the first-floor elevation.
- d. Nothing shall be placed on or inside window to reduce transparency less than the fifty percent (50%) requirement.
- e. For multiple tenant buildings, the minimum transparency requirement must be met by each suite or tenant.

F. Landscaping:

- (1) Intent: To incorporate appropriate landscaping to enhance visual appearance, provide transitions between properties, and screen unsightly areas
- (2) Landscaping standards:
 - a. In addition to the standards set forth in Section 1301, Landscaping requirements, the following standards shall be met.
 - b. Landscaping shall conform and incorporate existing landscape and topographic features.
 - c. Landscaping within courtyards, patios, and pedestrian realm may include hardscape and softscape materials.
 - d. Landscaping shall maintain adequate sight lines for visual safety, visibility, and efficient security.
 - e. Landscaped areas, including landscaped parking islands and medians, shall be separated from vehicular and pedestrian encroachment by curbs and raised planting areas.

G. Loading and storage areas:

- (1) Intent: To ensure that loading, storage, and other building utility features are designed to be a part of the overall building as so to reduce the visual impact
- (2) Standards:
 - a. Utilities and mechanical screening:
 - i. Utility structures located between the building and the public right-of-way shall be screened as set forth in Section 805, Essential services, and utilities. Screening may include walls, fencing, or landscaping that is consistent with the character and materials of the development.
 - ii. Trash enclosures shall be placed adjacent to the rear wall of corresponding buildings or shall be located away from portions of the site which are highly visible from public roadways or private properties with dissimilar improvements. Trash enclosures shall be screened as set forth in Section 11302, Trash, and recycling receptacles with walls, fencing or landscaping that are consistent with the character and materials of the development.
 - b. Loading:

- i. Service areas shall be designated by markings and/or signage to delineate them from pedestrian access and limit conflicts between service/delivery vehicles and patrons (e.g., pedestrians, bicyclists, and transit users).
- ii. Loading and service areas shall be located on the sides or rears of the buildings.
- iii. Loading and service areas shall be screened from the public right-of-way with the use of fencing, landscaping, or walls.

ARTICLE VI. - PD PLANNED DEVELOPMENT REGULATIONS

Sec. 600. ~~---~~ Intent and applicability:

1. The ~~p~~-Planned ~~d~~Development (PD) district is intended to permit, with ~~township~~Township approval, ~~private or public~~ development or redevelopment of areas throughout the ~~township~~Township which shall be substantially in accord with the goals and objectives of the ~~master plan of future land use for the~~ Charter Township of Ypsilanti Master Plan. ~~The use patterns of the areas involved~~. A proposed Planned Development shall provide a desirable environment and shall be harmonious with the general surrounding uses while permitting flexibility in overall development while and ensuring the highest of safeguards and standards for public health, safety, convenience, and general welfare. Such PD district may embrace a mixture of one (1) or more distinct uses or zoning categories, in the vertical or horizontal plane. A PD district shall encourage the use of land in accordance with its character and adaptability; conserve natural and social/cultural resources and provide sustainable design and energy efficiency; encourage innovation in land use and community planning; and bring about a greater compatibility of design and use. It is the intent of this articleArticle to offer an alternative to traditional development through the use of planned unit development legislation, as authorized by Section ~~166~~ 503 of the ~~Township Zoning Act (Act No. 184 of the Public Acts of Michigan of 1943,~~ Michigan Zoning Enabling Act (Act No. 110 of the Public Acts of Michigan of 2006, as amended) for the purpose of:
 - ~~A. (1)~~ Encourageing the use of land in accordance with its character and adaptability;
 - ~~B. (2)~~ Allowing innovation and greater flexibility in design;
 - ~~C. (3)~~ Assureing the permanent preservation of natural, social, cultural, and historic resources;
 - ~~D. (4)~~ Provideing open space and recreational facilities within a reasonable distance of all residents of the development;
 - ~~E. (5)~~ Provide complete non-motorized circulation to, from and within the development;
 - ~~F. (6)~~ Provide convenient vehicular access throughout the development and minimize adverse traffic impacts;
 - ~~G. (7)~~ Facilitating Facilitate the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner;
 - ~~H. (8)~~ Provide better housing, employment, and shopping opportunities particularly suited to residents of the ~~township~~Township;
 - ~~I. (9)~~ Ensure various land uses and buildings bulk located within the development will relate to each other and to adjoining existing and planned uses in such a way that they will be compatible, with and have no material adverse impact of one use on another;
 - ~~J. (10)~~ Ensuring Ensure compatibility of design and use between neighboring properties;
 - ~~K. (11)~~ Encourage the use and improvement of existing sites;

~~L. (12).~~ Allow for infill development and redevelopment within older neighborhoods particularly in the northern portion of the ~~township~~Township that is compatible with established neighborhoods and consistent with traditional neighborhood design standards~~; and.~~

2. The use of this option shall not be for the sole purpose of avoiding the 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.

2.3. The PUD shall not be utilized in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards. Problems or constraints presented by applicable zoning provisions shall be identified in the PUD application.

~~(13) — Emphasize the provision of (social infrastructure (to foster the sense of community.~~

(Ord. No. 2003-328, 1-20-04)

State Law reference— Planned unit development, MCL 125.286c.

Sec. 601. - Eligibility criteria:

To be eligible for PD consideration, the applicant must present a proposal for residential development that meets each of the following shall demonstrate that the following criteria which are reasonably applicable to the site and are met:

1. (1) Recognizable benefits:— A PD shall result in a recognizable and substantial benefit, both to the residents and/or users of the property and to the overall quality of life in the ~~township~~Township. The benefits can be provided through site design elements in excess of the requirements of this ~~ordinance~~Ordinance, such as ~~high-quality~~high-quality architectural design, extensive landscaping, ~~provide compatible~~ transition ~~areas~~ from adjacent land uses, unique site design features, unified access, provision of social space, preservation of woodlands and open space, particularly along major thoroughfares, and buffering development from lakes, rivers, streams, and wetlands. This benefit should accrue, in spite of any foreseeable detriments of the proposed development.

2. (2) Uses-pProposed development:— The ~~uses~~-proposed development will have a beneficial effect, in terms of public health, safety, welfare or convenience or any combination thereof, on present and potential surrounding land uses. The ~~uses~~-proposed development will encourage a more efficient use of public utilities and services and lessen the burden on circulation systems, surrounding properties, and the environment. This development beneficial effect for the township (not the developer) shall be a development one (1) which could not be achieved under any other single zoning classification. The zoning is warranted by the design and amenities incorporated in the development proposal.

3. Cohesive neighborhood: The proposed development shall be designed to create cohesive community neighborhoods through a network of spaces such as parks, plazas, and common open space areas for passive or active recreation and resident interaction. All open space areas shall be equally available to all residents of the PD.

4. Unified control: The proposed development shall be under single ownership or control, such that there is a single person or entity having proprietary responsibility for the full completion of the

project. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions that indicate that the development will be completed in its entirety as proposed.

5. *Density impact:* The proposed type and density of use shall not result in an unreasonable increase in the need for or impact to public services, facilities, roads, and utilities in relation to the use or uses otherwise permitted by this Ordinance and shall not place an unreasonable impact to the subject and/or surrounding land and/or property owners and occupants and/or the natural environment. The Township may require that the applicant prepare an impact statement documenting the significance of any environmental, traffic or socio-economic impact resulting from the proposed PD. An unreasonable impact shall be considered an unmitigateable, significant adverse effect on the quality of the surrounding community and the natural environment in comparison to the impacts associated with conventional development. The Township may require that the applicant prepare a quantitative comparison of the impacts of conventional development and the PD plan to assist in making this determination (such as an overlay of conceptual development plans, on a natural features map, illustrating other site development options to demonstrate the impacts have been minimized to the extent practical). If the cumulative impact creates or contributes to a significant problem relative to infrastructure demand or environmental degradation, mitigation shall be provided to alleviate the impacts associated with the PD.

6. *Public utilities.* All uses within the PD project shall be served by public water and sewer.

7.

(3) *Qualification requirements:* The proposed development shall provide meet at least one (1) or more of the following open space benefits criteria to be eligible for consideration as a Planned Development:

6. (a) *Significant natural assets:* The site contains significant natural assets such as woodlands, rolling topography with grades exceeding fifteen ~~15~~ percent (15%), significant views, natural drainage ways, water bodies, floodplains, regulated or non-regulated wetlands, or natural corridors that connect quality wildlife habitats which would be in the best interest of the townshipTownship to preserve and which might be negatively impacted by conventional residential development.

7. (b) *Recreation facilities:* If the site lacks natural features, it a residential development can qualify if the development will preserve existing or provide new recreation facilities and open spaces to which all residents of the development shall have reasonable access. Such facilities include areas such as a neighborhood park, plazas, golf course, passive recreational facilities, soccer fields, ball fields, bike paths or similar facilities which provide a feature of community-wide significance and enhance residential development.

8. (c) *Mixed use:* A site can qualify if the development will provide a complimentary and integrated mixture of uses, residential densities and housing types. A mixed usemixed-use project shall be considered a project which proposes a combination of single-family detached and multiple-family housing or a mixture of compatible residential and commercial uses. Such mixture of uses shall be integrated into a cohesive, pedestrian scale neighborhood.

9. (d) *Infill development/redevelopment:* Land located within the older urbanized neighborhoods, and areas of the townshipTownship north of I-94 designated in the master plan for townhouse residential may qualify for development as a PD where the site design standards of Article 13

and the design standards of the underlying zoning district section ~~Section 615~~ are met or exceeded.

- ~~(4) *Guarantee of open space.* Usable open space shall be provided, as required herein. The applicant shall guarantee to the satisfaction of the township Township that all open space portions of the development will be maintained in the manner approved. Documents shall be presented that bind all successors and future owners in fee title to commitments made as a part of the proposal. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is provided to the township Township and the land uses and restrictions continue as approved in the PD plan.~~
- ~~(5) *Cohesive neighborhood.* The proposed development shall be designed to create cohesive community neighborhoods through a network of spaces such as parks, plazas plazas, and common open space areas for passive or active recreation and resident interaction. All open space areas shall be equally available to all residents of the PD.~~
- ~~(6) *Unified control.* The proposed development shall be under single ownership or control, such that there is a single person or entity having proprietary responsibility for the full completion of the project. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions that indicate that the development will be completed in its entirety as proposed.~~
- ~~(7) *Density impact.* The proposed type and density of use shall not result in an unreasonable increase in the need for or impact to public services, facilities, roads, and utilities in relation to the use or uses otherwise permitted by this ordinance Ordinance, and shall not place an unreasonable impact to the subject and/or surrounding land and/or property owners and occupants and/or the natural environment. The township Township may require that the applicant prepare an impact statement documenting the significance of any environmental, traffic or socio-economic impact resulting from the proposed PD. An unreasonable impact shall be considered an unmitigateable, significant adverse effect on the quality of the surrounding community and the natural environment in comparison to the impacts associated with conventional development. The township Township may require that the applicant prepare a quantitative comparison of the impacts of conventional development and the PD plan to assist in making this determination (such as an overlay of conceptual development plans, on a natural features map, illustrating other site development options to demonstrate the impacts have been minimized to the extent practical). If the cumulative impact creates or contributes to a significant problem relative to infrastructure demand or environmental degradation, mitigation shall be provided to alleviate the impacts associated with the PD.~~
- ~~(8) *Public utilities.* All uses within the PD project shall be served by public water and sewer.~~
- ~~(9) *Parking.* Off-street parking sufficient to meet the minimum required by section Section 2104 shall be provided and may, if deemed appropriate by the township Township, require for planned developments more or less parking than that required by this ordinance Ordinance.~~
- ~~(10) *Landscaping.* Landscaping shall be provided so as to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property. The township Township may, if deemed appropriate, require for PDs more or less landscaping than that required by this ordinance Ordinance.~~

~~(11) Circulation. Vehicular and non-motorized (pedestrian) circulation, allowing safe, convenient, uncongested/uncongested, and well-defined/understandable circulation within and to the district; shall be provided.~~

~~(12) Master plan. The proposed development shall be consistent with and further the implementation of the master plan of future land use for the township/Township.~~

~~(Ord. No. 2003-328, 1-20-04).~~

Sec. 602. - Permitted uses:

~~1. (1) Single-family residential:--~~ Detached single-family residential shall be permitted in any PD.

~~2. (2) Multiple-family residential:--~~ Multiple-family residential shall be permitted in any PD as follows:

~~A. (a) Where existing (pre-PD) zoning is multiple-family residential, multiple-family any type of dwelling units otherwise authorized in a multiple-family residential district shall be permitted meeting the density and design standards of this ordinance/Ordinance.~~

~~B. (b) Where existing (pre-PD) zoning is single-family residential, up to forty 40 percent (40%) of the dwelling units may be two-family and/or attached single-family housing, provided the remaining dwelling units (at least sixty 60 percent (60%)) shall be detached single-family residential and provided further that at least an additional ten percent (10%) of the site will be preserved as open space, above the minimum requirement.~~

~~C. (c) Where existing (pre-PD) zoning is multiple-family residential, senior housing may be permitted meeting the density and design standards of section/Section 2002, Senior Housing Option.~~

~~3. (3) Nonresidential:--~~ Nonresidential uses shall be permitted in a PD as follows:

~~A. (a) Where existing (pre-PD) district is zoned for nonresidential uses, all commercial business, services, professional offices and industrial uses listed as a permitted use in the existing (pre PD) zoning district shall be permitted.~~

~~B. (b) Where the existing (pre-PD) zoning is residential, the township board/Township Board may permit a commercial land use component in a PD with a gross area of 70 acres or more, provided the township board/Township Board determines the use will be compatible with the surrounding area and all of the following are met:~~

~~(1) 1-- The commercial component shall be located on a lot of sufficient size to contain all commercial structures, parking, and landscape buffering. The total area occupied by the commercial land uses may not exceed five percent (5%) of the gross area of the PD or three (3) acres, whichever is less.--~~

~~(2) 2-- All commercial uses shall be compatible with the residential area. The allowable commercial uses within such an area shall be limited to those permitted in the B-1 local NB Neighborhood business b-Business district.~~

~~(3) 3-~~ The ~~township~~Township finds that the architectural design of the structures is compatible with the balance of the PD and surrounding development.

~~(4) 4-~~ All commercial structures are integrated and connected to a non-motorized (pedestrian and bicycle) access system servicing the PD.

~~(5) 5-~~ The ~~township~~Township makes the finding that the overall site layout and the vehicular circulation pattern will not have a detrimental effect on residential streets.

~~(6) 6-~~ The commercial land use is consistent with the land use designated in the master plan.

~~(7) 7-~~ The ~~township board~~Township Board may require that one ~~(1)~~ or more phases of residential be completed prior to approving the PD stage II final site plan for the commercial component.

~~(Ord. No. 2003-328, 1-20-04)~~

:

Sec. 603. - Dwelling density:

~~1. (1)-~~ *Single-family residential*:- Where the existing ~~(pre-PD)-~~ zoning is single-family residential, the number of dwelling units allowable within a PD shall be determined through preparation of a "parallel plan."

~~A. (a)-~~ The applicant shall prepare, and present to the ~~township~~Township for review, a ~~concept plan of the property with a conventional layout, as described in Section 702.5.B parallel plan~~ parallel plan for the project that is consistent with state, county and ~~township~~Township requirements and design criteria for a tentative preliminary plat. ~~The parallel plan shall meet all standards for lot size, lot width and setbacks as normally required under article~~Article XX, Schedule of Regulations, neighborhood open space requirements, public roadway improvements and contain an area which conceptually would provide sufficient area for storm water detention. Lots in the ~~concept plan~~ parallel plan shall provide sufficient building envelope size without impacting wetlands regulated by the ~~state~~Michigan ~~d~~Department of ~~environmental quality~~Environment, Great Lakes, and Energy.

~~B. (b)-~~ The ~~township~~Township shall review the design and determine the number of lots that could be feasibly constructed and be economically viable following the ~~concept~~ parallel plan. This number, as determined by the ~~township~~Township, shall be the maximum number of dwelling units allowable for the PD. The regulatory flexibility of a PD may be allowed to cluster the dwellings on smaller lots or mix housing types, provided the overall density shall not exceed that determined in the parallel plan, unless a density bonus is provided under ~~subsection~~section (5) below.

~~2. (2)-~~ *Multiple-family residential*:- Where the existing ~~(pre-PD)-~~ zoning is multiple-family residential, the density shall be the maximum allowed by the existing ~~(pre-PD)-~~ zoning district, unless a density bonus is provided under ~~subsection~~section (5) below.

~~3. (3)-~~ *Nonresidential*:- Where the existing ~~(pre-PD)-~~ zoning is ~~office or~~ business or form-based, mixed-use (i.e. OS-1, B-1, B-2, B-3) (i.e., NB, GB, NC, RC), residential use may be permitted at the

density permitted in RM-~~MD2~~. Such density shall be permitted in those portions of the PD proposed for residential use. Land areas of a PD proposed exclusively for nonresidential use shall not be counted towards the maximum allowable density. Residential dwelling units may be permitted on the same site as nonresidential uses, provided designated residential parking shall be provided in addition to parking requirements for commercial uses and the site and buildings shall be designed to allow a complementary mixture of uses on the site with minimal conflict, based upon the criteria of ~~section~~Section 601.

~~4. (4)~~ Multiple-More than one (1) existing (pre-PD) zoning districts:- Where a PD is proposed for a land area that includes ~~multiple-more than one (1) existing (pre-PD) zoning districts~~, density shall be determined separately for each respective zoning district then combined for a maximum permitted dwelling unit density for the overall project. Following the determination of density, residential dwelling unit types may be integrated within the overall design for the project and need not be segregated by the existing ~~(pre-PD)~~ zoning districts. The location and distribution of dwellings within the PD shall be determined through design that meets the intent of this ~~ordinance~~Ordinance, preservation of natural features and compatibility with surrounding land uses.

~~5. (5)~~ Density bonus:- At the option of the applicant and with approval by the ~~township board~~Township Board, a variable density bonus of up to ~~twenty 20~~ percent (20%) may be allowed, based upon the general eligibility criteria of ~~section~~Section 601, and in particular the density impact evaluation ~~of section~~Section 601(7). Where a density bonus is granted, one ~~(1)~~ or more of the following shall be required by the ~~township board~~Township Board:

~~A. (a)~~ A high level of clustered development where a minimum of 40 percent of the PD is ~~e~~ Common open space shall be increased in an amount that is proportional to that increase in density as set forth in Section 605.2(2).

~~B. (b)~~ Inclusion of a ~~An~~ integrated mixture of housing types.

~~C. (c)~~ Providing r ~~Recreation~~ facilities, plazas, town squares or "commons" that are available to the public. The applicant has the option to provide the additional public spaces or recreational facilities (above and beyond the minimum open space requirements) at an off-site location approved by the ~~township board~~Township Board.

~~D. (d)~~ Providing s ~~Streetscape~~ and roadway improvements along abutting thoroughfares.

~~E. (e)~~ Removal or renovation of blighted buildings or cleanup of site contamination as documented through a phase I and phase II environmental site assessment and a baseline environmental assessment.

~~F. (f)~~ Other similar elements as determined by the ~~township board~~Township Board, based upon a findings of the ~~planning commission~~Planning Commission.

~~A PD proposed as senior housing shall not qualify for additional density, beyond that specified in section~~Section 2002, Senior Housing Option.

~~(6) Townhouse residential. Where a PD is proposed for a land area that is designated in the master plan for townhouse residential, residential shall be permitted at a density of up to ten dwelling units per acre. The 20 percent density bonus may be granted where the township board~~Township Board ~~finds that the project will provide for a pedestrian-friendly traditional neighborhood with high-quality~~

~~architecture and open spaces used for active recreation, which is properly integrated within the surrounding neighborhoods.~~

(Ord. No. 2003-328, 1-20-04)

Sec. 604. - Area and bulk regulations:

~~1. (1)~~ *Basic regulations*: All regulations applicable to setbacks, parking and loading, general provisions, and other requirements shall be met in relation to each respective land use in the development based upon zoning districts in which the use is listed as a permitted or special conditional use. The height, bulk, and area conditions set forth in ~~article~~ Article 4, District Regulations and Article 5, Form Based Districts XX, Schedule of Regulations, shall be used as guidelines for the use areas set forth in the PD plan. Within a single-family residential PD, lot sizes may be reduced below the minimum requirement of the existing ~~(pre-PD)~~ zoning district, provided that the open space within the PD equals or exceeds the total area of lot size reduction.

~~2. (2)~~ *Regulatory flexibility*: To encourage flexibility and creativity consistent with the intent of the PD regulations, the ~~township~~ Township may permit specific departures from the requirements of ~~this the zoning ordinance~~ Ordinance for yards and lots as a part of the approval process. Any regulatory modification shall be approved through a finding by the ~~township~~ Township that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards.

~~A table shall be provided on the site plan which specifically d~~ Details of all deviations from the established zoning area, height and setback regulations, off-street parking regulations, general provisions, or subdivision regulations which would otherwise be applicable to the uses and development proposed in the absence of ~~this the proposed PD article~~ Article shall be provided in ~~the written PD Agreement~~. This specification should include ~~ordinance~~ Ordinance provisions from which deviation are sought, and the reasons and mechanisms to be utilized for the protection of the public health, safety, and welfare in lieu of the regulations from which deviations are sought. Only those deviations consistent with the intent of this ~~ordinance~~ Ordinance shall be considered.

(Ord. No. 2003-328, 1-20-04)

Sec. 605. - Open space requirements:

~~1. (1)~~ *Common open space*: Common open space, other common properties and facilities, individual properties, and all other elements of a PD district are so planned that they will achieve a unified open space, community green or plaza and recreation area system, with open space and all other elements in appropriate locations, suitably related to each other, the site, and surrounding lands. All land within a development that is not devoted to a residential unit, an accessory use, vehicle access, vehicle parking, a roadway, an approved land improvement or a commercial use, shall be set aside as common land for community use, recreation, or conservation. Grading in the open space shall be minimal, with the intent to preserve existing significant topographic features, where such resources exist.

~~2. (2)~~ *Amount of open space*:- A PD shall maintain a minimum of ~~twenty 20~~ percent (20%) of the gross area of the site as dedicated open space held in common ownership. Projects proposed under ~~section~~Section 603.5.A 603(5)(a) shall require ~~a minimum of forty 40 percent (40%)~~ an increase in open space that is proportional to the increase in density (i.e., an increase in density of twenty percent (20%) would require an increase in open space by twenty percent (20%)). ~~Except as noted in section~~Section 605(4), ~~any~~Any undeveloped land area within the boundaries of the site meeting the open space standards herein may be included as required open space for the purposes of this Article, except for the following land areas which shall not be included as dedicated open space:

- A. Area proposed as single-family residential lots or site condominiums.
- B. Area proposed to be occupied by multiple-family dwellings, including the minimum required setbacks around buildings.
- C. Any portion of the project used for commercial or office purposes.
- D. The area of any street right-of-way or equivalent private road easement.
- E. Any submerged land area of a lake, river, stream or stormwater detention, or retention pond.

~~3. (3)~~ *Recreational open space area*:- At least ~~one-half (0.5)~~ fifty percent (50%) of the minimum required open space shall be usable, active recreational open space that is accessible to all residents of the PD and not include any part of a golf course. Such recreational open spaces shall be exclusive of any wetland, floodplain, stormwater detention/retention or landscape buffers. Recreational facilities such as playgrounds, athletic fields or picnic pavilions shall be provided.

~~4. (4)~~ *Areas not considered open space*:- ~~The following land areas are not included as dedicated open space for the purposes of this article~~Article:

- ~~A. (a)~~ ~~Area proposed as single family residential lots or site condominiums.~~
- ~~B. (b)~~ ~~Area proposed to be occupied by multiple family dwellings, including the minimum required setbacks around buildings.~~
- ~~C. (c)~~ ~~Any portion of the project used for commercial or office purposes.~~
- ~~D. (d)~~ ~~The area of any street right-of-way or equivalent private road easement.~~
- ~~E. (e)~~ ~~Any submerged land area of a lake, river, stream or stormwater detention, or retention pond.~~

~~4. (5)~~ *Location of open space*:- Common open space shall be planned in locations visible and accessible to all users in the PD (i.e., centrally located and not isolated corners of the development). The common open space may either be centrally located along the road frontage of the development, located to preserve significant natural features, or located to connect open spaces throughout the development. The open space along the exterior public roads shall generally have a depth of at least one hundred (100) feet, either landscaped or preserved in a natural wooded condition. ~~This requirement shall not apply to townhouse residential PD developed under section~~Section 615, which shall instead provide open space through parks, common greens, plazas~~plazas, or buffers.~~

~~5. (6)~~ *Open space corridors*: Connections with adjacent open space, public land or existing or planned pedestrian/bike paths may be required by the ~~township~~ Township.

~~6. (7)~~ *Protection of open space*:

~~A. (a)~~ The dedicated open space shall be set aside by the developer through an irrevocable conveyance that is found acceptable to the ~~township~~ Township, such as: recorded deed restrictions, covenants that run perpetually with the land, or conservation easements.

~~B. (b)~~ Such conveyance shall assure that the open space will be protected from all forms of development, except as shown on an approved site plan, and shall never be changed to another use. Such conveyance shall:

~~(1) 1.~~ Indicate the proposed allowable use(s) of the dedicated open space. The ~~township~~ Township may require the inclusion of open space restrictions that prohibit the following:

- a. Dumping or storing of any material or refuse;
- b. Activity that may cause risk of soil erosion or threaten any living plan material;
- c. Cutting or removal of live plant material except for removal of dying or diseased vegetation;
- d. Use of motorized off road vehicles;
- e. Cutting, filling or removal of vegetation from wetland areas;
- f. Use of pesticides, herbicides, or fertilizers within or adjacent to wetlands.

~~(2) 2.~~ Require that the dedicated open space be maintained by parties who have an ownership interest in the open space.

~~(3) 3.~~ Provide standards for scheduled maintenance of the open space.

~~C. (c)~~ The dedicated open space shall forever remain open space, subject only to uses approved by the ~~township~~ Township on the approved site plan. Further subdivision of open space land or its use for other than recreation, conservation, or agricultural purposes, except for easements for utilities and septic systems, shall be strictly prohibited. Open space may include golf course area, provided that it forever remains outdoor recreation or natural undeveloped land.

~~8. (8)~~ *Allowable structures*: Any structure(s) or building(s) accessory to a recreation use may be erected within the dedicated open space, subject to the approved open space plan. These accessory structure(s) or building(s) shall not exceed, in the aggregate, one percent (1%) of the required open space area.

(Ord. No. 2003-328, 1-20-04)

Sec. 606. - Natural features:

~~1. (1)~~ *Preservation of natural features*: The development shall be designed so as to preserve natural resources and natural features to the extent practical. Compliance with this requirement

shall be determined by the ~~township~~Township after review of a site analysis plan, prepared by the applicant, that inventories these features. The PD shall comply with the ~~township~~Township ~~Woodlands ordinance~~Ordinance, Article 3 of Chapter 24 of Charter Township of Ypsilanti Code of Ordinances. The limits of tree clearing and grading shall be clearly shown on the preliminary and final PD site plans.

2. ~~(2)~~ *Habitat*: If animal or plant habitats of significant value exist on the site, the ~~township~~Township, as a condition of approval, may require that the PD plan preserve these areas in a natural state and adequately protect them as nature preserves or limited access areas.
3. ~~(3)~~ *Open-space_ Natural feature setback*: A minimum ~~fifty (50)~~-foot wide undisturbed ~~open space~~ setback shall be maintained from the ~~edge_ ordinary hig-water mark~~ of any, lake, pond, river, stream, or ~~the edge of any county drain or~~ wetland; provided that the ~~township~~Township may permit trails, boardwalks, observation platforms or other similar structures that enhance passive enjoyment of the site(s) natural amenities within the setback. ~~This requirement shall not apply to townhouse residential PD developed under section~~Section 615.

(Ord. No. 2003-328, 1-20-04)

Sec. 607. - Compatibility with adjacent uses:

1. ~~(1)~~ *Compatibility with adjacent uses*: The proposed location of uses or structures that are of a significantly different scale intensity or character than the abutting residential districts, such as access drives, parking areas, solid waste pick-up points, swimming pools, tennis courts and facilities of a similar nature, shall not be located near the boundary of the development or so as to negatively impact the residential use of adjacent lands.
2. ~~(2)~~ *Transition areas*: Where the PD abuts a single-family residential district, the ~~township~~Township may require a transition area to ensure compatibility between uses. Grading within the transition area shall be minimal unless needed to provide effective buffering or accommodate drainage. ~~If the grade change adjacent to single-family residential is to be varied by more than three (3) feet, the site plan shall include cross section sections illustrating existing and proposed grades in relation to existing and proposed building heights. Perspective renderings from adjacent residential units are encouraged. The township~~Township shall review the proposed transition area to ensure compatibility. The ~~township~~Township may require that the transition area consist of one (1) or more of the following:
 - A. ~~(a)~~ A row of single-family lots or condominium sites similar to adjacent single-family development in terms of density, lot area, lot width, setbacks and building spacing.
 - B. ~~(b)~~ Woodlands, natural features, or a landscaped greenbelt sufficient to provide an obscuring effect.
 - C. ~~(c)~~ Open or recreation space.
 - D. ~~(d)~~ Significant changes in topography which provide an effective buffer.
 - E. Other measures that may provide an effective transition, as determined by the Township Board.

(Ord. No. 2003-328, 1-20-04)

Sec. 608. - Landscaping:

The following landscaping requirements shall be met in addition to other landscaping requirements contained in ~~the zoning, this ordinance, the township~~ Ordinance, the Township s-Subdivision r-Regulations ordinance, Appendix C of the Charter Township of Ypsilanti Code of Ordinances, and other applicable ~~township~~ Township ordinance.

1. ~~(1)~~ Street trees: Both sides of all internal roads shall be landscaped with street trees. For road frontages of individual lots or condominium sites, a minimum of two (2) canopy trees shall be provided per dwelling. For ~~section~~ sections of road that do not abut lots or condominium sites, one (1) canopy trees shall be provided on each side for every forty (40) feet or road. Existing trees to be preserved within five (5) feet of the road right-of-way or easement may be credited towards meeting this requirement.
2. ~~(2)~~ Frontage greenbelt: The open space along the exterior public roads shall be landscaped with a minimum of one (1) evergreen tree or canopy tree for each twenty (20) feet of road frontage. Preservation of existing trees may be credited towards meeting the frontage landscaping requirement.
3. ~~(3)~~ Buffering: Where nonresidential uses adjoin residentially zoned property, noise reduction and visual screening mechanisms such as landscape berms and/or decorative walls, shall be employed.

(Ord. No. 2003-328, 1-20-04)

Sec. 609. - Architectural and site design standards:

1. ~~(1)~~ Residential architecture: Residential facades shall not be dominated by garages; at least forty percent (40%) ~~percent~~ of residential units shall have side entry garages or recessed garages where the front of the garage is at least five (5) feet behind the front line of the living portion of the principal dwelling. The intent of encouraging recessed or side entry garages is to enhance the aesthetic appearance of the development and minimize the aesthetic impact resulting from the close clustering of units allowed under these regulations.
2. ~~(2)~~ Nonresidential architecture: Nonresidential buildings shall provide distinct and prominent architectural features that create a positive visual landmark. Walls facing the street shall include windows and architectural features customarily found on the front facade of a building, such as awnings, cornice work, edge detailing or other decorative finish materials. Blank walls shall not face the street. Single story buildings shall have pitched roofs. Flat roofs shall be allowed on nonresidential ~~two-story~~ two-story buildings, provided the roof is enclosed by parapets and a decorative cornice. The ~~exterior building wall~~ design standards of section Section 1306, Building design requirements or the design standards of the underlying form-based district 2121 shall be met.
3. ~~(3)~~ Site elements: Signage, lighting, landscaping, building architecture and materials, and other features of the project, shall be designed to achieve an integrated and controlled development,

consistent with the character of the community, surrounding development or developments, and natural features of the area.

(Ord. No. 2003-328, 1-20-04)

Sec. 610. - ~~Parking lots—Multiple family or mixed use project with commercial~~ Off-street parking:

- ~~1. (1)~~ Parking requirement:— The number and dimensions of off-street parking shall be sufficient to meet the minimum required by ~~the ordinance~~ Ordinances of the ~~township~~ Township. However, where warranted by overlapping or shared parking arrangements, the ~~township~~ Township may reduce the required number of parking spaces by up to ~~twenty percent (20%)~~ percent.
- ~~2. (2)~~ Parking location:— All parking and loading areas serving the commercial uses shall be to the rear or side of the structure and fully screened from view of any public roadway, except that the ~~township~~ Township may allow up to ~~twenty-five percent (25%)~~ percent of the minimum number of required parking spaces in the front yard.
- ~~3. (3)~~ Parking lot screening:—
 - ~~A. (a)~~ All off street parking spaces or loading areas must be screened from view of any public road or pedestrian path, or private road/drive within the project by a street-wall or hedge along the frontage. Street-walls shall be between three ~~(3)~~ feet in height and made of brick or stone.
 - ~~B. (b)~~ Where a nonresidential use or parking lot is adjacent to a residential use, a six ~~(6)~~ foot tall brick screening wall shall be required. The ~~township~~ Township may substitute this requirement for a three ~~(3)~~ foot tall landscape berm with a row of evergreen trees spaced no more than ten ~~(10)~~ feet on-center.
- ~~4. (4)~~ Parking lot greenbelt:— Off-street parking lots serving three ~~(3)~~ or more dwelling units shall provide a ten ~~(10)~~ foot wide open green space area around the perimeter of the parking lot.
- ~~5. (5)~~ Parking lot trees:— Landscaping shall be provided within parking lot landscape islands or surrounding the parking lot at a rate of one deciduous tree for every ten ~~(10)~~ parking spaces.

(Ord. No. 2003-328, 1-20-04)

Sec. 611. - Lighting:

- ~~1. (1)~~ Limitations on intensity:— Exterior lighting shall meet the standards set forth in Section 1303 and shall be restrained and excessive brightness avoided to help ensure compatibility with adjacent land uses. ~~All lighting shall be limited to 20 feet in height. The intensity of light fixtures shall be limited to 250 watts. Any lighting other than ornamental street lights shall be downward directed cut-off type fixtures. Floodlight type fixtures shall not be permitted except for building accent and sign lighting approved by the township~~ Township.

~~2. (2)~~ *Ornamental lighting*: The ~~township~~Township may require a consistent type of pedestrian scale ornamental lighting along all streets, and sidewalks and within any ~~off-street~~off-street parking lots.

~~3. (3)~~ *Lighting plan*: A lighting plan including illustration of a foot candles grid and details of lighting fixtures shall be provided for nonresidential parking lots and loading areas.

(Ord. No. 2003-328, 1-20-04)

Sec. 612. - Signs:

Residential entrance signs and commercial signs shall be approved as part of the final PD.

(Ord. No. 2003-328, 1-20-04)

Sec. 613. - Circulation:

~~1. (1)~~ *Internal roads*: All streets within the PD shall meet the minimum construction and other requirements of ~~township~~Township Ordinance~~Ordinances~~, unless modified by ~~township board~~Township Board.

~~2. (2)~~ *Pedestrian circulation*:

~~A. (a)~~ Sidewalks, a minimum of five ~~(5)~~ feet wide shall be provided on both sides of all streets within the PD.

~~B. (b)~~ Sidewalks shall be at least eight ~~(8)~~ feet wide in commercial areas or in residential areas adjacent to parking spaces where the sidewalk is connected to the curb.

~~C. (c)~~ Ten ~~(10)~~-foot wide bike paths shall be provided along major thoroughfares abutting the PD.

~~D. (d)~~ Trails shall be provided within the open space. They may be constructed of asphalt, gravel, or other similar material.

(Ord. No. 2003-328, 1-20-04)

Sec. 614. - Infrastructure:

Drainage, and utility design shall meet or exceed the standards otherwise applicable in connection with each of the respective types of uses served. There shall be underground installation of utilities, including cable, electricity, and telephone, as found necessary by the ~~township board~~Township Board, upon the recommendation of the ~~planning commission~~Planning Commission.

(Ord. No. 2003-328, 1-20-04)

Sec. 615. - Townhouse residential:

In addition to the above PD requirements, all PD's developed as townhouse residential ~~must~~ shall comply with the ~~following~~ design standards set forth in Section 1163.

- ~~(1) — *Uses.* The following uses shall be permitted where approved in the PD agreement.~~
 - ~~(a) — Single-family detached dwellings over one story in height.~~
 - ~~(b) — Single-family attached with a maximum of eight units attached in a single building.~~
 - ~~(c) — Publicly or privately owned and operated parks and recreation facilities.~~
 - ~~(d) — Home occupations.~~
 - ~~(e) — Accessory buildings and uses customarily incident to any of the above permitted uses.~~
- ~~(2) — *Dimensional standards.* All principal buildings shall meet the following dimensional requirements:~~
 - ~~Minimum front yard setback: 15 feet.~~
 - ~~Minimum spacing between buildings: 15 feet.~~
 - ~~Minimum rear yard setback: 20 feet.~~
 - ~~Minimum setback from side and rear perimeter of site: 20 feet.~~
 - ~~Minimum setback from adjacent single-family zoning district: 30 feet.~~
 - ~~Maximum percent of lot area covered by buildings: 45 percent.~~
 - ~~Maximum height of structures: Two stories and 25 feet.*~~
 - ~~Minimum ground floor area per unit: 1,000 square feet.~~

~~* The township board Township Board may permit buildings up to three stories and 35 feet in height where the building is setback from existing adjacent single family lots a distance equal to the height of the building and landscape screening is provided along the lot line adjoining an existing single family residential use.~~
- ~~(3) — *Building layout and architecture.* The following architectural standards shall be met for all structures:~~
 - ~~(a) — *Style.* Buildings shall have a traditional style of architecture characteristic of the mid-western United States. Design guidelines and typical building elevation drawings shall be presented with the PD stage I preliminary site plan and be reference in the PD agreement. Detailed architectural plans for each building will be included with the final PD stage II plans.~~
 - ~~(b) — *Street facade.* Buildings shall be oriented towards the street. The facade of buildings facing the public street shall include doors, porches, windows windows, and other architectural detailing consistent with the front facade of a traditional dwelling. The front facade of all buildings shall be constructed of brick.~~
 - ~~(c) — *Porches.* All main entrances to the units shall have a porch or stoop at least 30 square feet in area facing the street.~~

- (d) ~~Roofs.~~ All buildings shall have pitched roofs. The roofline may also include varying lines customary with gable or hip style roofing and dormer window features are encouraged. Permitted roofing materials include asphalt shingles, cedar shake and slate.
- (e) ~~Garages.~~ All units shall provide garages accessed from the rear or side of the building. This may be accommodated by an attached rear entry garage, a garage that is access via a rear service drive or a detached garage located in the rear yard. Garages facing towards the front lot line may be permitted where the front of the garage is located at least 20 feet behind the front wall of the dwelling.
- (4) ~~Circulation.~~
- (a) ~~Road standards.~~ Roads may be public or private where approved by the township board Township Board. The township board Township Board may permit specific modifications to road standards where the modification will improve the traditional neighborhood character of the development, provided parking and emergency vehicle access are accommodated.
- (b) ~~Street connections.~~ Street connections shall be encouraged where it will unify neighborhoods and provide more convenient access to businesses and community facilities such as schools and parks. Cul-de-sacs and other dead-end streets shall be discouraged. Where it is not possible or desirable to provide a through street, the planning commission Planning Commission may allow a looped drive with a common green in the center. The circular drive around the green shall be at least 20 feet wide, measured face to face of curb, and the central green shall be no less than 20 feet at its narrowest dimension and be landscaped.
- (c) ~~Rear service drives.~~ Rear service drives or alleys may be provided to serve as access to rear yard garages within a minimum pavement width of at least 20 feet. In addition to a rear drive, all residential structures shall have frontage along a public street or private road, except the township board Township Board may allow dwellings to front onto a common green or pedestrian right-of-way, where the fire department determines that adequate emergency vehicle access is provided.
- (d) ~~Pedestrian circulation.~~ Sidewalks shall be provided on both sides of streets through the development. All developments shall provide pedestrian linkages between public sidewalks and the building entrances. Sidewalk and pathway connections may be required to adjacent uses and activity areas.
- (5) ~~Parking.~~ All units shall be provided with individual garages. Guest parking spaces shall not be located in the front yard of the site and any off-street parking spaces must be screened from view of any public road or pedestrian path, by a streetwall or hedge along the frontage. Streetwalls shall be three feet in height and constructed of brick or stone.
- (6) ~~Lighting.~~ A consistent type of pedestrian scale ornamental lighting shall be provided along all streets and sidewalks and within any off street parking lots. Such lighting shall be provided at a frequency and height to provided desired light levels.
- (7) ~~Open space.~~ Open space meeting the requirements of section Section 605 shall be provided. Open space areas shall offer a source of passive and/or active recreation, in accordance with the intended character of the neighborhood. Passive recreational areas may include features

~~such as formal seating areas and open lawn area. Active recreational areas may include specific recreation elements such as playgrounds, tennis courts and swimming pools or less formal features such as open play fields and walking paths.~~

~~(Ord. No. 2003-328, 1-20-04)~~

Sec. 616. - PD site plan submittal requirements:

Application shall be made to the ~~Township community development department~~ for consideration under this PD district. The person applying shall be required to make a submittal of the following material for review by the ~~planning commission~~ Planning Commission and recommendation to the ~~township board~~ Township Board:

1. Pre-conceptual conference: The applicant shall attend a pre-conceptual conference with the Township officials, the Township community and economic development department, planning, and engineering consultants and regulatory, public service, and utility agencies. The applicant shall submit an application, review fee and pre-conceptual plan at least twenty (20) business days prior to the pre-conceptual conference and forward copies of the submittal to all reviewing agencies listed by the Township. The purpose of this meeting is to allow the applicant to introduce the site plan concept and receive comments or direction from the on the site plan or the need for additional material needed to evaluate the impacts of the use. No formal action shall be taken.

2.

~~(1) PD stage preliminary site plan requirements:~~ Following the completion of the pre-application meeting, the applicant is authorized to submit a preliminary PD site plan. The PD stage preliminary site plan shall set forth the proposed uses to be developed in the PD and the following specific information on a site plan. The information on proposed improvements required by paragraph (g) below can be conceptual in nature, particularly for larger, mixed-use PD's that will be developed in phases. For a PD that contains a single type of use (e.g., a single-family subdivision) where the project will be developed in a single phase, the applicant has the option to include a complete site plan or preliminary subdivision plat for preliminary site plan or tentative preliminary plat approval, as applicable.

A. (a) A property area survey of the exact area being requested (scale: one (1) inch = one hundred (100) feet).

B. (b) A proof of ownership of land being requested for rezoning or evidence of a contractual ability to acquire such land, such as an option or purchase agreement.

C. (c) A completed application form, supplied by the ~~township~~ Township community and economic development department, and an application/review fee. A separate escrow deposit may be required for administrative charges to review the PD submittal.

D. (d) Cover sheet providing:

(1) ~~1.~~ The applicant's name;

(2) ~~2.~~ Name of the development;

- (3) ~~3-~~ The preparer's name and professional seal of architect, engineer, surveyor, or landscape architect indicating license in the State of Michigan;
 - (4) ~~4-~~ Date of preparation and any revisions;
 - (5) ~~5-~~ North arrow;
 - (6) ~~6-~~ Property lines and dimensions;
 - (7) ~~7-~~ Complete and current legal description and size of property in acres;
 - (8) ~~8-~~ Small location sketch of the subject site and area within one-half (0.5) mile, and scale;
 - (9) ~~9-~~ Zoning and current land use of applicant's property and all abutting properties and of properties across any public or private street from the PD site;
 - (10) ~~10-~~ Lot lines and all structures on the property and within one hundred (100) feet of the PD property lines;
 - (11) ~~11-~~ Location of any access points on both sides of the street within one hundred (100) feet of the PD site along streets where access to the PD is proposed.
- E. ~~(e)~~ An aerial photograph of the site.
- F. ~~(f)~~ A site analysis plan sheet indicating locations of significant natural, historical, and architectural features, including:
- (1) ~~1-~~ Existing buildings;
 - (2) ~~2-~~ Drainage patterns;
 - (3) ~~3-~~ Surface water bodies;
 - (4) ~~4-~~ Floodplain areas;
 - (5) ~~5-~~ Wetlands with supporting documentation;
 - (6) ~~6-~~ Existing topography at five (5)-foot contour intervals;
 - (7) ~~7-~~ Tree survey indicating the location and diameter (in inches, measured four (4) feet above grade) of "landmark" trees. Landmark trees will be designated as "areas not to be disturbed" and secured through installation of a snow fence or other fencing. The limits of tree clearing shall be clearly indicated.
- G. ~~(g)~~ A plan sheet indicating:
- (1) ~~1-~~ Existing and proposed topography at five (5)-foot contour intervals and a general description of grades within one hundred (100) feet of the site, including the limits of grading and tree removal;
 - (2) ~~2-~~ Dimensions of existing and proposed right-of-way lines, names of abutting public streets, proposed access driveways and parking areas, and existing and proposed pedestrian and/or bicycle paths;
 - (3) ~~3-~~ Existing buildings, utility services, and any public or private easements, noting those which will remain, and which are to be removed;

- ~~(4) 4-~~ Layout and typical dimensions of proposed lots, footprints of proposed buildings; uses with the acreage allotted to each use. For developments with residential components: the number, type, and density of proposed housing units;
 - ~~(5) 5-~~ Arrangement and area calculations for open space, including upland and wetland open space areas;
 - ~~(6) 6-~~ General location and type of landscaping proposed (evergreen, deciduous, berm, etc.) noting existing trees and landscaping to be retained;
 - ~~H. (h)-~~ A plan sheet illustrating open space areas and tabulating the amount of open space provided broken down by areas for active recreation, passive recreation, upland natural preservation areas, wetlands, utility easements and landscape buffers.
 - ~~I. (i)-~~ If a ~~multi-phase~~ multi-phase PD is proposed, identification of the areas included in each phase. For residential uses identify the number, type, and density of proposed housing units within each phase.
 - ~~J. (j)-~~ A traffic impact study meeting the requirements of Article 4, Traffic Impact Study of Chapter 24 of the Charter Township of Ypsilanti Code of section~~Section 2115(6) of the zoning ordinance~~Ordinance.
 - ~~K. (k)~~ Any additional graphics or written materials requested by the ~~township~~Township to assist the ~~township~~Township in determining the appropriateness of the PD such as, but not limited to, aerial photography; market studies; impact on public primary and secondary schools and utilities; traffic impacts using trip generation rates recognized by the Institute of Transportation Engineers (ITE) for an average day and peak hour of the affected roadways; impact on significant natural, historical, and architectural features and drainage; impact on the general area and adjacent property; description of how property could be developed under the regulations of the existing (~~pre-PD-~~) district; preliminary architectural sketches; and estimated construction cost.
 - ~~L. (l)-~~ A draft written PD development agreement specifying all the terms and understanding of the PD development.
- ~~(2) Final PD stage II site plan requirements. The final PD stage II site plan shall include a complete site plan meeting the requirements of section~~Section 1515, or a final preliminary plat meeting the requirements of the township~~Township subdivision regulations ordinance~~Ordinance, as applicable.

~~(Ord. No. 2003-328, 1-20-04)~~

~~3.~~

~~Sec. 617-~~ Acceptance and approval of PD ~~stage I~~ preliminary site plan and rezoning:

In reviewing and approving the PD ~~stage I~~ preliminary site plan and rezoning, the following procedures and conditions shall be followed:

- ~~(1) Pre-conceptual conference. The applicant shall attend a pre-conceptual conference with the township~~Township ~~officials, the township~~Township ~~community and economic development department, planning, and engineering consultants and regulatory, public service, and utility agencies. The applicant shall submit an application, review fee and pre-conceptual plan at least~~

~~20 business days prior to the pre-conceptual conference and forward copies of the submittal to all reviewing agencies listed by the townshipTownship. The purpose of this meeting is to allow the applicant to introduce the site plan concept and receive comments or direction from the on the site plan or the need for additional material needed to evaluate the impacts of the use. No formal action shall be taken.~~

~~A. (2) Technical (staff) reviews:~~ Formal application shall be made to the ~~townshipTownship community and economic development department~~. The ~~townshipTownship Zoning Administrator community and economic development department~~ shall review the application. The ~~townshipTownship~~ planning consultant, department of public works, fire chief, police chief, ~~townshipTownship engineerEngineer~~, and building department manager, ~~road committee and natural resources committee, if applicable~~, shall also review the application. The reviews shall be submitted to the ~~townshipTownship Zoning Administrator community and economic development department~~. The ~~townshipTownship Zoning Administrator community and economic development department~~ may schedule a conference with applicable consultants and departments which reviewed the submittal information. The technical reviews may be revised and resubmitted following the conference or submittal of a revised application. An application shall not be forwarded to the ~~planning commissionPlanning Commission~~ until all required technical information is provided.

~~B. (3) Public hearing for PD stage rezoning:~~ Following the technical review process, the ~~planning commissionPlanning Commission~~ shall schedule and conduct a public hearing to review the request in accordance with the following procedures. The applicant is also encouraged to meet with neighborhood associations and land owners prior to the ~~planning commissionPlanning Commission~~ public hearing on the proposed project.

~~(1) (a)~~ The ~~townshipTownship community and economic development department~~ shall provide notice of public hearing on the request for PD rezoning in accordance with ~~sectionSection 307, Public hearing requirements. 2703~~. Such notification shall be in accordance with Section 4 of the Township Zoning Act (Public Act 184 of 1943, as amended).

~~(2) (b)~~ The ~~planning commissionPlanning Commission~~ shall conduct the required public hearing. The purpose of the public hearing is for the ~~planning commissionPlanning Commission~~ and the applicant to receive public comment on the PD. The ~~planning commissionPlanning Commission~~ shall not take action at the same meeting when the public hearing is conducted unless there is a specific finding that all review standards are met and no conditions are necessary for the recommendation to the ~~township boardTownship Board~~.

~~(3) (c)~~ Following the public hearing the applicant shall submit revised plans and a document which point-by-point addresses each issue, as directed by the ~~planning commissionPlanning Commission~~.

~~C. (4) Planning commission recommendation:~~ The ~~planning commissionPlanning Commission~~ shall review the PD site plan in consideration of public hearing comments, technical reviews from ~~townshipTownship~~ staff and consultant's correspondence from applicable review agencies, and compliance with the standards of this ~~articleArticle~~ and other applicable standards of this ~~ordinanceOrdinance~~. The ~~planning commissionPlanning Commission~~ shall make a recommendation to the ~~township boardTownship Board~~ to approve, approve with

conditions or deny the request. The ~~planning commission~~Planning Commission recommendation shall be based on the following:

- (1) ~~(a)~~ Whether the proposal meets the eligibility criteria for qualification of the PD and promotes the land use goals and objectives of the ~~township~~Township.
- (2) ~~(b)~~ Whether all applicable provisions of this ~~section~~Section and this ~~ordinance~~Ordinance shall be met. If any provision of this ~~section~~Section shall be in conflict with the provisions of any other ~~section~~Section of this ~~ordinance~~Ordinance, the provisions of this ~~section~~Section shall apply to the lands embraced within a PD.
- (3) ~~(c)~~ Whether there is, or will be at the time of development, adequate facilities to accommodate the sanitary sewage, storm water, solid waste, water supply needs and traffic generated by the proposed project.

~~D. (5)~~ Township Board approval of PD ~~stage 1~~ preliminary site plan and rezoning:— Following receipt of the ~~planning commission~~Planning Commission's recommendation, the PD ~~stage 1~~ preliminary site plan and rezoning shall be considered by the ~~township board~~Township Board. The ~~township board~~Township Board shall take one (1) of the following actions on the request.

- (1) ~~(a)~~ Table:— If the application is determined to be insufficient, does not fully respond to ~~planning commission~~Planning Commission issues or more information is required, then the request may be tabled. The ~~township board~~Township Board shall direct the applicant to prepare additional information, revise the PD ~~stage 1~~ preliminary site plan or direct the ~~township~~Township staff to conduct additional analysis.
- (2) ~~(b)~~ Reconsideration:— If the ~~township board~~Township Board believes there is new information which might modify the recommendation of the ~~planning commission~~Planning Commission, the ~~board~~Board may return the application with the new information to the ~~planning commission~~Planning Commission for reconsideration. The ~~planning commission~~Planning Commission shall provide a recommendation within thirty (30) days.
- (3) ~~(c)~~ Approval:— Upon determination that a PD ~~stage 1~~ preliminary site plan is in compliance with the standards and requirements of this ~~ordinance~~Ordinance and other applicable ~~ordinance~~Ordinances and laws, the ~~township board~~Township Board shall approve the preliminary PD ~~stage 1~~ preliminary site plan and rezoning by resolution. The PD rezoning shall be effective upon approval of the second reading of the resolution. The ~~township board~~Township Board may impose reasonable conditions with the approval of a PD. Conditions of any approval are attached to the land and will remain through subsequent owners. The applicant shall submit a revised PD ~~stage 1~~ preliminary site plan that demonstrates compliance with the conditions for administrative approval by the ~~township~~Township Zoning Administrator, ~~community and economic development department~~.
- (4) ~~(d)~~ Denial:— Upon determination that a PD ~~stage 1~~ preliminary site plan does not comply with standards and regulations set forth in this ~~ordinance~~Ordinance, or requires extensive revision in order to comply with said standards and regulations, the ~~township board~~Township Board shall deny the application. Resubmittal of an application which was denied shall be considered a new application.

~~E. (6)~~ Stage I Preliminary PD agreement. The applicant shall submit an agreement stating the conditions upon which the PD is based, for review by the ~~township~~Township attorney. The agreement, after review by the ~~planning commission~~Planning Commission and approval by the ~~township board~~Township Board, shall be entered into between the ~~township~~Township and the applicant and be recorded in the office of the Washtenaw County Register of Deeds at the expense of the applicant. Approval shall be effective upon recording. The content of the agreement shall be based on the extent of the proposed development, but shall at a minimum provide the following:

~~(1) (a)~~ A survey of the acreage comprising the proposed development.

~~(2) (b)~~ The manner of ownership of the developed land.

~~(3) (c)~~ The amount, manner of the ownership and proposed method of dedication or mechanism to protect any areas designated as common areas or open space.

~~(4) (d)~~ Land use description including list of proposed uses, residential density, dwelling types, lot dimensions, setbacks, and other dimensional standards.

~~(5) (e)~~ Description of improvements to common areas, recreational facilities, and non-motorized pathways.

~~(6) (f)~~ General description of any improvements to roads or utilities.

~~(7) (g)~~ Provisions to ensure adequate protection of natural features.

~~(8) (h)~~ The preliminary PD plan shall be incorporated by reference and attached as an exhibit.

~~(Ord. No. 2003-328, 1-20-04)~~

~~4. Sec. 618.~~ Effect of PD ~~stage I~~ preliminary site plan and rezoning approval:

~~A. (1)~~ Approval by the ~~township board~~Township Board of the PD ~~stage I~~ preliminary site plan and rezoning shall have the effect of rezoning the property. The site plan, preliminary development agreement, building elevations and other development proposals including the proposed uses, shall become an integral part of the zoning amendment to the PD district and, for purposes of recordation, shall be referred to as "Planned Development No." All approved plans shall be filed with the ~~township~~Township ~~e-Clerk~~ and the ~~community development department~~.

~~B. (2)~~ Approval of the PD ~~stage I~~ preliminary site plan shall not constitute final site plan approval. It shall be deemed as approval of the land use plan submitted and shall serve as a guide in the preparation of the PD ~~stage II~~ final site plan. Rezoning procedures under this ~~article~~Article of the ~~ordinance~~Ordinance will rely on the plan submitted for both ~~stage I and stage II preliminary and final~~ and the supporting documentation and the plan, therefore, is basic to the rezoning.

~~C. (3)~~ Once an area has been rezoned to a PD district, no development shall take place therein nor use made of any part thereof except in accordance with the PD ~~stage I~~ preliminary site plan as originally approved, or in accordance with an approved amendment thereto.

~~(4) The proposed PD district shall be of such area as to represent a sound carrying out of the master plan of land use, it not being the intention of this district that an unrelated parcel by parcel rezoning be effectuated.~~

~~D. (5)~~ The ~~Z~~ zoning ~~ordinance~~Ordinance amendment, which effectuates the rezoning to the PD district, shall refer to and incorporate by reference the PD ~~stage I~~ site plan and such zoning amendment shall be carried out in accordance with rezoning procedures of this ~~ordinance~~Ordinance.

~~E. (6)~~ PD stage II final site plans and subdivision plats, as applicable, shall be submitted shall be submitted for review and approval in accordance with ~~section~~Section 2115- Article 9 IX, Site Plan Review, or the ~~township~~Township subdivision regulations ~~ordinance~~Ordinance, as applicable, for an area embraced in the PD.

~~F. (7)~~ Approval of the PD ~~stage I~~ preliminary site plan by the ~~township board~~Township Board shall be effective for a period of two (2) years. If PD ~~stage II~~ final site plan or subdivision plat for at least the first phase of the project is not submitted and approved within two (2) years of the PD ~~stage I~~ approval, the right to develop under the approved PD ~~stage I~~ preliminary site plan shall terminate and a new application must then be filed and processed. The two (2) ~~-~~year period for PD ~~stage I~~ preliminary approval may be extended for one (1) year, if applied for by the petitioner prior to expiration and granted by the ~~township board~~Township Board, based upon a recommendation by the ~~planning commission~~Planning Commission. Following expiration of the PD ~~stage I~~ approval, the ~~township~~Township may initiate proceedings to rezoning the property back to the pre-PD zoning district.

~~(Ord. No. 2003-328, 1-20-04)~~

:

Sec. ~~619-617~~. - PD ~~stage II~~ final site plan submittal and approval:

1. A presentation of the PD ~~stage II~~ final site plan shall be made to the ~~planning commission~~Planning Commission for review and recommendation to the ~~township board~~Township Board of the following:

~~A. (1)~~ PD ~~stage II~~ final site plans shall be submitted for each phase of the development. ~~This plan shall be worked out in detail showing specific uses, building location, off-street parking, street alignments, open spaces and other physical plan details being proposed.~~ ~~The final PD site plan shall include a complete site plan meeting the requirements of Section-subsection 906.2.~~ Supporting documentation in the form of building plans, and schedule of construction shall be submitted. The PD ~~stage II~~ final site plan shall conform to all site plan requirements and all site plan review requirements of this ~~ordinance~~Ordinance. In reviewing site plans and subdivision plans, the following standards shall apply:

~~(1)(a)~~ Site plans or subdivision plans shall be in substantial conformance with the approved PD ~~stage I~~ preliminary site plan. The final plan shall reflect and adhere to those use patterns as approved in the preliminary plan. The ~~township board~~Township Board may approve a PD ~~stage II~~ final site plan that proposes minor deviations from the PD ~~stage I~~ preliminary layout only where the ~~township board~~Township Board finds such deviations conform to the requirements of this ~~ordinance~~Ordinance and will result in an equal or

higher quality development than the PD ~~stage-I~~ preliminary site plan. Where major deviations are proposed from the PD ~~stage-I~~ preliminary plan, the ~~township board~~ Township Board may require resubmission of a new PD ~~stage-I~~ preliminary site plan for a ~~planning commission~~ Planning Commission public hearing and recommendation.

~~(2) (b)~~ Each site plan or subdivision plat shall either individually or in combination with previously approved contiguous project areas, meet the standards of this ~~section~~ Section and the approved preliminary PD ~~stage-I~~ site plan regarding layout, density, open space, and land use.

~~(3) (c)~~ Each plan submission shall include a map illustrating the site or phase in relation to previously approved plans and the overall PD ~~stage-I~~ preliminary site plan.

~~(4) (d)~~ A final PD agreement shall be submitted for review by the ~~township~~ Township attorney and approved by the ~~township board~~ Township Board.

~~B. (2)~~ Stage-II Final PD agreement. As part of the application for PD ~~stage-I~~ final site plan approval, the applicant shall submit an agreement stating the conditions upon which approval is based, for review by the ~~township~~ Township attorney. The agreement, after review and approval by the ~~township board~~ Township Board, shall be entered into between the ~~township~~ Township and the applicant and be recorded in the office of the Washtenaw County Register of Deeds at the expense of the applicant. Approval shall be effective upon recording. Said agreement shall provide:

~~(1) (a)~~ All items contained in the ~~stage-I~~ preliminary PD agreement.

~~(2) (b)~~ Provision assuring that those open space areas shown on the plan for use by the public or residents of the development will be or have been irrevocably committed for that purpose. The ~~township~~ Township may require conveyances or other documents to be placed in escrow to accomplish this.

~~(3) (c)~~ Satisfactory provisions have been made to provide for the future financing of any improvements shown on the plan for site improvements, open space areas and common areas which are to be included within the development and that maintenance of such improvements is assured by a means satisfactory to the ~~township board~~ Township Board.

~~(4) (d)~~ The cost of installing and maintaining all streets and the necessary utilities has been assured by a means satisfactory to the ~~township board~~ Township Board.

~~(5) (e)~~ The PD ~~stage-I~~ final site plan shall be incorporated by reference and attached as an exhibit.

~~(Ord. No. 2003-328, 1-20-04)~~

~~2. Sec. 620.~~ Effect of PD ~~stage-I~~ final site plan approval:

~~A. (1)~~ Approval of the PD ~~stage-I~~ final site plan shall be effective for a period of ~~one~~ two ~~(2)~~ years. If construction has not commenced within this period, the approval shall expire and the right to develop under the approved PD ~~stage-I~~ final site plan shall terminate and a new application for PD ~~stage-I~~ final site plan must then be filed. The ~~one~~ (1) ~~-year~~ -year period for PD ~~stage-I~~ final site plan approval may be extended for ~~one~~ (1) ~~-year~~ -year, if applied for by the

petitioner prior to the expiration and granted by the ~~township board~~Township Board, based upon a recommendation by the ~~planning commission~~Planning Commission. Once a building permit has been obtained, the PD ~~stage II~~ final site plan shall remain valid for as long as the building permit is current and construction is being diligently carried on towards completion.

~~B. (2)~~ All dedications of public rights-of-way or planned public open spaces shall be made prior to any construction taking place on the site and shall be recorded by the developer.

~~C. (3)~~ In residential use areas, any prorated open space shall be committed by dedication to an association of residents or to a land conservancy operating in Washtenaw County, either as rights-in-fee, easement, or in a master deed and retained as open space for park, recreation, and related uses. All lands dedicated in fee or easement shall meet the requirements set forth by the ~~township board~~Township Board. Provisions satisfactory to the ~~township board~~Township Board shall be made to provide for the financing of any improvements shown on the plan for open spaces and common use areas which are to be provided by the applicant, and including maintenance of such improvements by a means satisfactory to the ~~township board~~Township Board. This may include a development agreement. Such documents shall be recorded with the county register of deeds.

~~D. (4)~~ In those instances where a subdivision plat is being utilized as a planned development or a part of such development, the procedures and expiration dates of the Michigan Land Division Act, Public Act 288 of 1967, as amended ~~Plat Act (Act No. 288 of the Public Acts of Michigan of 1967)~~ (MCL 560.101 et seq.), ~~as amended~~, shall govern.

~~(Ord. No. 2003-328, 1-20-04)~~

~~3.~~

~~Sec. 621.~~ Required conditions:

~~A.~~ Before approving the plan in either the PD ~~stage I~~ preliminary site plan or PD ~~stage II~~ final site plan submittal, the ~~planning commission~~Planning Commission and the ~~township board~~Township Board shall determine that:

- (1) The cost of installing all streets, sidewalks, bike paths, streetlights, park areas and necessary utilities and maintenance thereof has been assured by a means satisfactory to the ~~township board~~Township Board. The ~~township board~~Township Board shall have the option of requiring suitable guarantee in a form suitable to the ~~township~~Township for the provision of any or all site improvements.
- (2) The final plan of each project area of the approved plan is in conformity with the overall approved plan. Any changes or amendments requested shall terminate approval of the preliminary plan until such changes or amendments have been reviewed and approved as in the instance of the first submittal, it being the intent of this ~~section~~Section that no other administrative or board of appeals action shall constitute official approval of such changes or amendments to the preliminary plan. Denial by the ~~township board~~Township Board of any requested changes or amendments shall not void the originally approved plan.

~~(3) Proceeding with a planned development district shall only be permitted if it is mutually agreeable to the township board~~Township Board and the developer.

~~(Ord. No. 2003-328, 1-20-04)~~

:

Sec. ~~622-618~~. - Administrative revisions to approved PD ~~stage-II~~ plans:

Approval of the PD ~~stage-II~~ final site plan confers upon the ~~township~~Township Zoning Administrator ~~community and economic development department~~ the authority to approve certain minor deviations during the construction process when an applicant or land owner who was granted final site plan approval notifies the ~~township~~Township ~~community and economic development department~~ of the proposed amendment to such approved site plan in writing, accompanied by a site plan illustrating the proposed change. The request shall be received prior to initiation of any construction in conflict with the approved plan.

~~1. (1)~~ *Procedure*:- Within fourteen (14) days of receipt of a request to amend the final site plan, the ~~township~~Township Zoning Administrator ~~community and economic development department~~ shall determine whether the change is major, warranting review by the ~~planning commission~~Planning Commission, or minor, allowing administrative approval, as noted below.

~~2. (2)~~ *Minor changes*:- Minor changes to a previously approved planned development site plan may be approved without necessity of ~~planning commission~~Planning Commission or ~~township board~~Township Board action thereon if the coordinator of community development ~~certifies in writing finds~~ that the proposed revision constitutes a minor alteration and does not alter the basic design nor any specific conditions of the plan as agreed upon by ~~planning commission~~Planning Commission and ~~township board~~Township Board. The ~~Zoning Administrator~~ ~~community development coordinator~~ shall record all such changes on the original PD site plan and shall advise ~~planning commission~~Planning Commission and ~~township board~~Township Board of all said minor revisions within fifteen (15) days of said administrative approval. Minor alterations or revisions under this ~~section~~Section shall be limited to:

~~A. (a)~~ For residential buildings, the square footage of structures may be reduced by ~~three_ five~~ three_ five percent (5%); or increased by ~~three_ five~~ three_ five percent (5%), provided the overall density of units does not increase, the minimum square footage and parking requirements are met and the building(s) do not extend into any required open space or required setbacks.

~~B. (b)~~ Gross floor area of nonresidential buildings may be decreased; or increased by up to ~~three_ five~~ three_ five percent (5%) or two thousand (2,000) square feet, whichever is smaller, provided parking requirements are met and the building does not extend into any required setback or open space.

~~(c) Any decrease in building size or changes in bedroom counts per dwelling unit in no more than ten percent of the total number of units.~~

~~C. (d)~~ Floor plans ~~may be changed~~ changes if consistent with the character of the use.

~~D. (e)~~ Relocation of a building by up to five (5) feet, if consistent with required setbacks, open space, and other standards.

~~E. (f)~~ Shifting of building heights and elevations, providing such shifting does not exceed ten percent (10%) of the previously approved dimension and providing such shifting does not significantly alter the conceptual integrity of the plan.

~~F. (g)~~ Construction of additional, or alteration of, approved sidewalks, provided that the full intent of pedestrian movement through and around the site is not inhibited thereby.

~~G. (h)~~ Shifting of, additions to, changes in species of landscape materials, provided that such change does not reduce minimum landscape requirements.

~~(i) Plantings on the approved landscape plan may be replaced by similar types of landscaping on a one-to-one or greater basis. Any regulated trees lost during construction shall be replaced on a caliper-per-caliper basis on the site.~~

~~H. (j)~~ Designated woodlands or areas not to be disturbed may be increased.

~~I. (k)~~ Relocation of refuse collection stations.

~~J. (l)~~ Improvements or slight relocation of site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing or pedestrian/bicycle paths, with documentation from Washtenaw County Road Commission or other road agencies, where appropriate.

~~K. (m)~~ Internal rearrangement of parking lots and curb cut locations, not including the relocation of parking lots, provided such ~~fictional~~ rearrangement does not reduce the total number of parking spaces required, and further provided that the such rearrangement does not inhibit good traffic flow or circulation.

~~L. (n)~~ Installation of recreational or maintenance facilities that do not require erection of a structure intended for human use or occupancy.

~~M. (o)~~ Changes of building materials to another of higher quality, or a slight change in the color of the exterior material, as determined by the ~~township~~Township Zoning Administrator. ~~community and economic development department.~~

~~N. (p)~~ Grade change of up to one (1) foot, reviewed by the ~~township~~Township eEngineer.

~~O. (q)~~ Modification of entry design, sign placement or reduction in size of signage, which is consistent with the intent of this ~~section~~Section and the approved plan.

~~P. (r)~~ Changes to the location of accessory buildings and structures only when the new location will be consistent with the building envelope identified on the approved plan.

~~Q. (s)~~ Changes required or requested by the ~~township~~Township, county, or state for safety reasons.

~~3. (3)~~ *Major changes:* Where the ~~township~~Township Zoning Administrator ~~community and economic development department~~ determines a requested amendment to the approved site plan is major, resubmittal to the ~~planning commission~~Planning Commission and ~~township board~~Township Board shall be required. Should the ~~planning commission~~Planning Commission or ~~township board~~Township Board determine that the modifications are inconsistent with the approved final PD site plan, a revised final PD site plan shall be submitted according to the procedures outlined in this ~~article~~Article. In all cases, a change in use to a more intensive use than approved in the final PD plan shall be considered major and require resubmission of a final PD plan.

~~(Ord. No. 2003-328, 1-20-04)~~

Sec. ~~623-619~~. - Existing planned developments:

~~1. (1)~~ *Approved planned developments*: Projects which received final PD ~~stage II~~ approval under the prior PD standards shall be considered conforming provided such projects conform to the site plan and conditions upon which they were approved, and the projects have either been completed or work is diligently being carried on within the time limits stipulated under this ~~ordinance~~Ordinance. Any expansion shall conform to the regulations of the particular zoning district; no expansion in area beyond the area approved as a PD shall be considered. Any modifications to the previously approved final PD site plans shall be reviewed under the current PD regulations.

~~(2) Commencement and completion of construction~~: Construction shall be commenced within one year following final approval of a PD, or within one year of any other necessary governmental approval for commencement of the project, whichever is later, provided all other necessary approvals have been actively pursued. Each phase of the project shall be commenced within one year of the schedule approved by the township ~~Township~~. If construction is not commenced within such time, any approval of a site plan on the project shall expire and be null and void, provided, an extension for a specified period may be granted by the ~~planning commission~~Planning Commission upon good cause shown if such request is made to the ~~planning commission~~Planning Commission prior to the expiration of the initial period.

~~2. (3)~~ *PD ~~stage I~~ preliminary planned developments*: Projects that have received a recommendation by the ~~planning commission~~Planning Commission to the ~~township board~~Township Board for PD ~~stage I~~ preliminary approval prior to the effective date of this amendment, but did not receive final PD ~~stage II~~ preliminary approval, shall be reviewed under the current PD regulations of this ~~ordinance~~Ordinance for final approval, subject to the following:

~~A. (a)~~ Where a density was established by the ~~township~~Township on a PD ~~stage I~~ preliminary site plan, subsequent final site plans submitted shall retain the following:

~~(1) 1~~ The density established at that time shall be the maximum allowable density for that site.

~~(2) 2~~ The final site plan shall include the same mixture of housing types, provided that the ~~township board~~Township Board may approve a reduction in the percent of non-single-family residential dwellings.

~~(3) 3~~ The final site plan shall contain as much or more open space as the preliminary PD plan.

~~B. (b)~~ Within two ~~(2)~~ years following receipt of the preliminary PD ~~stage I~~ approval, the applicant shall submit to the ~~township~~Township ~~planning commission~~Planning Commission a final PD ~~stage II~~ plan. If a final PD stage II plan has not been submitted within the two ~~(2)~~ years, then the original PD ~~stage I~~ preliminary approval shall be null-and-void and any subsequent submittal shall be required to comply with the current PD requirements of this ~~ordinance~~Ordinance. Time extension, beyond the two ~~(2)~~ -year period, may be granted by the ~~township board~~Township Board. The request for extension must be received in writing and shall not be for more than one year.

~~(c) Final site plans must still exhibit the community benefits and natural features protection that qualified the project for development as a PD. The planning commission~~Planning Commission shall make a finding that the final site plan is consistent with the intent and conditions of the preliminary PD approval.

~~(Ord. No. 2003-328, 1-20-04)~~

:

Sec. 620. – Commencement and completion of construction:

Construction shall be commenced within two (2) years following final approval of a PD, or within two (2) years of any other necessary governmental approval for commencement of the project, whichever is later, provided all other necessary approvals have been actively pursued. Each phase of the project shall be commenced within two (2) years of the schedule approved by the Township. If construction is not commenced within such time, any approval of a site plan on the project shall expire and be null and void, provided, an extension for a specified period may be granted by the Planning Commission upon good cause shown if such request is made to the Planning Commission prior to the expiration of the initial period.

~~Sec. 624-621.~~ - Limitations on variances from ZBA:

The decision to grant PD approval or any regulatory modifications are not subject to variance approval of the ~~zoning board of appeals~~Zoning Board of Appeals. No part of a PD may be appealed to the ~~zoning board of appeals~~Zoning Board of Appeals. This provision shall not preclude an individual lot owner from seeking a variance following final approval of the PD ~~stage II~~, provided such variance does not involve alterations to open space areas as shown on the approved PD site plan.

~~(Ord. No. 2003-328, 1-20-04) Sec. 625. – Fees:~~

~~Fees for legal, engineering and planning review of the site plans shall be as established by the township board~~Township Board.

~~(Ord. No. 2003-328, 1-20-04)~~

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ARTICLE VII. – DEVELOPMENT OPTIONS

Sec. 701. - Site condominium review:

Pursuant to authority conferred by Section 141 of the Condominium Act, Public Act 59 of 1978, as amended (MCL 559.101 et seq., MSA 26.50(101) et seq.), all condominium subdivision plans shall be reviewed ~~and approved~~ by the Township Planning Commission and approved by the Township Board. In determining whether to approve a condominium subdivision plan, the Planning Commission and Township Board shall consult with the Township attorney, Township engineer, and Township planner regarding the adequacy of the master deed, deed restrictions, utility systems and streets, subdivision layout and design and compliance with all requirements of the Condominium Act. in accordance with the provisions set forth in Article 9.

1. ~~1.~~—*Site condominium—General requirements:*

- A. Each condominium lot shall be located within a zoning district that permits the proposed use.
- B. *Condominium lots:* For the purposes of this Section, each condominium lot shall be considered equivalent to a single lot and shall comply with all regulations of the zoning district in which located. In the case of a site condominium containing single-family detached dwelling units, not more than one (1) dwelling unit shall be located on a condominium lot, nor shall a dwelling unit be located on a condominium lot with any other principal structure or use.
- C. *Revision of condominium subdivision plan:* If the condominium subdivision plan is revised, the final site plan shall be revised accordingly and submitted for review and approval or denial by the Township Board, upon recommendation by the Planning Commission, before any building permit may be issued, where such permit is required.
- D. *Amendment of master deed or bylaws:* Any amendment to a master deed or bylaw that affects the approved preliminary or final site plan, or any conditions of approval of a preliminary or final site plan, shall be reviewed and approved by the Township Board, upon recommendation by the Planning Commission, before any building permit may be issued, where such permit is required. The Planning Commission or Township Board may require its review of an amended site plan if, in its opinion, such changes in the master deed or bylaws require corresponding changes in the approved site plan.
- E. *Development agreement:* The Township Board may require, as a condition of approval, that the applicant enter into a development agreement in compliance Section 305, Development agreements, incorporating therein the terms and conditions of final site plan approval.
- F. *Relocation of boundaries:* Relocation of boundaries between adjoining condominium lots, if permitted in the condominium documents, as provided in Section 48 of the Condominium Act, Public Act 59 of 1978, as amended (MCL 559.101 et seq., MSA 26.50(101) et seq.), shall comply with all regulations of the zoning district in which located and shall be approved by the Building Inspector. These requirements shall be made a part of the bylaws and recorded as part of the master deed.
- G. *Subdivision of lots:* Each condominium lot that results from a subdivision of another condominium lot, if such subdivision is permitted by the condominium documents, as provided in Section 49 of the Condominium Act, Public Act 59 of 1978, as amended (MCL 559.101 et seq., MSA 26.50(101) et seq.), shall comply with all regulations of the zoning

district in which located and shall be approved by the Building Inspector. These requirements shall be made a part of the condominium bylaws and recorded as part of the master deed.

- H. ~~Public Streets:~~ All site condominium developments shall utilize ~~internal either approved~~ public streets ~~or private~~ roads that conform to the ~~Township Township engineering~~ design standards ~~of the Township subdivision regulations ordinance~~, and other conditions set forth by the Township Board and Washtenaw County Road Commission.
- I. *Road right-of-way:* Road right-of-way shall be parcels separate from individual condominium lots and shall be accurately delineated by bearings and distances on the condominium subdivision plan and the final site plan. The right-of-way shall be for roadway purposes and for the purposes of locating, installing, maintaining, and replacing of public utilities. The developer shall dedicate easements of the Township for all public water and sanitary sewer lines and appurtenances.
- J. *Easement for utilities:* The site condominium subdivision plan shall include all necessary easements granted to the Township of Ypsilanti for the purposes of constructing, operating, inspecting, maintaining, repairing, altering, replacing and/or removing pipelines, mains, conduits and other installations of a similar character for the purpose of providing public utilities, including conveyance of sewage, water and stormwater runoff across, through and under the property subject to said easement, and excavating and refiling ditches and trenches necessary for the location of said structure.
- K. *Monuments:* Monuments shall be set at all boundary corners and deflection points and at all road right-of-way intersection corners and deflection points. Lot irons shall be set at all condominium lot corners and deflection points of condominium lot lines.

The Township engineer may grant a delay in the setting of required monuments or irons for a reasonable time, but not to exceed one (1) year, on condition that the developer deposit with the Township a performance guarantee meeting the requirements of Section 306, Performance guarantee, in ~~anthe -estimated~~ amount as determined ~~from time to time~~ by ~~resolution of~~ the Township ~~Board~~ Engineer. Such guarantee shall be returned to the developer upon receipt of a certificate by a surveyor registered in the State of Michigan that the monuments and irons have been set as required within the time specified. If the developer defaults, the Township Board shall promptly require a registered surveyor to set the monuments and irons in the ground, as shown on the condominium site plans, at a cost to be borne by the developer. ~~not to exceed the amount of the security deposit.~~

- L. *As-built drawings:* A dimensionally stable copy of the as-built drawings shall be submitted to the Township ~~clerk and a second dimensional stable copy shall be recorded with the Washtenaw County register of deeds.~~
2. *Site condominium—Plan requirements:*
- A. The name, address, and telephone number of:
 - (1) All persons, firms, or corporation with an ownership interest in the land on which the condominium project will be located, together with a description of the nature of each entity's interest (for example, fee owner optionee or land contract vendee).

- (2) All engineers, attorneys, architects, or registered land surveyors associated with the project.
 - (3) The developer or proprietor of the condominium project.
- B. The legal description of the land on which the condominium project will be developed, together with appropriate tax identification numbers.
 - C. The acreage content of the land on which the condominium project will be developed.
 - D. The purpose of the project (for example, residential, commercial, industrial, etc.).
 - E. Number of site condominium units to be developed on the subject parcel.
 - F. A survey plan of the site condominium subdivision.
 - G. The site condominium subdivision plan shall show the size, location, area, ~~±~~ vertical boundaries and volume for each unit composed of enclosed air space. A number shall be assigned to each condominium unit. The site condominium subdivision plan shall include the nature, location, and approximate size of common elements.
 - H. A utility plan showing all sanitary sewer, water, and storm sewer lines, and easements granted to the Township for installation, repair, and maintenance of all utilities.
 - I. A street construction, paving and maintenance plan for all streets within the proposed site condominium subdivision.
 - J. A storm drainage and stormwater management plan, including all lines, swales, drains, basins, and other facilities.
 - K. A detailed site grading plan of all site condominium subdivision units, common areas, road rights-of-way and all other land areas within the proposed development.
3. *Site condominium—Plan review:*
- A. *Preliminary site plan:*
 - (1) A preliminary site plan shall be filed for review with the Township. Preliminary site plans shall be reviewed and approved or denied approval by the Township Planning Commission and the Township Board.
 - (2) The preliminary site plan shall include all land that the developer intends to include in the site condominium project.
 - (3) ~~The preliminary site plan shall include all information required in Section 910, Submittal requirements, herein except that, in the case of a development that consists only of condominium lots and not buildings or other structures at the time of plan review, the location and dimensions of condominium lots rather than individual buildings, and other structures, and required yards, shall be shown on the preliminary site plan. The preliminary site plan shall include all information required herein, except in the case of single-family detached dwelling units. Dwelling units and required yards shall be shown on the preliminary site plan. In those instances where dwelling unit plans are not known, the plan may show the building envelope, provided such building envelope meets all side, front and rear setback requirements of the zoning district~~

~~(4) The approval of any preliminary site condominium plan shall expire one year after such date of approval unless such plan has received an extension by the Planning Commission or Township Board. Fees for review of expired site plans may be waived in those instances where no substantial change in conditions of the site condominium plan nor of abutting uses has taken place. In those instances where conditions have changed, the fee for review of expired site condominium plans for new site condominium plans shall be the same as for the initial submittal.~~

B. Final site plan:

- (1) A final site plan shall be filed for review for each phase of development shown on the approved preliminary site plan. Final site plans shall be reviewed and approved or denied by the Township Board, upon recommendation of the Planning Commission.
- (2) A final site plan for any phase of development shall not be filed for review by the Planning Commission unless a preliminary site plan has been approved by the Planning Commission and Township Board and is in effect.
- (3) A final site plan shall include all information required by Section 66 of the Condominium Act, Act No. 59 of the Public Acts of Michigan of 1978 (MCL 559.101 et seq.), as amended, and the master deed and bylaws. The final site plan shall also include all information required herein, except in the case of single-family detached dwelling units, the location and dimensions of condominium units shall be shown on the site plan.
- (4) The applicant shall provide proof of approvals by all county and state agencies required to review the condominium subdivision plan, ~~including, but not limited to, the county road commission, county drain commissioner, county health department and the Michigan department of natural resources.~~ The Township Planning Commission shall not approve a final site plan until all county and state agencies required to review the condominium subdivision plan have approved the site condominium ~~subdivision~~ plan.

4. Condominium subdivision design and approval:

A. Relation to Subdivision Ordinance: The provisions of Articles 4 and 5 of the Subdivision Ordinance of Ypsilanti Charter Township shall apply to site condominiums, and these provisions incorporated herein by reference. In applying the design and development standards of Article 4 and the improvement requirements of Article 5 of the Subdivision Ordinance, the standards and requirements that are intended to apply to lots in a subdivision shall apply instead to condominium lots. All other provisions of the Articles shall apply including the requirements for posting financial securities, completing improvements, inspection fees and condominium completion. The following terms as used in Articles 4 and 5 shall mean the following when applied to site condominiums: “subdivision” shall mean site condominium, “preliminary plat as finally approved by the Township Board” shall mean the “final site plan as approved by the Planning Commission including any conditions imposed by their approval,” “before final plat” shall mean “before any building permit is issued” and “lot(s)” shall mean “unit(s)”. Nothing in this Section shall be construed as requiring a site condominium to obtain plat approval under the Subdivision Ordinance or the Subdivision Control Act.

B. Relation to setbacks required in Article 4: Minimum yards for site condominiums as specified in Article 4 for the zoning district in which the site condominium is located shall be provided and be computed as follows:

(1) Minimum front yard setbacks shall be equal to the distance between the front yard area line and the condominium dwelling.

(2) Minimum rear yard setbacks shall be equal to the distance between the rear yard area line and the condominium dwelling. ~~For two back-to-back units, the separation shall equal two rear yard setbacks.~~

(3) Minimum side yard setbacks shall be equal to the distance between the side yard area line and the condominium dwelling. ~~For two side-to-side units, the separation shall equal two side yard setbacks.~~

~~A. All site condominium subdivision plans shall conform to the design, layout and improvements standards of Township subdivision regulations ordinance, as amended. The requirements for subdivision approval in the Township subdivisions regulations ordinance shall not apply to condominium subdivision plans, except that a deposit in the form of cash, certified check or irrevocable bank letter of credit acceptable to the Township Board shall be made with the Township of Ypsilanti to guarantee the installation and completion of any required public sanitary sewer, water supply, drainage facilities and street and walkway improvements within a length of time agreed upon from the date of final approval of the site condominium subdivision plan by the Planning Commission.~~

~~B. No permits for erosion control, building construction, grading, or installation of water or sanitary sewage facilities shall be issued for property in a site condominium development until a final site plan therefor has been approved by the Planning Commission and is in effect. This requirement shall include contractible, conversion, and expandable site condominiums, as defined in the Condominium Act, Act No. 59 of the Public Acts of Michigan of 1978 (MCL 559.101 et seq.), as amended.~~

~~C. The approval of any final site condominium plan under this provision shall expire one year after the date of such approval, unless actual construction and development has been commenced in accordance with said site plan prior thereto. If such construction and development is commenced within said two-year period, then such approval shall continue for a period of five years from the date thereof; provided, however, that a lapse of more than one year in continuous, substantial construction and development does not occur, in which event, said approval shall expire. The Township building official shall not issue a building permit for any type of construction on the basis of the approved site condominium plan after such approval has expired unless such plan has received an extension by the Planning Commission or Township Board. Fees for review of expired site plans may be waived in those instances where no substantial change in conditions of the site condominium plan nor of abutting uses has taken place. In those instances where conditions have changed, the fee for review of expired site condominium plans for new site condominium plans shall be the same as for the initial submittal.~~

D.C. All site improvements, including sanitary sewers, water mains, storm sewers, retention basins, site grading and street improvements, shall meet or exceed the minimum design standards of the Charter Township of Ypsilanti ~~and the Ypsilanti Community Utilities~~

~~Authority, as published in the "Engineering Standards and Design Specifications for Site Improvements" adopted by the Township Board on October 6, 198~~n June 2020~~1~~, and any subsequent amendments thereto.

- ~~E. A final survey plan of the site condominium subdivision or phase thereof shall be submitted, together with a closure sheet of the external boundary and internal common areas, condominium land units, blocks of condominium units, street rights-of-way and all other land units, for review and approval by the Township engineer. The exact length and bearing of all external and internal boundaries shall be clearly shown on the plan. The bearing source of orientation of the survey plan shall conform with that of an existing adjacent recorded subdivision or other established survey.~~
5. Notice of proposed action: The notice required by Section 71, of the Condominium Act, Public Act 59 of 1978, as amended (MCL 559.101 et seq.), to be filed with Ypsilanti Township and other agencies.

Sec. 702. – Open space development option:

1. Purpose: This Section is intended to carry out the provisions of Section 506 of the Michigan Zoning Enabling Act, Public Act 110 of 2006 as amended (MCL 125.3506 et. seq.) to include an open space preservation development option in the Ypsilanti Township Zoning Ordinance. This Section proposes to accomplish this purpose by allowing the owner of certain parcels of land the option to develop that land in a manner that groups dwelling units on portions of the land that are most suitable for residential development while requiring the remaining portions of land most suitable for open space use to be perpetually preserved as undeveloped open space. The regulations in this Section are also intended to accomplish the following non-exclusive list of purposes.
- A. Preserve natural drainage systems, open space, farmlands, rural character, woodlands and wetlands, natural topography, and environmentally sensitive areas.
- B. Achieve a higher quality of residential development than could otherwise be achieved under conventional zoning.
- C. Permit development that is consistent with the Township's adopted Master Plan and any other applicable adopted plans.
- D. Preserve natural vegetation to the extent feasible.
- E. Preserve open space.
- F. Facilitate the construction and maintenance of streets, utilities, and public services in a more economical, efficient, and environmentally friendly manner ~~to reduce capital costs of development.~~
- G. Limit soil erosion potential by reducing the amount of clearing and grading needed for development.
- H. Encourage a less sprawling form of development, thus preserving open space as undeveloped land.

- I. Allow for design innovation to provide flexibility for land development where the normal development approach would otherwise be unnecessarily restrictive or contrary to other Township goals.
2. Review Authority: The Ypsilanti Township Planning Commission recommends, and Township Board shall have authority to approve or deny applications for an OSDO that is to be developed as a site condominium or a metes and bounds land division. The Township Board shall have authority to approve or deny an application for an OSDO that is to be developed as a subdivision, after recommendation by the Planning Commission. The Township Board shall have final authority to approve or reject the conservation easement and master deed or restrictive covenants for a development under this Section.
3. Eligible property:
 - A. A parcel of land, which parcel shall be the parent lot for the purposes of this Section, is eligible for an OSDO if all the following requirements are met.
 - (1) The parent lot is zoned R-1, R-2, R-3, R-4, or R-5.
 - (2) The parent lot has an area of at least three (3) acres of contiguous land, not divided by a road.
 - (3) The parent lot is under single ownership control such that a single person or entity has proprietary responsibility for completing and maintaining the development. An applicant applying for an OSPDO under this Section shall provide documentation of such ownership or control in the form of agreements, contracts, deeds, or other such evidence as is acceptable by the approving authority to assure that the applicant has sufficient ownership interest in the parcel to bind the land and assure that the development will be completed in its entirety as approved and that the land will continue to be in compliance and maintained in accordance with the final site plan, preliminary plat as finally approved, and the approved maintenance plan under this Section.
 - B. A OSPDO development shall maintain a minimum of thirty percent (35%) of the gross area of the site as dedicated open space held in common ownership.
 - C. Open space preservation developments achieving at least fifty percent (50%) dedicated open space and meeting the provisions of this Section shall be treated as a permitted land use. Open space preservation developments with between thirty percent (35%) and less than fifty percent (50%) dedicated open space but otherwise meeting the provisions of this Section shall be treated as a special land use.
4. Permitted uses. The following uses are permitted within an OSPDO:
 - A. All residential uses and types permitted in a R-1, R-2, R-3, R-4, and R-5 zoning districts, are permitted in an OSDO under this Section.
5. Density regulations: The number of lots or site condominium units permitted on a parcel of land under an OSDO shall be calculated as follows:
 - A. For sites not served by public utilities, the number of units shall not exceed the area of the parent lot, in acres, multiplied by:
 - (1) One point two-five (1.25).

- (2) The minimum area of each lot or site condominium unit in an OSDO shall not be less than the minimum area required by Washtenaw County for well and septic tank/drain field permits.
- B. For lots served by public utilities, the number of dwelling units permitted shall not exceed the number of dwelling units customarily developable in the zoning district in which the proposed development is located, developed with a conventional layout and all applicable Ordinances and laws observed. In order to calculate density with a conventional subdivision or site condominium layout, the applicant shall submit a concept site plan of the property with a conventional layout. The plan shall indicate the topography of the site at two (2) foot contour intervals and the limits of all floodplains, water bodies, wetlands, easements, and other areas which would be set aside and preserved due to impracticality, economic unfeasibility, contractual prohibition, or based upon applicable law or Ordinance. In addition, the concept plan with the conventional layout shall include the general street pattern and lot configurations. In general, the plan shall be drawn with sufficient detail to permit the Planning Commission to determine the density that would be achieved by conventional development.
- C. The area of the parent lot shall be as defined in the definition of lot area in Article 2, herein.
- D. To encourage the use of the OSDO, if all standards set forth in this Section are met, the underlying density established by item B may be increased by up to twenty percent (20%) at the discretion of the Planning Commission. Density bonuses shall be based upon a demonstration by the applicant of at least two (2) of the following:
- (1) Preservation of Significant Natural Features. Preservation of significant natural features contained on the site, as long as it is in the best interest of the Township to preserve the natural features that might be negatively impacted by conventional residential development. The determination of whether the site has significant natural features shall be made by the Planning Commission, after review of a Natural Features Impact Statement, prepared by the applicant that meets the requirements for such a statement in Section 1403, Preservation of Environmental Quality; or
 - (2) Provision of Recreation Facilities. If the site lacks significant natural features, it can qualify with the provision of usable recreation facilities to which residents and non-residents of the development shall have reasonable access. Such recreation facilities include areas such as a non-motorized mobility improvement, neighborhood parks, passive recreational facilities, soccer fields, ball fields, bike paths, or similar facilities that provide a feature of community-wide significance and enhance residential development; or
 - (3) Preservation of Agricultural Land. The determination of whether the site has significant agricultural features shall be made by the Planning Commission after review of a Site Plan, prepared by the applicant, which inventories these features; or
 - (4) Provision of Senior Housing. To provide housing opportunities for senior citizens in situations where such opportunities might not otherwise be provided; or
 - (5) Inclusion of Environmental Features. To advance the goals of the Township regarding environmental sustainability and stewardship. Environmental features may include:

- a. Sustainable building construction including but not limited to LEED certification or practices, "solar ready" construction standards, "EV Ready" parking locations (this could be for each unit or at the community level); or
- b. Development level or "Community" green features including but not limited to community compost facilities, community solar and/or geothermal energy harvesting capabilities (including these features in the open greenspace), green infrastructure, parking lot green infrastructure, rainwater management for irrigation of greenspaces, and "smart lighting" of sidewalks/community spaces.

6. Minimum required yards.

- A. Each lot or site condominium unit in an OSDO shall provide the following minimum required yards in the Open Space Required Yards Table below. If property lines do not exist between houses, the setbacks shall be measured to an imaginary line of equal distance between the houses. A duplex shall be treated as a single-detached residence for the purpose of determining required setbacks.

Open Space Required Yards Table

| | | |
|-----------------------------|--------------|------------------------------|
| <u>R-1 District</u> | <u>Front</u> | <u>Twenty-five (25)</u> |
| | <u>Side</u> | <u>Twenty (20) feet</u> |
| | <u>Rear</u> | <u>Thirty-five (35) feet</u> |
| <u>R-2 District</u> | <u>Front</u> | <u>Twenty-five (25) feet</u> |
| | <u>Side</u> | <u>Sixteen (16) feet</u> |
| | <u>Rear</u> | <u>Thirty (30) feet</u> |
| <u>R-3 District</u> | <u>Front</u> | <u>Twenty-Five (25) feet</u> |
| | <u>Side</u> | <u>Ten (10) feet</u> |
| | <u>Rear</u> | <u>Thirty (30) feet</u> |
| <u>R-4 and R-5 District</u> | <u>Front</u> | <u>Twenty-Five (25) feet</u> |
| | <u>Side</u> | <u>Five (5) feet</u> |
| | <u>Rear</u> | <u>Twenty-five (25) feet</u> |

- B. Perimeter setback: The perimeter setback for principal structures from all of the borders of the development shall be equal to the rear yard setback requirement for the underlying zoning district of the property directly adjacent to each border. The required open space areas may be located partially or completely within the perimeter setback.
7. Minimum lot width: Each lot or site condominium unit in an OSDO shall have the following minimum widths, provided that the length to width ratio of any lot or unit shall not exceed four to one (4:1):
- A. R1: 80
- B. R2 and R3 60
- C. R4 and R5: 50
8. Regulatory flexibility: The Township Board, upon recommendation by Planning Commission, may waive the lot coverage; impervious surface percentage; floor area ratio; front, side, rear, perimeter setback; and minimum lot width requirements provided that the applicant has demonstrated innovative and creative site and building designs and solutions, and environmentally friendly practices which would otherwise be unfeasible or unlikely to be achieved absent this provision.
9. Dedicated open space requirements:
- A. An OSDO development shall maintain a minimum of thirty percent (35%) of the gross area of the site as dedicated open space held in common ownership.
- B. The open space area within a proposed OSDO shall be located so that it preserves significant natural resources and/or connects open spaces throughout the development and with adjacent open space.
- C. The open space shall be connected with existing or potential open space and/or adjacent public land where feasible.
- D. An accessory structure(s) for permitted uses may be erected in the open space in accordance with the approved site plan or plat.
- E. Except in cases where the applicant proposes agricultural use in the open space area that is independent from the proposed residential uses in the development, all owners of lots or site condominium units in an OSDO shall be permitted access to the dedicated open space. Use of dedicated open space may be restricted to property owners in the development. However, community gardens, where individual lots may be assigned, are permitted.
- F. The applicant shall submit an open space management plan for maintaining the dedicated open space with the application for the OSDO.
- G. An owner's association shall be created for a development under this Section which shall own and be responsible for maintaining the dedicated open space. Each property owner shall be a member of the association.
- H. Where a development under this Section is proposed in phases, the Township may require that all land to be dedicated as open space shall be included in the first phase of the development.

10. Guarantee of dedicated open space:

- A. The applicant for an OSDO shall set aside the dedicated open space through an irrevocable conveyance that guarantees the dedicated open space will remain perpetually open and will be maintained in the manner approved by the Township Board. This conveyance shall be in the form of a permanent conservation easement.
- B. The purpose of the conservation easement shall be to ensure that dedicated open space will be:
 - (1) Protected from all forms of development and limited to the uses and structures as approved;
 - (2) Shown on an approved site plan or plat; and
 - (3) Never changed to another use.
- C. The conservation easement shall contain, at a minimum, the following provisions that:
 - (1) Describe the permitted use(s) within the dedicated open space.
 - (2) Prohibit the storing and/or dumping of refuse and any hazardous materials or refuse on the dedicated open space.
 - (3) Prohibit any activity that might cause risk of soil erosion on the dedicated open space except for accepted agricultural practices.
 - (4) Prohibit the use of motorized vehicles and or motorized watercraft on the dedicated open space.
 - (5) Prohibit all cutting, filling, or removal of vegetation from wetland or wooded areas in dedicated open space, except for invasive species and as otherwise needed for acceptable resource management practices.
 - (6) Prohibit the use of pesticides, herbicides, or fertilizers within or adjacent to wetlands in a dedicated open space.
 - (7) Require that the owner’s association maintain the dedicated open space in accordance with the approved management plan.
 - (8) Provide for maintenance of the dedicated open space to be undertaken by the Township Board, and the costs thereof assessed against the person or entities responsible for maintaining the dedicated open space, if:
 - a. There is a failure to adequately maintain the open space in accordance with the approved maintenance plan; or
 - b. The Township Board determines that the dedicated open space is a public nuisance.
 - (9) Require that the conservation easement runs with and is binding upon the land and shall be recorded with the deeds to all parcels created and proposed as part of a development under this Section.
 - (10) Provide that, if the owners association, or any land trust or conservancy holding the conservation easement, ceases to exist, the easement shall revert to Ypsilanti Township.

D. At the option of the applicant and the approval of the Township Board, the conservation easement may be dedicated to and held by the Township or a recognized land trust or conservancy approved by the Township Board. The easement shall be in a form acceptable to the Township and shall be duly recorded in the Washtenaw County Register of Deeds office. This provision does not prohibit a transfer of ownership or control, provided such transfer or control has prior approval of the Township Board and the property in the OSPDO continues in compliance with the Township’s original approval.

11. Review procedures: An application for an OSDO shall be reviewed as follows:

A. Subdivisions: If an OSDO is for a subdivision, review of the preliminary and final plats shall proceed as provided in the Ypsilanti Township Subdivision Ordinance and the Charter Township of Ypsilanti Engineering and Design Specifications.

B. Site condominiums: If an OSDO is for a site condominium, review shall proceed as provided in Section 7-01 and Article 9 of the Zoning Ordinance and the Charter Township of Ypsilanti Engineering and Design Specifications.

12. Review standards: A proposed OSDO shall meet all the following standards for approval. The Planning Commission shall make the necessary findings for compliance with this Section upon its review of the final site plans for site condominiums and metes and bounds land divisions under this Section. It shall be the responsibility of the Township Board to make such findings for subdivisions developed under this Section after review and recommendation by the Planning Commission. All findings shall be in writing and shall be recorded in the minutes of the meeting at which the decision is made.

A. The proposed OSDO must be consistent with the Township’s adopted Master Plan and any other applicable adopted plan.

B. The proposed OSDO must not adversely affect existing or future uses or the value of adjacent properties.

C. A site plan shall meet all requirements and standards for preliminary and final site plans as provided in Article 9 of this Ordinance Chapter 24 of the Charter Township of Ypsilanti Code of Ordinances, Development, and all requirements and standards of the Charter Township of Ypsilanti. A subdivision plat shall meet all requirements and standards for preliminary and final plats in the Township’s Subdivision Control Ordinance and the Charter Township of Ypsilanti Engineering and Design Specifications.

D. The proposed OSDO must meet all requirements and standards in this Section and all other applicable provisions of this Ordinance.

E. The proposed OSDO must comply with all applicable federal, state, and local rules and regulations.

13. Design standards:

A. The OSDO shall be designed to promote preservation of natural features. Lots or site condominium units, roads, storm water management facilities, and other improvements shall be designed and situated to minimize alteration of or intrusion into the natural environment.

- B. Lots or site condominium units not served by public utilities shall be located on soils that are most suitable for drain fields.
- C. Dwelling units shall be located away from environmentally sensitive areas. They shall not be located in areas most suitable for open space. Dwelling units shall be located as far as possible from agricultural areas.
- D. Placement of wells, septic tanks, and drain fields shall comply with all requirements of Washtenaw County.
- E. Each lot or site condominium unit shall have access to and frontage on an approved street.
- F. Pedestrian access shall be provided within a development between lots or site condominium units and non-agricultural open space, between open space areas, and to appropriate on and off-site uses.
- G. The Township Board may require that structures of historic, cultural, or architectural significance on the site of an OSPDO be retained, if suitable for rehabilitation. Adaptive reuse for a permitted use may be permitted.

14. Conditions of approval: The Township Board, ~~whichever applies,~~ may impose reasonable conditions for approval of an OSDO that will assure that the development and all elements of the proposed OSPDO will be consistent with the intent and purpose of requirements in this Section, the Zoning Ordinance, Subdivision Control Ordinance, and the Charter Township of Ypsilanti Engineering and Design Specifications.

15. Recording of action:

- A. ~~Upon~~After approval of a final site plan or final approval of a preliminary plat by the ~~Planning Commission~~ Township Board ~~or final approval of a preliminary plat by the Township Board,~~ the applicant shall record a development agreement, approved by the Township Attorney ~~an affidavit~~ with the Washtenaw County Register of Deeds that contains the full legal description of the property in the OSDO, specifies the date of Township approval, states the conditions the Planning Commission or Township Board imposed, and declares that all improvements will be carried out pursuant to the approved OSDO plan or plat, unless an amendment is endorsed by the ~~or~~ Township Board. The deed restrictions and conservation easement shall be duly filed with the Washtenaw County Register of Deeds. The applicant shall promptly submit copies of the recorded documents to the Township Clerk.
- B. ~~Upon~~After approval of a final site plan or final approval of preliminary plat by the Township Board ~~by the Planning Commission, or final approval of preliminary plat by the Township Board,~~ the Township Zoning Administrator shall promptly record the approval of the OSDO on the Township's official zoning map, which entry shall be signed by the Township

16. Time limits:

- A. An approved OSDO shall expire and be of no effect if construction does not commence within twelve (12) months after approval unless the ~~Planning Commission or~~ Township Board ~~, whichever gave the approval,~~ approves an extension. If the applicant does not comply with the conditions specified in the approval, the approving authority or the Zoning Administrator shall issue a stop work order and no further work shall be done until such time as the conditions are met to the satisfaction of the approving authority.

- B. Each phase of a development shall be commenced within twelve (12) months of the schedule set forth in the approval. If construction of any phase is not timely commenced as provided herein, the approval of the OSDO shall become null and void and no further work may be conducted on the site until such time as adequate assurances to the satisfaction of the approving authority are made that the development will be completed as approved by a date certain as determined by the approving authority.
- C. The applicant may apply in writing to the ~~approving body~~ Township Board for an extension of time in which to commence and/or complete construction, prior to the expiration date of the approval. The application for extension must include an explanation of reasons justifying the requested extension. The body granting the original approval may grant a requested extension not exceeding twelve (12) months for good cause. ~~Not more than one extension may be approved.~~

17. Continuing compliance:

- A. An applicant who fails to comply with the approved final site plan or the preliminary plat as finally approved, whichever applies, shall be deemed in violation of the Zoning Ordinance, and subject to enforcement and penalties as provided in Section 1900, Violations, civil infractions of the Zoning Ordinance.
- B. A development agreement and performance guarantee shall be required as a condition of final site plan and preliminary plat approval. The guarantee and agreement shall be in a form approved by the Township Board and shall ensure completion of a proposed OSDO as approved.

ARTICLE VIII. - GENERAL PROVISIONS

~~Sec. 800.—Conflicting regulations:~~

~~Whenever any provision of this ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this ordinance, then the provisions of such ordinance shall govern.~~

~~Sec. 801.—Scope:~~

~~Sec. 801. - Number of buildings on a lot:~~

~~Not more than one (1) principal detached single-family dwelling unit shall be located on a lot, nor shall a principal detached single-family dwelling unit be located on the same lot with any other principal building or structure, except as otherwise permitted herein.~~

Sec. 80~~2~~³. - Accessory buildings and accessory uses:

Accessory buildings and uses, except as otherwise permitted in this Ordinance shall be subject to the following regulations:

- ~~1. 1.—An accessory building attached to the principal building of a lot shall be made a structural part thereof and shall comply with the provisions of this Ordinance.~~
- ~~2. Accessory buildings, structures, and uses shall be supplemental or subordinate to the principal building on a parcel of land and shall be on the same parcel of land as the principal building, structure, or use they serve.~~
- ~~3. Construction, erection, installation, or placement of accessory buildings or structures shall be in accordance with the requirements of the applicable Building Code. Permits shall be required for buildings greater than thirty-six (36) square feet in area and/or greater than four (4) feet in height.~~
- ~~4. Accessory buildings, structures, and uses shall not be located within a dedicated easement or right-of-way.~~

~~1.5.~~ A building or structure accessory to a residential building shall not be erected in any yard except a rear yard unless otherwise provided for herein.

~~2.6.~~ An accessory building shall not occupy not more than twenty-five percent (25%) of a required rear yard, plus forty percent (40%) of any nonrequired rear yard provided that in no instance shall the accessory building exceed the ground floor area of the main building.

~~3.7.~~ No detached accessory building shall be located closer than ten (10) feet to any main building nor shall it be located closer than five (5) feet to any side or rear lot line. A structure built of noncombustible product may be located closer than ten (10) feet to the main building at the discretion of the Building Official.

~~4.8.~~ In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building shall not be closer than one (1) foot to such rear lot line. In no instance shall an accessory building be located within a dedicated easement right-of-way.

~~5-9.~~ Detached accessory buildings in all business, farm-based, and residential in all one-family residential, multiple family residential, office, B-1 and P districts shall not exceed one (1) story or fourteen (14) feet in height unless otherwise provided for herein.

~~6-10.~~ When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said building shall not project beyond the front yard setback required on the lot in rear of such corner lot. In no instance shall an accessory building be located nearer than ten (10) feet to a street right-of-way line.

~~11. One recreational vehicle owned by residents of the township and stored on their individual lots shall be stored only within the confines of the rear yard and shall further respect the requirements of this section applicable to accessory buildings, insofar as distances from principal structures, lot lines and easements are concerned. All recreational equipment parked or stored shall not be connected to sanitary facilities and shall not be occupied. In those instances where the rear yard is not accessible by means of a driveway or alley or has insufficient side yard clearance for the passage of a recreational vehicle, the building inspector may allow the parking or storage of such recreational vehicle in the side or front yard. In those instances where a recreational vehicle is to be parked or stored in a front yard, only the driveway portion of such yard shall be utilized and in no instance shall such recreational vehicle be parked or stored closer than ten feet to the front property line.~~ Accessory buildings on farms shall be excluded from the requirements of this Section, provided such buildings are clearly an accessory use to farming activity being conducted on the site, provided further that all other requirements of this Ordinance are complied with.

12. On lots of one and one-half (1.5) acres or more in area located in areas zoned for residential use and having a frontage of not less than one hundred-fifty (150) feet, pole barns may be constructed as an accessory use provided the following conditions are met:

- A. ~~9.~~—Setbacks from side or rear lot lines shall not be less than ten (10) feet.
- B. The height of such building shall not be more than twenty (20) feet.
- C. The accessory building shall only be erected in a rear yard and may exceed the ground floor area of the main building but shall not exceed other lot area coverage requirements of this Ordinance.
- D. All building and construction codes of the Township shall be complied with.
- E. Any such lot shall not be located in a platted subdivision.

13. A resident of a dwelling unit may have not more than one (1) motorized vehicle for sale on the site of such dwelling unit at any time and in no instance shall vacant residential lots or parcels be utilized for the sale of vehicles. A resident may repair vehicles of the resident on the property of the resident's dwelling unit; however, in no instance shall a resident repair the vehicle of other than a resident of the dwelling unit on said property. In no instance shall vehicles for sale be displayed in a front yard other than on the driveway portion of such yard. The sale of vehicles from a residential property shall not exceed two (2) vehicles in any one (1) year.

~~7. In all office, service and business districts, rooftop equipment and apparatus shall be screened from ground level by being housed in a penthouse or structure constructed of the same type of building materials used in the principal structure, or by building design.~~

(Ord. No. 96-144, 3-5-96; Ord. No. 98-180, 2-17-98; Ord. No. 99-224, § VI, 8-3-99; Ord. No. 2001-266, § 2, 5-15-01; Ord. No. 2002-306, 12-17-02; Ord. No. 2010-402, § 2, 3-16-10; [Ord. No. 2018-476](#), § 22, 2-20-18)

Sec. 805. – Recreational vehicles:

~~One recreational vehicle owned by residents of the township and stored on their individual lots shall be stored only within the confines of the rear yard and shall further respect the requirements of this section applicable to accessory buildings, insofar as distances from principal structures, lot lines and easements are concerned. All recreational equipment parked or stored shall not be connected to sanitary facilities and shall not be occupied. In those instances where the rear yard is not accessible by means of a driveway or alley or has insufficient side yard clearance for the passage of a recreational vehicle, the building inspector may allow the parking or storage of such recreational vehicle in the side or front yard. In those instances where a recreational vehicle is to be parked or stored in a front yard, only the driveway portion of such yard shall be utilized and in no instance shall such recreational vehicle be parked or stored closer than ten feet to the front property line. Parking of recreational vehicles in residential zones shall be limited to the following:~~

A. General provisions:

- (1) No private recreational vehicle shall be stored on any public property.
- (2) Parking of recreational vehicles of permitted in any enclosed structure when such structure conforms to the regulations of its zoning district.
- (3) Recreation vehicles shall not be connected to electricity, gas, water, or sanitary sewer facilities, except a temporary electrical connection may be made for the purpose of recharging batteries.
- (4) Recreational vehicles equipped with liquefied petroleum gas containers must ensure that such containers meet the current standards of the Interstate Commerce Commission, the United States Department of Transportation, or the American Society of Mechanical Engineers. Any valves must be closed at all times that the recreational vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.

B. Outside storage of recreational vehicles:

- (1) No recreational vehicle shall be stored on a private property driveway for greater than forty-eight (48) hours. When parked in a private driveway, such parking may not be in the public right-of-way or overhang into the public right-of-way including any sidewalk.
- (2) For outdoor storage of recreational vehicles of more than forty-eight (48) hours, the recreational vehicle must be owned by and licensed to a full-time occupant of the zoning parcel upon which the vehicle will be stored.
- (3) No recreational vehicle shall be stored outside unless in the rear yard or in an interior side yard behind the frontline of any primary building. The recreational vehicle must be stored at least six (6) feet from any property line and must be screened from any adjacent properties in accordance with [Section 1301.3.H.](#) or a fence.
- (4) Only one (1) such vehicle and vehicle trailer per lot.

(5) Recreation vehicles must be operational and maintained in a clean, well-kept state.

Sec. 806. - Private pools and hot tubs:

1. Private pools shall be permitted as an accessory use within the rear yard only, provided they meet the following requirements:

A. Swimming pools shall be permitted only in the rear or side yard, behind the frontline -of the principal building

A.B. There shall be a minimum distance of not less than ten (10) feet between the adjoining property line, or alley right-of-way, and the outside of the pool wall. Side yard setbacks shall apply to side yards if greater than ten (10) feet.

B.C. There shall be a distance of not less than four (4) feet between the outside pool wall and any building located on the same lot.

~~C. No swimming pool shall be located less than 35 feet from any front lot line.~~

D. No swimming pool shall be located closer than one (1) foot from any recorded easement.

E. For the protection of the general public, all yards containing swimming pools shall be completely enclosed by a fence not less than four (4) feet in height. The gates shall be of a self-closing and latching type, with the latch on the inside of the gate not readily available for children to open. Gates shall be capable of being securely locked when the pool is not in use for extended periods. Provided, however, that if the entire premise of the residence is enclosed, then this provision may be waived by the Building Inspector upon inspection and approval.

F. All electrical installations or wiring in connection with swimming pools shall conform to the provision of the National Electrical Code. If service drop conductors of (or) other utility wires cross under or over a proposed pool area, the applicant shall make satisfactory arrangements with the utility involved for the relocation thereof before a permit shall be issued for the construction of a swimming pool. No portion of a swimming pool or associated structure shall be permitted to encroach upon any easement or right-of-way which has been granted for public utility use.

Sec. 2111805. - Residential Entranceway:

1. Location: Entrance structures may be provided for residential areas, shopping centers, industrial parks, and similar developments. The structure(s) may consist of walls, columns, gates, and may be located within required yards. The location and design of an entrance structure shall not interfere with pedestrian, bicycle, or vehicular traffic movement; shall conform to the requirements of Section 1202. Corner clearance and shall not create a safety hazard.

2. Building permit: An entrance structure shall not be constructed until a building permit has been issued. The Planning Commission shall have approved the location, design, and maintenance provisions for an entrance structure before the building permit may be issued.

3. Maintenance: All entrance structures shall be regularly maintained in good and safe condition. A mechanism shall be established for assuring the required maintenance.
4. Application requirements: The application for approval shall provide the following information:
 - A. Location of the structure.
 - B. Plan and elevation drawings of the structure, including dimensions.
 - C. Location of electrical wiring and fixtures, if applicable.
 - D. Provisions to maintain the structure.
5. Identification sign: An identification sign permitted in the district in which the entrance structure is to be located may be mounted on an entrance structure or made a structural part thereof. Such signs shall conform to all sign regulations as set forth in Article 15, except setback requirements. No sign containing advertising material shall be mounted on, or made a structural part of, an entrance structure.
6. Security columns and gates for single-family residential properties:
 - A. Location: Security column and gates must be:
 - (1) Setback at least ten (10) feet from the road right-of-way or five (5) feet from any public sidewalk, whichever is greater.
 - B. Dimensions:
 - (1) Column may not exceed four (4) feet by four (4) feet in width.
 - (2) Columns, including decorative features, cannot exceed a height of eight (8) feet above grade.
 - (3) Gates cannot exceed a height of six (6) feet above grade.
 - (4) Fencing or a wing wall on either side of gate may reach a height of six (6) feet above grade with a maximum length of eight (8) feet from each side of a column.
 - (5) Any portion of the entrance structure that extends more than eight (8) feet from any side of the column must comply with the provisions as set forth in Section 13.05, Fences, and walls.
 - C. Other:
 - (1) Gates must swing inward to site.
 - (2) Gates may not have spikes.
 - (3) Fence and/or gate shall be of uniform design and well maintained

~~In all residential districts, so-called entranceway structures including but not limited to: walls, columns, and gates marking entrances to single-family subdivisions or multiple housing projects may be permitted and may be located in a required yard, except as provided in section 2112, "Corner Clearance," provided that such entranceway structures shall comply to all codes of the Township of Ypsilanti, and shall be approved by the building department and a permit issued.~~

~~Sec. 2118. -- Access to major thoroughfares or collector street:~~

~~For uses making reference to this section 2118, vehicular access shall be provided only to an existing or planned major thoroughfare, freeway service drive, or collector street. Provided, however, that access driveways may be permitted to other than a major thoroughfare, freeway service drive, or collector street where such access is provided to a street where the property directly across the street from such driveway and the major thoroughfare, freeway service drive, or collector street is zoned for multiple family use or any collector street is zoned for multiple family use or any nonresidential uses, is developed with permanent uses other than single family residences or is an area which, in the opinion of the planning commission, will be used for other than single family purposes in the future. This exception shall only apply if the planning commission finds that there are special circumstances which indicate that there will be a substantial improvement in traffic safety by reducing the number of driveways to a thoroughfare.~~

Sec. 805.- Temporary structures:

1. Temporary dwelling: A manufactured home may be used as a temporary dwelling by a family while repairing or replacing its single-family residence rendered uninhabitable by a disaster such as fire, flood, or windstorm. Such temporary dwelling shall be permitted only in R-1 through R-5 districts. Only a manufactured home may be used as a temporary dwelling; a camper, travel trailer, motor home, recreational vehicle, cabin, tent, basement, garage, or similar unit shall not be used as a temporary dwelling in any zoning district.
2. Non-residential temporary structure: A non-residential temporary structure may be permitted as follows:
 - A. A non-residential temporary structure designed as a general sales office or financial institution may be used exclusively for such purposes during construction of a permanent structure designed for any such purpose. Such temporary structure shall be permitted only in the NB, GB, I-T, L-M, and I-C districts, and only if such permanent structure and use is permitted in said zoning district. Said structure shall be removed no later than seven (7) days after the issuance of any occupancy certificate for the permanent structure.
 - B. A non-residential temporary structure, designed as a sales office, may be used in a residential development, including a PUD, exclusively for the purpose of selling new dwelling units within said residential development. The temporary structure may be used only during the construction of a model home/sales office and shall be removed no later than seven (7) days after the issuance of any occupancy certificate for said model homes. In no case may a temporary sales office be used for more than a one (1) year period. The temporary office shall be the sole occupancy of, and located entirely within the buildable area of, a single lot, shall provide the off-street parking required by Section 1205, Parking requirements, and shall meet all requirements of the Building Code. Unless exempted by the Building Code, the temporary structure shall be connected to public water and sanitary sewer lines, where available, in which case a connection permit shall be obtained from the Ypsilanti Community Utilities Authority. If public water and sanitary lines are not available to the lot, the temporary structure shall be connected to a well and a septic or holding tank, in which case the applicant shall obtain a permit therefor from the Washtenaw County Health Department. Said temporary structure may not be occupied until an occupancy certificate has been issued. A temporary sales office permitted under this paragraph shall not be subject to the provisions of item C.

C. A non-residential temporary structure, not to exceed twelve (12) feet by forty (40) feet in size, designed as a construction office, may be used in a residential development, including a PUD. If the development has more than one (1) model home, the temporary structure may be used only during the construction of the model homes and shall be removed not later than seven (7) days after the issuance of any occupancy certificate for said model homes. In all cases the temporary construction office shall be removed when occupancy certificates have been issued for eighty percent (80%) of the proposed structures in the phase in which it is located. The temporary office shall be located entirely within the buildable area of a single lot, shall provide the off-street parking required by Section 1205, Parking requirements, and shall meet all requirements of the Building Code.

3. Regulations:

A. A temporary structure shall comply with all use, yard, and parking requirements of the zoning district in which located.

B. A temporary structure shall be connected to public water and sanitary sewer lines, where available, in which case a connection permit shall be obtained from the Ypsilanti Community Utilities Authority. If public water and sanitary lines are not available to the lot, the temporary structure shall be connected to a well and septic tank, in which case the applicant shall obtain a permit therefor from the Washtenaw County Health Department.

C. A temporary structure shall be permitted only on the same lot as the permanent structure, except that a temporary sales/rental office in a residential development may be located within the boundary lines of said residential development.

D. The term of the permit shall not exceed one (1) year, provided that, in the discretion of the Planning Commission, the term may be extended for one (1) period not exceeding six (6) months. Extension shall only be made on written application filed twenty (20) days or more prior to such expiration, setting forth facts showing due diligence in construction of the permanent structure. An extension shall not be approved unless construction of the permanent building has commenced within one hundred eighty days (180) days of the date of approval of the conditional use permit and is diligently pursued.

E. The use of a temporary structure shall be a permitted use in the district in which said structure is to be located, provided that the use of a non-residential temporary structure shall not be other than a general sales office, a sales/rental office, or a financial institution.

F. A soil erosion control permit shall be obtained from the Township Engineer.

G. If the temporary structure is on a public road, a driveway permit shall be obtained from the Washtenaw County Road Commission or the Michigan Department of State Highways and Transportation, whichever is applicable.

H. Driveway and parking areas shall be paved or constructed of compacted gravel or crushed limestone.

I. A performance guarantee in compliance with Section 306, Performance guarantee, shall be deposited with the Township in the amount estimated by the Township Engineer to be sufficient to assure that, upon expiration of the term of the permit, the temporary structure and all temporary site improvements will be removed, and the site restored to a stable, safe

- and nuisance free condition. The guarantee shall provide that, in breach thereof, the Township shall be entitled to enter upon the site and complete such removal and restoration and defray the cost thereof out of said deposit.
- J. The applicant shall cause the temporary structure to be removed within fourteen (14) days of the date of issuance of a certificate of occupancy for the permanent structure, or of the date of expiration of the temporary structure permit, whichever is the earlier.
- K. A temporary structure permit and the certificate of occupancy issued thereon shall not be transferable to any other person, company, use, structure, or lot.
4. Application: An application for such a permit shall be filed with the Zoning Administrator. The application shall include the following information:
- A. Name and address of the applicant and property owner.
- B. Accurate legal description of the lot on which the temporary structure is to be located.
- C. A preliminary site plan, including the location of all proposed permanent improvements on the site and the relationship of temporary improvements to said permanent improvements.
- D. Information showing the necessity of use of the temporary structure in meeting the construction schedule of the permanent structure(s) on the lot.
- E. Copies of any other permits and certificates required.
- F. An estimate, with supporting information, of the reasonable cost of removal of the temporary structure and temporary site improvements, and of site cleanup, upon expiration of the permit.
5. Approval:
- A. Planning Commission Action. Upon determining that an application conforms to all regulations of this Ordinance, the Planning Commission shall approve the permit. The Planning Commission may attach conditions to its approval which it deems necessary to protect the public health, safety, and welfare and to insure compliance with this Ordinance. The approved use shall be specifically stated on the use permit.
- B. Certificate of Occupancy. A temporary structure shall not be occupied until a certificate of occupancy has been issued by the Zoning Administrator. The Zoning Administrator shall not issue a certificate of occupancy until the Planning Commission has approved a conditional use permit, and a performance guarantee has been deposited as required herein.

Sec. ~~8052126~~. - Essential services and utilities:

It is the intent of this Ordinance to regulate essential services and property owned, leased, or operated by public agencies, including local, state, federal, or any other public or governmental body or agency, as follows:

1. Essential services shall be permitted in any district.
2. Buildings constructed in conjunction with an essential service shall require site plan approval in accordance with the requirements set forth in Article 9.

3. Property owned, leased, or operated by the State of Michigan or the United States shall be exempted from the provisions of this Section, only to the extent that said property may not be constitutionally regulated by the Township.
4. All procedures, design, and construction of utilities shall be in conformance with the requirements of the supplying utility company.
5. Plans of all proposed utilities, whether or not in public easements, shall be submitted by the utility company to Ypsilanti Township for review. Ypsilanti Township will issue a construction permit to the utility company when its plans are approved.
6. All existing and proposed utility information, including lines, poles, and surface equipment shall be shown on the final site plan.
7. Every effort shall be made to install all proposed utilities underground for their full length. Specific approval by the Township Board or its authorized representative shall be required for the placement of above-ground utilities and shall be based on a showing of substantial hardship or practical difficulty with underground installation. Existing overhead utilities onsite shall be relocated underground.
8. Surface equipment shall be located so as not to interfere with traffic flow, parking, building access, fire hydrants, or Fire Department connections.
9. Surface transformers, pedestals, and similar equipment shall be screened from view, and the screening shall be shown on the landscape plan.

~~Essential services shall be permitted as authorized under any franchise in effect with the township, subject to regulations as provided in any law of the State of Michigan or in any ordinance of the township provided it is the intent of this section to ensure conformity of all structures and uses to the requirements of this zoning ordinance wherever such conformity shall be practicable and not in conflict with the specific requirements of such franchise, state legislation or township ordinance. In the absence of such conflict, the zoning ordinance shall prevail.~~

(Ord. No. 2001-273, 8-21-01)

Sec. ~~806212~~. - Voting place:

The provisions of this Ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a municipal or other public election.

Sec. 807. - Solar energy systems:

1. Purpose: Ypsilanti Township promotes the effective and efficient use of solar energy collection systems. It is the intent of the Township to permit these systems by regulating the siting, design, and installation of such systems to protect the public health, safety, and welfare, and to ensure compatibility of land uses in the vicinity of solar energy collectors. Building-mounted and ground-mounted solar energy collectors, as defined in this Ordinance, shall comply with the provisions of this Section.
2. Criteria for the use of all solar energy equipment:

- A. Solar energy equipment shall be located in the least visibly obtrusive location where panels would be functional.
 - B. Solar energy equipment shall be repaired or replaced within three (3) months of becoming nonfunctional.
 - C. Each system shall conform to applicable industry standards including those of the American National Standards Institute (ANSI).
3. Application for *administrative review*: An applicant who seeks to install building-mounted solar energy equipment shall submit an application for Administrative Review, as provided by the Township. The application shall include the following:
- A. Photographs of the property’s existing conditions.
 - B. Renderings or catalogue cuts of the proposed solar energy equipment.
 - C. Certificate of compliance demonstrating that the system has been tested and approved by Underwriters Laboratories (UL) or other approved independent testing agency.
 - D. Plot plan to indicate where the solar energy equipment is to be installed on the property.
 - E. Description of the screening to be provided for ground or wall mounted solar energy equipment.
4. Exclusions from *administrative review*:
- A. The installation of one (1) solar panel with a total area of less than eight (8) square feet.
 - B. Repair and replacement of existing approved solar energy equipment, provided that there is no expansion of the size or coverage area of the solar energy equipment.
5. *Building-mounted solar energy collector requirements*: A building-mounted solar energy collector shall be a permitted accessory use in all zoning districts, subject to the following requirements:
- A. An Administrative Review is required of all building-mounted solar energy collectors permitted as an accessory use. (See exclusions in subsection 4. above)
 - B. Solar energy collectors that are mounted on the roof of a building shall not project more than five (5) feet above the highest point of the roof but, in any event, shall not exceed the maximum building height limitation for the zoning district in which it is located, and shall not project beyond the eaves of the roof.
 - C. Solar energy collectors that are roof-mounted, wall-mounted or are otherwise attached to a building or structure shall be permanently and safely attached to the building or structure. Proof of the safety and reliability of the means of such attachment shall be submitted to the Building Official prior to installation; such proof shall be subject to the Building Official’s approval.
 - D. Solar energy collectors that are wall-mounted shall not exceed the height of the building wall to which they are attached.
 - E. Solar energy collectors shall not be mounted on a building wall that is parallel to an adjacent public right-of-way.

- F. The exterior surfaces of solar energy collectors that are mounted on the roof or on a wall of a building, or are otherwise attached to a building or structure, shall be generally neutral in color and substantially non-reflective of light.
 - G. Solar energy collectors shall be installed, maintained, and used only in accordance with the manufacturer’s directions. Upon request, a copy of such directions shall be submitted to the Township Building Official prior to installation. The Building Official may inspect the completed installation to verify compliance with the manufacturer’s directions.
 - H. Solar energy collectors, and the installation and use thereof, shall comply with the Township construction code, the electrical code, and other applicable Township construction codes.
6. Ground-mounted solar energy collector requirements: A ground-mounted solar energy collector system shall subject to the approval of the Planning Commission under Article 9, and subject to the following requirements:
- A. Ground-Mounted Commercial Solar Energy Systems and Fields are permitted as a special use in the- R-1 through R-4 Districts and any Industrial only.
 - B. Ground-Mounted Solar Energy Systems and Fields are a permitted accessory use in the following districts: R-1 through R-4, I-T, L-K, and I-C.
 - C. Ground-mounted solar energy collectors shall be located only as follows:
 - (1) They may be located in the rear yard and the side yard, but not in the required rear yard setback or in the required side yard setback unless permitted by the Planning Commission in its approval of the site plan.
 - (2) They may be located in the front yard only if permitted by the Planning Commission in its approval of the site plan but, in any event, they shall not be located in the required front yard setback.
 - (3) Ground-mounted solar energy collectors shall not exceed sixteen (16) feet in height, measured from the ground at the base of such equipment.
 - (4) The total area of ground-mounted solar energy collectors shall be included in the calculation of the maximum permitted lot coverage requirement for the parcel of land.
 - (5) Solar energy collectors shall be permanently and safely attached to the ground. Proof of the safety and reliability of the means of such attachment shall be submitted with the conditional use application and shall be subject to the Planning Commission’s approval.
 - (6) Solar energy collectors shall be installed, maintained, and used only in accordance with the manufacturer’s directions. A copy of such directions shall be submitted with the special use application. The site plan, if granted, may be subject to the Building Official’s inspection to determine compliance with the manufacturer’s directions.
 - (7) The exterior surfaces of solar energy collectors shall be generally neutral in color and substantially non-reflective of light.
 - (8) Ground-mounted solar energy collectors, and the installation and use thereof, shall comply with the Township construction code, the electrical code and other applicable Township construction codes.

- (9) The special use may include terms and conditions in addition to those stated in this subsection.
7. Solar access requirements: When a solar energy collection system is installed on a lot, accessory structures or vegetation on an abutting lot shall not be located so as to block the solar collector's access to solar energy. The portion of a solar collector that is protected is the portion which:
- A. Is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical twelve (12) foot obstruction located on the lot line; and
 - B. Has an area not greater than one-half (0.5) of the heated floor area of the structure, or the largest of the structures, to be served.
- 1-8. Solar access exemptions: Structures or vegetation existing on an abutting lot at the time of installation of the solar energy collection system, or the effective date of this Ordinance, whichever is later, are exempt from subsection 7. above. Said solar access requirements described in subsection 7. above, controls any structure erected on, or vegetation planted in, abutting lots after the installation of the solar energy collection system.

Sec. 808. – Geothermal:

- 1. Purpose: While Ypsilanti Township promotes the effective and efficient use of renewable energy systems, an open loop geothermal system can deplete and pollute the Township's groundwater. A closed loop geothermal system can pollute the groundwater if not properly constructed or maintained. These regulations are for the purpose of protecting the quality and quantity of the Township's groundwater from these potential dangers.
- 2. General requirements: Geothermal energy system components shall conform to applicable industry standards including those of the American National Standards Institute (ANSI).
- 3. Open loop geothermal systems: No person shall install or maintain an open loop geothermal system within the Township.
- 4. Closed loop geothermal system: A person may install and operate a closed loop geothermal system only in accordance with the requirements of this Section.
 - A. A permit must be approved and obtained from the appropriate governing agency of Washtenaw County.
 - B. A building permit must be approved and obtained from the Township Building Official. Applicant shall submit a certificate of compliance demonstrating that the proposed system has been tested and approved by Underwriters Laboratories (UL) or other approved independent testing agency.
 - C. The systems shall be tested hydrostatically at one and one half (1.5) times the maximum system design pressure, but not less than one hundred (100) psi. The duration of each test shall not be less than fifteen (15) minutes. All geothermal systems must be pressure checked to the original standard by a licensed geothermal contractor every three (3) years from the certification system date. Results from the test shall be submitted to the Building Department. No person shall operate a system if a test reveals that it is likely to leak the heat transfer liquid.

D. All above-ground equipment shall comply with the setback requirements of the respective zoning district.

A.E. Equipment, piping, and all other devices shall not be located in any easement or right-of-way.

Sec. 809. - Wind energy systems:

—On-site use wind energy system may be located within a rear yard when the following conditions are adhered to:

1.—Height: The highest point of any portion of a tower and/or generator shall not exceed sixty-five (65) feet in height above the average grade of the parcel.

1.

2.—Property setback: The distance between a tower and the owner's property line shall be at least one and one-half (1.5) times the height of the tower including the top of the blade in its vertical position. No part of the wind energy system structure, including guy wires may be located within ten(10) feet of a property line.

2.

3.—Sound pressure level: On-site wind energy systems shall not exceed fifty-five (55) dB(A) at the property line closest to the wind energy system. This sound pressure level may be exceeded during short-term events such as utility outages and/or severe windstorms. If the ambient sound pressure level exceeds fifty-five (55) dB(A), the stand shall be ambient dB(A) plus five (5) dB(A).

3.

4.—Construction codes, towers, and interconnection standards: On-site use wind energy systems including towers shall comply with all applicable state construction and electrical codes and local building permit requirements. On-site use wind energy systems including towers shall comply with Federal Aviation Administration (FAA) requirements, the Michigan Airport Zoning Act (Public Act 23, 1950, MCL 259.431 et seq.) the Michigan Tall Structures Act (Public Act 259 of 1959, MCL 259.481 et seq.), and local jurisdiction airport overlay zone regulations. An interconnected on-site use wind energy system shall comply with Michigan Public Service Commission and Federal Energy Regulatory Commission standards. Off-grid systems are exempt from this requirement.

4.

5. *Safety:* An on-site use wind energy system shall have an automatic braking, governing, or feathering system to prevent uncontrolled rotation or over speeding. All wind towers shall have lightning protection. If a tower is supported by guy wires, the wires shall be clearly visible to a height of at least six (6) feet above the guy wire anchors. The minimum vertical blade tip clearance from grade shall be twenty (20) feet for a wind energy system employing a horizontal axis rotor.

Sec. 810. - Security camaras:

For all non-residential properties, security cameras shall be installed, maintained and accessible to law enforcement upon request as required by law. All security cameras shall be high definition with a

minimum resolution of 1080p and night vision with at least one hundred-twenty (120) concurrent hours of digitally recorded documentation. The security cameras shall be in operation twenty-four (24) hours a day, seven (7) days a week, and shall be set to maintain the record of the prior one hundred-twenty (120) hours of continuous operation. An alarm system is required that is operated and monitored by a recognized security company. Security cameras shall be placed to cover the entire site.

ARTICLE IX. – SITE PLAN REVIEW

Sec. 901. – Intent:

The site plan review procedures and standards set forth herein provide a consistent and uniform method for review of proposed development plans, to ensure full compliance with the standards contained in this Section, other applicable local Ordinances, standard engineering practices, and county, state, and federal rules, and laws. The procedures set forth herein are further intended to:

1. Achieve efficient use of the land;
2. Protect natural resources;
3. Minimize adverse impacts on adjoining or nearby properties;
4. Encourage a harmonious relationship of buildings and uses both within a site and in relation to adjacent uses;
5. Encourage innovative design solutions;
6. Achieve innovative storm water management solutions;
- 3.7. Provide a mechanism for review of new development and redevelopment or reuse of existing sites to ensure compliance with current standards; and,
- 4.8. Encourage cooperation and consultation between the Township and the applicant to facilitate development in accordance with the Township's land use objectives.

Sec. 902. - Site plan review applicability and type:

A building permit shall not be issued until a site plan or sketch plan is approved in accordance with the procedures and standards set forth herein and all necessary review, inspection, and permit fees have been fully paid. The extent of site plan review for various types of projects is classified into the five types below:

1. *Exempt*: Select projects, such as single-family homes on an individual lot, are exempt from site plan review given their relatively low level of impact on adjacent land uses and given that compliance with applicable building and fire code and zoning regulations can be addressed during the building permit review process.
2. *Site plan*: The most involved process for larger and more intense projects, including most new developments and major expansions.
3. *Sketch plan*: Smaller scale projects and expansions or changes in use to existing sites are permitted to provide less detailed information than a site plan review. The level of information is intended to be proportionate to the extent of the change and yet insure adequate review for compliance with applicable standards. Sketch plans shall still undergo a formal review by the Planning Commission.
4. *Administrative review*: Select smaller scale projects and expansions or changes in use to existing sites, which are required to provide a sketch plan, do not require review by the Planning

Commission ; but instead shall undergo a formal review for approval by the Township township community and economic development department.

5. *Site condominiums and planned developments*: Site plans for site condominiums and planned developments shall follow the procedure as provided in ~~sections 2116 and 1903~~ Section 701, Site Condominium Review and Article 6, respectively. Plats for subdivisions shall follow the procedures of the Township Subdivision Regulations Ordinance and the Michigan Land Division Act, Public Act 288 of 1967, as amended (MCL 560.293, et. seq.). Site condominiums shall be required to meet the same design standards as subdivision plats, in accordance with this Ordinance, subdivision regulations Ordinance and all other applicable Township regulations.
6. *Multiple-family and condominiums*: Site plans for multiple-family and condominium developments shall require the review and approval of both preliminary and final plans by the Township Board, upon recommendation by the Planning Commission.

Sec. 903. – Site plan review process:

1. The Township Zoning Administrator shall have the authority to determine the required review process based on the Table of Eligible Uses and Required Review Process. The Township Zoning Administrator may seek the review and comments of applicable Township staff and/or consultants and reserve the right to refer the matter to the Planning Commission if desired.

1.2. Table of Eligible Uses and Required Review Process.

| SITUATION/USE | REQUIRED REVIEW | | | |
|--|------------------------|----------------------------------|----------------------------|---------------------|
| | Site Plan ¹ | Sketch Plan PC Rev. ¹ | Admin. Review ² | Exempt ³ |
| NEW DEVELOPMENT: | | | | |
| Construction of one (1) single-family dwelling unit on one (1) lot in a residential zoning district. | | | | ✓ |
| Construction of more than one (1) principal residential building on a single lot, such as site condominiums. | ✓ | | | |
| Construction of any multiple-family residential or non-residential principal building. | ✓ | | | |
| Any use or development for which the submission of a site plan is required by any provision of this Ordinance. | ✓ | | | |
| Any use in an RM, MH, PD, NB, GB, NC, RC, I-T, L-M, I-C, B, FS, IRO, I or P ₁ district. | ✓ | | | |

| SITUATION/USE | REQUIRED REVIEW | | | |
|---|------------------------|----------------------------------|----------------------------|---------------------|
| | Site Plan ¹ | Sketch Plan PC Rev. ¹ | Admin. Review ² | Exempt ³ |
| Establishment of special land uses in all zoning districts, except where specifically noted elsewhere in this table. | ✓ | | | |
| Construction of essential public service buildings and storage areas. | ✓ | | | |
| Golf courses and P public/private parks. | | ✓ ⁴ | | |
| <u>Golf Courses.</u> | ✓ | | | |
| Minor changes during construction such as changes in landscape species to a similar variety, realignment of a driveway or road due to an unanticipated and documented constraint during construction, or to improve safety or protect natural features as required by outside agencies. | | | ✓ | |
| Construction of cellular and similar communication towers ⁷⁻⁶ . | ✓ | ✗ | | |
| Co-location of new antennas on an existing approved tower ⁷⁻⁶ . | | | ✓ | |
| Installation of new antennas on an existing building ⁷⁻⁶ , <u>light poles, or other structures.</u> | | ✓ | | |
| Installation of new antennas on light poles or other structures⁷⁻. | | ✗ | | |
| EXPANSIONS: | | | | |
| Expansion of one (1) single-family dwelling unit on one (1) lot in a residential zoning district. | | | | ✓ |
| An increase in the floor area up to one thousand (1,000) square feet or ten percent (10%) of the existing floor area, whichever is less, <u>provided the site will not require any significant change to existing site improvement such as parking, landscaping, lighting, signs, or sidewalks, as determined by the Township. based on the cumulative total of the proposed expansion and any expansion within the last five years, as determined by the township community and economic development department.</u> | | ✓ | | |
| An increase in the floor area greater than that specified above. | ✓ | | | |
| An increase in parking or loading area of up to ten percent (10%) or six thousand (6,000) square feet of pavement area without any building changes. | | | ✓ ⁵⁻⁴ | |
| An increase in parking or loading area over ten percent (10%) or six thousand (6,000) square feet of pavement area. | | ✓ ⁵⁻⁴ | | |

| SITUATION/USE | REQUIRED REVIEW | | | |
|---|------------------------|----------------------------------|----------------------------|---------------------|
| | Site Plan ¹ | Sketch Plan PC Rev. ¹ | Admin. Review ² | Exempt ³ |
| Construction of any multiple-family residential or non- single-family residential accessory building, <u>provided the site will not require any significant changes to the existing site improvements such as parking, landscaping, lighting, signs, or sidewalks.</u> | | ✗ | ✓ | |
| Changes to building height that do not add additional floor area <u>nor exceed the maximum height requirements of the district.</u> | | | ✓ | |
| CHANGES IN USE: | | | | |
| Any change in the use of land or a building to a more intensive use, in terms of parking needs, noise, traffic volumes, and similar impacts, as determined by <u>the Township.</u> | ✓ | | | |
| A change in use for a site that does not comply with current site design standards (such as landscaping, signage, lighting, or drainage). See Article 16 for regulations on nonconforming uses. | | ✓ | | |
| A change in use to a similar or less intense use provided the site shall not require any significant changes in the existing site facilities such as parking, landscaping, lighting, signs, bike paths or sidewalks. | | | ✓ | |
| Improvements <u>A change to an outdoor recreational uses and parks</u> that are permitted uses. | | | ✓ | |
| <u>Minor changes required by outside governmental agencies during construction as determined by the Zoning Administrator</u> | | | ✓ | |
| A change from a nonconforming use, building or site, to a more conforming situation, <u>provided the site shall not require any significant changes in the existing site facilities such as parking, landscaping, lighting, signs, bike paths or sidewalks.</u> See Article 16 for regulations on nonconforming uses. | | ✓ | | |
| OTHER TYPES OF PROJECTS: | | | | |
| Accessory open-air businesses. | | ✓ | | |
| Accessory buildings and structures constructed or erected accessory to a permitted single-family dwelling unit; and those up to one hundred (100) square feet in area in other districts. | | | | ✓ ⁴ |
| Accessory buildings and structures greater than 100 square feet associated with a non-single-family residential use in any zoning district. | | | ✗ | |

| SITUATION/USE | REQUIRED REVIEW | | | |
|---|------------------------|----------------------------------|----------------------------|---------------------|
| | Site Plan ¹ | Sketch Plan PC Rev. ¹ | Admin. Review ² | Exempt ³ |
| Accessory keeping of animals. | | | | ✓ |
| Architectural changes to a non-single-family residential structure (an elevation plan describing changes and construction materials is required). | | | ✓ | |
| Bike path, pathway or sidewalk construction or relocation. | | | ✓ ⁴⁵ | |
| Construction of an entrance feature associated with a non-single-family residential use (walls, landscaping, etc.). | | ✓ | | |
| Fences associated with a non-single-family residential use, installed, or improved. | | | ✓ ⁴⁵ | |
| Grading, excavation, filling, soil removal, creation of ponds or clearing of trees within an area up to one hundred (100) square feet, provided such activity is normally and customarily incidental to single-family uses on the site. | | | | ✓ ^{4,56} |
| Grading, excavation, filling, soil removal, creation of ponds or clearing of trees other than that specified above. | | ✓ ^{4,55,6} | | |
| Home occupations s . (see Section 1102, Home occupations) | | ✗ | ✓ | |
| Internal construction or change in the floor plan that does not increase gross floor area, increase the intensity of use, or affect parking requirements on a site which meets all site design standards of the Ordinance. | | | | ✓ |
| Landscape changes to similar species and that are consistent with the standards of this Ordinance. | | | ✓ | |
| Modifications to upgrade a non-single-family residential building to improve barrier-free design, or to comply with the Americans with Disabilities Act or other federal, state or county regulations. | | | ✓ | |
| Parking lot improvements provided the total number of spaces shall remain constant. | | | ✓ ⁵⁴ | |
| Residential care facilities licensed by the state that require special land use approval. | | ✓ | | |
| Sign relocation or replacement provided it meets the dimensional and location standards of this Ordinance. | | | ✗ | ✓ |
| Site improvements such as installation of walls, fences, lighting or curbing consistent with Ordinance standards. | | | ✓ | |

| SITUATION/USE | REQUIRED REVIEW | | | |
|--|------------------------|----------------------------------|----------------------------|---------------------|
| | Site Plan ¹ | Sketch Plan PC Rev. ¹ | Admin. Review ² | Exempt ³ |
| Temporary uses, sales and seasonal events. | | ✓ | | |
| Utility system improvements. | | | | ✓ ^{4,5} |
| Building-mounted solar energy equipment. | | | ✓ | |
| Ground-mounted solar energy collector system. | ✓ | | | |
| Waste receptacle relocation to a more inconspicuous location or installation of screening around the waste receptacle. | | | ✓ | |

Footnotes:

1. Requires review and approval by the Planning Commission. ~~(see section 2115(3)).~~
2. The ~~T~~township ~~community and economic development department~~Zoning Administrator has authority for approval. ~~-(see section 2115(4)).~~ If the modifications are not deemed minor, then normal site plan review by the Planning Commission shall be required. Planning Commission review shall be required for all site plans that involve a request for a variance, a special conditional use, or discretionary decisions.
3. A building permit, plot plan, grading and engineering review is still required.
- ~~4. For a golf course, a general layout of holes, ball trajectory and natural features is required; full site plan review is required for buildings, structures and parking areas that illustrate the area around such facilities.~~
- ~~5-4.~~ Construction, grading, drainage, and erosion control plans must be approved by the Township engineer.
- ~~6-5.~~ See also the Earth Balancing and Excavation and Soil Erosion and Sedimentation Control Ordinances, Articles 2 and 6, respectively, Chapter 24 of the Charter Township of Ypsilanti Code of Ordinances.
- ~~7-6.~~ See Section ~~2107~~1144, Wireless communication towers and antennas.

Sec. 904. - Planning Commission site plan review procedures and requirements:

Site plans and sketch plans must be submitted in accordance with the following procedures and requirements. Plans are reviewed and approved following a process of pre-conceptual review, preliminary site plan review by the Planning ~~Commission and~~Commission and final site plan review by the ~~community development department~~Township, ~~unless final site plan is specifically designated for review and approval by the Planning Commission or Township Board.~~

1. *Applicant attendance:* The application shall be submitted by the owner of an interest in the land for which site plan approval is sought, or the designated agent of said owner. The applicant or a designated representative must be present at all scheduled review meetings or consideration of the plan shall be tabled due to lack of representation. Absence at two (2) consecutive meetings

without prior notice to the ~~T~~township ~~community and economic development department~~ shall result in denial of the application. The ~~T~~township ~~office of community standards~~ may recommend to the Planning Commission chairperson that the applicant's architect or engineer be required to be present at the meeting in order to address technical matters related to the application.

2. *Pre-application meeting:* The applicant ~~is encouraged may~~shall schedule a meeting with the ~~T~~township ~~office of community standards~~ to discuss the project, submittal requirements and review procedures. The purpose of this meeting is to discuss applicable standards and technical issues, and to determine the appropriate type of review process based on ~~Table 2115.1~~Section 903, Site plan review process. If the project is determined to be eligible for administrative approval, the procedures of Section ~~2115(4)~~ 908, Administrative plan review, shall be followed; in other cases, the process shall proceed as described in Sections 905, 906 and 907.

Sec. 905. - Preliminary site plan:

1. ~~*Preliminary site plan or sketch plan submittal:*~~Submittal: The applicant shall submit ~~five paper copies and a single digital copy~~ the required number of plans as set forth on the Township application of the following to the ~~office of community standards~~Township no more than thirty (320) business days prior to the Planning Commission meeting that the site plan is tentatively scheduled for. Submittal requirements include:

1.

A.—A complete application ~~form~~ supplied by the ~~T~~township.

A.

B.—A complete site plan or sketch plan that includes the information listed in ~~section 2115(5)~~Section 910, Submittal requirements.

B.

C.—Any additional information the Zoning Administrator or Planning Commission finds necessary to make the determinations required herein.

C.

2. *Technical (staff) reviews:* The ~~T~~township ~~office of community standards~~ shall forward the application and site plan(s) to the Township planning, traffic and engineering consultants, and the fire chief, ~~and police chief~~. All reviews shall be submitted back to the ~~T~~township ~~office of community standards~~.

2.

3. *Planning Commission –consideration of preliminary site plan:* Following technical review and comment, and compliance with administrative procedures, the site plan shall be placed on the agenda of the Planning Commission-. The Planning ~~Commission shall~~Commission shall review the application for site plan approval, together with the reports and recommendations from staff, consultants, and other reviewing agencies, as appropriate. The Planning Commission ~~shall~~ then make a determination based on the requirements and standards of this Section. The Planning Commission is authorized to postpone, grant approval, approval subject to revisions or denial as

follows:

- A. Postpone: The application may be postponed if it is determined to be incomplete, the applicant has not fully responded to deficiencies identified in the technical review, or that revisions are necessary to bring the site plan into compliance with applicable standards and regulations. The application shall be postponed if an Ordinance interpretation or variance is needed from the Zoning Board of Appeals, until such time as the interpretation and variance has been granted by the Zoning Board of Appeals. The Planning Commission shall direct the applicant to prepare additional information, revise the site plan or direct the Township staff to conduct additional analysis. The applicant shall be required to prepare revised plans accompanied by a complete list of all changes, certified as such by the applicant's design professional. Full sets of plans must be resubmitted. Amended plans or other material which show a diligent effort to address all reasons for tabling shall be placed on the agenda of the Planning Commission for further review and action.
- B. Approval: Upon determination that all requirements for site plan approval, as set forth herein, are met and a recommendation for approval has been forwarded to the Planning Commission by all reviewing agencies of the Township, approval shall be granted subject to the applicant providing copies of all required outside agency approvals. In those instances where approval authority is vested with the Township Board, a recommendation shall be made by the Planning Commission to the Township Board.
- C. Approval subject to revisions: Upon determination that a site plan is in compliance except for minor revisions, said revisions shall be identified and the applicant shall be given the opportunity to correct the site plan prior to applying for final site plan approval. The applicant shall submit with the final site plan a complete list of all changes, certified by the applicant's design professional, to the Zoning Administrator for final approval after said revisions have been completed. At its discretion, the Planning Commission may require the right to review the revised final site plan.
- D. Denial of approval: Upon determination that a site plan does not comply with standards and regulations set forth in this Section, requires extensive revision in order to comply with said standards and regulations, or the applicant has not satisfactorily addressed all reasons for site plan tabling/postponement, site plan approval shall be denied. The applicant must revise the plans and resubmit if the applicant is still interested in pursuing the project. A re-submittal shall be considered a new site plan and be required to re-initiate the full site plan review process. Any person aggrieved by the decision of the Planning Commission in denial of a site plan shall have the right to appeal the decision to the zoning board of appeals. A site plan, by request of the applicant, needs an official denial by the Planning Commission in order to gain access to the Zoning Board of Appeals.
4. Variance requests: When the applicant intends to seek a variance from the Zoning Board of Appeals for the subject request, the applicant shall first receive consideration of the preliminary site plan from the Planning Commission, then obtain the necessary variances, and then come back to the Planning Commission for site plan approval. Site plan approval can not be granted until any necessary variances have been granted by the Zoning Board of Appeals.
- ~~5.1. Multiple family and condominiums preliminary approval: Site plans for multiple family and condominium developments shall require the review and approval of both preliminary and final~~

~~plans by the Planning Commission and Township Board. The Planning Commission shall make a recommendation to the Township Board to approve, approve with conditions or deny the preliminary site plan. Following receipt of the Planning Commission's recommendation, the preliminary site plan shall be considered by the Township Board. The Township Board shall take action on the request following the same standards as subsection (f) above.~~

5. ~~Effect of preliminary site plan review action:~~ Any preliminary site plan approved under this provision shall expire after one (1) year from the date of such approval. If ~~construction-the~~ submission of a final site plan has not commenced within one (1) year of preliminary site plan or sketch plan approval by the Planning Commission or the ~~T~~township Board-office of community standards (as applicable), preliminary site plan approval becomes null and void and a new application for site plan or sketch plan review shall be required. The applicant may request a one (1) year extension by the Planning Commission, provided a written request is received before the expiration date and the site plan complies with current standards (i.e.; any amendments to this Ordinance since the site plan was approved). This limitation shall not apply to preliminary PD site plans accompanying approved PD rezoning's.

Sec. 906. - Final site plans:

1. Application and fee for a final site plan: Following approval of the preliminary site plan, an application for final site plan review shall be filed with the Township Zoning Administrator, including the number of copies specified on the application of the proposed final site plan as well as other data, exhibits, and information hereinafter required. An application for final site plan review shall be accompanied by the required fees.
2. Required data for a final site plan: An application for approval of a final site plan shall provide the information required for a final site plan as set forth in Section 910, Submittal requirements, and include approval from: the Washtenaw County Road Commission or the Michigan Department of Transportation, whichever is applicable; Washtenaw County Water Resource Commissioner; Ypsilanti Community Utilities Authority; and the Michigan Department of Environmental Quality Land and Water Quality Division, ~~or~~ and any other applicable local, state or federal agency.
- 1.3. Final site plans (detailed construction and engineering plans): Except where otherwise set forth in this Section, final site plan approval may be given administratively when all conditions set forth herein for final site plans are complied met. ~~The with except the~~ Planning Commission may, at the time of preliminary site plan approval, require final site plan approval by the Planning eCommission as well. The ~~Township Zoning Administrator~~township-office of community standards shall grant final site plan approval where the following requirements are met:
 - A. That all local, county and state requirements as may apply to the proposed use are met and all. ~~The applicant shall be required to obtain all other~~ necessary agency permits from-are obtained. ~~the Michigan Department of Environmental Quality, the Washtenaw County Road Commission, Drain Commission and Health Department, and all applicable utility companies.~~ Copies of applications and approvals from all applicable outside agencies shall accompany submission of the application and final site plan to the Township.
 - B. All applicable engineering requirements are met. Complete engineering plans shall be submitted for approval by the Ttownship Engineer.

- C. The design shown on the final site plan ~~shall~~remains unchanged from the approved preliminary site plan. ~~Upon~~If the Zoning Administrator determines that ~~determination that~~ the final site plan does not comply with the conditions of preliminary site plan approval or that required engineering plan revisions alter the site plan configuration approved by the Planning Commission, the applicant shall be required to revise the site plan and engineering plans and resubmit the site plan to the body that approved the site plan for review and approval as an amended site plan.

~~2.1. Multiple family and condominiums: Final site plans for multiple family and condominium developments shall require the review and approval by the Township Board based upon a review and recommendation by the Planning Commission.~~

~~3.4. Final site approval:~~ Final site plan approval, except as specifically permitted in subsections ~~A. and B.~~ below, shall not be given until all the above requirements are met. No work shall commence on any site, except as specifically permitted herein, or any buildings requiring site plan approval and no permits shall be issued until after final site plan approval is granted.

- A. Upon request, the ~~T~~township may permit, when justifiable conditions are found to exist, and after preliminary site plan approval has been given, the movement of soil on the site, prior to final site plan approval, provided:

- (1) A grading and soil erosion and sedimentation control plan, drawn to local specifications and when necessary to county specifications, has been reviewed and approved.
- (2) A soil erosion permit, when required, has been secured.

~~B. Section 907~~ ~~Upon request, the township may permit, when justifiable conditions are found to exist, and after preliminary site plan approval has been given, the layout of footings and the construction of foundation walls prior to final site plan approval, provided:~~

- ~~(1) A grading and soil erosion and sedimentation control plan, drawn to local specifications and when necessary to county specifications, has been reviewed and approved.~~
- ~~(2) A soil erosion permit, when required, has been secured.~~
- ~~(3) Detailed engineering plans for all aboveground and belowground utilities shall be submitted for review and approval.~~
- ~~(4) Footing and foundation design plans have been approved by all applicable state, county, local departments and consultants.~~
- ~~(5) A resolution absolving the Township of Ypsilanti of any liability has been submitted by the applicant and approved by the township.~~

Sec. 907. - Completion of site design in accordance with approved final site plan:

~~1.~~ Permits: Following approval of the final site ~~site~~ plan or sketch plan and final approval of the engineering plans by the ~~T~~township ~~E~~ngineer and the ~~office of community standards~~Zoning Administrator, a building permit may be obtained. It shall be the responsibility of the applicant to

obtain all other applicable Township, utility, county, or state permits prior to issuance of a building permit.

2.1.

~~3.~~ *Expiration:* The approval of any final site plan under this provision, other than subdivisions (subdivision shall follow the procedures of the Land Division Act) shall expire one (1) year after the date of such approval, unless actual construction and development have been commenced in accordance with said site plan prior thereto. The applicant may request a one (1) year extension by the Planning Commission, provided a written request is received before the expiration date and the site plan complies with current standards (i.e., any amendments to this Ordinance since the site plan was approved). If such construction and development is commenced within said one (1) year period, then such approval shall continue for a period of five (5) years from the date thereof; ~~provided, h~~ However, that a lapse of more than one (1) year in continuous substantial construction and development does not occur, in which event, said approval shall expire. The ~~T~~ Township ~~B~~ Building ~~O~~ Official shall not issue a building permit for any type of construction on the basis of the approved site plan after such approval has expired unless such plan has received an extension from the Planning Commission ~~or Township Board~~. Fees for review of expired site plan may be waived or reduced in those instances where no substantial change in conditions of the site plan nor of abutting uses has taken place. In those instances where conditions have changed, the fee for review of expired site plans shall be the same as for the initial submittal. ~~Any preliminary site plan approved under this provision shall expire after one year from the date of such approval.~~

2.

~~4.~~ It shall be the responsibility of the owner of a property for which final site plan approval has been granted to maintain the property in accordance with the approved site design on a continuing basis until the property is razed, or until new zoning regulations supersede the regulations upon which site approval was based, or until a new site design approval is sought. Such maintenance shall include all building and site elements depicted on the site plan including parking configuration, lighting, and landscaping. Any property owner who fails to maintain a site as approved shall be deemed in violation of the applicable use provisions of this Section and shall be subject to penalties.

3.

~~5.4.~~ A development agreement with suitable guarantee may be required by the Township to assure compliance with an approved final site plan.

Sec. 908. - Administrative plan review:

For uses and projects eligible for administrative review, as identified in the Table of Eligible Uses and Required Review Process, the following procedure shall apply:

1. *Submittal requirements:* The applicant shall submit to the Township five paper copies and a single digital copy the required number of plans as set forth on the Township application that contains the information listed in Section 910, Submittal requirements.
2. *Review:* The Township shall review and either approve the sketch plan, approve the sketch plan

with a condition that certain revisions be made, or deny the sketch plan.

3. *Appeal*: Either the Township or the applicant shall have the option to request sketch plan review by the Planning Commission.
4. *Issuance of building permit*: A building permit shall be issued following review and approval of any engineering or construction plans by the Building Department and Township engineer, as appropriate.

Sec. 909. - Multiple-family and condominiums approval:

Site plans for multiple-family and condominium developments shall require the review and approval of both preliminary and final plans by the Township Board, upon recommendation by the Planning Commission. The Planning Commission shall make a recommendation to the Township Board to approve, approve with conditions or deny the preliminary site plan. Following receipt of the Planning Commission's recommendation, the preliminary site plan shall be considered by the Township Board. The Planning Commission shall make a recommendation to the Township Board to approve, approve with conditions or deny the final site plan. Following receipt of the Planning Commission's recommendation, the final site plan shall be considered by the Township Board. The Township Board shall take action on the request following the same standards as subsection (f) above.

~~Multiple family and condominiums: Final site plans for multiple family and condominium developments shall require the review and approval by the Township Board based upon a review and recommendation by the Planning Commission.~~

Sec. 910. - Submittal requirements:

The following information shall be included with and as part of the site plan(s) or sketch plan(s) submitted for review. Each category of site plan items shall be included on a separate sheet. Applications considered to be incomplete by the Zoning Administrator may not be reviewed by the Planning Commission.

| SITE PLAN DATA | Required for: | | | |
|--|---------------|-------------|--------------------------|------------------------|
| | Pre-concept | Sketch Plan | <u>Prelim. Site Plan</u> | <u>Final Site Plan</u> |
| A. (a) Application Form: | | | | |
| Name and address of the applicant and property owner; | ✓ | ✓ | ✓ | ✓ |
| Address and common description of property and complete legal description; | - | ✓ | ✓ | ✓ |
| Dimensions of land and total acreage; | ✓ | ✓ | ✓ | ✓ |
| Zoning on the site and all adjacent properties; | ✓ | ✓ | ✓ | ✓ |

| SITE PLAN DATA | Required for: | | | |
|---|---------------|-------------|--------------------------|------------------------|
| | Pre-concept | Sketch Plan | <u>Prelim. Site Plan</u> | <u>Final Site Plan</u> |
| Description of proposed project or use, type of building or structures, and name of proposed development, if applicable; | ✓ | ✓ | ✓ | ✓ |
| Name and address of firm or individual who prepared site plan; and | ✓ | ✓ | ✓ | ✓ |
| Proof of property ownership. | ✓ | ✓ | ✓ | ✓ |
| B. (b)–Site Plan Descriptive and Identification Data: | | | | |
| Site plans shall consist of an overall plan for the entire development, drawn to an engineer's scale of not less than one (1) inch = fifty (50) feet for property less than three (3) acres, or one (1) inch = one hundred (100) feet for property three (3) acres or more in size. Sheet size shall be at least twenty-four (24) x thirty-six (36) inches. If a large development is shown in Sections on multiple sheets, then one (1) overall composite sheet shall be included; | ✓ | ✓ | ✓ | ✓ |
| Written project description, including proposed use, building(s) and site improvements; | - | ✓ | ✓ | ✓ |
| Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year); | ✓ | ✓ | ✓ | ✓ |
| Scale and north-point; | ✓ | ✓ | ✓ | ✓ |
| Location map drawn to a separate scale with north-point, showing surrounding land, water features, zoning, and streets within a quarter mile; | ✓ | ✓- | ✓ | ✓ |
| Legal and common description of property; | - | ✓ | ✓ | ✓ |
| Identification and seal of architect, engineer, land surveyor, or landscape architect who prepared drawings; | - | - | ✓ | ✓ |
| Zoning classification of petitioner's parcel and all abutting parcels; | ✓ | ✓ | ✓ | ✓ |
| Proximity to Section corner and major thoroughfares; and | - | - | ✓ | ✓ |
| Net acreage (minus rights-of-way) and total acreage. | ✓ | ✓ | ✓ | ✓ |
| C. (c)–Site Analysis: | | | | |
| An aerial photograph of the entire development area with all environmental features labeled on the photo in a "bubbled" fashion to include woodlands, wetlands, groundwater recharge areas, drains, creeks, surface water, severe | ✓ | | | |

| SITE PLAN DATA | Required for: | | | |
|---|---------------|-------------|--------------------------|------------------------|
| | Pre-concept | Sketch Plan | <u>Prelim. Site Plan</u> | <u>Final Site Plan</u> |
| changes in topography, erodible soils, and floodplains. Sheet size of the aerial photograph shall be at least twenty-four (24) × thirty-six (36) inches; | | | | |
| Environmental impact analysis and natural features protection documentation meeting the requirements of Chapter 26 of the Municipal Code, Environment; | - | ✓ | ✓ | ✓ |
| Survey of existing lot lines, building lines, structures, parking areas and other improvements on the site and within one hundred (100) feet of the site; | - | ✓ | ✓ | ✓ |
| Survey of on parcels more than one (1) acre, topography on the site and within one hundred (100) feet of site at two (2)foot contour intervals, referenced to a U.S.G.S. benchmark; | - | - | ✓ | ✓ |
| Surrounding land uses and zoning; | - | - | ✓ | ✓ |
| Inventory of the location, sizes, and types of existing trees, hedgerows and landmark trees as required by the Township Woodlands Ordinance and the general location of all other existing plant materials; | - | ✓ | ✓ | ✓ |
| Location of existing drainage courses, floodplains, lakes and streams, and wetlands with elevations; | - | ✓ | ✓ | ✓ |
| Surface drainage flows including high points, low points, and swales; | - | ✓ | ✓ | ✓ |
| Soils and water table; | - | - | ✓ | ✓ |
| All existing easements; | - | ✓ | ✓ | ✓ |
| Existing roadways and driveways within two hundred-fifty (250) feet of the site; | - | ✓ | ✓ | ✓ |
| Existing sidewalks and nonmotorized pathways; and | - | ✓ | ✓ | ✓ |
| Cultural resources and indication of human activities, such as paths. | - | - | ✓ | ✓ |
| D. (d)–Site Plan: | | | | |
| Proposed lot lines, lot dimensions, property lines and setback dimensions; | ✓ | ✓ | ✓ | ✓ |
| Structures, and other improvements; | ✓ | ✓ | ✓ | ✓ |
| Proposed easements; | - | ✓ | ✓ | ✓ |

| SITE PLAN DATA | Required for: | | | |
|---|---------------|--------------|--------------------------|------------------------|
| | Pre-concept | Sketch Plan | <u>Prelim. Site Plan</u> | <u>Final Site Plan</u> |
| Location of exterior lighting (site and building lighting) in accordance with Section 1303, Exterior lighting; | - | - | ✓ | ✓ |
| Location of trash and recycling receptacle(s) and transformer pad(s) and method of screening; and | - | ✓ | ✓ | ✓ |
| Extent of any outdoor sales or display area. | - | ✓ | ✓ | ✓ |
| E. (e) Access and Circulation: | | | | |
| Dimensions, curve radii and centerlines of existing and proposed access points, roads and road rights-of-way or access easements; | - | ✓ | | ✓ |
| Opposing driveways and intersections within two hundred-fifty (250) feet of site; | ✓ | ✓ | ✓ | ✓ |
| <u>Location of proposed roads, driveways, parking lots, sidewalks, and non-motorized pathways;</u> | | | ✓ | |
| Cross Section details of proposed roads, driveways, parking lots, sidewalks and nonmotorized paths illustrating materials and thickness; | - | - | | ✓ |
| Dimensions of acceleration, deceleration, and passing lanes; | - | - | | ✓ |
| Dimensions of parking spaces, islands, circulation aisles and loading zones; | - | ✓ | ✓ | ✓ |
| Calculations for required number of parking and loading spaces; | - | ✓ | ✓ | ✓ |
| Designation of fire lanes; | - | ✓ | ✓ | ✓ |
| Traffic regulatory signs and pavement markings; | - | - | | ✓ |
| Location of existing and proposed sidewalks/pathways within the site or right-of-way; and | - | ✓ | ✓ | ✓ |
| Location, height, and outside dimensions of all storage areas and facilities. | - | ✓ | ✓ | ✓ |
| F. (f) Landscape Plans: | | | | |
| Location, sizes, and types of existing trees as required by the Township Woodlands Ordinance, Article 3 of Chapter 24 of the Charter Township of Ypsilanti Code of Ordinances, and the general location of all other existing | - | ✓ | ✓ | ✓ |

| SITE PLAN DATA | Required for: | | | |
|---|---------------|-------------|--------------------------|------------------------|
| | Pre-concept | Sketch Plan | <u>Prelim. Site Plan</u> | <u>Final Site Plan</u> |
| plant materials, with an identification of materials to be removed and preserved; | | | | |
| Description of methods to preserve existing plant materials; | - | - | ✓ | ✓ |
| The location of existing and proposed lawns and landscaped areas; | ✓ | ✓ | ✓ | ✓ |
| Planting plan, including location and type of all proposed shrubs, trees, and other live plant material; | - | - | ✓ | ✓ |
| Planting list for proposed landscape materials with caliper size or height of material, method of installation, botanical and common names, and quantity; | - | - | ✓ | ✓ |
| <u>Irrigation system plan for watering and draining landscape areas;</u> | | | | ✓ |
| <u>Sections, elevations, plans, and details of landscape elements, such as berms, walls, ponds, retaining walls, and tree wells;</u> | | | | ✓ |
| <u>Proposed means of protecting existing plant material during construction;</u> | | | | ✓ |
| Proposed dates of plant installation; and | - | - | | ✓ |
| Landscape maintenance schedule. | - | - | | ✓ |
| G. (g)—Building and Structure Details: | | | | |
| Location, height, and outside dimensions of all proposed buildings or structures; | - | ✓ | ✓ | ✓ |
| Building floor plans and total floor area; | - | - | ✓ | ✓ |
| Details on accessory structures and any screening; | - | - | ✓ | ✓ |
| Location, size, height, and lighting of all proposed site and wall signs; | - | ✓ | ✓ | ✓ |
| Location, size, height, and material of construction for all obscuring wall(s) or berm(s) with cross-Sections, where required; | - | ✓ | ✓ | ✓ |
| Building facade elevations for all sides, drawn at an appropriate scale; and | option | - | ✓ | ✓ |
| Description of exterior building materials and colors (samples may be required). | - | - | ✓ | ✓ |

| SITE PLAN DATA | Required for: | | | |
|---|---------------|-------------|--------------------------|------------------------|
| | Pre-concept | Sketch Plan | <u>Prelim. Site Plan</u> | <u>Final Site Plan</u> |
| H. (h)—Drainage, Soil Erosion and Sedimentation Control: | | | | |
| Location and size of existing and proposed storm sewers; | - | ✓ | ✓ | ✓ |
| <u>Size of existing and proposed storm sewers;</u> | | ✓ | | ✓ |
| Stormwater retention and detention ponds, including grading, side slopes, depth, high water elevation, volume, and outfalls; | - | ✓ | | ✓ |
| Stormwater drainage and retention/detention calculations; | - | ✓ | ✓ | ✓ |
| Indication of site grading, drainage patterns and stormwater management measures, including sediment control and temperature regulation; and | - | ✓ | ✓ | ✓ |
| Soil erosion and sedimentation control measures. | - | ✓ | ✓ | ✓ |
| I. (i)—Information Concerning Utilities: | | | | |
| Location of sanitary sewers and septic systems, existing and proposed; | - | - | ✓ | ✓ |
| Location and size of existing and proposed water mains, well sites, water service and fire hydrants; | - | - | ✓ | ✓ |
| Location of existing and proposed gas, electric and telephone lines, above and below ground; | - | - | ✓ | ✓ |
| Location of transformers and utility boxes; and | - | - | ✓ | ✓ |
| Assessment of potential impacts from the use, processing, or movement of hazardous materials or chemicals, if applicable. | - | - | ✓ | ✓ |
| J. (j)—Lighting Plan | | | | |
| Location of all freestanding, building-mounted and canopy light fixtures on the site plan and building elevations; | - | ✓ | ✓ | ✓ |
| Photometric grid overlaid on the proposed site plan indicating the overall light intensity throughout the site (in foot-candles); | - | - | | ✓ |
| Specifications and details for the type of fixture being proposed including the total lumen output, type of lamp and method of shielding; and | - | ✓ | ✓ | ✓ |
| Use of the fixture proposed. | - | ✓ | ✓ | ✓ |

| SITE PLAN DATA | Required for: | | | |
|---|---------------|-------------|---|------------------------|
| | Pre-concept | Sketch Plan | <u>Prelim. Site Plan</u> | <u>Final Site Plan</u> |
| K. (K) Additional Information Required for Residential Development | | | | |
| The number and location of each type of residential unit (one (1) bedroom units, two (2) bedroom units, etc.); | ✓ | - | ✓ | ✓ |
| Density calculations by type of residential unit (dwelling units per acre); | ✓ | - | ✓ | ✓ |
| Garage and/or carport locations and details, if proposed; | - | - | ✓ | ✓ |
| Mailbox cluster location and design, if required by postmaster; | - | - | | ✓ |
| Location, dimensions, floor plans and elevations of common building(s) (e.g., recreation, laundry, etc.), if applicable; | - | - | ✓ | ✓ |
| Swimming pool fencing detail, including height and type of fence, if applicable; | - | - | ✓ | ✓ |
| Location and size of recreation and open space areas; | - | - | ✓ | ✓ |
| Indication of type of recreation facilities proposed for recreation area; and | - | - | ✓ | ✓ |
| Where the site is located within five hundred (500) feet of the I-94 right-of-way, delineate that area of the site with sound levels of sixty-one (61) dBA or greater. | = | = | ✓ | ✓ |
| <u>L. Outside Agency Reviews</u> | | | | |
| <u>Preliminary Review</u> ; and | = | = | ✓ | = |
| <u>Permits</u> | = | = | = | ✓ |
| <u>L.M. Additional Study (as required by the Zoning Administrator)</u>(L) Traffic Impact Study | | | | |
| Traffic impact study as required by subsection (6) below . in compliance with Article 4, Traffic impact study of Chapter 24 of the Charter Township of Ypsilanti Code of Ordinances; | - | - | <u>As required by Zoning Administrator after review of the standards set forth in Section 911</u> | |
| <u>Environmental assessment in compliance with Section 1403.3</u> ; Natural features impact statement; | | | <u>As required by Zoning Administrator after review of the standards set forth in Section 911</u> | |

| SITE PLAN DATA | Required for: | | | |
|---|---------------|-------------|---|------------------------|
| | Pre-concept | Sketch Plan | <u>Prelim. Site Plan</u> | <u>Final Site Plan</u> |
| <u>Noise study showing compliance with Section 1400.6;</u> | | | <u>As required by Zoning Administrator after review of the standards set forth in Section 911</u> | |
| <u>Additional study as required by Zoning Administrator</u> | | | <u>As required by Zoning Administrator after review of the standards set forth in Section 911</u> | |

Sec. 911. - Standards for site plan review:

1. Compliance with all Regulations: In reviewing the site plan, the ~~Township Planning Commission shall find that the~~ Zoning Administrator shall not place an application on the Planning Commission agenda until they have determined that the proposed plan complies with all applicable regulations of this Ordinance.
2. Standards: ~~Further, in~~ consideration of each site plan, the Township Planning Commission shall endeavor to assure the determine the following:
 - A. The proposed use will not be injurious to the general health, safety, welfare, and character of the Township and surrounding neighborhood.
 - B. The proposed development is consistent with the Township Master Plan.
 - C. There is a proper relationship between public thoroughfares and proposed service drives, driveways, and parking areas.
 - D. The proposed development provides for proper development of roads, easements, and public utilities.
 - E. Building placement and orientation provides a strong visual and functional relationship with its site, adjacent sites, and nearby thoroughfares. Such placement and orientation are consistent within sites and to adjacent sites to provide distinct building groups which exhibit similar orientation, scale, and proportion.
 - F. Site access and circulation shall be designed to ensure the safe and convenient movement of vehicles, bicycles, pedestrians, and transit, where applicable. Where possible, separation of pedestrian and vehicular traffic shall be provided to avoid conflicts and unsafe conditions.
 - G. Internal circulation shall be arranged to provide a practical means of emergency personnel and vehicle access to all sides of a building.
 - H. Site planning and design of specific improvements will accomplish the preservation and protection of existing natural resources and features such as lakes, ponds, streams, wetlands, floodplains, steep slopes, groundwater, trees, and wooded areas, including understory trees.
 - I. The proposed development will utilize the natural topography to the maximum extent

- possible, minimizing the amount of cutting, filling, and grading required, and preventing soil erosion or sedimentation.
- J. The design of storm sewers, stormwater facilities, roads, parking lots, driveways, water mains, sanitary sewers, and other site improvements meets the design and construction standards of the Township and other appropriate agencies.
- K. A stormwater management system and facility will preserve the natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible and will not substantially reduce or increase the natural retention or storage capacity of any wetland, water body, or water course, or cause alterations which could increase flooding or water pollution on- or off-site. The Washtenaw County Water Resources Commissioner Rules shall be used for the review and approval of all stormwater management systems.
- L. Wastewater treatment systems, including on-site septic systems, shall be located to minimize any potential degradation of surface water or ground water quality, and be designed in accordance with applicable Township, County, and/or State standards.
- M. Sites which include storage of hazardous waste, fuels, salt, or chemicals will be designed to prevent spills and discharges of pollution materials to the surface or the air, or to the ground, groundwater, or nearby water bodies, with a specific plan to achieve such objectives being incorporated as part of the site plan.
- N. Landscaping, including grass, trees, shrubs, and other vegetation, is provided to maintain and improve the aesthetic quality of the site and area.
- O. The site plan complies with all Township Ordinances and any other applicable laws.

Sec. 912. - Site plan completion guarantee:

1. Prior to the issuance of any building permit for any building, and prior to signing of the final plat by the Township Clerk in a platted subdivision, or prior to the issuance of any building permit for any building in a site condominium project, or prior to issuance of a certificate of occupancy for any other development which requires site plan review under this Ordinance, the applicant for same shall provide to the Township the completion guarantee, as set forth in Section 3.06, Performance guarantee.

Sec. 913. - Certification of compliance:

1. Zoning Compliance Permit: A zoning compliance permit, as set forth in Section 301, Duties of the Zoning Administrator, shall be required prior to issuance of a certificate of occupancy or building permit.
2. Requirements: When the appropriate permits are issued, the applicant may begin site work. In any development where individual lots do not front on an existing improved public or private street no building construction permit(s) shall be issued until the Zoning Administrator certifies the following minimum standards are met. Each phase of an approved project shall meet these requirements:

- A. All interior public and private streets, including curb and gutter where applicable, shall be complete through the base course of pavement. Modifications to the requirement may be permitted by the Township Board based upon a recommendation by the Township Engineer when paving may not be possible due to weather.
- B. All site mass grading and balancing shall be complete and certified by the developer's engineer and approved by the Township Engineer to be in compliance with the approved site plan.
- C. All facilities for the detention and/or retention of stormwater shall be substantially complete in a state which is ready to be energized and placed online.
- D. The installation of all franchised utilities shall be substantially complete, ready to be energized and placed online.
- E. All underground water mains, sanitary and storm sewers shall have passed their certified acceptance tests. The water and wastewater system shall be certified as operational by the Ypsilanti Community Utilities Authority.
- F. Each individual lot or building site shall have a sign clearly showing the lot number and address of the lot or building site. Temporary street name signs with contrasting letters at least six (6) inches high shall be erected at every intersection. All required traffic control signs shall be installed.
- G. In single-family residential developments the applicant may apply for permission to erect a temporary sales trailer and/or construct up to three (3) model homes prior to completion of the above requirements. No occupancy of said models shall be permitted until the above conditions are met. Permits for models may be issued subject to the following conditions:
 - (1) The lots must be contiguous to each other, and one (1) lot must abut an existing public or private street. The first model shall be located on the lot abutting the street, and subsequent models shall abut a lot for which a permit has previously been issued under this Section.
 - (2) If the remaining two (2) lots do not abut an existing public or private street, they must be served by an access road of sufficient width and structure to accommodate fire apparatus. Such access road shall be within fifty (50) feet of each structure.
 - (3) The Fire Department shall approve the access and determine that a sufficient water supply exists to permit firefighting and rescue operations.
 - (4) Sales trailers shall meet all the requirements of Section 805, Temporary structures.

Sec. 914. - Revocation and abandonment:

1. Revocation: The Township Planning Commission may, upon hearing, revoke approval of a site plan if the Commission determines that any information on the approved site plan is in error or the site plan is not in compliance with approved plans. –Upon revocation, work on the affected part of the development, or on the entire development, as determined by the Township Planning Commission, shall cease. The Township Planning Commission may direct the Township Zoning Administrator to issue a stop work order to enforce its determination. Upon revocation, the

Township Planning Commission may require the applicant to amend the site plan in a manner appropriate to reflect the corrected information. Any work so suspended shall not be resumed until an amended site plan is approved by the Township Planning Commission.

2. Abandonment:

A. Abandonment of preliminary site plan: An approved preliminary site plan for which a final Site plan has not been submitted as required under Section 906, final site plans, within one (1) year from the date of preliminary site plan approval shall be considered abandoned, unless an extension of approval has not been requested within a one (1) year period from the date of a final site plan approval, shall be considered abandoned.

B. Abandonment of final site plan: An approved final site plan, upon which construction does not commence and an extension of approval has not been requested within a one (1) year period from the date of a final site plan approval, shall be considered abandoned.

Sec. 915. - Development agreement:

The Township Planning Commission may as a condition of final site plan approval, require the proprietor and/or developer to enter into a Development Agreement with the Township. Such agreement shall set forth and define the responsibilities of the proprietor and the Township, as set forth in Section 305, Development agreement.

ARTICLE X. – SPECIAL LAND USE REVIEW

Sec. ~~21191000~~. ~~–Special land uses: Intent:~~

~~This Article is intended to regulate uses which may be compatible with uses in some, but not all, locations within a particular zoning district. The purpose of the Special Land Use standards of this Article is to accomplish the following:~~

- ~~1. Provide a mechanism for public input on decisions involving more intense land uses.~~
- ~~2. Establish criteria for both new development and infill/redevelopment consistent with the Township's land use goals and objectives as stated in the Township Master Plan.~~
- ~~3. Regulate the use of land on the basis of impact to the Township overall and adjacent properties in particular.~~
- ~~4. Promote a planned and orderly development pattern which can be served by public facilities and serviced in a cost-effective manner.~~
- ~~5. Ensure uses can be accommodated by the environmental capability of specific sites.~~
- ~~6. Provide site design standards to diminish negative impacts of potentially conflicting land uses.~~
- ~~7. Provide greater flexibility to integrate land uses within the Township.~~

~~Whenever a special land use is requested, the provisions and conditions of this Section shall apply in addition to the provisions and conditions of the other aforesaid Sections. Only those uses listed as special land uses in the Table of Uses in Article 4 of this Ordinance shall be considered for special land use permit review and approval.~~

Sec. 1001 – Special land use review applicability and type:

~~A special land use permit shall not be issued until an application is approved in accordance with the procedures and standards set forth herein and all necessary review, inspection, and permit fees have been fully paid. The extent of site plan review for various types of projects is classified into the types below:~~

- ~~1. Board of Trustees Approval: When designated in the Table of Uses in Article 4, the Board of Trustees, upon recommendation from the Planning Commission, shall have the authority to grant special land use permits and to attach conditions to a permit.~~
- ~~2. Planning Commission Approval: For all other special land uses, the Planning Commission shall have the authority to grant special land use permits and to attach conditions to a permit.~~

Sec. 1002 – Procedure:

- ~~1. Application for a special land use permit shall be made by filing the application form, required information, and required fee with the building official Township. The fee shall be set by resolution by the township board, except that no fee shall be required for a special land use permit application for the construction of a single-family residence or of any governmental body or agency. No part of the fee shall be returnable to the applicant. The building official shall transmit a copy of the application and submitted information to the township planning commission.~~

2. An application for a special land use permit shall contain the following information:
 - A. The applicant's name, address, and telephone number.
 - B. The names and addresses of all record owners and proof of ownership.
 - C. The applicant's interest in the property and if the applicant is not the fee-simple owner, the owner's signed authorization for the application.
 - D. Legal description, address, and tax parcel number of the property.
 - E. A scaled and accurate survey drawing correlated with a legal description and showing all existing buildings, drives, and other improvements.
 - F. A detailed description of the proposed use.
 - ~~G. A site plan, if requested by the planning commission, which plan shall meet all the requirements of ~~section 2115~~Article 9 herein.~~
 - ~~H. A statement with regard to compliance with the criteria required for approval in Section 1003 and any specific standards required by the Ordinance for the requested use~~
~~Failure to provide the required information and materials as part of the application for special land use approval shall render the application deficient and said application shall be held in abeyance until the petitioner submits all required items. The Zoning Administrator may waive the submission of a site plan where such information is not material to Planning Commission or Board of Trustees action, specifically where no physical changes to the site are proposed.~~
3. ~~The Planning Commission shall hold a public hearing, or hearings, upon any application for special land use, notice of which shall be in the manner required by Section 301, Public hearing notice requirements.~~
4. ~~Planning Commission action:~~
 - ~~A. The Planning Commission shall conduct the required public hearing. At the public hearing, the Planning Commission shall review the application for special land use approval in accordance with Section 1003 and any specific standards in Article 11.~~
 - ~~B. The Planning Commission shall approve, approve with conditions, or deny special land use permit application. The Planning Commission may table the application before reaching a decision. For special land uses that require Board of Trustees approval, the Planning Commission shall recommend that the Board of Trustees either approve, approve with conditions, or deny the special land use (based on findings outlined in Section 1003) and the accompanying site plan. The Planning commission's decision, the basis for their decisions, and all conditions imposed, shall be described in a written statement which shall be made a part of the record of the meeting.~~
5. ~~Board of Trustees action:~~
 - ~~A. When required, the Special Land Use request and other pertinent information, together with the recommendation of the Planning Commission, shall be placed on the agenda of the next Board of Trustees meeting. The Board of Trustees shall either approve, approve with conditions, or reject the request. The Board of Trustees may table the application before reaching a decision.~~

B. The decision on a special land use required by the Board of Trustees shall be made a part of the public record and incorporated into a resolution that includes a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any condition imposed.

Sec. 1003 - Standards for special land uses:

The ~~p~~Planning ~~e~~Commission, and the Board of Trustees when required, shall review the particular circumstances and facts of each proposed use in terms of the following standards and required findings, and with respect to any additional standards set forth in this Ordinance. The ~~p~~Planning ~~e~~Commission, either as part of its final decision or in its recommendation, shall find and report adequate data, information, and evidence showing that the proposed use meets all required standards and:

1. Will be harmonious, and in accordance with the objectives, intent, and purpose of this Ordinance; and
2. Will be compatible with a natural environment and existing and future land uses in the vicinity; and
3. Will be compatible with the ~~t~~Township master plans; and
4. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways and structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services; and
5. Will not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property, or the public welfare; and
6. Will not create additional requirements at public costs for public facilities and services that will be detrimental to the economic welfare of the community.

~~6. The planning commission shall approve, approve with conditions, or deny special land use permit application. The planning commission's decision, the basis for their decisions, and all conditions imposed, shall be described in a written statement which shall be made a part of the record of the meeting.~~

Sec.1004 - Conditions of approval:

1. Authority: The Planning Commission or Board of Trustees, when applicable, may at its discretion impose additional conditions of approval, when it is determined that such increases in standards or additional conditions are required to achieve or assure compatibility with adjacent uses and/or structures.
2. Scope: Conditions that are imposed by the Planning Commission or Board of Trustees, when applicable, shall:
 - A. Be related to and ensure the review considerations of Section 1003, Standards for special land uses, and the applicable specific regulations are met.

- B. Special land use approval is applicable to a property, not property owners, so long as use remains in effect under terms set from the Section 1005, Effectiveness.
- C. The conditions shall remain unchanged unless an amendment to the special land use permit is approved by the approving body of the special and use permit in that case.
3. Approval of a special land use, including conditions made part of the approval, is attached to the property described in the application and not to the owner of such property. A record of conditions imposed shall be made a part of the minutes of the Planning Commission and the Board of Trustees, as applicable.
4. A development agreement in accordance with Section 305, Development Agreements, shall be recorded.
5. A violation of a requirement, condition, or safeguard shall be considered a violation of this Ordinance and grounds for the approving body to revoke such special land use approval in accordance with Section 1008.

Sec. 1005 – Effectiveness:

1. Remain in force. Upon receipt of site plan approval, special land use approval shall continue in force so long as the particular use or activity continues to operate as approved on the approved site, unless otherwise specified in the approval.
2. Expiration: Any special land use approval granted shall expire unless a final site plan effectuating the special land use is submitted within one (1) year of the date of approval. If the submission of a site plan was waived, any special land use approval granted shall expire unless a building permit effectuating the special land use is submitted within one (1) year of the date of approval.
3. Extension: Upon written application filed prior to the termination of the one (1) year period as provided above, the approving body may authorize a single extension of the time limit for an additional one (1) year period. Such extension shall be granted based on evidence from the applicant that the development has a reasonable likelihood of commencing construction during the one (1) year extension period.
4. Resubmittal: No application for a special land use permit which has been denied wholly or in part shall be resubmitted for a period of one (1) year from the date of denial, except on the grounds of new evidence or proof of changed conditions relating to all of the reasons noted for the denial found to be valid by the Planning Commission or Board of Trustees. A resubmitted application shall be considered a new application.
5. The decision of the Planning Commission or Township Board with respect to a special land use permit shall not be appealable to the Board of Zoning Appeals.

Sec. 1006 - Amendments, expansions, or change in use:

The following provisions apply when there is an amendment or a proposed expansion to approved special land use or when there is a proposed change from one Special Land Use to another.

1. Amendments: Any person or agency who has been granted a special land use permit shall notify the Township of any proposed amendment to the approved special land use permit and

associated site plan. The Zoning Administrator shall determine whether the proposed amendment requires new special land use approval. New special land use approval may be required when such amendment is a departure from the operation or use described in the approved application or causes external impacts such as additional traffic, hours of operation, noise, additional outdoor storage, or display.

2. Expansions: The expansion, change in activity, reuse or redevelopment of any use requiring a special land use permit shall require resubmittal in manner described in this Article. A separate special land use permit shall be required for each use requiring special land use review on a lot, or for any expansions of a special land use, which has not previously received a special land use permit.

1.3. Change in Use: The applicant shall be responsible for informing the Zoning Administrator of any significant change in an approved use, operations, or activities prior to any such change. The Zoning Administrator shall determine if a new special land use approval is required. A significant change shall mean any departure from the operation or use described in the approved application or any change that may cause external impacts such as additional traffic, hours of operation, noise, additional outdoor storage, or display.

Sec. 1007 – Inspections:

The Township may make periodic investigations of developments authorized by special land use permits to determine continued compliance with all requirements imposed by the Planning Commission or Board of Trustees and this Ordinance. Noncompliance with the requirements and conditions approved for the special land use shall constitute grounds to terminate said approval following a public hearing.

Sec. 1008 – Revocation:

The revocation of a special land use may occur if its recipient fails to abide by its terms, conditions, or development agreement. The revocation procedure is as follows:

1. If the Township receives credible information that the special land use permit or conditions of approval have been violated, the Zoning Administrator shall prepare a report in writing specifying (i) the specific factual details of such violation(s); and (ii) any other information or recommendation relevant to a proper determination by the Planning Commission or the Township Board, whichever approved the special land use permit, as to the nature of such violation(s) and the appropriate action to be taken by the Township.
2. The Zoning Administrator, after the investigation and based on the facts discovered, shall determine if the case goes forward. If the case does not go forward, the Zoning Administrator shall give the approving body a written report as to the why that determination was made. If the case goes forward, the process in subsections 3-8 below shall be followed.
3. The Zoning Administrator shall file the original report prepared under subsection 1 above with the Township Board/Planning Commission and serve a copy of such report upon the owner of the property for which the special land use permit was granted or its authorized agent or employee, personally or by registered mail.

4. Within twenty (20) days from the date such report has been filed with the Township Board/Planning Commission, the Township Clerk/Zoning Administrator shall set a date for a hearing before the Township Board/Planning Commission on the alleged violation(s) for a determination by the Township Board/Planning Commission as to whether or not the Township Board/Planning Commission shall revoke the special land use permit. Notice of this hearing shall be served by the Township Clerk/Zoning Administrator upon the owner of the property for which the special land use permit was granted or its authorized agent or employee, personally or by registered mail, not less than ten (10) days before the scheduled hearing date, and such notice shall contain the following:
 - A. Notice of proposed action;
 - B. Reason for the proposed action;
 - C. Date, time, and place of hearing;
 - D. A statement that the property owner may present evidence and testimony and confront adverse witnesses;
 - E. A statement that the property owner has the right to be represented by legal counsel at the hearing.
5. At all such hearings, the property owner shall have the legal right to defend against the allegations made by way of confronting any adverse witnesses, by being allowed to present live witnesses in its own behalf, by being allowed to present other evidence in its own behalf, and by being allowed to present arguments personally or through legal counsel in its own behalf.
6. The Township Board/Planning Commission shall prepare a written statement of its findings, which may be formal or informal in nature within a reasonable time, not to exceed sixty (60) days, after the conclusion of all such hearings. Such statement of findings may be embodied in a resolution adopted by the Township Board.
7. If the Township Board/Planning Commission determines after due notice and proper hearing that competent, material and substantial evidence exists that a violation of the special land use permit and the conditions of approval has been committed by a property owner or that, even if no violation has been demonstrated, nevertheless the interests of public health, safety or welfare warrant that the Township Board/Planning Commission revoke the special land use permit issued to the property, the Township Board/Planning Commission may revoke the special land use permit.
8. Criteria for revocation: The Township Board/Planning Commission may revoke the special land use permit upon a determination by the Township Board or Planning Commission that based upon competent material and substantial evidence presented at the public hearing, any of the following exists:
 - A. Violation of the special land use permit, any of the conditions of the special land use and any provisions of a development agreement attached to the special land use permit
 - B. Maintenance of a nuisance upon the premises, including, but not limited to, any of the following:
 - (1) Existing violations of building, zoning, health, fire, or regulatory codes.

(2) A pattern of conduct on the property which violates the terms of the special land use permit.

(3) A pattern of conduct on the property which creates a public nuisance.

(4) Perjury or any material misrepresentation of information in any application required or hearing held pertaining to the grant, renewal, or revocation of any license or permit.

~~7.— In granting a special land use permit, the planning commission shall impose any conditions it deems necessary to achieve the objective and standards of this ordinance, the standards of the Township Rural Zoning Act, Act No. 184 of the Public Acts of Michigan of 1943 (MCL 125.271 et seq.), as amended, and the public health, safety, and welfare of the township. Failure to comply with such conditions shall be considered a violation of the ordinance. An approved special land use permit, including all tax conditions, shall run with the parcel in the approval and shall remain unchanged except upon the consent of the planning commission. Any such changes shall be entered into township records and recorded in the minutes of the planning commission meeting at which the action occurred. The procedures required for an original application shall be followed with respect to any proposed changes.~~

~~8.— An application for a special land use permit which has been denied wholly or in part by the planning commission should not be resubmitted for a period of 365 days from the date of denial, except on grounds of new evidence or proof of changed conditions found by the planning commission to be valid.~~

~~9.— A special conditional use approval runs with the land until such time as the use designated in the "approval" is changed by the occupant. The land then reverts back to only the uses permitted in that specific zoning district.~~

~~10.— The decision of the planning commission with respect to a special land use permit shall not be appealable to the board of appeals.~~

ARTICLE XI. - SPECIFIC USE PROVISIONS^[7]

Sec. 1100. - Intent:

The intent of this ~~article~~Article is to provide standards for specific uses, whether regulated as a principal permitted use, accessory use, or a special use.

Sec. 1101. - Detached single-family dwelling units:

All detached single-family dwelling units shall be reviewed by the Building Official subject to the following conditions:

1. Dwelling units shall conform to all applicable Township ~~codes~~Codes and ~~ordinance~~Ordinances. Any such local requirements are not intended to abridge applicable state or federal requirements with respect to the construction of the dwelling. Dwelling units shall be constructed to the requirements of the Michigan Construction Code Act of 1972, (~~Public Act No. 230 of the Public Acts of Michigan of 1972, as amended~~)(MCL 1125.1501-125.1531 et. seq.) and the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended.
2. The setbacks, gross floor area and lot coverage of any proposed single-family dwelling unit shall comply with the standards for the zoning district where proposed set forth in Section 2000 Article 4 or Article 5, as applicable by zoning district.
3. Dwelling units shall be permanently attached to a perimeter foundation. In instances where the applicant elects to set the dwelling on piers or other acceptable foundations which are not at the perimeter of the dwelling, then a perimeter wall shall also be constructed. Any such perimeter wall shall be constructed of durable materials and shall also meet all local requirements with respect to materials, construction, and necessary foundations below the frostline. Any such wall shall also provide an appearance which is compatible with the dwelling and other homes in the area.
4. Dwelling units shall be provided with exterior finish materials similar to the dwelling units on adjacent properties or in the surrounding residential neighborhood.
- ~~5. Dwelling units shall have a roof with a minimum 4:12 pitch and minimum eight-inch eave, and with a drainage system that will collect and concentrate the discharge of storm water or snow away from the sides of the dwelling. The roof shall have wood shake, asphalt or other acceptable shingles, and meet the snow load standards for southern Michigan.~~
- ~~6.5.~~ Dwelling units shall be oriented on the lot to be consistent with the configuration of dwelling units on adjacent properties and in the surrounding residential neighborhood. All dwelling units shall have width to depth and depth to width ratio that does not exceed three to one (3:1). All dwelling units shall have a minimum width dimension of twenty-four (24) feet.
- ~~7.6.~~ Dwelling units shall be oriented toward the public right-of-way such that the facade that faces the street is manifestly designed as a front facade containing a door, windows, and other architectural features customary of the front facade of a residence. There shall be a minimum of two exterior doors with one facing the street. All entrances shall be provided with steps, a stoop or porch that is permanently attached, on a frost depth foundation, ~~either to~~to the perimeter wall.

~~8. The dwelling shall contain storage capability in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to ten percent of the square footage of the dwelling or 100 square feet, whichever shall be less.~~

9.7. Any such home shall be anchored by an anchoring system approved by the Township.

10.8. The ~~zoning-Zoning administrator-Administrator~~ may request a review by the Planning Commission of any dwelling unit with respect to ~~items subsections d-4, e-, and fe-5,~~ above. The Planning Commission shall review the proposed dwelling at a hearing where notice of such hearing shall be provided to all occupants of dwellings within three hundred (300) feet of the lot to contain the proposed dwelling. The ~~zoning-Zoning administrator-Administrator~~ or Planning Commission shall not seek to discourage architectural variation but shall seek to promote the reasonable compatibility of the character of dwelling units, thereby protecting the economic welfare and property value of surrounding residential uses and the Township at large. In reviewing any such proposed dwelling unit, the ~~zoning administrator-Zoning Administrator~~ may require the applicant to furnish such plans, elevations, and similar documentation as the ~~zoning administrator-Zoning Administrator~~ deems necessary to permit a complete review and evaluation of the proposal. When comparing the proposed dwelling unit to similar types of dwelling areas, consideration shall be given to comparable types of homes within three hundred (300) feet. If the area within three hundred (300) feet does not contain any such homes, then the nearest twenty-five (25) similar type dwellings shall be considered.

11.9. The provisions of this ~~section-Section~~ shall not apply to manufactured homes situated in licensed manufactured housing communities.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 1102. - Home occupations:

~~1. Home occupation subject to the following:~~

~~a. No home occupation shall be permitted that:~~

~~(1) Changes the outside appearance of the dwelling or is visible from the street.~~

~~(2) Generates traffic, parking, sewerage or water use in excess of what is normal in the residential neighborhood.~~

~~(3) Creates noise, vibration, glare, fumes, odors or results in electrical interference, or becomes a nuisance.~~

~~(4) Results in outside storage or display of anything including a sign.~~

~~(5) Requires the employment of anyone in the home other than one dwelling occupant.~~

~~(6) Requires exterior building alterations to accommodate the occupation.~~

~~(7) Occupies more than 20 percent of the ground floor area of the dwelling, or 50 percent of a detached garage.~~

~~(8) Requires parking for customers or visits for business purposes that cannot be accommodated on the site and/or not exceeding one parking space at curb side on the street.~~

~~(9) Requires the delivery of goods or the visit of customers before 6:00 a.m. and after 8:00 p.m.~~

~~(10) Would generate 20 or more customers or visits for business purposes by persons per week.~~

~~b. The following are permitted home occupations provided they do not violate any of the provisions of the previous paragraph:~~

~~(1) Dressmaking, sewing and tailoring.~~

~~(2) Painting, sculpturing or writing.~~

~~(3) Telephone answering.~~

~~(4) Home crafts, such as model making, rug weaving and lapidary work.~~

~~(5) Tutoring, limited to four students at a time.~~

~~(6) Computer application not including sale of computers.~~

~~(7) Salesperson's office or home office of a professional person.~~

~~(8) Laundering and ironing.~~

~~(9) Repair of clocks, instruments or other small appliances which do not create a nuisance due to noise, vibration, glare, fumes, odors or result in electrical interference.~~

~~(10) Barbershops and beauty parlors; limited to one operator.~~

~~(11) Dance studios; limited to four students at a time.~~

~~c. The following are prohibited as home occupations:~~

~~(1) Private clubs.~~

~~(2) Repair shops which may create a nuisance due to noise, vibration, glare, fumes, odors or electrical interference.~~

~~(3) Restaurants.~~

~~(4) Stables or kennels.~~

~~(5) Tourist homes.~~

~~(6) Automobile repair or paint shops.~~

~~(7) Medical marihuana dispensaries.~~

~~(8) Medical marihuana nurseries.~~

1. Home occupations are limited to those who legally reside in the residence.

2. All home occupations/home offices, with the exception of agricultural operations, shall be in single-family residences subject to the following requirements:

A. Incidental and Secondary. A home occupation/home office must be clearly incidental and secondary to the primary use of a dwelling unit and conducted by a resident of the dwelling.

B. Outside Appearance. A home occupation/home office shall not change the character or appearance of the structure or the premises, or other visible evidence of conduct of such home occupation/home office. There shall be no external or internal alterations not customary in residential areas or structures. A home occupation/home office shall be conducted within the dwelling unit or within a building accessory thereto. There shall be no outside display of any kind, or other external or visible evidence of the conduct of a home occupation/home office, with the exception of a nameplate sign as set forth in [Article 15](#).

- C. Creation of Nuisance. A home occupation/home office use shall not create a nuisance or endanger the health, safety, welfare, or enjoyment of any other person in the area, by reason of noise, vibrations, glare, fumes, odor, electrical interferences, unsanitary or unsightly conditions, and/or fire hazards. Any electrical equipment processes that create visual or audible interferences with any radio or television receivers off the premises or which cause fluctuations in line voltages off the premises shall be prohibited.
- D. Percentage. The home occupation/home office shall utilize no more than twenty percent (20%) of the total floor area of any one (1) story of the residential structure therein located ~~or fifty up to two hundred (200) square feet of a~~ ~~percent (50%) of a detached garage structure.~~ Said detached structure shall meet all required accessory structure provisions.
- E. Number of Customers. No more than two (2) customers or clients shall be permitted to visit the site at any given time. Adequate off-street parking shall be provided for customers or clients.
- F. Vehicular Traffic Creation. There shall be no vehicular traffic permitted for the home occupation/home office, other than as is normally generated for a single-family dwelling unit in a residential area, both as to volume and type of vehicles.
- G. Employee. A home occupation shall be allowed up to one (1), ~~non-family, employee provided that one (1) parking space is provided for the employee.~~
- H. Parking. Parking for the home occupation/home office shall not exceed two (2) spaces. Such spaces shall be provided on the premises. Off street parking is subject to all regulations in ~~Article 12~~Section 1205, Parking Requirements. Parking spaces shall not be located in the required front yard.
- I. Commodities. No ~~article~~Article shall be sold or offered for sale on the premises except as is prepared within the dwelling or accessory building or is provided as incidental to the service or profession conducted therein.
- J. Storage. The exterior storage of material, equipment, or refuse associated with or resulting from a home occupation/home office, shall be prohibited.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 1103. - Keeping of chickens:

The keeping of up to four (4) hens on those parcels of land separately owned outside the boundaries of either a proprietary, supervisor's plat or site condominium and having an area of not less than one (1) acre; subject to the health and sanitation provisions of the Township of Ypsilanti subject to the following:

1. The principle uses of the property where the hens are to be kept is as a single-family dwelling as defined by ~~the Township zoning~~this ordinance~~Ordinance~~.
2. Hens may only be kept by a person permanently residing at the subject residence.
3. The keeping of roosters shall be prohibited.
4. Chickens shall be provided with a secure, well-ventilated, roofed, and lockable structure (heretofore referred to as a "hen house") which shall not exceed twenty-five (25) square feet in area.

5. A covered enclosure or fenced enclosure, constructed in a workmanlike manner, shall be erected around the hen house to prevent the hens from leaving the enclosed area.
6. No enclosure shall be located closer than twenty (20) feet from a property line nor shall it be located closer than forty (40) feet to any adjacent residential structure.
7. Both the hen house and the fenced pen, run, or enclosure must be located in the rear yard.
8. All enclosures for the keeping of chickens shall be constructed or repaired to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.
9. All food shall be stored indoor and within a rodent-proof container.
10. The slaughtering of hens shall be prohibited.
11. Waste materials (feed, manure, and litter) should be disposed of in an environmentally responsible manner. The materials can be composted or bagged and disposed of in the trash. It is not acceptable to pile waste materials on the property.

~~Sec. 1104. – Farm operations in one-family residential districts:~~

Sec. 1104~~5~~. - Institutional or community recreation centers and nonprofit swimming pool clubs:

Institutional or community recreation centers and nonprofit swimming pool clubs, all subject to the following conditions:

1. Front, side, and rear yards shall be at least eighty (80) feet wide, and shall be landscaped in trees, shrubs, and grass. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except required entrance drives and those walls used to obscure the use from abutting residential districts.
2. Off-street parking shall be provided so as to accommodate not less than one-half (1.5) of the member families and/or individual members. The Planning Commission may modify the off-street parking requirements in those instances wherein it is specifically determined that the users will originate from the immediately adjacent areas and will therefore be pedestrian. Prior to the issuance of a building permit or zoning compliance permit, bylaws of the organization shall be provided in order to establish the membership involved for computing the off-street parking requirements. In those cases, wherein the proposed use or organization does not have bylaws or formal membership, the off-street parking requirement shall be determined by the Planning Commission on the basis of usage.
3. Whenever a swimming pool is constructed under this ~~ordinance~~Ordinance, said pool area shall be provided with a protective fence, six (6) feet in height, and entry shall be provided by means of a controlled gate.

Sec. 1105~~6~~. - Golf courses:

Golf courses, which may or may not be operated for profit, subject to the following conditions:

- ~~1. The site plan shall be laid out to achieve a relationship between the major thoroughfare and any proposed service roads, entrances, driveways, and parking areas which will encourage pedestrian and vehicular traffic safety.~~
1. Accessory Uses and Buildings. Golf courses may also include accessory uses such as, but not limited to, clubhouses, restaurants, driving ranges, pro shops, and maintenance buildings. Any accessory uses and buildings associated with the golf course, and any buildings on the site shall conform to setback and dimensional requirements of the underlying zoning district.
2. Layout. The design and layout of a golf course shall be configured to prevent stray golf shots from traveling off the site and onto rights-of-way, neighboring properties or lands within the golf course development designed for uses other than the playing of golf.
3. Off-Street Parking. All off-street parking shall be in compliance with the standards set forth in Section 1205, Parking Requirements of this Ordinance to provide for adequate parking for golfers as well as for banquets, weddings, golf tournaments, conferences, and other activities.
4. Storage, Service, and Maintenance Areas. All storage, service, and maintenance areas shall be screened from view of residentially zoned or used property in accordance with the standards set forth in Section 1301.3.H.
- ~~2-5.~~ In residential zoning districts where golf courses are allowed, development features including the principal and accessory buildings and structures shall be so located and related as to minimize the possibilities of any adverse effects upon adjacent property. All principal or accessory buildings shall be not less than two hundred (200) feet from any property line abutting residentially zoned lands; provided that where topographic conditions are such that buildings would be screened from view, the Planning Commission may modify this requirement.
- ~~3-6.~~ Whenever a swimming pool is to be provided, said pool shall be provided with a protective fence, six (6) feet in height, and entry shall be provided by means of a controlled gate.

Sec. 11067. - Colleges and universities:

Colleges, universities, and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit, all subject to the following conditions:

1. Any use permitted herein shall be developed only on sites of at least forty (40) acres in area and shall not be permitted on any portion of a recorded subdivision plat.
2. No building shall be closer than eighty (80) feet to any property line.

(Ord. No. 2011-476, § 20, 2-20-11)

Sec. 11078. - Bed and breakfasts operations:

~~Bed and breakfasts are subject to the following conditions:~~

- ~~a. Such dwelling units shall conform to all applicable township codes and ordinances.~~

- ~~b. Such dwellings shall be located only on major or secondary thoroughfares as designated on the township master plan and shall be located on lots or parcels of not less than 12,000 square feet area.~~
- ~~c. Not more than 49 percent of the total floor space of the dwelling unit may be used for leasable sleeping rooms.~~
- ~~d. The leasable sleeping rooms shall have a minimum size of 100 square feet for each two occupants with an additional 30 square feet for each additional occupant, not to exceed a maximum of four occupants per room.~~
- ~~e. Each leasable sleeping room must have a separate operating smoke detector alarm.~~
- ~~f. Lavatory and bathing facilities must be available to all persons using any leasable sleeping room.~~
- ~~g. There will be no separate cooking facilities available to persons using any leasable sleeping room.~~
- ~~h. There will be at least two exits from each level of the dwelling units.~~
- ~~i. The maximum length of stay for any person using any leasable sleeping room is 14 consecutive days.~~
- ~~j. Every operator of such dwelling unit must keep a list of the names and addresses of all persons staying at the dwelling unit. The guest register must be available for inspection by township officials at any time.~~
- ~~k. The operations of the dwelling unit will not be permitted to endanger, offend, or otherwise interfere with the safety or rights of others so as to constitute a public nuisance.~~

1. The proprietor shall reside at the Bed and Breakfast establishment operation.
2. Guest stays shall not exceed fourteen (14) consecutive days nor more than thirty (30) days in one (1) year.
3. The rooms utilized for sleeping shall be a part of the primary residential use and not specifically constructed for rental purposes. Provided, however, that an accessory dwelling in ———existence as of the effective date of this section, and section Section and located on the same parcel as a Bed and Breakfast may be utilized for sleeping rooms, in accordance with this Section.
4. The rental sleeping rooms shall have a minimum area of one hundred (100) square feet for one (1) or two (2) occupants with an additional thirty (30) square feet for each occupant to a maximum of four (4) occupants per room.
5. Lavatory and bathing facilities must be available to all persons using any leasable sleeping room.
6. ~~g~~There will be no separate cooking facilities available to persons using any leasable sleeping room.

Sec. 110~~89~~. - Public riding and/or boarding stables:

Public riding and/or boarding stables may be permitted in residential districts under the following conditions:

1. The location, size, and setbacks must comply with the currently adopted Michigan Department of Agriculture and Rural Development Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Facilities.
2. Manure management must comply with the currently adopted Michigan Department of Agriculture and Rural Development Generally Accepted Agricultural and Management Practices for Manure Management and Utilization.

3. Ingress and egress to the stable shall be solely through the parcel in question which shall abut a public right-of-way. Adequate off-street parking shall be provided on the site and shall be located at least one hundred (100) feet from the perimeter of the site.
4. Lighting for exterior illumination shall be directed away from and shall be shielded from adjacent residential districts.
5. A plot plan drawn to scale shall be submitted showing ingress and egress, parking, and lighting.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 110910. - Private stables:

Private stables may be permitted ~~in residential districts as an accessory use,~~ for not more than one (1) horse on a lot where said lot is not less than four (4) acres in area and provided further, that for each additional horse stabled thereon one (1) acre of land shall be provided. All confinement areas and/or stable buildings shall in all instances be located in the rear yard and shall not be less than one hundred (100) feet from any property line.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 111011. — Commercial Greenhouses and plant material nurseries in one (1) family residential districts:

Plant material nurseries and commercial greenhouses may be permitted in districts subject to the following conditions:

1. Minimum size: The minimum site size shall be five (5) acres and so located as to provide all ingress and egress directly onto a major thoroughfare.
2. Required yards: All required yards shall be not less than fifty (50) feet wide when abutting any residential district.
3. Permanent sSales Ooffice-: ~~If retail sales are permitted on site, a permanent sales and office building shall be located on site. The building or buildings may also include activities which are ancillary to the principal use, such as indoor storage of equipment and materials and equipment repair.~~
4. Outdoor Sstorage-: ~~Outdoor storage of equipment and materials shall be subject to the standards set forth in Section 1157 Outdoor Storage of Goods, Materials, and Equipment and Contractors/Landscapers Yard.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 11112. - Cemeteries:

Cemeteries may be permitted subject to the following conditions:

1. Landscaping screening meeting the standards set forth in Section 1301.3.H shall be provided where a cemetery abuts a residential Zoning District or use.

2. The use shall be so arranged that adequate assembly area is provided off-street for vehicles to be used in a funeral procession. This assembly area shall be provided in addition to any required parking.
3. Points of ingress and egress for the site shall be designed so as to minimize possible conflicts between traffic on adjacent major thoroughfares and funeral processions or visitors entering or leaving the site.
4. No building shall be located closer than fifty (50) feet from a property line that abuts any residentially used or zoned property.
 - a. ~~The location of the cemetery shall be permitted in any quarter section of an R district when such quarter section does not have more than 51 percent of its land area in recorded plats.~~
 - b. ~~All sides of the cemetery shall be adequately screened from any residential view.~~
 - c. ~~Final approval shall be given contingent on a satisfactory drainage plan approved by the township engineer.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

~~Sec. 1113. Seasonal sale of produce on farm operations:~~

- a. ~~Off street parking shall be provided with ingress and egress provided to minimize traffic hazards on public streets. Paving of parking areas as required in section 2105 shall not be required; however, parking areas shall be surfaced and maintained in a dustfree condition at all times.~~
- b. ~~Signs shall be limited to sizes and locations in keeping with section 2009. In addition to sign regulation provided in section 2009, not more than two temporary signs totaling not more than 12 square feet in the aggregate may be utilized.~~
- c. ~~Any buildings, or structures, to be erected and any produce to be sold in the open shall meet all setback requirements of the district in which it is located.~~
- d. ~~In those instances where produce is to be sold on a farm property with buildings already in existence on the site, sale of produce may be conducted within existing yards, provided setbacks meet the requirements of the district in which it is located.~~
- e. ~~All temporary buildings and structures shall be constructed, used, occupied and maintained in compliance with the provisions of the state construction code and all applicable ordinances by the township. Permits shall be issued for six month periods.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 111213. – Community ~~Supported-supported~~ Agricultureagriculture:

1. Application of rRegulations:

- A. Community supported agriculture or associated distribution/pickup center, u-pick operations, and ———farm markets occupying less than one thousand five hundred (1,500) square feet shall be reviewed —administratively. The administrative review process shall be conducted as follows:

- (1) A property survey, drawn to scale with dimensions, and showing property lines and all structures and other improvements shall be submitted to the Township with an application for zoning compliance.
 - (2) The Zoning Administrator shall review the application and supporting materials, using the standards of this ~~section~~Section and other applicable provisions of the Zoning Ordinance. The Zoning Administrator shall provide approval or denial within one hundred and thirty-five (135) days from the date the complete application was submitted. If the application is denied, the Zoning Official shall notify the applicant in writing of such action and reasons for such rejection.
- ~~A.~~B. Community supported agriculture or associated distribution/pickup center, u-pick operations, and farm markets occupying one thousand five hundred (1,500) square feet or more shall require review and approval from the Planning Commission.

2. Standards:-

- A. Locally/Regionally Grown Farm Products. Agriculture products distributed or sold at such facility shall be locally/regionally grown and obtained from Michigan farms within a radius of no more than one hundred (100) miles from the facility. For value-added products sold at any facility, at least fifty percent (50%) of the products' "namesake" ingredient must be produced by a Michigan farm within one hundred (100) miles of the facility.
 - B. Minimum Lot Area. Minimum lot area shall be two and one-half (2.5) acres.
 - C. Setbacks. Facilities or areas used for CSA or farm markets shall be setback a minimum of one hundred (100) feet from any adjacent residential structure.
 - D. Parking. Adequate parking for the maximum number of expected patrons must be provided on site and outside of any road right-of-way. Parking lot and maneuvering lane surfaces shall be adequate for the number and types of vehicles accessing the facility.
 - E. Hours of Operation. The facility shall operate any time between the hours of 7:00 a.m. to 7:00 p.m.
 - F. Lighting. Lighting used in the operation of the CSA and/or farm market shall be downward facing and shielded to minimize light trespass onto adjacent properties. Lights, other than those needed only for security, shall not be turned on when the CSA, or farm market facility is not in use.
 - G. Nuisances. The CSA or farm market facility shall not create nuisances for adjacent property owners. Such nuisances include, but are not limited to, amplified music or sounds, excessive dust or odors, and/or traffic that cannot be accommodated on site.
 - H. Other Permits. All other required permits shall be obtained.
- ~~1.~~3. Other Marketing Strategies:- Other marketing strategies, activities, and services designed to attract and entertain customers while they are at the CSA or farm market require additional review by the Township, the Planning Commission, and/or the Township Board.

~~Sec. 1114. – Institutional farms:~~

~~Institutional farms are subject to the following:~~

- ~~1. A site of not less than sixty (60) acres shall be required.~~
- ~~2. A frontage of not less than one hundred (100) feet on a public road shall be required.~~
- ~~3. Farming shall be a primary activity conducted on the premises. Not less than ninety-five percent (95%) of such site shall be utilized as open land for crop cultivation.~~
- ~~4. The site shall be located on a major thoroughfare as designated on the Township master plan and such thoroughfare shall have a paved surface.~~
- ~~5. Buildings shall be located no nearer than eighty (80) feet to any property line.~~
- ~~6. A landscaped screening area not less than forty (40) feet wide shall be provided on those sides of the property where homes exist on abutting properties.~~
- ~~7. Activities which create any of the following impacts beyond the property line of the farm shall be prohibited:
 - ~~A. Activities which exceed noise levels of seventy (70) decibels at the property line.~~
 - ~~B. Activities which generate vibration felt at the property line.~~
 - ~~C. Activities which generate electronic interference beyond the property line.~~
 - ~~D. Lighting of an intensity greater than for normal farming activities.~~~~
- ~~8. Farming activities that normally produce effects felt beyond the immediate farm property line that are consistent with those effects produced by other farms in the immediate area shall be permitted.~~
- ~~9. Parking areas shall be provided for all residents, caretakers, instructors, and administrative personnel. Visitor parking and parking for any event conducted on the premises shall be provided as off-street parking.~~
- ~~10. A site plan prepared in accordance with section 2115 shall be drawn to scale and submitted for review under this section.~~
- ~~11. Landscape screening, where required, shall be provided in accord with section 2108.~~
- ~~12. Not more than thirteen (13) resident patients per acre may reside on that portion of the farm occupied by buildings. The portion of the farm occupied by buildings shall not exceed five percent (5%) of the total farm property.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 111~~35~~³⁵. - Keeping of more than four (4) dogs in one-family residential districts:

The keeping of more than four (4) dogs owned by the resident of a property as pets not boarded for others subject to the following conditions:

1. All dogs shall be licensed per ~~chapter~~^{Chapter} 14, ~~article~~^{Article} III of the Code of Ordinances of the Charter Township of Ypsilanti.
2. A nontransferable permit shall be required stating dog ownership and the number of dogs to be kept. The permit shall be required to be renewed annually. Such renewal may be given by the Building Official provided no increase in number of dogs or violation of any provision of this

~~ordinance~~Ordinance or other ~~ordinance~~Ordinance has occurred in the prior year or is evident at the time of renewal.

3. The yard area in which dogs are allowed to run shall be securely fenced and shall not be placed in such a location as to become a nuisance to abutting properties or the neighborhood.
4. Outdoor areas in which dogs are kept shall be kept free of dog droppings, decayed food, and odors. Noticeable odors or an excessive accumulation of insects shall be reason for revocation of the special permit.
5. A plot plan shall be submitted showing the location and fencing of the outdoor areas in which dogs are kept and showing the relationship to public streets, abutting properties and buildings on abutting properties.

(~~Ord. No. 2011-476~~, § 20, 2-20-11)

Sec. 11146. - Convalescent homes and nursing homes:

Convalescent homes or nursing homes must meet following conditions:

~~a-~~

1. ~~Site~~ aArea: All such facilities shall be developed on sites having a minimum area of one (1) acre, or two thousand (2,000) square feet of site area for each one (1) bed in the facility, or for each person cared for in the facility, whichever is greater. Within this area, a minimum of five hundred (500) square feet of contiguous open space shall be provided, apart from areas required for vehicular uses, for each bed or for each person cared for within the capacity of the building.
2. ~~Ingress and egress~~: The proposed site shall have at least one (1) property line abutting and restricting all vehicular ingress and egress to a major thoroughfare .
3. ~~Yards~~: All yards shall be a minimum of forty (40) feet in width shall be kept free of parking and shall be landscaped.
4. ~~Loading and service~~ aAreas: Delivery loading and service areas and parking areas shall be screened from view of residentially zoned or used property in accordance with the standards set forth in Section 1207, ~~Off-street loading and unloading~~.
5. ~~Facade~~: 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.
6. ~~Facilities~~: 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.

~~The site shall be so developed as to create a land to building ratio on the lot or parcel whereby for each one bed in the convalescent home there shall be provided not less than 1,500 square feet of open space. The 1,500 square feet of land area per bed shall provide for landscape setting, off-street parking, service drives, loading space, yard requirements, employee facilities, and any space required for accessory uses. The 1,500 square foot requirement is over and above the building coverage area.~~

~~b.— No building shall be closer than 40 feet to any property line.~~

~~c.— Convalescent or nursing homes in the town center districts are not subject to the above regulations.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

~~Sec. 1117.— Retail uses accessory to high-rise multiple-family dwelling:~~

~~Business uses shall be permitted on a high-rise multiple-dwelling site when developed as retail and/or service uses clearly accessory to the main use, within the walls of the main structure, and totally obscured from any exterior view. No identifying sign for any such business and/or service use shall be visible from any exterior view. Such businesses and/or services shall be prohibited on all floors above the first floor or grade level.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

~~Sec. 11151. — Mortuaries and Mortuary establishments Funeral Hhomes:~~

~~Mortuaries and Mortuary establishments Funeral Hhomes must provide adequate assembly area off-street for vehicles to be used in funeral processions, provided further that such assembly area shall be provided in addition to any required off-street parking area. A caretaker's residence may be provided within the building of mortuary establishments in business and form-based districts. A crematorium shall only be permitted as an accessory use of a funeral home and shall only be approved a special conditional use.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

~~Sec. 1119.— Private clubs, fraternal organizations, and lodge halls in the OS-1 district:~~

~~Private clubs, fraternal organizations, and lodge halls in the OS-1 zoning district must meet the following conditions:~~

- ~~1.— The site abuts a major thoroughfare, as currently classified, or as designated on the Township future land use plan defined in Section 201 of this Ordinance.~~
- ~~2.— Access to and from the site can be safely provided to the satisfaction of the Washtenaw county County road Road commission Commission.~~
- ~~3.— No building or parking area shall be located closer than fifty (50) feet to a property line.~~
- ~~4.— All parking shall be screened from view of all abutting residential districts.~~
- ~~— Outdoor lighting of a type and location which will not be a nuisance to abutting residential districts shall be provided and any outdoor lighting shall conform with the guidelines set forth in section Section 2110 of the zoning ordinance 1303, Exterior lighting.~~
- ~~5.— Private clubs are required to register with the Township.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 111620. - Veterinary clinics:

1. Veterinary clinics when such use is conducted entirely within an enclosed building. No animal kennels or animal runs shall be allowed outside the principal building. Animal kennels or runs within a principal building shall provide no windows which can be opened to the outside. All buildings are set back at least one hundred (100) feet from abutting residential district on the same side of the street.

1.2. All narcotics must be kept secure in a locked area.

(-Ord. No. 2011-476, § 20, 2-20-11)

Sec. ~~111721~~. - Veterinary hospitals:

All activities are conducted within a totally enclosed main building and provided further that all buildings are set back at least one hundred (100) feet from abutting residential district on the same side of the street. All narcotics must be kept secure in a locked area.

(-Ord. No. 2011-476, § 20, 2-20-11)

~~Sec. 1122. – Restaurants:~~

~~a. In the OS-1 and B-1 zoning districts, restaurants must meet the following conditions:~~

- ~~(1) Service is wholly within the building and no drive-in facilities are provided.~~
- ~~(2) When adjacent to a residential zoning district boundary, the building shall have a minimum setback of 20 feet from the residential zoning district boundary.~~
- ~~(3) Parking areas shall be screened from adjacent residential areas in accord with section 2108 and such screening walls shall be constructed of finished materials in harmony with the residential character of abutting residential zones.~~
- ~~(4) Outdoor lighting, of a type and location which will not be a nuisance to abutting residential districts, shall be provided. The type of lighting and the location of such lighting shall be included on the plan for review by the planning commission.~~
- ~~(5) All access to the site shall be in accordance with section 2111.~~

~~b. In the IRO zoning districts, restaurants or other places serving food and beverages are subject further to the following conditions:~~

- ~~(1) Drive-in, fast food, carry-out or drive-through restaurants are not permitted.~~
- ~~(2) The use shall be located within an office structure, hotel or motel building or in a freestanding building within the IRO district directly adjacent to a permitted use in the IRO zoning district.~~
- ~~(3) The use is a part of an overall plan for development of not less than 30 acres and shall be part of a service establishment complex for such development.~~
- ~~(4) The use shall comprise not more than 20 percent of the land area of an overall development.~~
- ~~(5) The location of such uses shall be established at the time of site plan review and approval for the total development complex.~~

~~c. Drive-in and drive-through restaurants must meet the regulations in section 1123.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 111823. - Drive-in and drive-through facilities:

1. On-site Stacking. Adequate on-site stacking space for vehicles shall be provided for each drive-in or drive-through window so that vehicles will not interfere with vehicular circulation or parking maneuvers on this site. Access to and egress from the site will not interfere with peak hour ~~_____~~ traffic flow on the street serving the property. On-site vehicle stacking for drive-in windows shall not interfere with access to, or egress from the site or cause standing of vehicles in a public right-of-way.
2. Traffic Control. Projected peak hour traffic volumes which will be generated by the proposed drive-in or drive-through service shall not cause undue congestion during the peak hour of the street serving the site.
3. Ingress and Egress. Ingress and egress to drive-through facilities shall be part of the internal circulation of the site and integrated with the overall site design. Clear identification and delineation between the drive-through facility and the parking lot shall be provided. Drive-through facilities shall be designed in a manner which promotes pedestrian and vehicular operation and safety.
 - A. Drive-Through Locations. Single-lane drive-throughs may be located at the side of a building. Multiple-lane drive-throughs shall be located in a manner that will be the least visible from a public thoroughfare. Canopy design shall be compatible with the design of the principal building and incorporate similar materials and architectural elements.
 - B. When abutting or adjacent to residential districts zoned for R (residential), a six (6) foot high, completely obscuring wall, fence or landscaping shall be provided. The Planning Commission may require screening for other uses. The height of the wall/landscaping/fence shall be measured from the surface of the ground. The wall/landscaping/fence shall extend only to the front yard setback line.
 - C. Stacking Space Requirements. Each drive-through facility shall provide stacking space meeting the following standards:
 - (1) Each stacking lane shall be one-way, and each stacking lane space shall be a minimum of twelve (12) feet in width and twenty (20) feet in length.
 - (2) If proposed, an escape lane shall be a minimum of twelve (12) feet in width to allow other vehicles to pass those waiting to be served.
 - (3) The number of stacking spaces per service lane shall be provided for the uses as listed in the Minimum Stacking Spaces Table. When a use is not specifically mentioned, the requirements for off-street stacking space for the use with similar needs, as determined at the discretion of the Zoning Administration, shall apply.

~~Minimum Stacking Spaces Table XXa. — The sale of alcoholic beverages via drive-through service is not permitted. The planning commission may include other restrictions on products sold via the drive through as applicable.~~

- ~~b. — A setback of at least 60 feet from the right-of-way line of any existing or proposed street must be maintained.~~
- ~~c. — Access points shall be located at least 60 feet from the intersection of any two streets.~~
- ~~d. — All lighting shall be shielded from adjacent residential districts.~~
- ~~e. — When abutting or adjacent to districts zoned for R (residential), a six-foot high, completely obscuring wall, fence or landscaping shall be provided. A four-foot six-inch high partially obscuring wall, fence or landscaping shall be required when abutting all other occupancies. The height of the wall/landscaping/fence shall be measured from the surface of the ground. The wall/landscaping/fence shall extend only to the front yard setback line.~~
- ~~f. — The stacking lane for the drive-through shall be located where it does not conflict with on-site circulation or block access to the site and shall promote pedestrian safety.~~
- ~~g. — A bypass lane for vehicles not utilizing drive-through facilities must be provided. Clear identification and delineation between the drive-through facility and the parking lot shall be provided.~~

| <u>Use</u> | <u>Stacking Spaces per Service Lane*</u> |
|--|--|
| <u>Banks, Pharmacy, Photo Service, and Dry Cleaning</u> | <u>4</u> |
| <u>Restaurants with Drive-Through</u> | <u>10</u> |
| <u>Vehicle Use Quick Oil Change</u> | <u>2</u> |
| <u>Auto Washes (Self-Service)</u> | |
| <u> Entry</u> | <u>2</u> |
| <u> Exit</u> | <u>1</u> |
| <u>Auto Washes (Automatic)</u> | |
| <u> Entry</u> | <u>8</u> |
| <u> Exit</u> | <u>2</u> |
| <p><u>*The Planning Commission, based on a recommendation from the Zoning Administrator, may require more stacking spaces for a specific user, if it is determined that said user, based on their specific operation requires additional stacking for a typical day.</u></p> | |

~~Sec. 111924. — Outdoor storage or display of merchandise, goods or items associated with a permitted use Open Air Business:~~

- ~~1. Outdoor Display and Sales: Outdoor Display and Sales are subject to the following standards and conditions:

 - ~~A. Outdoor Display and Sales that is the principal use of the property is permitted as a Special Use in the xx B-3 districts is are subject to the approval of the Planning Commission is not permitted as a principal use of a property.~~~~

- B. An Outdoor Display and Sales that is as an accessory use to the principal use conducted on the premises is permitted within the GC ~~4~~District, and regional form-based corridors ~~B-3xx~~ —districts after obtaining a Zoning Compliance Permit from the Zoning Administrator. In the administration of these provisions, the Zoning Administrator may refer a request to the Planning Commission for review and approval where site conditions may create difficulty in adherence to the standards contained herein.
 - C. The exterior of the premises shall be kept clean, orderly, and maintained.
 - D. The Township shall not be held liable or responsible for any type of damage, theft, or personal injury that may occur as a result of an outdoor display.
 - E. The location of the outdoor display shall meet all required setbacks and shall be approved by the Zoning Administrator.
 - F. An outdoor display shall not occupy or obstruct the use of any fire lane, roadway, drive aisle, drive entrance, storage area, off-street parking, or landscaped area required to meet the standards of this Ordinance.
 - G. Outdoor sale and display areas that abut residentially zoned or used property shall be screened in accordance with Section 1301.3.H.
 - H. Only those products that are sold or are similar to the products sold within the principal building on the same lot may be permitted to be sold or displayed outdoors.
2. ~~Seasonal Sales~~: The outside sale of seasonal items such as Christmas trees, flowers and plants, pumpkins, and other such seasonal items that are grown shall require a permit from the Zoning Administrator subject to the following standards and conditions:
- A. Seasonal sales may be located within any required side or rear yard and shall be no closer to a public road right-of-way than the required front yard setback or existing building, whichever is less. Where outdoor displays abut residentially zoned property, landscape screening in accordance with Section 1301.3.H shall also be provided.
 - B. Seasonal sales shall not occupy or obstruct the use of any fire lane, required off-street parking, or landscaped area required to meet the requirements of this Ordinance.
 - C. Ingress and egress shall be provided in a manner so as not to create a traffic hazard or nuisance.
 - D. Such sales shall be permitted for a period not to exceed ninety (90) days.
 - A.E. Upon discontinuance of the seasonal use, any temporary structure shall be removed.
- ~~a. Such storage shall be strictly and clearly incidental to the principal use and only products and materials owned or produced by the principal business, and equipment owned and operated by the principal use shall be permitted for storage under the subsection.~~
 - ~~b. Location and size.~~
 - ~~(1) The location and size of areas for such storage, nature of items to be stored therein, and details of the enclosure, including description of materials, height, and typical elevation of the enclosure shall be indicated on a site plan.~~

~~(2) Such storage shall not be located within the area between the front face of the building, as extended across the entire width of the lot, and to the right of way; in any required side or rear yard; or in any required transition strip.~~

~~(3) Such storage shall not be located in any required parking or loading space.~~

~~c. Screening. The area for such storage shall be screened from view on all sides. Screening shall be constructed of wood or masonry materials. Wire fences with inserted strips of metal, plastic and similar materials shall not be substituted for the required screening. The screen shall not be less than the maximum height of the product being stored.~~

~~d. The outdoor storage or display shall be located in the side or rear yards of the site. Any stockpiles of soils, fertilizer or similar loosely packaged materials shall be sufficiently covered or contained to prevent dust or blowing of materials.~~

~~(-Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 11205. - Sidewalk and outdoor cafes:

Sidewalk or outdoor cafes may be permitted subject to the issuance of a revocable permit to operate a sidewalk cafe or an outdoor cafe 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 A Zoning Compliance permit may be issued by the Zoning Administrator under the following terms and conditions:

1. ~~a. Parking Lot.~~ Outdoor cafes may be permitted in parking lots provided that the following:

A. No handicapped parking may be used or blocked

B. Maintain safe traffic flow

C. Maintain sufficient parking

D. Provide a secure barrier from cars

1.2. Permits: Sidewalk or outdoor cafe permits may be issued if it is determined that the occupancy will not:

A. Interfere with the use of the street for pedestrian or vehicular travel.

B. Unreasonably interfere with the view of, access to or use of property adjacent to said street.

C. Reduce any sidewalk width to less than six (6) feet.

D. Interfere with street clearing or snow removal activities.

E. Cause damage to the street or to sidewalks, trees, benches, landscaping, or other objects lawfully located therein.

F. Cause a violation of any state or local laws.

G. Be principally used for off-premises advertising.

H. Be attached to or reduce the effectiveness of or access to any utility pole, sign, or other traffic control device.

I. Cause increased risk of theft or vandalism.

J. Be in or adjacent to property zoned exclusively for residential purposes.

~~2.3.~~ All businesses selling food or beverages to be consumed in a public sidewalk area or outdoor area adjacent to the business shall enclose the area with a temporary structure approved by the ~~building~~ Building inspector~~Inspector~~. All construction shall conform with existing building codes and regulations of the Township. Such plans shall also include the location of adequate trash receptacles.

~~3.4.~~ Prior to the issuance of a sidewalk or outdoor cafe permit, the applying business must provide the Township with a certificate of liability insurance in an amount to be determined solely by the Township. The certificate of insurance must be in effect for at least the period of the permit to be issued. In addition, the applying business shall, by written agreement with the Township, indemnify and hold harmless the Township from all claims or damages incident to the establishment and operation of a sidewalk cafe.

~~4.5.~~ Prior to the issuance of a permit, a fee as specified from time to time by resolution of the Township Board, shall be paid by the requesting business for the period of the permit. The period of a sidewalk or outdoor cafe permit shall not exceed one hundred ~~ten~~ (110) days. The dates and duration shall be specified on the permit. The permit shall be subject to immediate revocation for failure to properly maintain the area being used as a sidewalk or outdoor cafe, or for any other violation of this ~~section~~ Section or any other ~~section~~ Section.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 11216. - Dealership for sale of new or used ~~automobiles~~ vehicles, boats, house trailers or rental of trailers and/or ~~automobiles~~ vehicles:

1. Outdoor sales space for sale of new or used ~~automobiles~~ vehicles, boats, house trailers or rental of trailers and/or ~~automobiles~~ vehicles, all subject to the following:

A. The lot or area shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained as to dispose of all surface water accumulated within the area.

~~—B. Access to the outdoor sales area shall be at least 60 feet from the intersection of any two streets.~~

~~No major~~ Minor automobile ~~vehicle~~ repair or major refinishing ~~shall be done on the lot shall be permitted as a conditional~~ special use.

C. All lighting shall be shielded from adjacent residential districts.

~~C.D. Vehicle delivery shall be conducted on the premises and shall not interfere with vehicular traffic on a public road.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 1127. - Motels:

Motels are subject to the following conditions:

1. Access shall be provided so as not to conflict with adjacent business uses or adversely affect traffic flow on a major thoroughfare.

2. Each unit shall contain not less than two hundred-fifty (250) square feet of floor area.

3. No guest shall establish permanent residence at a motel for more than thirty (30) days within any calendar year.
4. Hourly rates are prohibited.
 - A. No person owning, controlling, managing, or having charge of any motel within the Township shall allow or permit an hourly charge for any room within said establishment.
 - B. No person owning, controlling, managing, or having charge of any motel within the Township shall allow or permit any room or rooms within said establishment to be rented more than twice in any twenty-four (24) hour period commencing at 12:01 a.m.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 1123 – Hotels:

Hotels are subject to the following conditions:

1. Access shall be provided so as not to conflict with adjacent business uses or adversely affect traffic flow on a major thoroughfare.
2. Hourly rates are prohibited.
 - A. No person owning, controlling, managing, or having charge of any hotel within the Township shall allow or permit an hourly charge for any room within said establishment.
 - B. No person owning, controlling, managing, or having charge of any hotel within the Township shall allow or permit any room or rooms within said establishment to be rented more than twice in any twenty-four (24) hour period commencing at 12:01 a.m.

Hourly Rates are prohibited.

Sec. 1124 – Extended sStay Hhotels:

Extended sStay Hhotels are subject to the following conditions:

1. Access shall be provided so as not to conflict with adjacent business uses or adversely affect traffic flow on a major thoroughfare.
2. No occupant shall be permitted to stay in any unit of an extended stay hotel or extended stay motel in excess of six (6) months each calendar year.
3. Hourly rates are prohibited.
 - A. No person owning, controlling, managing, or having charge of any extended stay hotel within the Township shall allow or permit an hourly charge for any room within said establishment.
 - B. No person owning, controlling, managing, or having charge of any extended stay hotel within the Township shall allow or permit any room or rooms within said establishment to be rented more than twice in any twenty-four (24) hour period commencing at 12:01 a.m.

~~Sec. 11258. -- Retail sales of plant material not grown on the site, lawn furniture, playground equipment and/or garden supplies: Building material sales, Garden Centers, and similar Uses:~~

~~Building material sales, garden centers, and similar uses which are characterized by outdoor storage and sales, unless otherwise specified herein, shall be subject to the following standards set forth in this Section.:~~

- ~~1. A. Permanent Sales Office.—A permanent sales and office building shall be located on site. The building or buildings may also include activities which are ancillary to the principal use, such as indoor storage of equipment and materials and equipment repair.~~
 - ~~2. The exterior of the premises shall be kept clean, orderly, and maintained.~~
 - ~~3. The Township shall not be held liable or responsible for any type of damage, theft, or personal injury that may occur as a result of an outdoor display.~~
 - ~~4. The location of the outdoor display shall meet all required setbacks and shall be approved by the Zoning Administrator, if all requirements of this Ordinance are met.:~~
 - ~~5. An outdoor display shall not occupy or obstruct the use of any fire lane, roadway, drive aisle, drive entrance, storage area, off-street parking, or landscaped area required to meet the standards of this Ordinance.~~
 - ~~6. Outdoor sale and display areas that abut residentially zoned or used property shall be screened in accordance with Section 1301.3.H.~~
 - ~~1.—Only those products that are sold or are similar to the products sold within the principal building on the same lot may be permitted to be sold or displayed outdoors.~~
 - ~~7. B. Outdoor Storage.—Outdoor storage of equipment and materials shall be subject to the standards set forth in Section 1157—Section 1163, Outdoor Storage and Contractors/Landscapers Yard.~~
-
- ~~8. Seasonal Sales.—The outside sale of seasonal items such as Christmas trees, flowers and plants, pumpkins, and other such seasonal items that are grown shall require a permit from the Zoning Administrator subject to the following standards and conditions:~~
 - ~~A. Seasonal sales may be located within any required side or rear yard and shall be no closer to a public road right-of-way than the required front yard setback or existing building, whichever is less. Where outdoor displays abut residentially zoned property, landscape screening in accordance with Section 1301.3.H shall also be provided.~~
 - ~~B. Seasonal sales shall not occupy or obstruct the use of any fire lane, required off-street parking, or landscaped area required to meet the requirements of this ordinance.~~
 - ~~C. Ingress and egress shall be provided in a manner so as not to create a traffic hazard or nuisance.~~
 - ~~D. Such sales shall be permitted for a period not to exceed ninety (90) days.~~

A-E. Upon discontinuance of the seasonal use, any temporary structure shall be removed.

~~Plant materials nursery for the retail sale of plant materials not grown on the site, and sales of lawn furniture, playground equipment and garden supplies subject to the following conditions:~~

- ~~a. The storage and/or display of any materials and/or products shall meet all setback requirements of a structure.~~
- ~~b. All loading and parking shall be provided off street.~~
- ~~c. The storage of any soil, fertilizer, or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent uses.~~

(Ord. No. 2011-476, § 20, 2-20-11)

Sec. 11269. -- Vehicle Fueling/Multi-use Station: Gasoline service station:

~~Gasoline service station~~Vehicle fueling stations for the sale of gasoline, oil, and minor accessories only and where incidental repair work is done; provided, however, that other uses permitted and as regulated in the ~~B-3 general~~ business or form-based districts may be established in conjunction with such ~~gasoline service~~vehicle fueling station, subject to the following conditions:

1. ~~Gasoline service~~Vehicle fueling/multi-use stations shall directly abut a major thoroughfare ~~as designated in the Township's major thoroughfare plan.~~
2. The minimum lot area for ~~gasoline service~~vehicle fueling stations shall be fifteen thousand (15,000) square feet for stations having no more than two (2) service bays and no more than two (2) pump islands. There shall be added three thousand (3,000) square feet for each additional service bay and one thousand five hundred (1,500) square feet for each additional pump island. At least one (1) street lot line shall be at least one hundred fifty (150) feet in length along one (1) major thoroughfare. The lot shall be so shaped, and the station so arranged, as to provide ample space for vehicles which are required to wait.
3. The driveway or curb cuts for access to a ~~service-fueling~~ station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be located no less than ten (10) feet from an adjoining property line, twenty-five (25) feet if adjacent to residential districts, as extended to the curb or pavement. Entrances shall also be no less than twenty-five (25) feet from an ~~intersection~~section street right-of-way line extended to the curb or pavement.
4. Setbacks: The following minimum setbacks shall apply to canopies and pump facilities constructed in conjunction with Fueling/Multi-Use:

| <u>Setback</u> | <u>Canopy Support</u> | <u>Pump Islands</u> | <u>Canopy Ede</u> |
|----------------|-----------------------|---------------------|-------------------|
| <u>Front</u> | <u>35 feet</u> | <u>30 feet</u> | <u>25 feet</u> |
| <u>Side</u> | <u>20 feet</u> | <u>20 feet</u> | <u>10 feet</u> |
| <u>Rear</u> | <u>30 feet</u> | <u>20 feet</u> | <u>20 feet</u> |

5. Fueling ~~a~~Areas ~~Site~~ Arrangement: All fueling areas shall be arranged so that motor vehicles do not park on or extend over abutting landscaped areas, sidewalks, streets, buildings, or adjoining property while being served.
6. Canopy ~~s~~Structures: Canopy structures shall be designed and constructed in a manner which is architecturally compatible with the principal building. The canopy structure shall be attached to and made an integral part of the principal building unless can be demonstrated that the design of the building and canopy in combination would be more functional and aesthetically pleasing if the canopy was not physically attached to the principal building.
7. Fire ~~P~~rotection: Required fire protection devices under the canopy shall be architecturally screened so that the tanks are not directly visible from the street. The screens shall be compatible with the design and color of the canopy.
8. Canopy ~~L~~ighting: Canopy lighting shall be recessed so that the light source is not visible from off site.
9. Pedestrian and ~~V~~ehicular ~~S~~safety: Vehicle fueling/~~-~~multi-use stations shall be designed in a manner which promotes pedestrian and vehicular safety. The parking and circulation system within each development shall accommodate the safe movement of vehicles, bicycles, pedestrians and refueling activities throughout the proposed development and to and from surrounding areas in a safe and convenient manner.
10. Repair and ~~s~~ervices: All repair and maintenance activities shall conform with the standards set forth in Section 1127, Minor vehicle repair. Dismantled, wrecked, or immobile vehicles shall not be permitted to be stored on site.
11. Accessory ~~V~~ehicle ~~W~~ash: If a vehicle wash is proposed, it must comply with the standards set forth in Section 1129, Automobile car wash, and stacking space requirements in Section 1118, Drive-in, and drive-through facilities.
12. A six (6) foot tall completely obscuring wall shall be provided where abutting to a residential district. Alternative screening materials may be approved by the Planning Commission.

([Ord. No. 2011-476](#), § 20, 2-20-11)

Sec. ~~112730~~ - Minor automotive-vehicle repair:

Minor automotive-vehicle repair businesses are subject to the following conditions:

1. Access to such use shall be directly to a major or collector street or shall be to a minor street which has direct access to an abutting major or collector street.
2. Access to and from such use shall not be cause for traffic to utilize residential streets.
3. No storage of outdoor ~~Outdoor storage of~~ parts or materials shall be ~~prohibited unless such storage is within a fenced and obscured area which meets all setback requirements~~allowed.
4. Vehicles shall not be allowed to be stored outside the building for more than forty-eight (48) hours unless awaiting repair for which a "work order," signed by the owner of the vehicle, is posted in the vehicle so as to be visible from outside the vehicle.

5. Areas for off-street parking required for customer use shall not be utilized for the storage of vehicles awaiting repair.
6. All vehicle servicing or repair, except minor repairs such as, but not limited to, tire changing and headlight changing, shall be conducted within a building.
7. Suitable containers shall be provided and utilized for the disposal of used parts and such containers shall be screened from public view.

7-8. A six (6) foot tall completely obscuring wall shall be provided where abutting to a residential district. Alternative screening materials may be approved by the Planning Commission.

- ~~h. A four-foot, six-inch obscuring wall shall be provided and maintained on those property lines adjacent to or abutting a residential district.~~
- ~~i. A site plan shall be submitted to the planning commission for its review and approval prior to the issuance of a building permit.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

~~Sec. 1131. Arcades and similar uses:~~

~~Business whose primary activity is maintaining and operating three or more coin-operated amusement devices which are to provide facilities and space for patrons to engage in the playing of pinball games or similar electronic gaming devices, pool, billiard, cards or similar activities, shall only be permitted in the B-3 districts, subject further to the following requirements and conditions:~~

- ~~a. The site shall not be contiguous to a one-family residential district.~~
- ~~b. The site shall be so located as to abut a major thoroughfare right-of-way, and all ingress-egress to the site shall be directly from said major thoroughfare.~~
- ~~c. No such business shall be located within 1,500 feet of a similar business.~~
- ~~d. No such business shall be located within 200 feet distance from the front door of the business to the front door of any residence in a residential district.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

~~Sec. 112832. - 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 ordinanceOrdinances of the Township.
- C. Building and fFire eCode 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.
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~~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 waylane.
 - 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.

Sec. 1129. – Food Trucks:

1. Applicant must obtain a zoning compliance permit. The Pproperty owner of site of proposed food truck shall sign zoning compliance permit application.

(-Ord. No. 2011-476, § 20, 2-20-11)

Sec. 112933. -- ~~Automobile~~ Vehicle wash:

~~Vehicle~~ Automobile car wash operations are subject to the following:

1. All buildings shall have a front yard setback of not less than fifty (50) feet.
2. All washing facilities shall be within a completely enclosed building.
3. Vacuuming and drying areas may be located outside the building but shall not be in the required front yard and shall not be closer than twenty-five (25) feet from any residential district.
4. All vehicles~~cars~~ required to wait for access to the facilities shall be provided space off the street right-of-way and parking shall be provided in accordance with Section section 1205, Parking Requirements, and Section 1118, Drive-in, and drive-through facilities 2104 and 2105.
5. ~~Ingress and egress points shall be located at least 60 feet from the intersection of any two streets.~~
- 6.5. All off-street parking and waiting areas~~stacking spaces~~ shall be hard-surfaced and dust free.
6. All automatic car vehicle wash facilities must provide a demonstrated means at the exit ramp for each wash bay to prevent pooling of water or freezing.
7. All lighting shall be shielded and directed away from adjacent residential districts.
8. A six (~~four-foot six-inch~~ 6) foot tall completely obscuring wall shall be provided where abutting to a residential district. Alternative screening materials may be approved by the Planning Commission.

(-Ord. No. 2011-476, § 20, 2-20-11)

Sec. 113034. - Commercial outdoor recreational space for children's amusement parks, miniature golf courses, golf driving ranges, batting cages, archery ranges and similar activities~~and similar uses~~:

Commercial outdoor recreational space for children's amusement parks, miniature golf courses, golf driving ranges and similar uses, subject to the following:

1. License required: a. ~~All adjacent properties shall be zoned for other than residential or office use.~~
 - a. ~~The use shall be fenced on all sides with a four-foot six-inch wall or fence.~~
 - b. ~~Adequate parking shall be provided off the road right of way and shall be fenced with a four-foot six-inch wall or fence where adjacent to the use.~~
 - c. ~~All lighting shall be shielded and directed away from adjacent residential districts or dwellings in close proximity to the site.~~

~~d. f. A four foot six inch completely obscuring wall or fence must be provided where abutting or adjacent to a residential district. The height of the wall shall be measured from the surface of the ground.~~

~~e. (Ord. No. 2011-476, § 20, 2-20-11)~~

~~f. Sec. 1135. – Batting cages, archery ranges and similar activities:~~

~~g. Commercial outdoor recreation facilities such as batting cages, archery ranges and similar activities all subject to the following:~~

~~2.1. All activity, parking and buildings shall not be permitted within one hundred and fifty (150) feet of any residentially zoned property. No such activity shall be permitted within 200 feet of any residential dwelling.~~

~~3.2. Physical Barriers and Setbacks: Such facilities that include paintball, archery, golf driving ranges, shooting ranges or similar uses where projectiles are used shall employ effective physical barriers and isolation distances to assure that no projectile shall carry, or be perceptible, beyond the property limit. The Planning Commission may require setbacks or physical barriers in order to protect the safety of those on adjacent parcels.~~

~~The use shall be fenced on all sides with a four (4) -foot wall or fence. A six (6) foot tall completely obscuring wall shall be provided where abutting to a residential district. Alternative screening materials may be approved by the Planning Commission. The lot or area utilized for recreation activity shall be provided with a durable and dustless surface.~~

~~1. 3. Off street parking shall be provided in accord with section 1101 et seq. of this ordinance.~~

~~d. Lighting shall be shielded to be directed only on the activity on the site.~~

~~34. Devices for transmission or broadcasting of voices or music shall be directed or muffled to prevent said sound or music from being audible beyond the property line of the site.~~

Noise levels shall not exceed ~~seventy (70)~~ decibels at the property line of the site.

~~45. Hours of operation shall be limited to 8:00 a.m. to 10:00 p.m.~~

~~g. The planning commission may require setbacks or fencing in order to protect the safety of those on adjacent parcels.~~

([Ord. No. 2011-476](#), § 20, 2-20-11)

Sec. 113136. - Smoking lounges:

Smoking lounges subject to the following:

~~1. License required: a. No such business shall be located within 2,500 feet of a similar business.~~

~~2.1. b. A valid smoking lounge business license issued by the Township Clerk for the premises.~~

~~c. A minimum number of off street parking calculated by utilizing the parking requirements for bars, lounges, taverns, and nightclubs.~~

~~2. Off-street parking: Smoking lounges shall provide off-street parking per the standard for Restaurants & Cafes, Standard Restaurant in [Section 1205, Parking requirements.](#)~~

3. Mechanical ventilation required:- Mechanical ventilation shall be supplied in compliance with the Michigan Mechanical Code to ensure sufficient ventilation of the smoking lounge. The recirculation and the natural ventilation of air from the smoking lounge are prohibited. The air supplied to the smoking lounge shall be exhausted and discharged to an approved location in compliance with the Michigan Mechanical Code.
4. Hours of operation; and outdoor activities prohibited:-
 - A. Businesses operating a licensed smoking lounge shall be closed between the hours of Midnight to 10:00 a.m.
 - B. All smoking lounge business activities shall be conducted wholly indoors, unless otherwise approved by the Township Board.
5. Notice on exterior:- A clearly visible notice shall be posted by the entry door to the premises that:
 - A. Indicates that it contains a smoking lounge;
 - B. Indicates that it is a smoking lounge;
 - C. Indicates that it is not a food service establishment;
 - D. States that no loitering is permitted on the premises; and e-
 - E. States that no minors are permitted on the premises.
6. Setbacks:- It shall be unlawful to operate a smoking lounge within five hundred (500) feet of any of the following: a. A place of worship. b. A school or childcare facility. c. A public park (not including public trails). d. Another smoking lounge.
7. Alcoholic Bbeverages:- No alcoholic beverages shall be sold or consumed on the premises.
8. Minors:- No persons under eighteen (18) years of age shall be permitted within the business.
9. The interior of the smoking lounge shall be maintained with adequate illumination to make the conduct of patrons within the premises readily discernible to persons with normal visual acuity.
10. No window coverings shall prevent visibility of the interior of the smoking lounge from outside the premises during operating hours. Any proposed window tint shall be approved in advance by the Sheriff's Office.
- ~~3-11.~~ Smoking lounges may only be located on premises that are physically separated from any areas of the same or adjacent establishments in which smoking is prohibited by state law and where smoke does not infiltrate into those nonsmoking areas. "Physically separated" shall mean an area that is enclosed on all sides by any combination of solid walls, windows, or doors that extend from the floor to ceiling.

(-Ord. No. 2011-476 , § 20, 2-20-11)

Sec. 113237. ~~Accessory retail uses in IRO zoning district~~ Incidental sSales and sServices:-

1. Within ~~W~~wholesale ~~E~~establishments:- Within wholesale establishments, retail sales of items that are the same or are related by use or design to such wholesale items that are sold on premises

shall be permitted, provided that the total amount of retail sales shall not exceed twenty-five percent (25%) of the annual wholesale sales on the premises. Retail sales shall be strictly incidental to wholesale sales.

2. ~~Within Multi-Family Developments, Elderly Housing, Hospitals, and Convalescent Centers.~~ Within ~~A~~multi-family ~~D~~developments, ~~E~~elderly ~~H~~housing, ~~H~~hospitals, and ~~C~~convalescent ~~C~~centers: ~~I~~ncidental services for convenience of the buildings' residents, such as newsstands, delicatessens, restaurants, personal service shops, and similar uses shall be permitted, provided the following standards are met:

A. Not more than two percent (2%), including hallway space, of the total floor area devoted to dwelling units within the apartment building(s) shall be so used.

B. All such incidental services shall be situated within the interior of a so that no part thereof shall be directly accessible from any street or other public or private way.

C. No sign or window display shall be discernible or visible from a sidewalk, street, or other public or private way.

D. Such incidental service shall not be located on any floor above the first or ground floor.

3. ~~Within B~~usiness, ~~R~~esearch, and/or ~~I~~ndustrial ~~P~~ark: Within Business, Research, and/or Industrial Park, incidental services allowed provided that:

A. Such facilities shall be of the kinds needed to serve customers and employees of the ~~business,~~ research, and/or ~~{industrial }~~park, such as but not limited to restaurants, but not including drive-ins, auto service stations, auto washes, gift shops, offices, and motels.

B. Such facilities shall be concentrated in a center and the layout of the site shall be such that the center is clearly oriented to the ~~business, research and/or {industrial }~~park and not to the general public.

~~Retail and service uses may be permitted as secondary uses to the principal permitted office uses in the IRO zoning district and are limited to the following uses:~~

~~a. Retail businesses or service establishments.~~

~~b. Personal service establishments, such as but not limited to: repair shops (watches, radio, television, shoe, etc.), tailor shops, beauty parlors or barbershops, laundries or dry cleaners, printing or photographic reproduction, photographic, art or interior decorating studios.~~

~~c. Theaters, bowling alleys, billiard halls, health salons or similar forms of indoor recreation.~~

~~d. Restaurants or other places serving food and beverages, but not including drive-in, fast food, carry-out or drive-through restaurants and subject further to the following conditions:~~

~~(1) Such uses shall be located within an office structure or motel building or shall be located in a freestanding building within the IRO district so as to be adjacent to a use designated as being allowed in section 1301, paragraphs 2, 3, 4, 5, 6, or 7.~~

~~(2) Such use shall be planned as a part of an overall plan for development of not less than 30 acres and shall be part of a service establishment complex for such development.~~

~~(3) The location of such uses shall be established at the time of site plan review and approval for the total development complex.~~

~~(-Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 113338. - Airports:

Airports subject to all state and federal regulations and subject to all Township codes and ~~ordinance~~Ordinance and further subject to the following conditions:

1. An airport shall not be located at the edge of an industrial district which abuts land in the Township planned for residential use.
2. The use shall provide maximum compatibility to abutting uses and to the future land use plan for the immediate area.
3. Runway location and/or extension shall be reviewed relative to potentials for flight interference in runway approach zones.
4. Runway location and/or extension shall be reviewed relative to effects on residential areas.
5. Buildings and structures shall comply with all setback requirements of the ~~I-L-M district~~District and shall be set back from all runways in accord with all Federal Aviation Agency regulations.
6. Traffic and parking for the proposed use shall be reviewed to ensure the adequacy of facilities. Parking locations for visitors will be required off the public right-of-way.

(~~Ord. No. 2011-476~~, § 20, 2-20-11)

Sec. 113439. ~~Mini-warehouses~~Self-Storage Facilities:

1. ~~Incidental Uses~~Incidental accessory uses such as the sale of boxes, locks, and other supplies shall be permitted.
2. ~~Standards~~:
 - A. The storage of any toxic, corrosive, flammable, or hazardous materials is prohibited.
 - B. Other than the storage of recreation vehicles, all storage and accessory uses shall be contained within a building. All recreational vehicle storage shall be screened from the view of residentially zoned or used property and public roads in accordance with the standards set forth in ~~Section XX~~Section 1301.3.H.
 - C. Exterior walls of all storage units shall be of masonry construction.
 - D. Adequate maneuvering space for fire safety vehicles shall be provided.

~~Mini-warehouses and storage buildings for lease to the public including the office and dwelling of a caretaker and subject to the following conditions:~~

- (1) ~~A front yard building setback of not less than forty (40) feet shall be provided, all of which, except for driveway access, shall be landscaped.~~
- (2) ~~Side and rear yard building setbacks of not less than forty (40) feet shall be provided. Ten (10) feet of width of such yard shall be planted materials sufficient to screen such yards from abutting uses. Side and rear yards may be reduced to thirty (30) feet of width in those instances~~

~~where a completely obscuring wall not less than six (6) feet in height is provided along the property line for the entire length of the side and rear yards in place of the ten (10) foot wide plant material screening.~~

~~(3) — Building shall be spaced not less than thirty (30) feet apart.~~

~~(4) — Outdoor storage of recreational equipment as an accessory use may be permitted provided that eighty five percent (85%) of the site shall be occupied with storage buildings and required yards (setback areas) with not more than fifteen percent (15%) utilized for outdoor storage of recreational equipment. All outdoor storage areas shall be located only in the rear yard of the site and shall be screened with a completely obscuring masonry wall not less than six (6) feet in height located on the property line where such storage area abuts properties not a part of a mini-warehouse facility. Such outdoor storage area shall not be visible from a public street. All recreational equipment shall be in operable condition and appropriately licensed as may be required for such equipment.~~

~~(5) — Adequate maneuvering space for fire safety vehicles shall be provided.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. ~~113540~~. - Indoor recreational facility:

1. All recreational activities shall be conducted within an enclosed building.
2. Structures shall be set back one hundred (100) feet from any abutting residential district, except the Planning Commission may reduce the setback to fifty (50) feet where the adjacent residentially zoned property is a public park or recreation area.
3. The off-street parking, passenger loading/unloading and general size layout and its relationship to the surrounding land uses and roads shall be reviewed by the Planning Commission, who may impose reasonable restrictions or requirements to insure contiguous residential areas will be adequately protected.
4. A parking study shall be prepared to determine the required number of parking spaces. The study shall indicate to the maximum capacity of the facility, the maximum number of participants that can be involved in the events, with an overlap between two (2) consecutive events, and the maximum number of spectators. Such study shall utilize parking generation estimates based upon the Institute of Transportation Engineers Parking Generation Manual and also a comparison of three (3) similar facilities in the area.
5. The applicant shall provide documentation showing that the size of the site is adequate, using national facility standards.
6. Operational hours may be restricted by the Planning Commission in consideration of adjacent land uses and zoning. All outdoor activities, including floodlighting, public address systems, etc. must cease at 11:00 p.m.
7. All buildings shall be permanent structures. Inflated domes are not permitted.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. ~~113641~~. - ~~Medical marihuana dispensaries and medical marihuana nurseries:~~

~~a. — No medical marihuana dispensary or medical marihuana nursery shall be located within 1,000 feet of any other medical marihuana dispensary or medical marihuana nursery nor within 1,000 feet of any of the following uses:~~

- ~~(1) — Any church, synagogue, mosque or any house of worship.~~

- ~~(2) Any school, public or private, having a curriculum including kindergarten or any one or more of the grades one through 12.~~
- ~~(3) Any child care organization.~~
- ~~(4) Any public library.~~
- ~~(5) Any residentially zoned district or residential use.~~
- ~~(6) Any community college, university or professional school.~~
- ~~b. All activity related to a medical marijuana dispensary or medical marijuana nursery including, but not limited to, growing shall be done indoors in a locked structure.~~
- ~~c. Medical marijuana dispensary and medical marijuana nurseries shall be operated in compliance with the provisions of the Michigan Department of Community Health and the Medical Marijuana Act, MCL 333.26421 et seq.~~
- ~~d. Smoking, inhalation, or consumption of medical marijuana shall not be allowed on the site of the medical marijuana dispensary or medical marijuana nursery.~~
- ~~e. No qualifying patients under the age of 11 shall be permitted in the medical marijuana dispensary or medical marijuana nursery at any time except in the presence of qualifying patient's parent or legal guardian or their primary caregiver.~~
- ~~f. No retail sales of drug paraphernalia are permitted at the medical marijuana dispensary or medical marijuana nursery, except to qualifying patients or their primary caregivers.~~
- ~~g. Each medical marijuana dispensary or medical marijuana nursery shall display in a manner legible and visible to its clientele:
 - ~~(1) Notice that qualifying patients under the age of 11 are not allowed in the medical marijuana dispensary or medical marijuana nursery except in the presence of his/her parent or legal guardian;~~
 - ~~(2) No consumption, inhalation or consumption of medical marijuana shall occur within the vicinity of the medical marijuana dispensary or medical marijuana nursery.~~~~
- ~~h. Only operators and their employees, qualifying patients, parents or guardians of qualifying patients under 11 years of age, and their primary caregiver may be permitted to enter a medical marijuana dispensary or medical marijuana nursery for the purpose of obtaining medical marijuana or other goods or products associated with its use.~~
- ~~i. Medical marijuana nurseries can grow a maximum of 72 marijuana plants.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 113742. - Junkyards:

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, subject to the following conditions:

1. All ~~ordinance~~Ordinances of the Township, county and state as applied to these activities are complied with.
2. No such use shall be allowed within two hundred (200) feet of a residential ~~used or zoned property district.~~ used or zoned property district.
3. ~~Open-b~~Burning of materials or the ~~open~~open-burning of junk cars shall be prohibited.

4. Storage areas shall be obscured from public view and the storage area shall be entirely enclosed by an eight-foot obscuring wall or fence.

~~5.—~~A site plan in full detail and drawn to scale shall be submitted in accordance with Section ~~2115-910~~, Submittal requirements of the Township zoning ~~ordinance~~Ordinance.

~~6.5.—~~ A plan shall be submitted showing proposed use of property as it relates to abutting properties where such property abuts a district other than an I-3 industrial district

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 11~~3843~~. - Outdoor theaters:

Outdoor theaters subject to the following conditions:

1. The proposed internal design shall receive approval from the Building Official and the Township engineer as to adequacy of drainage, lighting, and other technical aspects.
2. All vehicles, waiting or standing to enter the facility, shall be provided off-street waiting space. No vehicle shall be permitted to wait or stand within a dedicated right-of-way.
3. The area shall be so laid out as to prevent the movie screen from being viewed from residential areas or adjacent major thoroughfares. All lighting used to illuminate the area shall be so installed as to be confined within, and directed onto, the premises of the outdoor theater site.
4. Outdoor theaters shall abut major thoroughfares and points of ingress and egress shall be available only from such major thoroughfare.

~~4.5.~~ Use shall be screened from the view of residentially zoned or used property and public roads in accordance with the standards set forth Section 1301.3.H.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 11~~3944~~. — ~~Adult entertainment facilities~~:Sexually o~~O~~riented B~~businesses~~:

1. Purpose and P~~preliminary S~~statements:. Sexually oriented businesses require special supervision from the public safety agencies of the Township in order to protect and preserve the health, safety, and welfare of the patrons of such businesses as well as the citizens of the Township. There is convincing documented evidence that sexually oriented businesses, as a category of establishments, have deleterious secondary effects and are often associated with crime and adverse effects on surrounding properties. The Township Board ~~of Trustees~~ desires to minimize and control these adverse effects and thereby protect the health, safety, and welfare of the citizenry; protect the citizens from crime; preserve the quality of life; preserve the character of surrounding neighborhoods and deter the spread of urban blight.

Certain sexually oriented products and services offered to the public are recognized as not inherently expressive and not protected by the First Amendment. See, e.g., Heideman v. South Salt Lake City, 348 F.3d 1182, 1195 (10th Cir. 2003) (“[T]he Ordinance applies to all ‘sexually oriented businesses,’ which include establishments such as ‘adult motels’ and ‘adult novelty stores,’ which are not engaged in expressive activity.”); Sewell v. Georgia, 233 S.E.2d 187 (Ga. 1977) (upholding ban on commercial distribution of sexual devices), dismissed for want of a substantial federal question, 435 U.S. 982 (1978).

Sexually oriented businesses have often manipulated their inventory or business practices to avoid regulation while retaining their “adult” nature. See, e.g., Z.J. Gifts D-4, L.L.C. v. City of

Littleton, No. 99-N-1696, Memorandum Decision and Order (D. Colo. March 31, 2001) (finding retail adult store’s “argument that it is not an adult entertainment establishment” to be “frivolous at best”); People ex rel. Deters v. The Lion’s Den, Case No. 04-CH-26, Modified Permanent Injunction Order (Ill. Fourth Judicial Circuit, Effingham County, July 13, 2005)(noting that adult store manager’s testimony was “less than candid” and “suggested an intention to obscure the actual amount of sexually explicit material sold”); City of New York v. Hommes, 724 N.E.2d 368 (N.Y. 1999) (documenting manipulation of inventory to avoid regulation); Taylor v. State, No. 01-01-00505-CR, 2002 WL 1722154 (Tex. App. July 25, 2002) (noting that “the nonadult video selections appeared old and several of its display cases were covered with cobwebs”). The manner in which an establishment holds itself out to the public is a reasonable consideration in determining whether the establishment is a sexually oriented business. See, e.g., East Brooks Books, Inc. v. Shelby County, 588 F.3d 360, 365 (6th Cir. 2009) (“A prominent display advertising an establishment as an ‘adult store,’ moreover, is a more objective indicator that the store is of the kind the Act aims to regulate, than the mere share of its stock or trade comprised of adult materials.”); FW/PBS, Inc. v. City of Dallas, 493 U.S. 215, 261 (1991) (Scalia, J., concurring in part and dissenting in part) (“[I]t is most implausible that any enterprise which has as its constant intentional objective the sale of such [sexual] material does not advertise or promote it as such.”); Patterson v. City of Grand Forks, Case No. 18-2012-CV-00742 (Nov. 1, 2012) (upholding sex paraphernalia store location restriction which exempted stores in regional shopping malls because malls are on large parcels that buffer sensitive land uses, have their own security personnel, and limit signage and hours of operation). The Township intends to regulate such businesses as sexually oriented businesses through a narrowly tailored ~~ordinance~~**Ordinance** designed to serve the Township’s content-neutral substantial interest in preventing the negative secondary effects of sexually oriented businesses, and its regulations shall be narrowly construed to this end. The purpose and intent of this ~~section~~**Section** is to regulate sexually oriented businesses, in order to promote the health, safety, and general welfare of the citizens of the Township, and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of sexually oriented businesses within the Township. The provisions of this ~~ordinance~~**Ordinance** have neither the purpose nor effect of imposing a limitation or restriction on the content or reasonable access to any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of this ~~ordinance~~**Ordinance** to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this ~~ordinance~~**Ordinance** to condone or legitimize the distribution of obscene material.

2. *Findings and ~~R~~Rationale:-* Based on evidence of the adverse secondary effects of adult uses presented in hearings and in reports made available to the Board of Trustees, and on findings, interpretations, and narrowing constructions incorporated in the cases of *City of Littleton v. Z.J. Gifts D-4, L.L.C.*, 541 U.S. 774 (2004); *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425 (2002); *City of Erie v. Pap’s A.M.*, 529 U.S. 277 (2000); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v. American Mini Theatres*, 427 U.S. 50 (1976); *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); *California v. LaRue*, 409 U.S. 109 (1972); *N.Y. State Liquor Authority v. Bellanca*, 452 U.S. 714 (1981); *Sewell v. Georgia*, 435 U.S. 982 (1978); *FW/PBS, Inc. v. City of Dallas*, 493 U.S. 215 (1990); *City of Dallas v. Stanglin*, 490 U.S. 19 (1989); and *Entm’t Prods., Inc. v. Shelby County*, 721 F.3d 729 (6th Cir. 2013); *Lund v. City of Fall River*, 714 F.3d 65 (1st Cir. 2013); *Imaginary Images, Inc. v. Evans*, 612 F.3d 736 (4th Cir. 2010); *LLEH, Inc. v. Wichita County*, 289

F.3d 358 (5th Cir. 2002); Ocello v. Koster, 354 S.W.3d 187 (Mo. 2011); 84 Video/Newsstand, Inc. v. Sartini, 2011 WL 3904097 (6th Cir. Sept. 7, 2011); Plaza Group Properties, LLC v. Spencer County Plan Commission, 877 N.E.2d 877 (Ind. Ct. App. 2007); Flanigan’s Enters., Inc. v. Fulton County, 596 F.3d 1265 (11th Cir. 2010); East Brooks Books, Inc. v. Shelby County, 588 F.3d 360 (6th Cir. 2009); Entm’t Prods., Inc. v. Shelby County, 588 F.3d 372 (6th Cir. 2009); Sensations, Inc. v. City of Grand Rapids, 526 F.3d 291 (6th Cir. 2008); World Wide Video of Washington, Inc. v. City of Spokane, 368 F.3d 1186 (9th Cir. 2004); Ben’s Bar, Inc. v. Village of Somerset, 316 F.3d 702 (7th Cir. 2003); Peek-a-Boo Lounge v. Manatee County, 630 F.3d 1346 (11th Cir. 2011); Daytona Grand, Inc. v. City of Daytona Beach, 490 F.3d 860 (11th Cir. 2007); Heideman v. South Salt Lake City, 348 F.3d 1182 (10th Cir. 2003); Williams v. Morgan, 478 F.3d 1316 (11th Cir. 2007); Jacksonville Property Rights Ass’n, Inc. v. City of Jacksonville, 635 F.3d 1266 (11th Cir. 2011); H&A Land Corp. v. City of Kennedale, 480 F.3d 336 (5th Cir. 2007); Hang On, Inc. v. City of Arlington, 65 F.3d 1248 (5th Cir. 1995); Fantasy Ranch, Inc. v. City of Arlington, 459 F.3d 546 (5th Cir. 2006); Illinois One News, Inc. v. City of Marshall, 477 F.3d 461 (7th Cir. 2007); G.M. Enterprises, Inc. v. Town of St. Joseph, 350 F.3d 631 (7th Cir. 2003); Richland Bookmart, Inc. v. Knox County, 555 F.3d 512 (6th Cir. 2009); Bigg Wolf Discount Video Movie Sales, Inc. v. Montgomery County, 256 F. Supp. 2d 385 (D. Md. 2003); Richland Bookmart, Inc. v. Nichols, 137 F.3d 435 (6th Cir. 1998); Spokane Arcade, Inc. v. City of Spokane, 75 F.3d 663 (9th Cir. 1996); DCR, Inc. v. Pierce County, 964 P.2d 380 (Wash. Ct. App. 1998); City of New York v. Hommes, 724 N.E.2d 368 (N.Y. 1999); Fantasyland Video, Inc. v. County of San Diego, 505 F.3d 996 (9th Cir. 2007); Bronco’s Entm’t, Ltd. v. Charter Twp. of Van Buren, 421 F.3d 440 (6th Cir. 2005); Charter Twp. of Van Buren v. Garter Belt, Inc., 258 Mich. App. 594 (2003); Jott, Inc. v. Clinton Twp., 224 Mich. App. 513 (1997); Michigan ex rel. Wayne County Prosecutor v. Dizzy Duck, 449 Mich. 353 (1995); Gora v. City of Ferndale, 456 Mich. 704 (1998); Rental Property Owners Ass’n of Kent County v. City of Grand Rapids, 455 Mich. 246 (1996); 15192 Thirteen Mile Road, Inc. v. City of Warren, 626 F. Supp. 803 (E.D. Mich. 1985); City of Warren v. Executive Art Studio, Inc., No. 197353, 1998 WL 1993022 (Mich. App. Feb. 13, 1998); Tally v. City of Detroit, 54 Mich. App. 328 (1974); Z.J. Gifts D-2, L.L.C. v. City of Aurora, 136 F.3d 683 (10th Cir. 1998); ILQ Investments, Inc. v. City of Rochester, 25 F.3d 1413 (8th Cir. 1994); Enlightened Reading, Inc. v. Jackson County, 2009 WL 792492 (W.D. Mo. March 24, 2009); MJJG Restaurant, LLC v. Horry County, 2014 WL 1314445 (D.S.C. Mar. 28, 2014); Cricket Store 17, LLC v. City of Columbia, --- F.Supp.2d ---, 2014 WL 526339 (D.S.C. Feb. 10, 2014); Taylor v. State, No. 01-01-00505-CR, 2002 WL 1722154 (Tex. App. July 25, 2002); Gammoh v. City of La Habra, 395 F.3d 1114 (9th Cir. 2005); Z.J. Gifts D-4, L.L.C. v. City of Littleton, Civil Action No. 99-N-1696, Memorandum Decision and Order (D. Colo. March 31, 2001); People ex rel. Deters v. The Lion’s Den, Inc., Case No. 04-CH-26, Modified Permanent Injunction Order (Ill. Fourth Judicial Circuit, Effingham County, July 13, 2005); Reliable Consultants, Inc. v. City of Kennedale, No. 4:05-CV-166-A, Findings of Fact and Conclusions of Law (N.D. Tex. May 26, 2005); Warren Gifts, LLC v. City of Warren, No. 2:02-cv-70062, R. 26 (E.D. Mich. June 21, 2002) (denying motion for preliminary injunction); Patterson v. City of Grand Forks, Case No. 18-2012- CV-00742, Memorandum Decision and Order (Grand Forks Cnty. Dist. Ct. Nov. 1, 2012); and based upon reports concerning secondary effects occurring in and around sexually oriented businesses, including, but not limited to, “Correlates of Current Transactional Sex among a Sample of Female Exotic Dancers in Baltimore, MD,” *Journal of Urban Health* (2011); “Does the Presence of Sexually Oriented Businesses Relate to Increased Levels of Crime?” *Crime & Delinquency* (2012) (Louisville, KY); Metropolis, Illinois – 2011-12; Manatee County, Florida – 2007; Hillsborough County, Florida – 2006; Clarksville, Indiana – 2009; El Paso, Texas – 2008; Memphis, Tennessee – 2006; New Albany, Indiana – 2009; Louisville, Kentucky –

2004; Fulton County, GA – 2001; Chattanooga, Tennessee – 1999-2003; Jackson County, Missouri – 2008; Ft. Worth, Texas – 2004; Kennedale, Texas – 2005; Greensboro, North Carolina – 2003; Dallas, Texas – 1997; Houston, Texas – 1997, 1983; Phoenix, Arizona – 1995-98, 1979; Tucson, Arizona – 1990; Spokane, Washington – 2001; St. Cloud, Minnesota – 1994; Austin, Texas – 1986; Indianapolis, Indiana – 1984, 2009; Garden Grove, California – 1991; Los Angeles, California – 1977; Whittier, California – 1978; Oklahoma City, Oklahoma – 1986; New York, New York Times Square – 1994; the Report of the Attorney General’s Working Group On The Regulation Of Sexually Oriented Businesses, (June 6, 1989, State of Minnesota); Dallas, Texas – 2007; “Rural Hotspots: The Case of Adult Businesses,” 19 Criminal Justice Policy Review 153 (2008); “Strip clubs According to Strippers: Exposing Workplace Sexual Violence,” by Kelly Holsopple, Program Director, Freedom and Justice Center for Prostitution Resources, Minneapolis, Minnesota; “Sexually Oriented Businesses: An Insider’s View,” by David Sherman, presented to the Michigan House Committee on Ethics and Constitutional Law, Jan. 12, 2000; Sex Store Statistics and Articles; and Law Enforcement and Private Investigator Affidavits(Adult Cabarets in Forest Park, GA and Sandy Springs, GA), the ~~Township Board of Trustees~~ finds:

- A. Sexually oriented businesses, as a category of commercial uses, are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, prostitution, potential spread of disease, lewdness, public indecency, obscenity, illicit drug use and drug trafficking, negative impacts on surrounding properties, urban blight, litter, and sexual assault and exploitation. Alcohol consumption impairs judgment and lowers inhibitions, thereby increasing the risk of adverse secondary effects.
- B. Sexually oriented businesses should be separated from sensitive land uses to minimize the impact of their secondary effects upon such uses, and should be separated from other sexually oriented businesses, to minimize the secondary effects associated with such uses and to prevent an unnecessary concentration of sexually oriented businesses in one (1) area.
- C. Each of the foregoing negative secondary effects constitutes a harm which the Township has a substantial government interest in preventing and/or abating. This substantial government interest in preventing secondary effects, which is the Township’s rationale for this ~~ordinance~~Ordinance, exists independent of any comparative analysis between sexually oriented and non-sexually oriented businesses. Additionally, the Township’s interest in regulating sexually oriented businesses extends to preventing future secondary effects of either current or future sexually oriented businesses that may locate in the Township. The Township finds that the cases and documentation relied on in this ~~ordinance~~Ordinance are reasonably believed to be relevant to said secondary effects.

The Township hereby adopts and incorporates herein its stated findings and legislative record related to the adverse secondary effects of sexually oriented businesses, including the judicial opinions and reports related to such secondary effects.

3. *Definitions*:- For the purpose of this Ordinance, the following additional definitions shall apply:

- A. ADULT BOOKSTORE OR ADULT VIDEO STORE: A commercial establishment which, as one (1) of its principal business activities, offers for sale or rental for any form of consideration any one (1) or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of

- “specified sexual activities” or “specified anatomical areas.” A “principal business activity” exists where the commercial establishment meets any one or more of the following criteria:
- (1) At least thirty-five percent (35%) of the establishment’s displayed merchandise consists of said items, or
 - (2) At least thirty-five percent (35%) of the retail value (defined as the price charged to customers) of the establishment’s displayed merchandise consists of said items, or
 - (3) At least thirty-five percent (35%) of the establishment’s revenues derive from the sale or rental, for any form of consideration, of said items, or
 - (4) The establishment maintains at least thirty-five percent (35%) of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in floorspace” maintained for the display, sale, or rental of said items); or
 - (5) The establishment maintains at least five hundred square feet (500 sq. ft.) of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in “floor space” maintained for the display, sale, or rental of said items); or
 - (6) The establishment regularly offers for sale or rental at least two thousand (2,000) of said items; or
 - (7) The establishment maintains an “adult arcade,” which means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one (1) time, and where the images so displayed are characterized by their emphasis upon matter exhibiting “specified sexual activities” or “specified anatomical areas.”
- B. ADULT CABARET: A nightclub, club, bar, juice bar, restaurant, bottle club or similar commercial establishment that regularly features live conduct characterized by semi-nudity. No establishment shall avoid classification as an adult cabaret by offering or featuring nudity.
- C. ADULT MOTION PICTURE THEATER: A commercial establishment where films, motion pictures, video cassettes, compact discs, slides, or similar photographic reproductions which are characterized by their emphasis upon the display of “specified sexual activities” or “specified anatomical areas” are regularly shown to more than five persons for any form of consideration.
- D. CHARACTERIZED BY: Describing the essential character or quality of an item. As applied in this ~~ordinance~~Ordinance, no business shall be classified as a sexually oriented business by virtue of showing, selling, or renting materials rated NC-17 or R by the Motion Picture Association of America.
- E. ESTABLISH OR ESTABLISHMENT: In regard to sexually oriented business, means and includes any of the following:
- (1) The opening or commencement of any sexually oriented business as a new business;

- (2) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;
- (3) The addition of sexually oriented business to any other existing sexually oriented business; or
- (4) The relocation of a sexually oriented business.
- F. FEATURE: To give special prominence to.
- G. FLOOR SPACE: The floor area inside an establishment that is visible or accessible to patrons for any reason, excluding restrooms.
- H. NUDITY: The showing of the human male or female genitals, pubic area, vulva, or anus with less than a fully opaque covering, or showing of the female breast with less than a fully opaque covering of any part of the nipple and areola.
- I. PERSON: An individual, proprietorship, partnership, corporation, association, or other legal entity.
- J. PREMISES: The real property upon which the sexually oriented business is located, and all appurtenances thereto and buildings thereon, including, but not limited to, the sexually oriented business, the grounds, private walkways, and parking lots and/or parking garages adjacent thereto, under the ownership, control, or supervision of the licensee, as described in the application for a sexually oriented business license.
- K. REGIONAL SHOPPING MALL (ENCLOSED): A group of retail and other commercial establishments that is planned, developed, and managed as a single property, with on-site parking provided around the perimeter of the shopping center, and that is generally at least forty (40) acres in size and flanked by two (2) or more large “anchor” stores, such as department stores. The common walkway or “mall” is enclosed, climate-controlled and lighted, usually with an inward orientation of the stores facing the walkway.
- L. REGULARLY: The consistent and repeated doing of an act on an ongoing basis.
- M. SEMI-NUDE OR SEMI-NUDITY: The showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at that point, or the showing of the male or female buttocks. This definition shall include the lower portion of the human female breast but shall not include any portion of the cleavage of the human female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part.
- N. SEMI-NUDE MODEL STUDIO: A place where persons regularly appear in a state of semi-nudity for money or any form of consideration in order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. This definition does not apply to any place where persons appearing in a state of semi-nudity did so in a class operated:

 - (1) By a college, junior college, or university supported entirely or partly by taxation;
 - (2) By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or

(3) In a structure:

- a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and
- b. Where, in order to participate in a class a student must enroll at least three (3) days in advance of the class.

O. SEXUAL DEVICE: means any three (3) dimensional objects designed for stimulation of the male or female human genitals, anus, buttocks, female breast, or for sadomasochistic use or abuse of oneself or others and shall include devices commonly known as dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, nipple clamps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.

P. SEX PARAPHERNALIA STORE: A commercial establishment that regularly features sexual devices. This definition shall not be construed to include any:

- (1) pharmacy, drug store, medical clinic, or any establishment or entity primarily dedicated to providing medical or healthcare products or services; or
- (2) any establishment located within an enclosed regional shopping mall.

Q. SEXUALLY ORIENTED BUSINESS: An “adult bookstore or adult video store,” an “adult cabaret,” an “adult motion picture theater,” a “semi-nude model studio,” or a “sex paraphernalia store.”

R. SPECIFIED ANATOMICAL AREAS:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, and female breasts below a point immediately above the top of the areola; and/ or
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

S. SPECIFIED SEXUAL ACTIVITIES:

- (1) Intercourse, oral copulation, masturbation, or sodomy; or
- (2) Excretory functions as part of or in connection with any of the activities described in a.

4. Standards-:

A. It shall be unlawful to operate or cause to be operated a sexually oriented business within one thousand (1,000) feet of any of the following:

- (1) A place of worship.
- (2) A school or childcare facility.
- (3) A public park (not including public trails).
- (4) Any residential zoning district or any parcel used for residential purposes.
- (5) It shall be unlawful to cause or permit the operation of a sexually oriented business within one thousand (1,000) feet of another sexually oriented business.

B. For the purpose of this ~~section~~Section, measurements shall be made in a straight line in all directions without regard to intervening structures or objects, from the closest part of the structure used in conjunction with the sexually oriented business to the closest point on a property boundary or right-of-way associated with any of the land use(s) identified in sub~~section~~section (1) and (2)4 above. If the sexually oriented business is located in a multitenant structure, the distance shall be measured from the closest part of the tenant space occupied by the sexually oriented business to the closest point on a property boundary or right-of-way associated with any of the land use(s) identified in sub~~section~~section (1) and (2)4 above.

A-C. A sexually oriented business lawfully operating is not rendered a nonconforming use by the subsequent location of a place of worship, school, childcare facility, public park, residential district, or a residential lot within one thousand (1,000) feet of the sexually oriented business. However, if the sexually oriented business ceases operation for a period of one hundred and eighty (180) days or more, regardless of any intent to resume operation, it may not recommence operation in that location unless it achieves conformity with the Ypsilanti Township Ordinances.

Because minors are excluded from such facilities by virtue of age, the location of such activities shall be limited to I-C industrial commercial districts, subject to the following conditions:

- a. No adult entertainment facility shall be permitted within 1,000 feet of a church or a public or private school property.
- b. No adult entertainment facility shall be permitted within 1,000 feet of a district zoned for residential use.
- c. All other requirements of the I-C district regarding height, area, setback, screening walls, signs, etc., shall be complied with.
- d. The distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel line upon which the proposed use is to be located or the zoning district boundary, or major thoroughfare right-of-way line from which the proposed land use is to be separated.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 114045. — ~~Message establishments;~~Message ~~T~~therapy ~~R~~regulations:

1. ~~Standards~~-.: A message therapist must be licensed by the Department of Licensing and Regulatory Affairs, Bureau of Health Professions.
2. ~~Authorized Locations~~-.: Message Therapy may only be performed in and in conjunction with a beauty salon, health club, athletic club, medical office, or physical therapy clinic.
3. ~~Message Ttherapy in a Bbeauty Ssalon, Sspa, Hhealth Cclub, or Aathletic Cclub~~-.: Message therapy performed in and in conjunction with a beauty salon, spa, health club, or athletic club is subject to the approval of a ~~s~~Special use permit and the following conditions:
 - A. Message therapists must meet the qualifications established in this ~~section~~Section.
 - B. Floor area for message therapy shall not exceed twenty percent (20%) of the total floor area.

C. All licenses shall be prominently displayed on the premises. Upon request of any officer of the Township licenses shall be provided for review and verification.

D. Any additional conditions required by the Planning Commission such as hours of operation, and massage therapy workspace visibility.

1.4. Massage Therapy in a Medical Office or Physical Therapy Clinic: Massage therapy performed in, and in conjunction with, a medical office or physical therapy clinic is exempt from the special use process, but the conditions of subsections 1 and 2 above apply.

Massage establishment subject to the following conditions:

- ~~a. No massage establishment shall be permitted within 1,000 feet of a church or a public or private school property.~~
- ~~b. No massage establishment shall be permitted within 1,000 feet of a district zoned for residential use.~~
- ~~c. All other requirements of the I-C district regarding height, area, setback, screening walls, signs, etc., shall be complied with.~~
- ~~d. The distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel line upon which the proposed use is to be located or the zoning district boundary line from which the proposed land use is to be separated.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. ~~114146~~. - Pawnbroker, secondhand dealer, and junk dealer:

Pawnbroker, secondhand dealer, and junk dealer facilities subject to the following conditions:

1. No pawnbroker, secondhand dealer or junk dealer business shall be permitted within one thousand (1,000) feet of a district zoned for residential purposes.
2. Storage of all pawned property, secondhand goods and junk shall be within an enclosed building or within a secured area located on the zoning lot of the principal building.
3. The distances provided in this ~~section~~Section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel line upon which the proposed use is to be located or the zoning district boundary, or major thoroughfare right-of-way line from which the proposed land use is to be separated.
4. A license shall be required in keeping with Chapter 22, Article III of the Charter Township of Ypsilanti Code of Ordinances No. 123 as amended—Pawnbrokers amended Pawnbrokers, secondhand dealers, and junk, dealer’s regulation ordinance and secondhand dealers.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

~~Sec. 1147. – Tattoo facilities:~~

- ~~a. No tattoo facility shall be permitted within 1,000 feet of a district zoned for residential purposes;~~
- ~~b. The distances provided in this section shall be measured by the following: a straight line, without regard to intervening buildings, from the nearest point of the property parcel line upon which the proposed use is to be located or the zoning district boundary, or major thoroughfare right-of-way line from which the proposed land use is to be separated.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. ~~114248~~. - Automobile mechanical component dismantling and recycling:

Automobile mechanical component dismantling and recycling subject to the following conditions:

1. Such operations shall be limited to the dismantling of vehicle mechanical components, such as engines and transmissions, for reuse. The receiving, storage, processing or dismantling of whole vehicles shall be prohibited. There shall be no storage, processing or dismantling of vehicle body parts, frames, or tires. There shall be no on-site retail sale of automobile parts.
2. All operations and storage shall be within an enclosed building and there shall be no outdoor storage.
3. The lot shall not be located within two hundred (200) feet of the boundary of a non-industrial zoning district.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 114~~39~~. - Parole or probation offices:

Parole or probation offices subject to the following conditions:

1. No parole or probation supervisory office facilities shall be permitted within one thousand (1,000) feet of a church or a public or private school property.
2. No such office facility shall be permitted within one thousand (1,000) feet of a district zoned for residential use.
3. No parole or probation supervisory office facilities shall be permitted within one thousand (1,000) feet of a state licensed childcare facility.
4. All other requirements ~~of the I-C district~~ regarding height, area, setback, screening walls, signs, and similar mass and area requirements, shall be consistently maintained.
5. The distances provided in this ~~section~~Section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel line upon which the proposed use is to be located or the zoning district boundary, or major thoroughfare right-of-way line from which the proposed land use is to be separated.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 114~~450~~. - Wireless communication towers and antennas:

Because the uses hereinafter referred to possess unique characteristics making it impractical to include them in a specific use district classification, they may be permitted by the Township Board under the conditions specified, and after public hearing by the Planning Commission held in accord with Section 310, Public hearing notice requirements, and further shall be reviewed as provided in Section 2119 Article 10 and after a recommendation has been received from the Planning Commission. In every case, the uses hereinafter referred to shall be specifically prohibited from any residential districts unless otherwise specified.

These uses require special consideration since they service an area larger than the Township, creating problems of control with reference to abutting use districts. Reference to those uses falling specifically within the intent of this ~~section~~Section is as follows:

1. *Wireless communication towers and antennas:*

- A. Purpose: The purpose of this ~~section~~Section is to establish general guidelines for the location of wireless communications towers and antennas. The objectives of this ~~section~~Section are to encourage the co-location of multiple antennas on a single tower, to consider public health and safety in the location and operation of such towers and antennas, to protect residential areas and land uses from potential adverse impacts of towers and antennas, to limit visual impacts by promoting innovative design and screening of towers and to avoid potential damage to adjacent properties from tower failure by requiring careful engineering and proper location of tower structures.
- B. Definitions:
- (1) *Abandoned tower or antenna*: An antenna that is not operated for a continuous period of twelve (12) months, or a tower constructed or maintained without an operational antenna shall be considered abandoned.
 - (2) *Alternative tower structure*: Manmade trees, clock towers, bell steeples, utility poles, flagpoles and similar decorative structures that camouflage or conceal the presence of antennas or towers.
 - (3) *AM array*: One (1) or more tower units with a supporting ground system that functions as one (1) AM broadcasting antenna shall be considered as one (1) tower with a perimeter equaling the smallest rectangular figure that can encompass all elements associated with the array. Setbacks and other distances shall be measured from this perimeter. Additional tower units may be added within the perimeter of an approved array by right.
 - (4) *Antenna*: Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital or analog signals, radio frequencies (except radar) or other wireless communication signals.
 - (5) *Amateur radio communications antenna*: An antenna and associated support structure that is owned and operated by a federally licensed amateur radio station operator for personal use.
 - (6) *Backhaul network*: The lines that connect a provider's towers or antennas to one (1) or more switching offices, long-distance providers, or public-switched telephone network.
 - (7) *Satellite dish*: An antenna structure designed to receive from or transmit to orbiting satellites.
 - (8) *Tower*: A structure, and any support thereto, designed primarily for the purpose of supporting one (1) or more antennas for wireless communication purposes.
- C. Required conditions:
- (1) *Reviews and approvals*: Construction, installation, replacement, co-location or enlargement of wireless communication towers and antennas shall be reviewed and approved as indicated in ~~Table 1120.1, the Wireless Communication Towers and Antennas Required Review/Approval Table~~. Towers and antennas requiring Planning Commission review shall be subject to special land use approval in accordance with ~~Section 2119 Article 10, {special land uses}~~. Applications, reviews and approvals for wireless communication towers and antennas shall be in accordance with the following:

- a. The application is considered to be complete when the ~~planning and zoning coordinator~~ Administrator or his or her designee makes that determination fourteen (14) business days after the ~~planning and zoning coordinator~~ Zoning Administrator or his or her designee receives the application, whichever is first.

If the ~~planning and Zoning Administrator~~ zoning coordinator or his or her designee notifies the applicant before the expiration of the fourteen (14) day period, that the application is not complete, specifying the information necessary to make the application complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the fourteen (14) day period shall be tolled until the applicant submits to the ~~director of the office of community standards~~ Zoning Administrator or his or her designee the specified information or fee amount due. The notice shall be given in writing or by electronic notification.

- b. The Planning Commission shall approve or deny the application not more than sixty (60) days after the application is considered complete for wireless communication antennas co-located on an existing tower or ninety (90) days for a new wireless communication tower unless an extension in time is mutually agreed to between the applicant and the Planning Commission. If the Planning Commission fails to timely approve or deny the application, the application shall be considered approved.
- c. A building permit shall not be issued until special ~~conditional~~ use approval and site plan approval have been granted by the Planning Commission. If no building permit is required, a certificate of occupancy or business license shall not be issued until special use approval and site plan approval have been granted by the Planning Commission.
- d. The wireless communication tower or antenna shall not be authorized by the Township Board until special ~~conditional~~ use approval and site plan approval have been granted by the Planning Commission, if required.
- e. After approval for a special use has been granted, no change in that use may be made, nor may any addition or change in the building or improvements on the property take place until a new request for approval has been filed with the Planning Commission and the Planning Commission has approved the request for change.
- f. After approval of a special use has been granted by the Planning Commission, application for a building permit, or if no building permit is required, application for a certificate of occupancy or business license shall be filed with the building department within one hundred -twenty (120) days thereafter, or such approval shall automatically be revoked unless an extension is granted. The Planning Commission may grant an extension of the first approval for good causes for a period not to exceed six (6) months.

~~Table 1150.1~~ Wireless Communication Towers and Antennas

Required Review/Approval Table

| Situation/Use | Township Board | Planning Commission | Administrative Permits | Exempt |
|--|----------------|---------------------|------------------------|--------|
| Construction of cellular and similar communications towers. | X | X | | |
| Co-location of antennas on an existing approved tower. | | | X | |
| Replacement or enlargement of an existing tower within allowance of The Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended, M.C.L. 125.3101 et seq.). | | | X | |
| Enlargement, in excess of permitted in Act 110, The Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended, M.C.L. 125.3101 et seq.) | X | X | | |
| Construction of an alternative tower structure. | X | X | X | |
| Installation of antennas on an existing building. | X | X | X | |
| Installation of satellite dish antennas with a diameter of less than one and half (1.5) 1.5 meters. | | | | X |
| Installation of satellite dish antennas with a diameter of one and half (1.5) 1.5 meters or larger. | | | X | |
| Installation of amateur radio communication antennas. | | | X | |
| Installation of new antennas or similar transmission devices on light poles and similar public utility structures in a manner visible from the public way. | X | X | | |
| Construction of television, radio, microwave, or public utility transmission towers, antennas, or antenna arrays, unless exempt under applicable federal or state law. | X | X | | |

(2) State or federal requirements: Towers and antennas shall meet or exceed current standards of the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), and any other agency of the state or federal government with regulatory authority. Failure to maintain a tower or antenna in compliance with current state and federal standards, or failure to bring such towers or antennas into compliance with revised standards within six (6) months of their effective date, shall constitute grounds for removal of the tower or antenna at the owner's expense.

- (3) Site requirements and setbacks for wireless communication towers: The following shall apply to all wireless communication towers, and to antennas located on such towers:
- a. Permitted locations by district: Wireless communication towers shall be permitted in non-residential zoning districts. Such towers may be located in residential zoning districts only on parcels of land over twenty (20) acres in area occupied by an institutional or a public recreational use.
 - b. Height: The maximum height of the new or modified support structures and antenna shall be the minimum height demonstrated to be necessary for reasonable communication by the applicant and by other entities to collocate on the structures. However, no towers shall exceed one hundred-fifty (150) feet in height as measured from grade-level to the highest point of the tower. The accessory building ~~contemplated~~ to enclose such things as switching equipment shall be limited to the maximum height for accessory structures within the respective district.
 - c. ~~Towers shall not exceed 150 feet in height as measured from grade-level to the highest point of the tower.~~ Lot boundaries: Towers shall be set back from all zoning lot boundaries not less than one hundred percent (100%) of the height of the tower or antenna. Anchoring cables and associated accessory structures shall satisfy minimum zoning district setback requirements with a minimum setback of twenty (20) feet. If located on the same zoning lot with another permitted use, such towers or structures shall not be located in a front yard or side yard abutting a street.
 - d. Residential dwellings: Towers shall be set back a minimum of three hundred (300) feet from the boundary of a parcel with an existing dwelling, except where separated by an interstate highway or otherwise provided for herein.
- (4) Site requirements and setbacks for antennas located on buildings or similar structures:
- a. The principal use is a conforming use in a multiple-family or non-residential zoning district and the building is a conforming structure in the district.
 - b. The height of the building or similar structure shall be a minimum of fifty (50) feet and the antenna and support structure shall not exceed the height of the building by more than ten (10) feet.
 - c. The antenna and support structure shall be set back from the outermost vertical wall or parapet of the building a minimum distance equal to one hundred fifty percent (150%) of the height of the antenna and support structure.
 - d. The antenna and support structure shall be securely mounted to the building in a permanent manner.
- (5) Site requirements and setbacks for amateur radio communications antennas: The following shall apply to all amateur radio communications antennas:
- a. One (1) such antenna, with a maximum height of sixty (60) feet and a minimum setback from all lot boundaries equal to one hundred percent (100%) of its height, shall be permitted per zoning lot.
 - b. Such antennas shall be accessory to a primary structure on the same zoning lot and shall be located in the rear yard of the zoning lot.

(6) Site requirements and setbacks for satellite dish antennas: The following shall apply to all satellite dish antennas:

- a. One (1) such antenna, with a minimum setback from all lot boundaries equal to one hundred fifty percent (150%) of the height of the antenna and support structure, shall be permitted per zoning lot and shall be accessory to a primary structure on the lot.
- b. Such antennas shall be located in the side or rear yard of the zoning lot or permanently installed upon the primary structure in a manner not visible from any public right-of-way.

D. Required information: The following information shall be provided with an application for a tower or antenna, in addition to that required for site plans by Section 910, Submittal requirements and for special land uses required by Section 1002.2:

- (1) Site plan: The petitioner shall submit a site plan, and elevation drawings of all structures, for review in accordance with Section 910, Submittal requirements. For multiple locations, the plan shall show the location of all equipment, antennas or towers and shall provide a detail of typical site arrangements. Exterior treatments of all accessory structures shall comply with ordinanceOrdinance requirements for the zoning district in which it is located.
- (2) Permission to locate: The petitioner shall submit copies of a signed lease or other proof, satisfactory to the Township attorney, of permission to locate a tower or antenna on the site.
- (3) Co-location agreement: Towers shall be designed and operated in a manner that encourages the co-location of multiple antennas on a single tower. The petitioner for a new tower shall submit a written agreement, transferable to all successors and assigns, stating that the tower operator shall make space available on the tower for co-location. Proposed antenna locations shall be indicated on the site plan.
- (4) Insurance certificate: The petitioner shall submit a valid certificate of insurance, to be renewed annually, listing the Charter Township of Ypsilanti as the certificate holder, and naming the Charter Township of Ypsilanti, its past, present and future elected officials, representatives, employees, boards, commissions, and agents as additional named insured. The certificate shall also state that if any of the described policies are to be canceled before the expiration date thereof, the issuing company will mail thirty (30) days' written notice to the Township as certificate holder. The petitioner shall supply a one thousand (\$1,000.00) cash bond to the Township, which may be used to reimburse Township administrative expenses in the event the certificate is allowed to lapse.
- (5) Removal agreement: The petitioner shall submit a signed removal agreement and a security bond or letter of credit, satisfactory to the Township attorney, for the removal of towers or antennas as applicable. The petitioner shall demonstrate that adequate funds will be available to the Township for the removal of such towers or antennas, restoration of the site and associated administrative costs incurred by the Township in the event that the petitioner, property owner or their successors fail to remove the tower or antenna in a timely manner as required by this articleArticle.

- (6) Tax-related information: The petitioner shall supply to the assessor all tax-related information as requested by the assessor's office for assessment purposes. The assessor's office shall provide notice to the community and economic development department that this condition has been satisfied.
 - (7) Engineering certification: Signed certification by a professional engineer, licensed by the State of Michigan, specifying the manner in which the tower or antenna structure will fall in the event of accident, damage or failure and verifying that the setback area provided would accommodate the structure and provide a reasonable buffer from adjacent parcels.
 - (8) Backhaul network information: The petitioner shall identify the entities providing the backhaul network for the towers or antennas described in the application and other sites owned or operated by the applicant in the Township.
- E. Criteria for approval of new towers and antennas: The following criteria for approval shall be found to exist for all tower or antenna installations:
- (1) Operating requirements: The petitioner shall demonstrate that operating requirements necessitate locating within the Township and the general area and shall provide evidence that existing towers, structures, or alternative technologies cannot accommodate these requirements.
 - (2) Engineering requirements: The petitioner shall demonstrate that existing towers or structures are not of sufficient height or structural strength to meet engineering requirements or are not located in a geographic area that meets these requirements.
 - (3) Impact on adjacent residences: Nearby residential districts and uses will not be negatively influenced by the location of the tower or antenna.
 - (4) Site characteristics: Topography, vegetation, surrounding land uses, zoning, adjacent existing structures, and other inherent site characteristics are compatible with the installation of towers or antennas on the site.
 - (5) Site design: Tower design, lighting, color, construction materials, landscaping, screening, and other design elements are in compliance with Township ~~ordinance~~Ordinances and established land use policies. Wireless communication towers and associated ground equipment shelter areas shall be designed, constructed, and maintained in a manner that accommodates the co-location of multiple antennas on a single tower.
 - (6) There shall be unobstructed access to the support structure for operation, maintenance, repair, and inspection purposes, which may be provided through or over an easement. This access shall have a width and location determined by such factors as: the location of adjacent thoroughfares and traffic and circulation within the site; utilities needed to service the tower and any attendant facilities; the location of buildings and parking facilities; proximity to residential districts and minimizing disturbance to the natural landscape; and the type of equipment which will be needed to access the site.
 - (7) The design and appearance of the support structure and all accessory buildings, shall be reviewed and approved so as to minimize distraction, reduce visibility, maximize aesthetic appearance, and ensure compatibility with surroundings. It shall be the responsibility of

the applicant to maintain the wireless communication facility in a neat and orderly condition.

(8) The requirements of the Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission shall be noted.

(5)(9) A maintenance plan, and any applicable maintenance agreement, shall be presented and approved as part of the site plan for the proposed facility. Such plan shall be designed to ensure the long term, continuous maintenance to a reasonably prudent standard.

F. Security: Wireless communication towers and associated ground equipment shelter areas shall be secured against unauthorized entry and shall be completely enclosed by an ornamental or industrial fence of not less than six (6) feet in height.

2. Standards and ~~C~~onditions: Applications for wireless communication facilities, which may be approved as ~~conditional~~special land uses, and in addition to review requirements as set forth in Article 10, Special Land Uses(~~conditional use~~), shall be reviewed, and if approved, constructed, and maintained, in accordance with the standards and conditions set forth herein.

A. The applicant shall demonstrate the need for the proposed facility to be located as proposed based upon the presence of one (1) or more of the following factors:

(1) Proximity to an interstate or major thoroughfare.

(2) Areas of population concentration.

(3) Concentration of commercial, industrial, and/or other business centers.

(4) Areas where signal interference has occurred due to tall buildings, masses of trees, or other obstructions.

(5) Topography of the proposed facility location in relation to other facilities with which the proposed facility is to operate.

(6) Other specifically identified reason creating need for the facility.

B. The proposal shall be reviewed in conformity with the collocation requirements of this ~~section~~Section.

3. Collocation:

A. Feasibility of ~~c~~Collocation. Collocation shall be deemed to be “feasible” for purposes of this ~~section~~Section where all of the following are met:

(1) The wireless communication provider entity under consideration for collocation will undertake to pay market rent or other market compensation for collocation.

(2) The site on which collocation is being considered, taking into consideration reasonable modification or replacement of a facility, is able to provide structural support.

(3) The collocation being considered is technologically reasonable, e.g., the collocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.

(4) The height of the structure necessary for collocation will not be increased beyond a point deemed to be permissible by the Township, taking into consideration the several standards set forth herein.

B. Requirements for cCollocation.

(1) An approval for the construction and use of a new wireless communication facility shall not be granted unless and until the applicant demonstrates that a feasible collocation is not available for the coverage area and capacity needs.

(2) All new and modified wireless communication facilities shall be designed and constructed so as to accommodate collocation.

4. *Tower address:* Each tower shall be designated with a specific and unique mailing address.
5. *Existing towers and antennas:* A tower or antenna for which a building permit has been properly issued prior to the effective date of this ~~ordinance~~Ordinance shall be allowed to continue to be used as it presently exists, provided that such towers or antennas are maintained in a structurally safe condition, in accordance with ~~Section 2107.1b(2)~~ [state and federal requirements and in compliance with Township ~~ordinance~~Ordinances and conditions of approval in effect when the building permit was issued.
6. *Removal of abandoned towers and antennas:* Abandoned towers or antennas shall be removed by the owner within ninety (90) days of receipt of notice from the Township notifying the owner of such abandonment. Failure by the owner to remove abandoned towers or antennas shall be grounds for the Township to seek court approval for such removal at the owner's expense.
7. *Rescinding approval of a wireless communication tower or antenna:* Failure of the owner, operator or lease holder of an approved tower or antenna to renew or replace any required bonds or insurance certificates, to maintain and operate the tower or antenna in compliance with state and federal requirements, approved permits, site plans or conditions of special land use approval or to provide information to the Township about the tower or antenna as required by this ~~article~~Section or conditions of special land use approval shall be grounds for the Township Board to rescind any previous approval to construct or operate the tower or antenna. Such action shall be subject to the following:
 - A. *Public hearing:* Such action may be taken only after a public hearing has been held pursuant to reasonable advance notice, at which time the owner, operator or lease holder of the tower or antenna shall be given an opportunity to present evidence in opposition to rescission.
 - B. *Subsequent to the hearing,* the Township Board's decision with regard to the rescission shall be made and written notification provided to said owner, operator or lease holder of the tower or antenna.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 11~~4551~~. - Railroad lines, rail spurs and similar rail transport access facilities:

Railroad lines, rail spurs and similar rail transport access facilities may be permitted in any district subject to the following conditions:

1. The Planning Commission, after public hearing, shall recommend and the Township Board shall determine that operating requirements necessitate the locating of said facilities in the district in order to adequately service the Township.
2. The proposed design, location, drainage, and other technical aspects of such facility shall be approved by the Township engineer.
3. When such facilities are proposed to be located within any district, ~~other than an I-T, L-MI-1, I-2 district, I-3 or I-C district,~~ the Planning Commission shall review and ~~approve~~ recommend and the Township Board shall determine that such facilities ~~to~~ insure a satisfactory and harmonious relationship between such development and adjacent land uses, both ~~(existing and proposed)~~.
4. In reviewing such development and prior to approval, the ~~planning commission~~ Township Board may require the development of such screening devices, access roads, and setbacks as will assure safe and convenient vehicular circulation and sound land use arrangements.

([Ord. No. 2011-476](#), § 20, 2-20-11)

Sec. 114652. - Private or public recreation vehicle campgrounds:

Recreation vehicle campgrounds are intended to provide sites for persons seeking a temporary location for vacation or recreation purposes with recreational units such as, but not limited to: tents, travel trailers, camping trailers, motor homes, truck campers, slide-in campers, and chassis-mounted campers. It is recognized that there are areas contained in the community that were subjected to extensive mining operations formerly for sand and gravel with little or no concern given to its ultimate reclamation and reuse. Recreation vehicle campgrounds are considered to be an adaptable use for these areas that due to present grade elevations, drainage conditions, headwall slopes and the like that otherwise could not be developed soundly as a conventional residential subdivision. Therefore, it is the intent of this ~~ordinance~~ Ordinance to permit recreation vehicle campgrounds to be located so as to allow reasonable use of these areas and provide a transition of use between extensive nonresidential areas, i.e., light, and heavy industrial uses and single-family residential areas. Recreation vehicle campgrounds shall further be subject to the following conditions:

1. ~~Locational requirements-:~~
 - A. A recreation vehicle campground shall not be bounded on more than three (3) sides by a single-family residential district, except that the Planning Commission and Township Board may waive this requirement where it can be shown that the abutting property will be developed for nonresidential purposes or for another recreation vehicle campground.
 - B. The site shall have direct access to a major thoroughfare, ~~as designated on the major thoroughfare plan,~~ and with appropriate frontage thereon to provide for the design of entrances and exits.
2. ~~Site conditions-:~~ Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.

3. *Uses permitted*—: Uses such as, but not limited to, campground sites, management headquarters, recreational facilities, toilets, showers, coin-operated laundry facilities, parking areas and other uses and structures customarily found incidental to this use, shall be permitted. Such uses shall be restricted in their use to occupants of the site, except that temporary storage of recreational vehicles may be permitted upon the site when it can be clearly demonstrated that such storage is ancillary to the recreation vehicle campgrounds and subject to the conditions set forth under ~~{subsection~~section 7, items E-g(5) of this ~~section~~Section.
4. *Height and area requirements*—:
 - A. No building or structure hereafter erected or altered in a recreation vehicle campground shall exceed a height of ~~one~~two ~~(1)~~(2) ~~stories~~ies or twenty-five ~~(1425)~~(1425) feet.
 - B. Recreation vehicle campgrounds shall be permitted only on parcels of twenty-five ~~(1425)~~(1425) acres or more.
 - C. Each campground site shall have a minimum forty (40) foot road frontage and a minimum area of at least two thousand four hundred (2,400) square feet.
5. *Yard and setback requirements*—:
 - A. No campground site shall be located closer than two hundred (200) feet to the right-of-way line of a major thoroughfare and one hundred (100) feet to the campground boundary when it abuts or is adjacent to a residential district. Where the campground abuts or is adjacent to a nonresidential district, no campground site shall be located closer than thirty-five (35) feet.
 - B. No service building or any other similar structure shall be located closer than two hundred fifty (250) feet to a major thoroughfare or campground boundary.
6. *Buffers and landscaping*—:
 - A. A greenbelt twenty (20) feet in width and six ~~(6)~~(6) feet in height shall be located and continually maintained along all campground borders. Where the campground borders a residential district, this greenbelt will provide a total obscuring effect. This greenbelt shall consist of such materials as trees and shrubs to provide privacy to occupants of the site and to visually shield the ~~recreation vehicle campgrounds~~recreation vehicle campgrounds ~~from~~from surrounding property. ~~Earthen~~Earthen berms are encouraged to be used to achieve this purpose.
 - B. A chain-link fence of not less than four (4) nor more than six (6) feet in height shall be erected on the boundary line where any portion of the campgrounds abuts or is adjacent to a single-family residential district.
7. *Other conditions*—:
 - A. All sanitary sewage and water facilities including connections provided to individual campground sites, shall meet the requirements of the Ypsilanti Township sewer and water departments and the Michigan State Health Department.
 - B. Entrances and exits from county or state highways shall have the prior written approval of the highway authority having jurisdiction within the Township.
 - C. The campgrounds shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools.

- D. All lighting shall be shielded to reduce glare and shall be so arranged as to reflect the light away from abutting or adjacent properties.
 - E. Areas provided for the storage of recreational vehicles may be permitted subject to the following:
 - (1) The area shall be enclosed with a chain-link fence of not less than five (5) feet in height.
 - (2) A minimum setback distance of two hundred fifty (250) feet is maintained from any abutting or adjacent residential district.
 - (3) Any areas established for this purpose shall not be more than ten percent (10%) of the total campgrounds.
 - F. Occupants of any rented campground site shall not remain in the same recreation vehicle campground for more than fifteen (15) consecutive days within any calendar year.
 - G. The licensee shall provide a sufficient number of containers for the storage of garbage and other refuse, and provide for the transportation of garbage and refuse, not less than once each week at the licensee's own expense to a licensed sanitary landfill.
 - H. All recreational vehicle campground developments shall further comply with ~~Act No. 171 of the Public Acts of Michigan of 1970 (MCL 325.651 et seq., MSA 14.447(121) et seq.), Part 125 of the Michigan Public Health Code, Public Act 368 of 1978~~ as amended (MCL 333.12501...333.12563 et. seq.).
8. ~~Procedures, permits and occupancy--:~~ To construct a recreation vehicle campground of facilities herein, a person shall:
- A. Obtain a health permit from the Michigan State Health Department.
 - B. Present a plot plan to be approved by the Planning Commission and Township Board. No variance from this plan may be made without the approval of the Planning Commission and Township Board.
 - C. Obtain a ~~construction permit from the Michigan State Health Department in the manner prescribed by Act No. 171 of the Public Acts of Michigan of 1970~~ campground construction permit from the Michigan Department of Environment, Great Lakes and Energy in the manner prescribed by Section 12505 of the Michigan Public Health Codes, Public Act 368 of 1978, (MCL 325.651 et seq., MSA 14.447(121)-33.12505 et seq.), as amended from time to time.
 - D. Obtain necessary building permit from Township ~~building Building inspector~~ Inspector.
 - E. Obtain an annual license from the Michigan State Health Department in the manner prescribed by ~~Act No. 171 of the Public Acts of Michigan of 1970 (MCL 325.651 et seq., MSA 14.447(121))~~ Section 12506 of the Michigan Health Code, Public Act of 368 of 1978 (MCL 333.12506 et seq.), as amended from time to time.
 - F. Obtain from the Township ~~building Building inspector~~ Inspector a certificate of occupancy and compliance as provided for in ~~article~~ Section 302.

(~~Ord. No. 2011-476~~, § 20, 2-20-11)

Sec. ~~114753~~. - Storage of recreation vehicles:

1. ~~Locational requirements~~:
 - A. Recreational vehicle storage may be allowed in the MH mobile home park district when such district abuts an established mobile home park. Such MH district utilized for recreational vehicles storage shall not be bounded on more than two (2) sides by any single-family residential district, except that the Planning Commission and Township Board may waive this requirement where it can be shown that the abutting property will be developed for nonresidential purposes or for a mobile home park.
 - B. The site for recreational vehicle storage shall have direct access to a major thoroughfare, ~~as designated on the major thoroughfare plan.~~
 - C. Recreational vehicle storage shall not be permitted within a mobile home park.
2. ~~Uses permitted~~: The storage of unoccupied recreational vehicles shall be permitted.
3. ~~Height requirements~~: No building or structure shall hereafter be erected which shall exceed a height of one (1)-story or ~~fourteen~~ (14) feet.
4. ~~Yard and setback requirements~~:
 - A. No recreational vehicle storage shall be located closer than one hundred (100) feet to the right-of-way line of a major thoroughfare and one hundred (100) feet to the district boundary where it abuts or is adjacent to a residential district. Where the vehicle storage on the site abuts or is adjacent to a nonresidential district or to an MH district, no vehicle storage shall be located closer than twenty (20) feet.
 - B. No service building or any other similar structure shall be located closer than one hundred (100) feet to a major thoroughfare or MH district boundary.
5. ~~Buffers and landscaping~~:
 - A. A greenbelt twenty (20) feet in width and six (6) feet in height shall be located and continually maintained along all borders. Where the storage area borders a residential district, this greenbelt will provide a total obscuring effect. This greenbelt shall consist of such materials as trees and shrubs to visually screen the recreational vehicle storage area from surrounding property. Said greenbelt shall be located inside fences which enclose the storage area.
 - B. A chain-link fence or other secure fence of not less than five (5) ~~and~~ no more than eight (8) feet in height shall be erected to completely enclose the recreational vehicle storage area.
6. ~~Other conditions~~:
 - A. All sanitary sewage and water facilities shall meet the requirements of the Ypsilanti ~~Township Community Utilities Authority, Ypsilanti Township sewer and water departments~~ and the Michigan State Health Department.
 - B. Entrances and exits from county or state highways shall have the prior written approval of the highway authority having jurisdiction within the Township.
 - C. The recreational vehicle storage area shall be located on a well-drained site properly graded to ensure rapid drainage and freedom from stagnant pools.

- D. All lighting shall be shielded to reduce glare and shall be so arranged as to reflect the light away from abutting or adjacent properties.
- E. The site plan shall receive the review and approval of the fire department for access lanes for firefighting equipment.

7. *Review and permit-:*

- A. A site plan shall be submitted for review and approval of the Township, all in accord with [Article 9](#) of this [Ordinance](#).
- B. A building permit and certificate of occupancy shall be required for a recreational vehicle storage area.

(-[Ord. No. 2011-476](#), § 20, 2-20-11)

Sec. ~~114854~~. – Extraction of natural resources:

1. *General intent:*

This Section 5.12 of the Zoning Ordinance is intended to provide the procedure and standards for review and approval of applications seeking permission to conduct the land use of extracting natural resources in Ypsilanti Township in accordance with Michigan Zoning Enabling Act, Public Act 113 of 2011, as amended (MCL 125.3205(3), et seq. referred to as "Act 113" in this Section). As described and explained in this Section, approval of an application shall require special land use approval based on the ultimate determination of whether the proposed extraction operation would result in "very serious consequences" as that term is understood in Act 113. Therefore, the special standards in this Section shall apply rather than the usual standards in this Zoning Ordinance for the review of special land use applications.

In conformance with Act 113, the application and approval process under this Section shall be divided into two (2) parts:

- A. First, a preliminary hearing will be held to determine the extent of need for and public interest in the natural resource(s) sought to be extracted on the applicant's property. This part of the process is required as explained by the Michigan Court of Appeals in order to determine the precise calibration for the standard of review under the "very serious consequences" test (as explained in greater detail below in this Section).
- B. After the preliminary proceedings are completed, a public hearing and review shall be conducted at the request of an applicant to determine whether the special land use for the extraction of natural resources proposed in the application would result in "very serious consequences." The Planning Commission shall conduct the public hearing and make findings and a recommendation to the Township Board, and the Township Board shall make the final special land use determination.

2.- *Findings by Township Board as a foundation for this ~~Ordinance~~ Section:*

The Township Board recognizes that, as the Michigan Supreme Court observed in *Kyser v Kasson Township*, 486 Mich 514, 518 (2010) ("*Kyser*"): the exercise of the zoning authority under MCL 125.3201(1) and (3) is an empowerment of the Township Board to plan and zone for a broad range of purposes. These provisions reveal the comprehensive nature of the Michigan Zoning Enabling

Act. It defines the fundamental structure of a zoning ordinance by requiring a zoning plan to take into account the interests of the entire community and to ensure that a broad range of land uses is permitted within that community. These provisions empower a township to plan for and regulate a broad array of land uses, taking into consideration the full range of planning concerns that affect the public health, safety, and welfare of the community.

The provisions of Act 113 direct that:

In subsection (3), it is directed that an ordinance shall not prevent the extraction, by mining, of valuable natural resources from any property unless very serious consequences would result from the extraction of those natural resources. Natural resources shall be considered valuable for the purposes of this section if a person, by extracting the natural resources, can receive revenue and reasonably expect to operate at a profit.

In subsection (4), it is directed that a person challenging a zoning decision under subsection (3) has the initial burden of showing that there are valuable natural resources located on the relevant property, that there is a need for the natural resources by the person or in the market served by the person, and that no very serious consequences would result from the extraction, by mining, of the natural resources

Act 113 further specifies that the standards in *Silva v Ada Township*, 416 Mich. 153 (1982) ("*Silva*") shall be applied in reviewing an application to permit the extraction of natural resources.

Based on the authority provided to the Township Board in MCL 125.3202(1) to "provide by ordinance for the manner in which the regulations and boundaries of districts or zones shall be determined and enforced or amended," the Township Board finds that review and approval of a special land use for the extraction of natural resources would be most effective and efficient if based on the procedures and terms of this Section.

The Township Board finds that a careful review process, based on standards understood by the Planning Commission, Township Board, the applicant, and the general public, is critical to protecting the public health, safety, and welfare as intended in the Michigan Zoning Enabling Act.

3. Preliminary review process to determine the extent of need for and public interest in the natural resources proposed to be extracted:

A. The purpose for having a preliminary hearing and review is founded on direction given by the Michigan Supreme Court and Michigan Court of Appeals with regard to the "very serious consequences" standard, which was codified as part of Act 113 in MCL 125.3205(4) with the specification that a showing of "Need" for the resources to be extracted is to be the *initial burden* that must be met by the applicant. While it might be argued that a showing of need is not required until a party challenges a zoning decision denying a proposed use, the Michigan Court of Appeals explains that the "need" issue must be ascertained in advance in order to know how to apply the "very serious consequences" standard. In the adoption of the "no very serious consequences" standard in its *Silva v Ada Township* opinion, the Michigan Supreme Court discussed a *variable level of public interest*, that is, need for the resources proposed to be extracted: "[t]he public interest of the citizens of this state who do not reside in the community where natural resources are located in the development and use of natural resources requires closer scrutiny of local zoning regulations which prevent development."

- 416 Mich at 160. A more detailed explanation on this point was as provided by the Court of Appeals in *American Aggregates Corp v Highland Township*, 151 Mich App. 37, 42-46 (1986), where it was clarified that the public interest, that is, the “Need” factor, is required to inform the ultimate decision on “no very serious consequences,” noting that the entire foundation of the stricter “no very serious consequences” test (as compared to the standard that applies to nearly all other uses) rests on the important public interest involved in extracting and using natural resources. Therefore, the degree and extent of need and demand for the extraction of the specific natural resources located on the applicant's land is a relevant factor in reviewing the “no very serious consequences” issue. The Court referred to this as a sliding scale determination of whether “very serious consequences” exist in the landowner's specific situation. If the Need for a specific landowner's resource is very high, the consequences resulting from the extraction of the resource will not reach the level of “very serious” as readily as in the case where Need in the specific resource is relatively low. Accordingly, this Section makes provision for a preliminary determination on the extent of need for the applicant’s resources in order to inform the ultimate decision on whether the applicant’s proposal would result in “very serious consequences.”
- B. This preliminary proceeding shall be commenced by the applicant filing an application for a determination with regard to the extent of Need for the Natural Resources proposed to be extracted on the property, including a determination on the duration of the need. Act 113 specifies that the “Need” for the natural resources shall be determined with regard to the need for the resources by the person or in the market served by the person. Need must be reviewed based on the extent that the particular natural resources proposed to be extracted from applicant’s property can be reasonably supplied from other viable sources within the geographic area expected to be served by the property at issue, that is, within the geographic area in which there would be other extractive operations already providing a supply of the same natural resources. The geographic area for this analysis is to be determined by considering factors including, but not limited to the economic feasibility of transporting the natural resources to the locations of demand, as well as other factors relevant to feasibly providing a supply of the natural resources to the locations of demand.
- C. The application form for the need analysis for the preliminary hearing and review shall be approved by resolution of the Township Board and shall require the applicant to provide sufficient information for use by the Township in reviewing the matter of need.
- D. An application for special land use approval for the proposed operation, including haul route, shall include:
- (1) A Use Plan, which shall provide a plan reflecting the intended location and use of the property which is the subject of the application.
 - (2) A plan showing the location of all proposed haul routes.
 - (3) A description of each type of natural resource proposed to be mined.
 - (4) A description of the names and locations of all places anticipated to create the need, that is the demand, for the natural resources from the property within the foreseeable future, including the type of use to be made by the resources, such as building construction, road building, and the like.

- (5) A description of the names and locations of all properties and operations which exist, or have been approved, for the extraction of any of the natural resources proposed to be extracted on the property, along with a specification with regard to each property of the type of natural resource extracted, and an estimate of the remaining useful life for the particular natural resource on each of such other properties and operations.
- (6) Calculations and facts leading to a conclusion on the extent of need which is not being met, and could not be met, from the existing sources for each type of natural resource proposed to be extracted on the property. This calculation must apply past experience and take into account that new properties and operations will likely to be approved in the foreseeable future on other properties within the market area.
- (7) A fact-based estimate of the expected duration of the proposed extraction operation on the property.
- (8) The average and maximum number of loaded trucks per day anticipated to leave the proposed operation on a full business day during the operating season.
- E. For purposes of this preliminary administrative review process, the Planning Commission shall conduct a hearing on the application. Prior to the hearing, the Township shall review the application and documentation submitted in support of the application, and report any deficiencies to the applicant within a reasonable time. The hearing shall not be noticed until the applicant has cured the deficiencies found to exist in the application.
- F. This preliminary hearing shall begin with an introduction by the person designated by the Planning Commission chairperson. The applicant shall then be given the opportunity to present proofs on the need issue consistent with the application submitted. At the completion of the applicant's presentation the Township, through its representatives, may address and offer evidence or argument on these issues. Members of the public shall then have the opportunity to address and offer evidence or argument on these issues. If requested, the applicant shall be provided with an opportunity to rebut evidence and argument presented, but for efficiency purposes shall not be permitted to duplicate evidence on matters included in applicant's earlier presentation. Likewise, any new matters addressed by the applicant may be rebutted by representatives of the Township and members of the public. The hearing shall then be closed.
- G. Following completion of the hearing, either at the same meeting at which the hearing was held, or at a later meeting, the Planning Commission shall, based on the record made, adopt findings and recommendations on the extent of need demonstrated by the applicant. Township representatives may assist the Planning Commission with the articulation of its findings and recommendations.
- H. The Planning Commission shall forward its findings and recommendation on the degree of need for the applicant's natural resources to the Township Board which shall, taking into consideration the evidence from the hearing and the Planning Commission's recommendation, then make its own findings and conclusions on the extent of need demonstrated. The Township Board may conduct a further hearing at its discretion.

- I. Because the matter of the extent of need for the natural resources is relevant to the ultimate determination of “very serious consequences,” the findings and conclusions made by the Township Board may be appealed by the applicant or other interested party to the circuit court prior to the next part of the process at which the Township must determine the issue of “very serious consequences.”
4. Determination of whether the proposed extraction of natural resources would result in very serious consequences:
 - A. Once the Township Board has completed its decision making on the extent of need for the natural resources proposed to be extracted in accordance with ~~subsection 3~~, above, the applicant may apply for special land use approval under this ~~subsection 4~~.
 - B. The standards for determining whether the proposed extraction of natural resources would result in “very serious consequences” shall be the Silva standard, as articulated in Act 113.
 - (1) Act 113 specifies that the Township shall not prevent the extraction, by mining, of valuable natural resources from any property unless it would result in very serious consequences. The applicant shall have the initial burden of showing that no very serious consequences would result from the extraction, by mining, of the natural resources. In determining under this Section whether very serious consequences would result from the extraction, by mining, of natural resources, the standards set forth in *Silva v Ada Township*, 416 Mich 153 (1982), shall be applied, as directed in Act 113.
 - (2) The applicable standards are explained in the holdings in cases interpreting *Silva v Ada Township*, such as, *American Aggregates Corp. v. Highland Township*, 151 Mich App. 37 (1986).
 - (3) The standards provided in this ~~subsection 4~~ that are the standards in Act 113, with explanations to assist in the understanding of the applicable considerations by the Planning Commission, Township Board, the ~~applicant~~, and the public, and shall guide interpretation and decision of “no very serious consequences” with regard to an application for special land use approval under this Section.
 - C. Act 113 Standards of Review: -The following guiding standards are provided. These standards are based on the framework provided in Act 113, MCL 125.3205(5) (a)- (f) for the purpose of determining whether the applicant has proven that “no very serious consequences” would result from the applicant's proposed extractive operation and haul route. These standards are intended to assist the Township in reviewing an application under the Act 113, and shall guide decision making on the ultimate decision on whether the applicant has proven that “no very serious consequences” would result from the applicant's proposed extractive use and haul route. The weight and relevance of each of these standards shall be determined by the Township Board, in its discretion, taking into consideration the extent of Need and public interest in the specific natural resources on applicant’s property, as well as all other relevant facts and circumstances.
 - (1) Existing land uses:
 - a. The relationship and impact of applicant's proposed use and associated activities with and upon existing land uses anticipated to be impacted, particularly those properties in the vicinity of the property and along the haul route(s).

- b. The impact upon the public health, safety, and welfare from the proposed use, including haul route(s), considering, among other things, the proposed design, location, layout, and operation in relation to existing land uses.

(2) Property values:

- a. The impact of applicant's proposed use and associated activities on property values in the vicinity of the property and along the proposed haul route(s) serving the property.
- b. The effect on the general demand for and -value of properties in the Township anticipated to be caused by the proposed use, including use of the haul route(s).
- c. The impacts considered in this subsection ~~section~~ ~~bb.~~ may be taking into consideration: the number and type of vehicles proposed; machines and equipment to be used in the operation; location and height of buildings, equipment, stockpile, or structures; location, nature and height of walls, berms, fences, and landscaping; and all other aspects of the proposed use.

(3) Pedestrian and traffic safety:

- a. The impact of the proposed use and associated activities on pedestrian and traffic safety in the vicinity of the property and along the proposed haul route(s) serving the property.
- b. Consistency with and authorization of the proposed use -and haul route(s) under state, county, and/or local regulations that have been established for roadways, including regulations applicable to the use of roads for proposed haul route(s).
- c. The impact of the proposed use, including haul route(s), on vehicular and pedestrian traffic, particularly in relation to hazards reasonably expected in the district(s) impacted, taking into consideration the number, size, weight, noise, and fumes of vehicles, vehicular control, braking, and vehicular movements in relation to routes of traffic flow, proximity and relationship to inter~~section~~sections, adequacy of sight distances, location and driveways and other means of access, off-street parking and provisions for pedestrian traffic. Consideration shall be given to the interaction of heavy vehicles used for the use with children, the elderly and the handicapped.
- d. Whether the proposed use and associated activities would result in a hazard to children attending schools or other activities within the Township.
- e. Overall, the impact of the proposed use, including haul route(s), on children, older persons, and handicapped persons, with consideration to be given to the extent to which such persons shall be required to forego or alter their activities.

(4) Identifiable health, safety, and welfare interests:

- a. If the property has been designated in the Master Plan as an appropriate site for heavy industrial use, this shall weigh in favor of the applicant under this provision, subject to consideration of the specific scope and impact of the operation and associated activities. Similarly, if the property has been designated in the Master Plan for non-industrial use, this shall weigh in favor of determining that the proposed Use would result in a very serious adverse consequence.

- b. The impact of applicant's proposed use and associated activities on identifiable health, safety, and welfare interests in the Township.
- c. The impact of the proposed use, including haul route(s), upon surrounding property in terms of noise, dust, fumes, smoke, air, water, odor, light, and/or vibration. In determining whether a proposed use amounts to a very serious consequence, the standards for the stated impacts contained within the Township's regulatory ordinanceOrdinance, as the same may be amended, will be considered, along with any one (1) or a combination of components proposed for the use that have unique qualities relating to these impacts (such as crusher noise and vibration).
- d. The extent of impact of the proposed use, including haul route(s), on economic development and on the character and features that defines the community, or on development in other units of government that will be impacted by the use, including haul route(s).
- e. The impacts of the proposed use on the planning, functioning and spirit of the community, factoring into such consideration whether the proposed use would be likely to render the applicable regulations in the zZoning ordinanceOrdinance on other properties in the area unreasonable. This review shall analyze whether the heavy industrial nature of the proposed use would undermine reciprocity of advantage by creating impacts and character that would raise a reasonable question whether residential zoning restrictions on area property would represent arbitrary limitations on the use and enjoyment of such area property.
- f. The operation of the proposed use, including the haul route(s), shall be evaluated in light of the proposed location and height of buildings or structures and location, nature and height of stockpiles, walls, berms, fences and landscaping, and all other proposed aspects of the overall use, including whether such improvements would interfere with or discourage the appropriate development and use of adjacent land and buildings.
- g. The extent to which the proposed use, including haul route(s), would be likely to cause limitations on the use and enjoyment of other property in the vicinity (zoning district or districts, as impacted) in which it is to be located and along the haul route(s), and the extent to which the proposed use would likely be detrimental to existing and/or other permitted land uses and future redevelopment in the manner specified in the Master Plan.
- h. The extent to which the proposed use, including haul route(s), would likely be detrimental to the development of new land uses in the zoning districts impacted.
- i. The burden from the proposed use, including haul route(s), on the capacity of public services, infrastructure, or facilities.
- j. The burden of the proposed use, including haul route(s), on retail uses, arts and culture, equestrian activities, non-motorized vehicle travel or recreation, school use, parks, playgrounds, residential uses, and the likely creation of physical vulnerability or degradation of any uses and resources, including the creation of the need for added public or private expenditures for maintenance of buildings, structures, and infrastructure.

k. The extent to which the proposed use, including haul route(s), would cause diesel fumes, dust, truck noise or physical/mental health issues, including along the haul route(s).

l. The nature and extent of impact from the proposed use, including haul route(s), in relation to environmental resources in the Township, including air, ground water, surface water, soils, and wetlands. In determining impacts, the cumulative effect upon all environmental resources shall be evaluated.

(5) Overall public interest in the proposed extraction:

a. The overall public interest in the extraction of the specific natural resources on the property both in absolute terms and in relative terms in relation to the need for resources and the adverse consequences likely to occur.

b. Public interest in the proposed use, as measured against any inconsistencies with the interests of the public as are proposed to be protected in Master Plan for the area to be impacted by the use and haul route(s).

c. Public interest in the proposed extraction, as measured against any inconsistencies with regard to physical, historic, and economic interests in relation to the use and haul route(s).

d. Public interest in the proposed extraction, as measured against any likely creation of valid environmental concerns, including without limitation impairment, pollution and/or destruction of the air, water, natural resources and/or public trust therein.

e. Public interest in the proposed extraction, as measured against public costs likely to be caused by the proposed use, including haul route(s), considering alternative supplies of natural resources.

D. Application for special land use approval:

(1) The applicant shall submit a separate application in the form approved by resolution of the Township Board for purposes of seeking review and approval to determine whether “very serious consequences” would result from the proposed use. The application shall address all of the Act 113 standards, as stated above in this Section 5.12.

(2) The application shall also include the following:

a. The name, address, and other contact information for the owner as well as the operator of the proposed site, along with a boundary survey of the property proposed to be mined, sealed by a registered land surveyor or engineer, and a general description of the materials, methods, and techniques that will be utilized for the mining operations.

b. A site plan, at a scale of at least one (1) inch per two hundred (200) feet, drawn on a topographic map with the same scale, showing the location of the perimeter of the site, buildings, equipment, processing area, parking for equipment, area for truck stacking and loading, stockpiles, roads, berms, or other features necessary to the mining operations. The site plan shall also include an aerial photograph showing the property in substantially the condition as on the date of the application, enlarged to a scale of one (1) inch equals two hundred (200) feet, from original photograph flown

at a negative scale no smaller than one (1) inch equals six hundred and sixty (660) feet. The date of the aerial photograph shall be shown, and shall have been flown at such time as the foliage shall be off of on-site trees. The site plan shall show or demonstrate all of the following:

- i. A setback of the mining area from the nearest public roadway or adjoining property line of not less than two hundred (200) feet.
 - ii. All of the following minimum setbacks of equipment used for screening and crushing:
 - a) Not less than three hundred (300) feet from the nearest public roadway.
 - b) Not less than two hundred (200) feet from the nearest adjoining non-residential property line, and four hundred (400) feet from the nearest residential property line.
 - c) Not less than five hundred (500) feet from the nearest residential dwelling on adjacent property as of the date of submittal of the plan for extraction.
 - iii. A setback of one hundred and fifty (150) feet from the perimeter of the site to internal roads, and three hundred (300) feet from the perimeter of the site to all stockpiles and processing equipment, including wash plant.
 - iv. A description of all proposed haul routes to be used to transport natural resources from the mining area to all freeways or state trunk line highways proposed to transport natural resources to destinations, other than for local deliveries. All extraction operations shall be located near an all-season primary road, and best efforts shall be made to minimize the increase in truck traffic through areas developed primarily for residential purposes. In this regard trucks used to transfer the natural resources shall follow a route that poses the least interference with other traffic, minimizes traffic through residential areas, and uses public streets constructed for high volumes of heavy truck traffic. Truck traffic shall comply with any truck route ordinanceOrdinances and all road commission regulations.
 - v. The maximum number of trucks leaving the extraction property on any one (1) day shall be certified by the applicant in the application.
- c. Stockpiling is the component of a mining operation that allows the operator to have a ready supply of extracted material. No stockpile shall be higher than twenty-five (25) feet above the grade of the area situated between the stockpile and adjoining property; provided, the height of a stockpile and the nature of the materials stockpiled shall not result in materials recurrently blowing from a stockpile onto adjacent property.
- d. Description and location of berms or other equivalent screening and buffering of the active mining area shall be established along the boundary lines of the premises where such lines abut a public highway, abut privately owned property which is improved for residential or commercial purposes, and at such places as are necessary to screen or buffer processing equipment from the view and impact of a person standing at ground level on any parcel of land improved for residential purposes located adjacent to or which fronts on any of the roads forming the boundaries of the mining site. When constructed

along public highways, the berm shall be of a sufficient height to screen processing equipment from the view of the general public using the highway.

- e. A description of processing activities shall be provided, including, but shall not limited to, washing, screening, transporting, crushing, and blending of stone, sand, gravel, and other materials. In describing the wash plant, the design, and other specifications, including depth and water transportation facilities, and the amount, depth, and source of water to be utilized in processing, and the anticipated means and location of disbursement of such water following use.
- f. A general description and location of each type of natural resources deposits proposed to be extracted.
- g. The sequence of mining, including proposed phasing, if applicable.
- h. Surface overburden removal and storage plans.
- i. A description of the minimum and maximum depth from grade level from which ~~the~~ ~~each~~ each type of natural resource will be excavated, with each location and depth shown on the site plan referenced above.
- j. The estimated and maximum period of time to complete operations, including reclamation, recognizing that market conditions will impact such estimate.
- k. A plan for the post-mining reclamation of the property, including:
 - i. A detailed plan for reclamation, including:
 - a) A general plan shown on an aerial photograph;
 - b) A reclamation contour map; and
 - c) A description of reclamation methods and materials proposed for renewal of topsoil and replanting, including a proposed sequence of reclamation, indicating the time sequence within which each area to be mined will be reclaimed as mining operations progress.
 - ii. The general plan for reclamation shall be presented on a series of drawings showing the conditions before commencing operations and also showing the alterations to be made. The drawings shall have the same scale as the vertical aerial photograph (required in the application under Section 302, showing the acreage for each item shown:
 - a) Each phase of reclamation, reflecting the sequence of each phase in relation to all others;
 - b) Location and boundaries of all permanent water areas; and
 - c) Distances of all reclamation areas and water areas from property boundaries.
 - d) A restoration contour map shall be prepared to the same base as site plan required above to indicate the grade and slopes to which excavated areas shall be reclaimed, and a general indication of the distance of such reclaimed areas from the property boundaries. Such grade and slope designations shall be included with respect to areas proposed to be beneath the surface of permanent

water areas. Side slopes around the active extraction-area perimeter shall have a grade not exceeding one (1) vertical foot per three (3) horizontal feet. -The banks adjacent to any submerged areas shall have a grade not exceeding one (1) vertical foot per five (5) horizontal feet, out to a depth of five (5) feet.

- e) A description of the methods and materials proposed for reclamation shall include topsoiling and the amount and type of plantings.
- f) Reclamation shall be implemented in a manner that prevents washout and erosion, using appropriate grading, turf, vegetation, soil, overburden, shrubs, and trees, as necessary, and performed in accordance with the approved reclamation plan. -Topsoil shall not be removed from the site unless authorized in the permit.

E. Decision on Special Land Use Application:

- (1) A decision on the special land use application shall be made based on the Act 113 standards, above.
- (2) The decision may consist of an approval, an approval with conditions, or a denial.
- (3) An approval, with or without conditions, shall be deemed to incorporate the site plan and associated specifications in the record approved by the Planning Commission, including the materials submitted in accordance with ~~subsection~~ section D, above (as modified in the approval), and all representations made by the applicant in the review proceedings.
- (4) An approval shall state a termination date for the effect of the approval consistent with the application and proceedings conducted in response to the application.
- (5) The decision shall include a statement of reasons why the applicant has been approved, or why it has failed to satisfy its burden of proof based on the standard of "no very serious consequences."

F. Review Process at the Planning Commission:

- (1) Prior to conducting a public hearing on the application, the Township shall review the application and documentation submitted in support of the application and report any deficiencies to the applicant and the Planning Commission within a reasonable time. The public hearing on the application shall not be noticed until the applicant has cured the deficiencies found to exist in accordance with this procedure. The Planning Commission may request a preliminary presentation for informational purposes prior to conducting a public hearing.
- (2) The Planning Commission shall conduct a public hearing on the application to determine whether the applicant can and does satisfy the applicant's burden of proof that "no very serious consequences" shall result from applicant's use of the property and haul route(s) based on the Act 113 standards above. The hearing shall begin with an introduction by the Planning Commission chairperson, or a person designated by the chairperson. The applicant shall then be given the opportunity to make the showings required in this ~~ordinance~~ Ordinance. At the completion of the applicant's presentation, either at the same meeting or at a subsequent meeting if additional time is needed in order to thoroughly address the subject matter, the Township, through its representatives, may address and offer evidence or argument on the issues. Members of the public shall then have the opportunity to address and offer evidence or argument on the issues. If

requested, the applicant shall be provided with an opportunity to rebut evidence and argument presented, but for efficiency purposes shall not be permitted to duplicate evidence on matters included in applicant's earlier presentation. Likewise, any new matters addressed by the applicant may be rebutted by representatives of the Township and members of the public. The public hearing shall then be closed.

(3) After the public hearing has been closed, either at the same meeting at which the public hearing was completed, or at a later meeting held within a reasonable time, the Planning Commission shall, based on the evidence presented, adopt findings and recommendations on whether the applicant has made a sufficient showing on whether there would be "no very serious consequences" as a result of the proposed use, including haul route(s), applying the Act 113 standards, above, as interpreted in accordance with applicable principles and law. Township representatives may assist the Planning Commission with the articulation of such findings and recommendations.

(4) Following all of the hearing procedures and requirements specified above, the Planning Commission shall forward to the Township Board its findings and recommendations on whether the proposed special land use should be approved.

G. Review Process at the Township Board

(1) The Township Board shall, taking into consideration the evidence from the public hearing, the Planning Commission's recommendation, and any additional evidence presented to the Township Board, act on the application for special land use approval.

(2) The Board's action may consist of approval, approval with conditions, or denial, and the Board shall state the reasons for its decision, which shall be based on the evidence in the record.

(3) An approval shall also state in detail the specifications of the approval.

5. Effect of approval:

A. The approval under this Section shall expire following a period of two (2) years from the date of the minutes in which the approval is granted, unless:

(1) The period for securing the license, permits and commencing bona fide construction is extended by the Township Board for good cause within the effective period; or

(2) Approved bona fide development for the approved operation pursuant to building and other required permits and license issued by the Township under this Section and Township's ~~ordinance~~Ordinances, commences within such two (2) year period and proceeds diligently and in good faith as required by this Ordinance to completion.

B. In the event that bona fide development has not commenced within the permissible period of time calculated under sub-paragraph 2 above, the special land use shall be void and of no effect.

6. Fees:

The applicant for a special land use under this Section shall pay as a fee the Township's costs and expenses incurred in the review and evaluation of and action on the application. An escrow shall be established in an amount specified by Township Board resolution, and additional reasonable

amounts shall be contributed as required in order to complete the process of review and approval. Any unexpended amounts from su-ch escrow shall be returned to the applicant.

~~The removal of sand and/or gravel or similar materials by excavation, stripping, mining or otherwise taking, and including on-site operations appurtenant to the taking, including washing, grading, and sorting operations, may be carried on within the limits of I-2 districts provided all conditions herein required are met. All extraction from new pits begun subsequent to the effective date of this ordinance shall be washed, graded, and further processed and/or stored within the limits of the approved extraction area, and no natural resource extracted outside the limits of the approved extraction area shall be brought in for washing, grading or further processing. Resource-related industries including, but not limited to, concrete batching plants and asphalt mix plants shall not be permitted as a part of a plan for sand and gravel excavation.~~

~~1. *Filing of petition.* Petitions for the granting of permits for natural resources operations shall be filed with the Building Official by the owners and leaseholders, if any, of the land proposed for natural resources development. Petition shall be submitted on letter form, fully supplemented by data, maps and aerial photographs specified, and shall be accompanied by a fee as established by resolution of the Township Board. A permit for such use may be issued for a one (1) year period by the Township Board after recommendation by the Planning Commission. Unless the owner of the petition ignores and/or violates the restoration plan, the permit is automatically renewable for one (1) year periods. Petitions shall be accompanied by the following:~~

~~A. Vertical aerial photograph, enlarged to a scale equal to one (1) inch equals two hundred (200) feet, from an original photograph at a negative scale no smaller than one (1) inch equals one thousand (1,000) feet. Area covered by the vertical aerial photograph shall include:~~

~~(1) All land requested in the petition.~~

~~(2) All contiguous land which is, or has been, used by the owner or leaseholder applicant for any extraction, treatment and/or storage.~~

~~(3) All public roads which can provide first point of access.~~

~~(4) The boundaries of the above listed items (a) through (c) shall be delineated on the aerial photograph and clearly marked as to [items] (a), (b) and (c).~~

~~B. Identification survey, prepared by an engineer or surveyor certified by the State of Michigan to prepare such plats, drawn to a scale of one (1) inch equals two hundred (200) feet, shall be submitted in five (5) copies. This survey shall include:~~

~~(1) Boundary of entire tract by courses and distances.~~

~~(2) Boundary of exact area being petitioned for in permit.~~

~~(3) Means of vehicular access to the proposed operation.~~

~~C. Report by a qualified soil scientist, soils engineer or geologist regarding the effect the proposed operation will have upon the watershed of the area, with particular attention being devoted to the water table, and, if water bodies are to be created, the anticipated permanence of such. Data to be provided shall include:~~

~~(1) Hydrological data:~~

~~a. Groundwater levels;~~

~~b. Rainfall data;~~

~~c. Capacity of streams and rivers on or in close proximity to site.~~

- ~~(1) Lake level data. General engineering information related to pumping spillways, debris basins, irrigation systems.~~
- ~~(2) Soil erosion and sediment control plan construction in a manner consistent with the letter and spirit of Act No. 347 of the Public Acts of Michigan of 1972 (MCL 282.101 et seq., MSA 13.1120(1) et seq.), as amended, and any applicable local ordinances and requirements.~~
- ~~(3) General soils data:
 - ~~a. Soil type;~~
 - ~~b. Soil erodibility;~~
 - ~~c. Stability of existing and proposed slopes.~~~~
- ~~(1) Contour map of the reclaimed site at two (2) foot intervals.~~
- ~~(2) Location of all stream flow points:
 - ~~a. Inflow points;~~
 - ~~b. Outflow points;~~
 - ~~c. Catchment areas.~~~~
- ~~(3) A detailed plan for the extraction of the natural resource's deposits. Such plans shall include a timetable for various stages of the operation and shall be accompanied by a restoration plan indicating how the natural resources area will be reused in a manner compatible with the Township master plan for future and use. The restoration plan shall include:
 - ~~a. Proposed use of restored natural resources area.~~
 - ~~b. Proposed topography drawn as contours at an interval of two (2) feet and indicating water bodies or other major physical features.~~
 - ~~c. Delineation of areas intended to be partitioned or subdivided, including the proposed layout.~~
 - ~~d. All excavation shall be made either to a water producing depth of at least ten (10) feet below the low water mark for at least eighty percent (80%) of the water area, or shall be graded or backfilled with noxious free, noninflammable, and noncombustible materials to secure [insure]:
 - ~~i. That the excavated area shall not collect and permit to remain therein stagnant water; or~~
 - ~~ii. That the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depression thereof, and so as to produce a gently rolling surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area.~~~~
 - ~~e. The banks of all sand and gravel excavations shall be sloped to the water line in a water-producing excavation, and to the pit floor in a dry operation, at a slope which shall not be less than five (5) feet horizontal to one (1) foot vertical and said banks shall be restored with vegetation in a manner set forth hereunder.~~
 - ~~f. Vegetation shall be restored by the use of sufficient soil and overburden and by appropriate seeding of grasses or planting of shrubs or trees in all parts of said reclaimed mining area where such area is not to be submerged under water or within twenty five (25) feet of the shoreline as hereinabove provided.~~~~

~~g. In the event filling of the mined area is necessary during rehabilitation, said fill material shall be nonorganic only.~~

~~h. Upon cessation of mining operations by abandonment or otherwise, the operator, within a reasonable period of time not exceeding twelve (12) months thereafter, shall remove all plant structures, buildings, stockpiles, and equipment, unless such building or structures can be lawfully used in the district in which the same are located.~~

~~2. Review of permit application.~~

~~A. The Building Official shall be responsible for receiving and processing all applications for permits. His office shall accept for filing only applications completely documented as herein required.~~

~~B. The Building Official shall be responsible for coordinating the several separate inspections as required herein.~~

~~C. The Township Board shall be authorized to approve the manner and order of restoration of proposed new excavation. So as to assure faithful restoration of the area, the petitioner shall deposit with the clerk cash, a certified check or irrevocable bank letter of credit, whichever the petitioner selects, or a surety bond acceptable to the Township Board; the amount of such deposit shall be established by the Township Board based upon an estimate by the Township engineer and shall be sufficient to finance restoration of the disturbed area.~~

~~This deposit shall be submitted by the petitioner prior to the issuance of any permit and shall be held in escrow by the Township until restoration is completed and has been approved by the Township Board.~~

~~So as to prevent undue hardship, the Township Board may, at its discretion, approve bonds for areas less than the total acreage applied for. However, at no time shall any excavation be undertaken unless and until sufficient bond has been deposited to ensure restoration of the area to be disturbed.~~

~~In the event of deviation from an approved extraction and/or restoration plan, the Building Official shall notify the permit holder of a violation. Failure to correct said violation within thirty (30) days shall automatically void any permits issued and/or prevent the issuance of new permits until such time as the deviation has been corrected in keeping with requirements set forth by the Township Board. Appeals from a decision of the Building Official shall, in regard to an alleged violation, be directed to the Township Board.~~

~~D. Specific operating requirements.~~

~~(1) *Setback.* Excavation, washing and stockpiling of extracted material shall not be conducted closer than seventy-five (75) feet to the outer boundary of the approved extraction area. Fifty (50) feet of the setback area shall not be used for any use in conjunction with a natural resources operation except public notice signs identifying occupation. Access roads may occupy twenty-five (25) feet of the outer boundary setback. Greenbelt plantings and landscaping shall be provided in the setback area as required by the Township Board. Said setback may be varied by the board of appeals when the outer boundary of the approved extraction area abuts a body of water. In granting said variance, the Board of Appeals shall establish a specific setback so as to secure public safety.~~

~~(2) *Building line for operation structures.* To reduce the effects of airborne dust, dirt and noise, all equipment for sorting, crushing, loading, weighing and other operations structures shall not be built closer than three hundred (300) feet from any public street right-of-way or from any adjoining residentially zoned district.~~

~~(3) *Frontage and access.*~~

- a. ~~Each tract of land for sand or gravel extraction shall have a minimum frontage on a major or secondary thoroughfare (a thoroughfare of at least eighty-six (86) feet of right of way, existing or proposed) of at least five hundred (500) feet, except that the Township Board may approve a lesser frontage minimum if written consent of owner in fee of adjoining property is first secured.~~
- b. ~~All means of access to and from the property shall be by way of class A roads as designated by the Washtenaw County road commission. Such road shall be designated as a major or secondary thoroughfare on the Township future land use plan.~~
- E. ~~Fencing. Any excavation which operation results in, or produces for a period of one (1) month, collections of water, or slopes as described below shall be subject to the following safety requirements:~~
- ~~(1) Where slopes steeper than thirty (30) degrees exist for a period of one (1) month or more, access to such slopes shall be barred by a cyclone fence or similarly effective barrier at least six (6) feet high, at least fifty (50) feet outside the edge of the excavation, with suitable gates controlling access to the excavation area.~~
- ~~(2) Where collections of water are one (1) foot or more in depth for any period of at least one (1) month and occupying an area of two hundred (200) square feet or more, access to such collections shall be similarly fenced, as required in subparagraph (a) above, for slopes.~~
- ~~(3) In those instances where the sand or gravel extraction area is situated in marginal land areas consisting of swampland or is bounded by natural bodies of water, the fence shall be required only on those sides accessible to public rights of way or as the Township Board may determine as requiring fencing so as to secure safety. The Township Board may require the posting of signs "Keep Out-Danger" as needed.~~
- F. ~~Access roads. All private access roads shall be treated so as to create dust free surface for a distance of three hundred (300) feet from any public access road.~~
- G. ~~Slopes. Finished slopes of the banks of the excavation shall in no event exceed a minimum of five (5) feet to one (1) foot (five (5) feet horizontal to one (1) foot vertical) and where ponded water results from the operations, this slope must be maintained and extended into the water to a depth of five (5) feet. Said slopes shall be met as the work in any one (1) section of the excavation proceeds, and the time for completion of said slopes shall not extend beyond one (1) year's time from the date of beginning; provided, that the Township Board may extend the above one (1) year period to such longer period as satisfactory under the circumstances.~~
- ~~Sufficient topsoil shall be stockpiled on the site so that the entire area, when excavation operations are completed, may be recovered with a minimum of six (6) inches of topsoil, and that such replacement of topsoil shall be made immediately following the termination of excavating operations. So as to prevent erosion of slopes, all replaced topsoil shall immediately be planted with grass or other plant material acceptable to the Township Board.~~
- H. ~~Explosives. The use of explosives shall be done in accordance with the Regulations for Storage and Handling of Explosives, as published by the Michigan State Police, Fire Marshal Division, East Lansing, Michigan.~~
- I. ~~Site plan review. All uses proposed for sand and gravel extraction areas shall be further subject to the requirements of Section 2115, site plan review of this ordinance, as applicable.~~

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 114955. - Farms with sales and entertainment facilities:

Agricultural ~~C~~ommercial and ~~T~~ourism:

1. Uses permitted: The following ~~A~~gricultural ~~c~~ommercial ~~/and~~ ~~T~~ourism ~~B~~usinesses may be permitted after Special land use review:

A. ~~1.~~ Cider mills or wineries selling product, in a tasting room, containing at least fifty percent (50%) of crops or produce grown on-site.

B. ~~2.~~ Seasonal outdoor mazes of agricultural origin such as straw bales or corn.

C. ~~3.~~ The processing storage and retail or wholesale marketing of agricultural products into a value-added agricultural product in a farming operation if at least fifty percent (50%) of the stored or processed, or merchandised products are produced by the farm operator.

D. ~~4.~~ U-pick operations.

E. ~~5.~~ Uses 1 through 4 listed above may include any or all of the following ancillary agriculturally related uses and some non-agriculturally related uses so long as the general agricultural character of the business is maintained and the income from these activities represents less than fifty percent (50%) of the gross receipts from the business.

(1) Value-added agricultural products or activities such as education tours of processing facilities, etc.

(2) Playgrounds or equipment typical of a school playground, such as slides, swings, etc. (not including motorized vehicles or rides).

(3) Petting farms, animal display, and pony rides.

(4) Wagon, sleigh, and hayrides.

(5) Nature trails.

(6) Open air or covered picnic area with restrooms.

(7) Educational classes, lectures, seminars.

(8) Historical agricultural exhibits.

(9) Kitchen facilities, for the processing, cooking, and/or baking of goods containing at least fifty percent (50%) produce grown on site.

(10) Gift shops for the sale of agricultural products and agriculturally related products. Gifts shops for the sale of non-agriculturally related products such as antiques or crafts, _____ limited to twenty-five percent (25%) of gross sales.

F. ~~6.~~ Other commercial/tourism business that are complementary and accessory to the primary agricultural land use of the subject property including but not limited to:

(1) ~~s~~Small-scale entertainment (e.g., music concert, car show, art fair).~~;~~

(2) ~~e~~Organized meeting space (e.g., for use by weddings, birthday parties, and corporate events).~~;~~

(3) ~~d~~Designated, permanent parking for more than twenty (20) vehicles.

2. Standards:

A. Minimum lot area of ten (10) acres.

- B. A two hundred (200) foot open buffer shall be provided on all sides of the property not abutting a roadway. Agricultural ~~C~~commercial and ~~F~~tourism ~~B~~business activities shall not be allowed within this buffer area. Where possible crops, shall remain within this buffer area to help maintain the agricultural character of the site.
- C. Buffer plantings shall be provided along the property line where there is an abutting residence. Greenbelt plantings are intended to screen views of the proposed operation from the adjacent home or property. Buffer plantings shall meet the standards of Section ~~13.0201.3.H~~.
- D. Off-street parking **must be provided** to accommodate use as outlined in Article 12.
- (1) Parking facilities may be located on a grass or gravel area for seasonal uses such as roadside stands, u-pick operations, and agricultural mazes. All parking areas shall be defined by either gravel, cut lawn, sand, or other visible marking.
 - (2) All parking areas shall be located in such a manner to avoid traffic hazards associated with entering and exiting the public roadway.
 - (3) Parking shall not be located in required setback or buffer areas. Paved parking areas must meet all design, and landscape screening requirements as set forth in this Zoning Ordinance.
- E. The following additional operational information must also be provided as applicable:
- (1) Ownership of the property.
 - (2) Months (season) of operation.
 - (3) Hours of operation.
 - (4) Anticipated number of customers.
 - (5) Maintenance plan for disposal, etc.
 - (6) Any proposed signs.
 - (7) Any proposed lighting.
 - (8) Maximum number of employees at any one time.
 - (9) Restroom facilities.
 - (10) Verification that all required permits have been granted, i.e., Federal, State, and local permits.
- F. All areas of the property to be used including all structures on site must be clearly identified.
- G. Noise levels shall not exceed sixty-five (65) decibels at the property line of the farm where adjacent property has a dwelling unit within two hundred (200) feet of the property line, nor shall it exceed a maximum of seventy-five (75) decibels at any other property line.
- H. Hours of operation of any outdoor entertainment facilities may be limited by the Planning Commission.

~~Farms with sales and entertainment facilities utilized in promotion of on-site farm product sales may be permitted in residential R-1 districts subject to the following conditions:~~

- ~~a. Any sales and entertainment facilities shall have direct access to a major or secondary thoroughfare by means of drives or roads which directly service the facility from the major or secondary thoroughfare. Minor streets shall not be utilized for access to such facilities.~~
- ~~b. A site plan, drawn to scale, showing all intended site uses, shall be submitted for review and approval. Such plan shall show the intended use and location of all buildings and structures, growing areas, parking facilities, roads and drives to be utilized by the public, pedestrian circulation, location of service areas for various facilities and transition plantings and/or screening devices.~~
- ~~c. Crop growing areas of a depth of not less than 200 feet shall be provided on those sides of the property not abutting the major or secondary street servicing the farm.~~
- ~~d. Greenbelt tree plantings or other effective visual screening shall be provided where off-site abutting residential properties are occupied with dwelling structures within 200 feet of any area on the site occupied with sales or entertainment facilities.~~
- ~~e. All parking shall be provided off the street or road right-of-way.~~
- ~~f. Noise levels shall not exceed 65 decibels at the property line of the farm where adjacent property has a dwelling unit within 200 feet of the property line nor shall it exceed a maximum of 75 decibels at any other property line.~~

([Ord. No. 2011-476](#), § 20, 2-20-11)

Sec. ~~115056~~. - Racetracks (including midget auto and karting tracks) and dirt tracks:

Because racetracks and dirt tracks develop a concentration of vehicular traffic in terms of ingress and egress from their parking area and cause noise levels which may project beyond the property so used, they may be permitted ~~in 1-2 districts~~ when located adjacent to a major thoroughfare one hundred twenty (120) feet wide or greater and shall be located on a parcel of land which is abutting land zoned for industrial purposes on all sides of the parcel in question, and shall be subject further to the following conditions and such other controls as the Planning Commission deems necessary to promote health, safety and general welfare in the Township:

1. A site size of not less than twenty (20) acres shall be provided.
2. All parking shall be provided as off-street parking within the boundaries of the development.
3. All access to the parking areas shall be provided from roads which have a right-of-way of not less than one hundred twenty (120) feet in width.
4. All sides of the development not abutting a major thoroughfare one hundred twenty (120) foot right-of-way or greater shall be provided with a twenty (20) foot greenbelt planting and fence, wall, or earth berm so as to obscure from view all activities within the development. The planting shall be in accord with Section [1301.3.H](#).
5. A track shall not be located closer than five hundred (500) feet to any residence on property other than the site on which the tract is located.
6. Dust shall be controlled so as not to be noticeable beyond the property line of the property on which the track is located.
7. Noise levels shall comply with Section [1400, subsection 6, Noise](#) of this ~~ordinance~~[Ordinance](#).

8. The track area shall be fenced.
9. Grading on the site which involves one (1) or more acres shall require a building permit and shall comply with ~~State of Michigan Act 347 of 1972~~ Part 91 Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, the Soil Erosion and Sedimentation Control Act of 1972, as amended (MCL 324.9101...324.9123a et. seq.) and with applicable ~~Charter Ypsilanti Township ordinance~~ Ordinance.

~~(-Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 11571. - Outdoor spat ball, simulated war games and similar activities:

Outdoor spat ball, simulated war games and similar activities may be permitted in I-2 industrial districts subject to the following conditions:

- a. A minimum site size of not less than ten acres shall be provided.
- b. The proposed use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding area.
- c. A site plan, drawn to scale, showing all intended site uses, shall be submitted for review and approval in accord with section 2115. The site plan shall show the layout of the proposed use designating activity areas, location of all buildings and structured parking facilities, roads and drives to be utilized by the public, pedestrian circulation, location of service areas and transition plantings and/or screening devices.
- d. The facility shall abut a major thoroughfare and shall provide all vehicle access to the facility from such abutting thoroughfare.
- e. The property line of any such facility shall not be located within 200 feet of any residential dwelling or within 200 feet of any residential district.
- f. A setback of 50 feet for all activity areas on the site shall be provided. Activities on the site shall in no way extend beyond the property line of the site.
- g. Noise levels shall not exceed 65 decibels at any property line of the site.
- h. Hours of operation shall be limited from 8:00 a.m. to 8:00 p.m.
- i. Devices for the transmission of sound, voices or music shall be so directed as to prevent such sound from being audible beyond the property lines of the site.
- j. The township board may impose such reasonable conditions as it deems necessary to protect the public health, safety and general welfare from excessive noise, traffic, obnoxious odors and any detrimental effects from the operation of the facility.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 115258. - Garbage, refuse and rubbish transfer stations:

Garbage, rubbish and refuse transfer stations may be permitted in ~~I-2 and I-3 industrial districts~~ the L-M district. The Township Board may grant a use permit under such conditions as it deems necessary for the protection of the public health, safety, and general welfare, including but not limited to the following:

1. The proposed use must be of such location, size, and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood.
2. The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such

that traffic to and from the use and uses, and the assembly of persons in connection therewith, will not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood. In applying this standard, the Township Board shall consider amongst other things: convenient routes for traffic; the relationship of the proposed use to main traffic thoroughfares and to streets and road ~~intersections~~sections; vehicular turning movements in relation to routes of traffic flow; location and access of off-street parking and the general character and intensity of the existing and potential development of the neighborhood. All driveways and parking areas on the site should be hard surfaced to specifications of engineering department.

3. The location and height of buildings or structures and the location, nature, and height of doors, walls and fences must be such that the proposed use will not have a detrimental effect upon the neighboring property or the neighboring area in general, nor impair the value of neighboring property, nor interfere with or discourage the appropriate development and use of adjacent land or buildings or unreasonably affect their value. Such building shall be completely enclosed.
4. The standards of density and required open spaces for the proposed use shall be at least equal to those required in the ~~I-2-zL-M~~ zoning district or at least equal to those prescribed in the special requirements relating to the proposed use, whichever is the greater.
5. The location, size, intensity, site layout and periods of operation of any such proposed use must be designated to eliminate any possible nuisance likely to emanate therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration smoke or lights.
6. The proposed use must provide for proper yard space, parking facilities loading space, percentage of lot coverage, protective walls, size of buildings, lot area and width and other requirements of this ~~ordinance~~Ordinance.
7. The proposed use must be in accord with the spirit and purpose of this ~~ordinance~~Ordinance and not be inconsistent with or contrary to the objectives sought to be accomplished by this ~~ordinance~~Ordinance and principles of sound planning.
8. The following conditions shall be prohibited:
 - A. Incineration or open burning in the building or on the site shall be prohibited.
 - B. Overnight storage of any refuse material in the building shall be prohibited.
 - C. Dumping or storage of any material on the site outside the building at any time shall be prohibited.
9. The Township Board may impose such reasonable conditions as it deems necessary to protect the public health, safety, and general welfare from excessive noises, excessive traffic patterns, obnoxious and unhealthy odors, and any detrimental effects from the general operation of such transfer station.
10. The Township Board may impose additional conditions and safeguards as it deems necessary to minimize the adverse effects of such an installation on the character of the surrounding area.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. 115~~39~~39. - Lighted outdoor commercial sports centers:

Because lighted outdoor commercial sports centers, including baseball and other intense activities, possess the unique characteristic of often being used late into the night while attracting large numbers of spectators and attendant vehicular traffic in conjunction with ingress and egress to parking areas, these uses subject to the following conditions:

1. Lighted ~~Outdoor~~ commercial sports centers shall be permitted only upon parcels of land which ~~abutting~~ a major thoroughfare of one hundred twenty (120) feet of right-of-way or greater.
- ~~2. — Because it is of primary concern to the township to preserve large areas of industrial property for industrial uses, the township when considering approval of such a use shall take into account the compatibility of the lighted outdoor commercial sports center with existing and future industrial development.~~
- ~~3.2.~~ In determining the number of parking spaces required to accommodate the lighted outdoor commercial sports center, the Township Board may take into account the hours of operation and types of activities conducted upon the site. The minimum parking requirements for baseball facilities shall be no fewer than seventy-five (75) spaces for each of the first four (4) baseball diamonds plus fifty (50) spaces for each additional baseball diamond.
- ~~4.3.~~ The proposed internal site design of the facility shall meet all standards of the Township and other affected governmental agencies, including but not limited to those standards pertaining to proper drainage, lighting, hard surfacing, and other engineering standards.
- ~~5.4.~~ Points of ingress and egress shall be available to the complex only from abutting major thoroughfares of one hundred twenty (120) feet of right-of-way or greater. The site shall comply with all standards of the Township and other affected governmental agencies relative to driveways, acceleration and deceleration lanes, and related items.
- ~~6.5.~~ The use and parking area shall be screened from adjacent major thoroughfares with berms and other approved landscaping.
- ~~7.6.~~ All lighting used to illuminate the area shall be installed so as to be confined within and directed upon the site.
- ~~8.7.~~ Devices for the transmission of broadcasting of voices or music shall be so directed as to prevent said sound from being audible beyond the lot lines of the site.
- ~~9.8.~~ Storage buildings, restroom facilities, facilities for the sale and consumption of food, beverages and refreshments and other similar accessory uses shall comply with all standards of the Township and other affected governmental agencies. Such accessory facilities shall operate only during the hours of operation of the principal use of the property.

~~(Ord. No. 2011-476, § 20, 2-20-11)~~

Sec. ~~115460~~. - Wastewater treatment plants:

~~Wastewater treatment plants may be permitted in the I-3 industrial district and the I-C industrial commercial district.~~ The ~~Township Board~~Planning Commission may grant a use permit for a wastewater treatment plant under such conditions as it deems necessary for the protection of the public health, safety, and general welfare, including but not limited to the following:

1. There shall be a demonstrated need in the community for such facility.
2. The proposed plant shall be designed and located within an area where the impacts shall be limited in terms of visual impacts, odors, and surrounding land use character.
3. The location, size, operation, and design shall utilize measures to eliminate any possible nuisance likely to emanate therefrom, which might be noxious to the occupants of any other nearby use, whether by reason of odors, fumes, or lights. Such measures shall include implementation of odor control measures.
4. Any such use shall conform to current standards established by the U.S. Environmental Protection Agency and the Michigan Department of ~~Environmental Quality~~Environment, Great Lakes, and Energy.
5. The ~~Township Board~~Planning Commission may impose such reasonable conditions as it deems necessary to protect the public health, safety and general welfare from obnoxious and unhealthy odors, visual impacts, and any detrimental effects to the character of the surrounding area.

Sec. ~~115561~~. - State-licensed residential child and adult care facilities:

1. State-licensed child and adult care facilities, as defined in ~~article II~~Section 2-0201, definitionsDefinitions, shall meet the following regulations:
 - A. These facilities, except for adult/child family day care homes, shall be registered with ~~the~~ Ypsilanti Township ~~Community Development Department~~ 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. Documentation of such compliance with state requirements shall be provided.
 - C. The site shall comply with the sign provisions of Section 2109.
 - D. Off-street parking shall be provided for the number of employees on site at any one time.

~~If located in a single-family residential district, the building shall have an appearance which is nonintrusive and consistent in color, materials, roof line and architecture, as determined by the planning commission.~~

~~Documentation of sufficient indoor classroom, crib or play area meeting state requirements shall be provided. Documentation of approved areas, as licensed by the state, shall be provided.~~

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.

(-Ord. No. 2011-476, § 20, 2-20-11)

Sec. 115662. - Towing services:

Towing services without an impound or storage yard, taxi terminals and dispatch facilities, limousine services and bus depots, subject to the following:

1. All repair work on vehicles and equipment associated with the use shall be conducted completely within an enclosed building.
2. Outdoor storage of vehicles and equipment associated with the use is permitted, provided that the site includes a building of at least five hundred (500) feet of gross floor area for office use in conjunction with the use.

Sec. 115763. — ~~Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies; Outdoor sStorage and Ccontractors/Llandscapers Yyard:~~

Outdoor storage of goods, materials, and equipment shall be prohibited unless otherwise specifically permitted in this ~~section~~Section. For those uses where the outdoor storage of goods, materials, and equipment is permitted either by right or through a sSpecial land use, the following conditions shall apply:

1. General Regulations-:

A. Such storage shall be strictly and clearly incidental to the principal use and only products and materials owned or produced by the principal business, and equipment owned and operated by the principal use shall be permitted for storage under the sub~~section~~section.

B. Location and Size.

(1) The location and size of areas for such storage, nature of items to be stored therein, and details of the enclosure, including description of materials, height, and typical elevation of the enclosure shall be provided as part of the sSpecial land use permit application and indicated on a site plan, as set forth in ~~Article 10 and Article 9.~~

(2) Such storage shall not be located within the area between the front face of the building, as extended across the entire width of the lot, and to the right-of-way; in any required side or rear yard; or in any required transition strip.

(3) Such storage shall not be located in any required parking or loading space.

C. Screening. The area for such storage shall be screened from view on all sides. Screening shall be constructed of wood or masonry materials. Wire fences with inserted strips of metal,

plastic and similar materials shall not be substituted for the required screening. The screen shall not be less than the maximum height of the product being stored.

2. Contractors/Landscapers Yard-:

- A. The contractor’s office building shall be of permanent construction.
- B. Outdoor storage shall be accessory to the contractor’s principal office use of the property. Such outdoor storage shall not be located within the front yard and shall be enclosed by an opaque fence up to eight (8) feet in height and/or landscape screening meeting the standards set forth in Section 1301.3.H.
- C. All travel surfaces shall be paved as a condition of approval.
- D. Cranes, booms or other extensions on equipment, trucks or other vehicles parked on site shall be stored in the lowest possible configuration.

~~Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor’s equipment and supplies, provided such is enclosed within a building or within an obscuring wall or fence on those sides abutting all residential or business districts, and on any yard abutting a public thoroughfare. In any I-1 district, the extent of such fence or wall may be determined by the planning commission on the basis of usage. Such fence or wall shall not be less than five feet in height, and may, depending on land usage, be required to be eight feet in height. A chain link type fence, with heavy evergreen shrubbery inside of said fence, shall be considered to be an obscuring fence.~~

Sec. Section-1158. – Garage and yYard Ssales:

- 1. Standards-: The owner or occupant of any one-or two-family residencets may conduct up to six (6) garage, rummage, or yard sales per calendar year. Each sale may be for a period not to exceed seventy-two (72) hours. Signage for said sale(s) shall be as permitted in Article 15.

Sec.Section 1159 – Artisan Ffood and Bbeverage pProduction:

- 1. Retail Ssales-: Retail sales of the product produced on-site are allowed. If to be consumed off-site, the product must be in the original packaging. The product may also be sold and served on-site, and accessory retail sales of related items are permitted.
- 2. Wholesale-: No more than fifty percent (50%) of the product may be produced for sale to a wholesaler and at least fifty percent (50%) of the product must be sold for retail use, to be consumed either on- or off-site.
- 3. Enclosed Buildings-: All equipment used in the production and all products produced must be located within the principal building.
- 4. Nuisance-: The production process shall not produce odors, dust, vibration, noise, or other external impacts that are detectable beyond the property lines of the subject property

Sec.Section 1160 – Senior Aassisted and #independent Lliving:

1. Maximum Density: The maximum allowable density varies by housing type, but shall not exceed the following:

A. Dwellings may be provided for as single-family detached, two-family, or multiple-family units. When such dwellings contain kitchens, the minimum site area requirements for purposes of calculating density shall be as follows:

| <u>Dwelling Site</u> | <u>Site Area Required Per Unit</u> |
|-----------------------------------|--|
| <u>Efficiency/One (1) bedroom</u> | <u>Two thousand (2,000) square feet</u> |
| <u>Two (2) bedroombedrooms</u> | <u>Two thousand five hundred (2,500) square feet</u> |
| <u>Each additional bedroom</u> | <u>Five hundred (500) additional square feet per bedroom</u> |

B. Where facilities do not contain kitchen facilities within individual dwelling units, the site area per bed shall be one thousand five hundred (1,500) square feet.

2. Height, Lot Coverage, and Setbacks: Height, lot coverage and setback requirements of the MFRM-MD Districts as set forth in Section 408 shall apply.

3. Parking: Parking is not allowed in any required front yard. Parking is permitted in the side and rear yards provided a minimum twenty (20) foot setback is observed.

4. Facade: The maximum length of an uninterrupted building facade facing public streets and residentially zoned or used property shall be thirty (30) feet. Facade 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.

5. Drop-Off and Pickup Area: A separate drop-off and pickup area shall be required adjacent to the main building entrance, located in a manner that will not create congestion on the site or within a public roadway.

Section 1161 – Commercial Kennel Regulations - Pet Day Care Regulations:

1. Application of Regulations:

A. Special land use required.

(1) Training classes shall be permitted only if specifically authorized in the Special land Use Permit.

(2) In districts other than AG, the kennel shall not be operated for breeding purposes, unless specifically authorized in the Special Use Permit.

B. The Special land Use Permit shall establish a limit on the number of animals that may be boarded at one (1) time.

C. The special land use permit Special Use Permit may limit the specific species of animals that are permitted.

D. The ~~special land use permit~~ ~~Special Use Permit~~ may establish a limit on other measures of the intensity of use.

2. ~~Standards~~:

A. Kennel shall be subject to the permit and operational requirements of State and County regulatory agencies.

B. Pet grooming (including bathing, fur and nail trimming, brushing, flea and tick treatment, and similar treatment) shall be permitted for animals being boarded; for animals not being boarded, pet grooming shall be permitted if specifically authorized in the ~~special land use permit~~ ~~Special Use Permit~~.

C. The sale of pet and veterinary products shall be incidental to the kennel unless specifically authorized in the ~~special land use permit~~ ~~Special Use Permit~~.

D. Veterinary care shall be incidental to the kennel unless specifically authorized in the ~~Special land use permit~~ ~~pecial Use Permit~~.

E. Structures in which animals are kept, as well as animal runs and exercise areas, shall not be located in any required front or rear setback area and shall be located at least fifty (50) feet from any dwelling or building used by the public on adjacent land.

3. ~~Operations~~:

A. All animals shall be kept in an enclosed structure, except for walking and outdoor exercise when accompanied and controlled by an employee of the kennel. The ~~special land use permit~~ ~~Special Use Permit~~ may limit the time during which the animals are permitted out of the building.

B. An operations and maintenance plan shall be submitted that specifically addresses how noise will be attenuated and waste handled.

C. In districts other than ~~Agricultural~~ ~~AG~~ Districts, facilities must be connected to public utilities where available.

D. Applicant shall include a waste management plan.

Section 1162 – Mobile ~~H~~home ~~P~~arks:

1. ~~Locational~~ ~~R~~requirements:

A. Access to any mobile home park shall be to a major thoroughfare ~~or secondary thoroughfare as designated on the master plan~~. The intent being to avoid higher density traffic movements through existing or planned single-family developments. An emergency means of ingress and egress to a mobile home park, not used for general access, may be permitted to other than a major thoroughfare.

B. Mobile home parks shall not be permitted on parcels of less than fifteen (15) acres in area.

2. ~~Area, H~~height and ~~B~~bulk ~~R~~requirements:

No mobile home shall be permitted to occupy any mobile home park site if the home and/or site fails to comply with the following requirements:

- A. All mobile homes shall comply with ~~state mobile home commission~~ the Michigan Manufactured Housing Commission requirements with respect to ~~the space between homes and other facilities.~~
- B. All mobile home sites shall contain at least five thousand five hundred (5,500) square feet of site area. This site area, however, may be reduced to not less than four thousand four hundred (4,400) square feet; provided, that for each square foot of reduction in site area, at least a corresponding amount of open space land be established for common use.
- C. A setback of at least fifty (50) feet shall be provided between any mobile home and an office building, community center or service building and any abutting public thoroughfare right-of-way line. This area shall be maintained in an open landscaped area. A setback of at least twenty-five (25) feet, the computation of which shall include the ten (10) foot required distance established in rule 944(1) of the ~~mobile home commission~~ Manufactured Housing Commission rules, shall be provided between any mobile home, office building, community center or service building and any other exterior property line. This latter setback area may be used as yard areas for permitted buildings. This area may also be used for parking subject to the screening requirements of ~~Sec. 2108.~~Section 1301.3.H. This area may also be part of the required open space when it is part of a functionally usable open space area.

3. Required ~~C~~conditions:

- A. All mobile home park development shall further comply with ~~Act No. 419 of Public Acts~~ the Mobile Home Commission Act, Public Act 96 of 1987, as amended ~~of Michigan of 1976~~ (MCL 125.11012303 et. seq., MSA 19.855(1) et seq.), as adopted.
- B. Mobile home parks shall provide land for open space use by residents of the park. These areas shall be so located and arranged that they functionally serve the residents to be served and meet or exceed ~~mobile home~~ the Manufacturing Housing ~~C~~Commission rules, as adopted.
- C. The outside storage of household effects, other than normal patio furniture, etc., is prohibited. The storage of recreational vehicles, i.e., boats, campers, trailers, motor homes or snowmobiles, on mobile homes sites and/or required parking spaces for longer than ~~forty-eight~~ (48) hours is also prohibited.
The storage or parking of recreational vehicles, motor homes, boats, snowmobiles, or other vehicles or items ordinarily towed, driven or used for a special purpose, if storage or parking of such is permitted in the mobile home park, shall be in accordance herewith. The storage of the vehicles or items in the mobile home development is specifically prohibited except in the storage area. The storage area shall be screened by solid-type fence five (5) feet in height around its perimeter or by some other similar screening device.
- D. All utility connections shall comply with state and local codes.
- E. The proposed site plan for the mobile home park shall be submitted to the Planning Commission for their review and approval prior to any consideration. The suggestion of any changes or modifications shall be based on such reasonable requirements as are applied to the review and approval of all other uses in the Township. Any items determined to be undesirable or inadequate shall be made known to the applicant and a copy of such objections shall immediately be forwarded to the state ~~Manufacturing Housing mobile home~~ ~~C~~Commission for their consideration in reviewing the proposed mobile home park plans.

- F. The Township engineer shall also review the proposed park plans with respect to drainage patterns to adjacent properties, water and sewage needs which would be generated and the Township's ability to accommodate such mobile home park needs. In addition, any connections to municipal facilities shall meet applicable Township engineering design requirements. A copy of any deficiencies noted shall be transmitted immediately, with the recommendations of the Planning Commission, to the state mobile home commission.
- G. Each occupied mobile home shall be skirted and anchored with materials meeting ~~Manufacturing Housing mobile home c~~Commission specifications.
- H. A mobile home, in a mobile home park, shall only be made available for human occupancy on a lot approved for such occupancy by the Charter Township of Ypsilanti and the Michigan ~~Manufacturing Housing Mobile Home~~Commission, in accordance with the approved plans for the mobile home park. Every mobile home ~~proposed~~, to be located on a lot in a mobile home park, shall be certified to comply with the requirements of the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development (HUD) under the provisions of 24 CFR 3280 as the same are from time to time amended. Additionally, all mobile homes shall meet or exceed all applicable roof, snow load, and strength requirements. Compliance with the mobile home construction and safety standards shall be shown by a HUD seal affixed to the mobile home and evidence of the existence of a HUD seal shall be presented to the Township ~~community and economic development~~Planning &Department prior to the issuance of a land use permit for a mobile home.
- I. The selling of new and/or used mobile homes as a commercial operation in connection with the operation of a mobile home development is prohibited. New or used mobile homes located on lots within the mobile home development to be used and occupied within the mobile home park may be sold by a licensed dealer and/or broker. This ~~section~~Section shall not prohibit the sale of a new or used mobile home by a resident of the mobile home development, provided the development permits the sale.

Section 1163 – Townhouses:

In form-based districts, townhouses shall meet the requirements for that district. For townhouse development outside of form-based zoning districts, all townhouse residential must comply with the following design standards:

1. Dimensional Standards: All principal buildings shall meet the following dimensional requirements:
 - A. Minimum front yard setback: fifteen (15) feet.
 - B. Minimum spacing between buildings: fifteen (15) feet.
 - C. Minimum rear yard setback: twenty (20) feet.
 - D. Minimum setback from side and rear perimeter of site: twenty (20) feet.
 - E. Minimum setback from adjacent single-family zoning district: thirty (30) feet.
 - F. Maximum percent of lot area covered by buildings: forty-five percent (45%).

G. Maximum height of structures: Two (2) stories and twenty-five (25) feet.*

H. Minimum ground floor area per unit: one thousand (1,000) square feet.

*The Township Board may permit buildings up to three (3) stories and thirty-five (35) feet in height where the building is setback from existing adjacent single-family lots a distance equal to the height of the building and landscape screening is provided along the lot line adjoining an existing single-family residential use.

2. *Building Layout and Architecture*: The following architectural standards shall be met for all structures.

A. Style. Buildings shall have a traditional style of architecture characteristic of the mid-western United States. Design guidelines and typical building elevation drawings shall be presented with the ~~PD-stage I~~ preliminary site plan and be referenced in the ~~PD~~ development agreement. Detailed architectural plans for each building will be included with the final ~~PD-stage II~~ site plans.

B. Street Facade. Buildings shall be oriented towards the street. The facade of buildings facing the public street shall include doors, porches, windows, and other architectural detailing consistent with the front facade of a traditional dwelling. The front facade of all buildings shall be constructed of brick.

C. Porches. All main entrances to the units shall have a porch or stoop at least thirty (30) square feet in area facing the street.

D. Roofs. All buildings shall have pitched roofs. The roofline may also include varying lines customary with gable or hip style roofing and dormer window features are encouraged. Permitted roofing materials include asphalt shingles, cedar shake and slate.

E. Garages. All units shall provide garages accessed from the rear or side of the building. This may be accommodated by an attached rear-entry garage, a garage that is access via a rear service drive or a detached garage located in the rear yard. Garages facing towards the front lot line may be permitted where the front of the garage is located at least twenty (20) feet behind the front wall of the dwelling.

3. *Circulation*:

A. Road standards. Roads may be public or private where approved by the Township Board. The Township Board may permit specific modifications to road standards where the modification will improve the traditional neighborhood character of the development, provided parking and emergency vehicle access are accommodated.

B. Street connections. Street connections shall be encouraged where it will unify neighborhoods and provide more convenient access to businesses and community facilities such as schools and parks. Cul-de-sacs and other dead-end streets shall be discouraged. Where it is not possible or desirable to provide a through street, the Planning Commission may allow a looped drive with a common green in the center. The circular drive around the green shall be at least twenty (20) feet wide, measured face to face of curb, and the central green shall be no less than twenty (20) feet at its narrowest dimension and be landscaped.

C. Rear service drives. Rear service drives or alleys may be provided to serve as access to rear yard garages within a minimum pavement width of at least twenty (20) feet. In addition to a

- rear drive, all residential structures shall have frontage along a public street or private road, except the Township Board may allow dwellings to front onto a common green or pedestrian right-of-way, where the fire department determines that adequate emergency vehicle access is provided.
- D. Pedestrian circulation. Sidewalks shall be provided on both sides of streets through the development. All developments shall provide pedestrian linkages between public sidewalks and the building entrances. Sidewalk and pathway connections may be required to adjacent uses and activity areas.
4. Parking-: All units shall be provided with individual garages. Guest parking spaces shall not be located in the front yard of the site and any off-street parking spaces must be screened from view of any public road or pedestrian path, by a street wall or hedge along the frontage. Street walls shall be three (3) feet in height and constructed of brick or stone.
- ~~1-5.~~ Lighting-: A consistent type of pedestrian scale ornamental lighting shall be provided along all streets and sidewalks and within any off-street parking lots. Such lighting shall be provided at a frequency and height to provided desired light levels.
6. Open space-: A minimum if twenty percent (20%) of the gross area of the site shall be dedicated open space held in common ownership. ~~Open space meeting the requirements of Section 1905 shall be provided.~~ Open space areas shall offer a source of passive and/or active recreation, in accordance with the intended character of the neighborhood. Passive recreational areas may include features such as formal seating areas and open lawn areas. Active recreational areas may include specific recreation elements such as playgrounds, tennis courts and swimming pools or less formal features such as open play fields and walking paths.

Sec. 1164 – Common household gardening:

Common household gardening, as defined in Section 201, Definitions under “Accessory Use” may only occur in the rear yard or nonrequired side yard in a residential district.

Sec. 1165. - Private clubs, fraternal organizations, and lodge halls:

Private clubs, fraternal organizations, and lodge halls must meet the following conditions:

1. The site abuts a major thoroughfare, as defined in Section 201 of this Ordinance.
2. Access to and from the site can be safely provided to the satisfaction of the Washtenaw County Road Commission.
3. No building or parking area shall be located closer than fifty (50) feet to a property line.
4. All parking shall be screened from view of all abutting residential districts.
5. Outdoor lighting of a type and location which will not be a nuisance to abutting residential districts shall be provided and any outdoor lighting shall conform with the guidelines set forth in Section 1303, Exterior lighting.
6. Private clubs are required to register with the Township.

ARTICLE XII. – ACCESS, PARKING & LOADING REQUIREMENTS

Sec. ~~12012117~~. - ~~Frontage on a public street~~ General access and road construction requirements:

~~No lot shall be used for any purpose permitted by this ordinance unless said lot abuts a public street, unless otherwise provided for in this ordinance or other ordinances of the Township.~~

1. Right of Way Width Frontage.

A. Every use, building or structure established after the effective date of this Ordinance shall be on a lot or parcel which adjoins a public street or an approved private road. Such street right-of-way will comply with Washtenaw County Road Commission standards or shall adjoin a private road for which the design and construction have been approved per the Township Engineering Standards.

B. A driveway may not serve more than one (1) lot or parcel, unless a private road is constructed for which the design and construction have been approved per the Township Engineering Standards.

2. Road Construction.

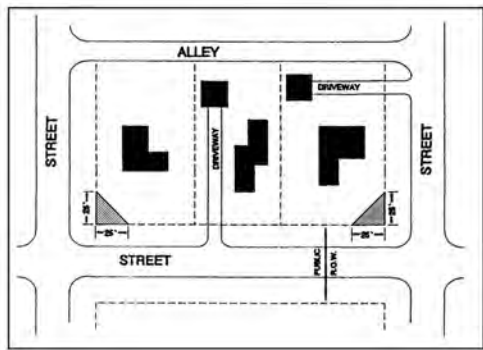
A. All new public road construction and road improvements shall comply with the applicable Washtenaw County Road Commission or Michigan Department of Transportation standards.

B. All new private road construction and road improvements shall comply with the applicable Township Engineering standards and any other applicable Township policies.

3. Access Requirement for Permits. No building permits or land division permits shall be issued for any lot or parcel until access, as required under this Section, has been constructed and approved. The Zoning Administrator shall have the authority to approve the provision of required access.

Sec. ~~21121202~~. - Corner clearance:

No fence, wall, shrubbery, sign, vegetation, structure, or other obstruction to vision above a height of two (2) feet from the established street grades shall be permitted within the triangular area formed at the



intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection.

Sec. ~~2123~~1203. - Access management and driveway standards.

1. Purpose. Access management regulations can alleviate some traffic congestion, help maximize road capacity and increase traffic safety. These regulations are based on considerable research in Michigan and nationally and were prepared concurrent with guidelines promoted by the Michigan Department of Transportation (MDOT).
2. General. Adequate ingress and egress to a parking facility shall be provided by clearly defined driveways. Access to public roads shall be controlled in the interest of public safety. Each building or group of buildings used for non-residential purposes, and its parking or service area, shall be physically separated from public roads by a greenbelt, curb, or other suitable barrier against unchanneled motor vehicle access or egress, except for access ways authorized herein. Driveway design and placement must be in harmony with internal circulation and parking design such that the entrance can absorb the maximum rate of inbound traffic during a normal peak traffic period. Parking lots shall be designed to prevent vehicles from backing into the street or requiring use of the street for maneuvering between parking rows.
3. Number of access points. The number of access points shall be limited to the minimum needed to provide reasonable access. Access points shall be designed and located to minimize conflicts with traffic operations along the street and be placed as far from intersections as practical. Land divisions shall not be permitted that may prevent compliance with the access location standards of this Section.
4. Spacing of access points. All spacing of access points shall comply with Township Engineering standards, other applicable policies, WCRC Washtenaw County Road Commission (WCRC) standards Michigan Department of Transportation (MDOT) standards, or the standards of another appropriate body.
5. Spacing from intersections. Minimum spacing of access points from intersections, shall comply with Township Engineering standards, WCRC standards, MDOT standards, or the standards of another appropriate body.
6. Complete streets. Any project involving the construction, reconstruction, capacity enhancement, or preservation of a roadway, bridge, public parking facility, or other transportation right-of-way within the Township shall be subject to the provisions of the Washtenaw County, Michigan Department of Transportation, and Township Complete Streets Ordinance policy as outlined set forth in ~~{insert section}~~.
7. Adjoining lands. Where the subject site adjoins land that may be developed or redeveloped in the future, including adjacent lands or potential outlots, the access shall be located to ensure the adjacent site(s) can also meet the access location standards in the future. Site development shall be done to provide for future cross access to adjacent lots. Planning Commission may require the establishment of a required cross access or cross access easement.
8. Shared driveway, service drive, and frontage roads. Where direct access consistent with the various standards above cannot be achieved, access should be via a shared driveway or service drive. In particular, the Planning Commission may require development of frontage roads, or rear

Article 12 – Access, Parking & Loading Requirements
Final Draft
DATE: August 6, 2021

service drives where such facilities can provide access to signalized locations, where service drives may minimize the number of driveways, and as a means to ensure that traffic is able to more efficiently and safely ingress and egress. Frontage roads or service drives shall be constructed in accordance with the following standards:

A. Service drives and frontage roads shall be set back as far as reasonably possible from the intersection of the access driveway with the public street. A minimum distance that equals the required front yard (setback) or the major road setback, whichever is a greater distance from the right-of-way, shall be maintained between the public street right-of-way and the pavement of the frontage road, with a minimum fifty (50) feet of throat depth provided at the access point. The Planning Commission may extend throat length if modeled vehicle queues necessitate expansion.

B. The alignment of the service drive can be refined to meet the needs of the site and anticipated traffic conditions, provided the resulting terminus allows the drive to be extended through the adjacent site(s).

C. In cases where a shared access facility is recommended, but is not yet available, temporary direct access may be permitted, provided the plan is designed to accommodate the future service drive, and a written agreement is submitted that the temporary access will be removed by the property owner, when the alternative access system becomes available. The Planning Commission may require posting of a financial performance guarantee to ensure compliance.

D. A cross-access easement agreement shall be reviewed and approved by the Township Attorney.

9. Safe sight distance. Driveways shall be located to provide safe sight distance, as determined by the applicable road agency

10. Street structures. No driveway shall interfere with municipal facilities such as streetlights, traffic signal poles, signs, fire hydrants, cross walks, bus loading zones, utility poles, fire alarm supports, drainage structures, or other necessary street structures. The Zoning Administrator is authorized to order and effect the removal or reconstruction of any driveway which is constructed in conflict with street structures. The cost of reconstructing or relocating such driveways shall be at the expense of the adjoining property owner.

11. More restrictive standards. The appropriate road agency may require a more restrictive standard than contained herein.

Uses permitted in this section shall be subject to the following conditions:

~~(1) In those instances where the Planning Commission finds that an excessive number of ingress or egress points may occur with relation to major or secondary thoroughfares, thereby diminishing the carrying capacity of the thoroughfare, or where the Township Master Plan designates thoroughfares for the provision of marginal service roads, the commission may require the provision of marginal service roads and to assure adequate traffic circulation on the site, may require the development of parking so that contiguous lots on abutting properties will allow traffic circulation from one property to another without reentering the public thoroughfare.~~

~~(2) The pavement of the marginal service road shall be located 30 feet from the future right-of-way line of the thoroughfare and shall be at least 24 feet wide and shall be constructed in accord with "Engineering~~

Article 12 – Access, Parking & Loading Requirements

Final Draft

DATE: August 6, 2021

~~Design Specifications for Site Improvements," section 6, unless otherwise provided herein. Such service road shall be an easement which will permit the use of the service road for traffic circulation from one property to another. Such easement shall be in a written form acceptable to the Township Board and approved by the Township Board prior to the issuance of a building permit. No permanent structures such as curbs shall be permitted within the easement. Each property owner shall be responsible for maintenance of the easement so that it remains usable as a means of getting from one property to another. The easement shall be recorded with the county register of deeds prior to the issuance of an occupancy permit.~~

~~(3) In reviewing the site plan, the Planning Commission may permit parking in the easement area, provided that the layout is such that parking can be removed at a later date when the marginal service road is needed for access to adjacent properties without disrupting the layout of the parking area. Temporary parking spaces permitted within the marginal service road easement shall not be included in computing the minimum off-street parking requirements under section 2104.~~

~~(4) Where marginal service roads are required, the Planning Commission shall recommend that the entire 24 foot area be paved up to the abutting properties. Backing from parking spaces onto the marginal service road shall not be permitted except on a temporary basis. The site plan shall indicate the proposed elevation of the marginal service road at the property line and the building inspector shall maintain a record of all marginal service road elevations so that their grades can be coordinated. Marginal service road elevations shall conform to elevations established by the Township or, if not so established be not more than one foot above or below the elevation of the adjoining property. Paving of the marginal service road shall meet construction specifications set by the Township.~~

~~(5) The 30 foot setback area between the future road right of way and the marginal service road shall be kept in grass and landscaped in accordance with plans approved by the Planning Commission. The maintenance of the grass and the landscaped area shall be the obligation of the abutting property owner.~~

~~(6) Temporary entrances and exits may be approved for individual sites provided money is placed in escrow to assure elimination of temporary entrances and exits. Occupancy permits shall not be issued until monies have been deposited with the Township. As a guideline, the national highway institute standards may be utilized by the Planning Commission in determining spacing for temporary entrances and exits.~~

| Highway (mph) | Speed Minimum Spacing (feet) |
|------------------|------------------------------------|
| 20 | 85 |
| 25 | 105 |
| 30 | 125 |
| 35 | 150 |
| 40 | 185 |
| 45 | 230 |

Article 12 – Access, Parking & Loading Requirements

Final Draft

DATE: August 6, 2021

| | |
|----|-----|
| 50 | 275 |
|----|-----|

~~(7) In determining which entrances and exits will be permanent and which shall be temporary, the Planning Commission shall generally be guided by a minimum distance of 600 feet between entrances and exits and by the location of existing or approved drives on the opposite side of the street.~~

~~(8) Before obtaining a building permit for a permitted use, the owners of all property shall submit to the Township a properly executed and witnessed license agreement which gives the Township Board the authority to open and close marginal service roads and driveways whenever necessary in order to guarantee, to the satisfaction of the Township Board, a safe and efficient movement of traffic. The license may be recorded in the office of register of deeds of Washtenaw County, Michigan. Acceptance of this license shall in no way obligate the Township to build, repair, maintain or clear the marginal service roads and no public funds may be spent by the Township to build, repair, maintain or close the marginal service roads. The intent of this subsection is to require owners to construct a marginal service drive across the front of their property and to allow the Township to enforce its traffic ordinances movement of traffic. All necessary pavement markings, signs and signals will be provided in accord with acceptable traffic engineering standards by the adjacent property owners.~~

~~(9) For any residential subdivision or site-condo development, cluster housing or multiple family development access shall be provided from a major or secondary thoroughfare by means of not less than two entrances (streets or drives) for properties of more than 700 feet in depth from such major or secondary thoroughfare or where a cluster housing or multiple family development will contain more than 70 dwelling units.~~

Sec. 1204. - Traffic impact analysis:

A traffic impact analysis as set forth in Chapter 24, Article 5 of the ~~General Code~~ Charter Township of Ypsilanti Code of Ordinances ~~of the~~ may be required by the Zoning Administrator to analyze the effect of development upon existing street traffic. The traffic impact analysis shall be paid for by the applicant.

Sec. 1204~~5~~. - Parking requirements:

1. ~~1.~~—General. There shall be provided in all districts, at the time of erection or enlargement of any main building or structure, automobile off-street parking space, with adequate access to all spaces. The number of off-street parking spaces in conjunction with all land or building uses shall be provided, prior to the issuance of a certificate of occupancy, as hereinafter prescribed.

a.—Off-street parking existing at the effective date of this Ordinance, in connection with the operation of an existing building or use, shall not be reduced to an amount less than hereinafter required for a similar new building or new use.

b.—Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.

2. ~~2.~~—Minimum number of spaces required. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule:

| Use | Number of minimum parking spaces per unit of measure |
|-----|--|
|-----|--|

Article 12 – Access, Parking & Loading Requirements
Final Draft
DATE: August 6, 2021

| | | |
|-------------------------|---|--|
| <i>a. Residential</i> | | |
| (1) | Residential, one-family, and two-family | Two (2) for each dwelling unit. |
| (2) | Residential, multiple-family | One (1) space per each efficiency dwelling unit; and Two (2) spaces per each dwelling unit with one (1) or more bedrooms + one (1) for each ten (10) dwelling units. Two for each dwelling unit. |
| (2) | Residential, multiple-family high-rise (over four stories) | One and three-quarters for each one dwelling, or one and one-half for each one dwelling unit provided that one-quarter space per unit is indicated as potential, future parking, to be initially developed as landscaped open space. The site plan shall show how the parking lot could be expanded to include the one-quarter space per dwelling unit if ever found necessary. |
| (3) | <u>Convalescent and Nursing Homes</u> | One (1) space per each three (3) beds or two (2) rooms, whichever is less; plus, one (1) space for each employee on the largest typical shift. |
| (4) | Housing for the elderly <u>Senior Assisted or independent living</u> | One (1) for each two (2) units and one (1) for each employee. Should units revert to general occupancy, then two (2) spaces per unit shall be provided. |
| (5) | Mobile home park | Two (2) for each mobile home site and one (1) for each employee of the mobile home park. |
| (6) | Bed and breakfast dwellings | Two (2) for the owner and or operator and one (1) for each leasable room. |
| <i>b. Institutional</i> | | |
| (1) | Churches and temples <u>Places of worship</u> | One (1) for each three three (3) seats or six (6) feet of pews in the main unit of worship. |
| (2) | Hospitals | One Two for each one bed, plus (1) space per each 200 square feet of office of outpatient area, per three hundred (300) square feet gross floor area (Max. one (1) per one hundred-fifty (150) sq. ft.) <u>sq. ft.)</u> |
| (3) | Elementary and junior high schools | One (1) for each one (1) teacher, employee, or administrator in addition to the requirements for auditorium or stadium. |
| (4) | Senior high schools | One (1) for each one (1) teacher, employee, or administrator, and one (1) for each ten (10) students, in addition to the requirements of the auditorium or stadium, whichever seats more. |

Article 12 – Access, Parking & Loading Requirements

Final Draft

DATE: August 6, 2021

| | | |
|------------------------------------|---|--|
| (5) | Private clubs, or lodge halls | One (1) for each three (3) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes. |
| (6) | Fraternity or sorority | One (1) for each five (5) permitted active members, or one (1) for each two (2) beds, whichever is greater. |
| (7) | Library, museum, or post office | One (1) for each one hundred-fifty (150) square feet of usable floor area. |
| c. Child and adult care facilities | | |
| (1) | Family day care homes for up to six (6) adults | Two (2) for each unit plus one (1) for each caregiver. |
| (2) | Group day care home for up to twelve (12) adults | One (Two for each dwelling unit plus one for each caregiver.) <u>space per six (6) clients; plus, one (1) space per employee at time of peak shift.</u> |
| (3) | Group day care home for children Childcare or day care <u>centers and preschools</u> | One (<u>1) space per six (6) clients;</u> plus, one (<u>1) space per employee at time of peak shift.</u> Two for each dwelling unit plus one for each caregiver. |
| d. Offices | | |
| (1) | Financial institution <u>Banks</u> | One (1) for each two hundred (200) square feet of usable floor space, plus three (3) for each <u>exterior non-drive-through</u> ATM. Drive-up windows shall be provided four (4) stacking spaces per the requirements in Section 1118, Drive-in and drive-through facilities. for the first window, plus three (3) spaces for each additional window. |
| (2) | Business offices or professional offices except medical offices | One (One for each 250 square feet of usable floor space.) <u>per three hundred (300) square feet gross floor area (Max. one (1) per one hundred-fifty (150) sq. ft).</u> |
| (3) | Professional offices of doctors, dentists, or similar professions | <u>One (1) for each two hundred-fifty (250) square feet of usable floor area in waiting rooms, and of gross floor area. (Max. one (1) per one hundred-fifty (150) sq. ft).</u> <u>One (1) for each examining room, dental chair, or similar use area. One for each 200 square feet of usable floor area.</u> |
| e. Retail Uses | | |
| (1) | Retail stores except as otherwise specified herein | One (One for each 250 square feet of usable floor space.) <u>per three hundred twenty-five (325) square feet gross floor area.</u> |
| (2) | <u>Convenience Store</u> | <u>One (1) for each one hundred twenty-five (125) square feet of usable floor space.</u> |

Article 12 – Access, Parking & Loading Requirements

Final Draft

DATE: August 6, 2021

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| (3) | Shopping centers with multiple tenants | One (1) for each two hundred-fifty (100 250) square feet of usable retail floor area for the first 50,000 square feet. One (1) for each two hundred seventy-five (100 275) square feet for the next 50,000 to 450,000 square feet of usable retail floor area. One (1) for each three hundred (300) square feet for that area in excess of 450,000 square feet of usable retail floor area. Non-retail uses such as restaurants, bars and theaters shall be calculated separately based upon their respective requirements. |
| (4) | Furniture and appliance, household equipment, repair shops, showroom of a plumber, decorator, electrician, or similar trade, shoe repair, and other similar uses | One (1) for each eight hundred (800) square feet of usable floor area. (For that floor area used in processing, one (1) additional space shall be provided for each two (2) persons employed therein.) |
| (5) | Gasoline service stations (full service) Vehicle fueling/multi-use station | One (1) <u>space for each one hundred twenty-five (125) square feet of usable floor area; plus two (2) parking spaces per fueling station</u> Two for each lubrication stall, rack or pit; and one for each service vehicle used by the service station, in addition to space provided at each fuel pump dispenser. Gasoline service stations providing carwash facilities, sale of food, beverages and other products shall provide additional off street parking spaces based on the requirements for such uses. |
| (6) | Major and minor Gasoline filling stations (self-service) vehicle repair station | Two (2) <u>spaces for each service bay; plus one (1) space for each tow truck, if applicable, plus adequate spaces for overnight parking; plus one (1) space per one (1) employee at peak shift</u> One for each employee plus one for each 100 square feet of floor area used for cashier, office or retail sale of food, beverages and other products in addition to space provided at each fuel pump dispenser. In no instance shall such facility provide fewer than three spaces for cashier's and office use. Gasoline service stations providing carwash facilities shall provide additional off street parking spaces based upon the requirements for such uses. |
| (7) | Home improvement centers | One (1) per three hundred (300) square feet of useable floor area. |
| (8) | Motor vehicle sales and accessory service establishments | One (1) for each four hundred (400) square feet of usable floor area of sales room and one (1) for each one (1) auto service stall in the service room. |
| (9) | Open air businesses | One (1) for each five hundred (500) square feet of land area being used for display, plus one (1) for each employee |
| f. <i>Restaurants/food and beverage</i> | | |

Article 12 – Access, Parking & Loading Requirements

Final Draft

DATE: August 6, 2021

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| (1) | Bars/lounges (majority of sales consist of alcoholic beverages) | One (1) per each seventy (70) square feet of useable floor area or one (1) per two (2) seats, whichever is greater |
| (2) | Drive-in Restaurant | One (1) for each employee and one (1) for each twenty-five (25) square feet of usable floor area. |
| (3) | Drive-through Restaurant | One for each employee, one for each 75 square feet of dining area and five ten stack up spaces for each drive-through window or station. 0.7 per seat (alt. three (3) for every four (4) seats). Stacking spaces shall meet the requirements in requirements in Section 1118, Drive-in and drive-through facilities. |
| (4) | Carry-out Restaurant (with no eating on premises) | Six (6) per service or counter station, plus one (1) for each employee. |
| (5) | Open front Restaurants such as, but not limited to: dairy bars and fruit, and vegetable stands | Ten (10) plus one (1) per employee. |
| (6) | Standard restaurants without liquor license | One for each 2 seats based on maximum seating capacity, plus one space for every ten seats, as determined by the building code in effect in the Township. 0.4 per seat (alt. two (2) for every five (5) seats) 100 square feet of usable floor area or one for each three persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes, whichever is the great |
| (7) | Standard sit-down restaurants with liquor license | One for each 75 square feet of usable floor area or one for each two persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes, whichever is the greater. |
| g. Service Uses | | |
| (1) | Automobile repair | Two for each service stall plus one for each employee. |
| (1) | Vehicle quick oil change | Two (2) stacking spaces for each service stall, rack, or pit plus one (1) for each employee. |
| (2) | Vehicle wash | One (1) for each one (1) employee. Stacking spaces shall meet the requirements in requirements in Section 1118, Drive-in and drive-through facilities. In addition, stacking spaces equal in number to five times the maximum capacity of the auto wash. Maximum capacity of the auto wash shall mean the greatest number of automobiles possible undergoing some phase of washing at the same time, which shall be determined by dividing the length in feet of each wash line by 24. |

Article 12 – Access, Parking & Loading Requirements
Final Draft
DATE: August 6, 2021

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| (3) | Vehicle wash (self-service or coin operated) | Two (2) stacking spaces for each washing stall in addition to the stall itself plus one (1) for each drying space. Stacking spaces shall meet the requirements in requirements in Section 1118, Drive-in and drive-through facilities. |
| (4) | Beauty parlor or barbershop | Two (2) for each beauty or barber chair plus one (1) for each employee. |
| (5) | Dry Cleaning and laundry establishments | One (1) per five hundred (500) square feet of useable floor area |
| (6) | Laundromats and coin-operated dry cleaners | One (1) for each two (2) washing and/or dry-cleaning machines. |
| (7) | Funeral home | One (1) for each fifty (50) square feet of usable floor area. |
| (8) | Motel, hotel or other commercial lodging establishments <u>Place of lodging</u> | One (1) for each one (1) occupancy unit plus one (1) for each employee plus spaces as required for accessory uses such as a bar, restaurant, meeting rooms, etc. |
| (9) | <u>Self-storage</u> mini warehouse | <u>One (1) parking space for every one hundred (100) storage units plus one (1) for each employee, with a minimum of five (5) parking spaces. Required parking spaces shall be located in order to serve the management office.</u> |
| h. Adult entertainment facility | | |
| (1) | Adult book/video store | One (1) for each seventy-five (75) square feet of usable floor space. |
| (2) | Adult motion picture theater | One (1) for each two (2) seats plus one (1) for each theater employee. |
| (3) | Adult mini-motion picture theater | One (1) for each one (1) seat or viewing station plus one (1) for each employee. |
| (4) | Cabaret | One (1) for each seventy-five (75) square feet of usable floor space. |
| (5) | Massage establishment | One (1) for each massage table or station, plus one (1) for each twenty (20) square feet of waiting room, plus one (1) for each employee. |
| (7) | Video Rental Establishments | One (1) per one hundred-fifty (150) square feet of useable floor area. |
| i. Recreation Uses | | |
| (1) | Athletic clubs, exercise establishments, health studios, sauna | <u>One (1) space for each two hundred (200) square feet of usable floor area</u> One for each three persons allowed within the maximum occupancy load as established by local, county or |

Article 12 – Access, Parking & Loading Requirements

Final Draft

DATE: August 6, 2021

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| | baths, martial art schools and other similar uses | state fire, building or health codes plus one per employee. In those instances where memberships are provided for, not less than one per each five memberships shall be provided plus one per employee or one for each two clothing lockers plus one per employee whichever is the larger. |
| (2) | Amusement arcade | One (1) for each one (1) game table and one (1) for each amusement device. |
| (3) | Bowling alleys | Five (5) for each one (1) bowling lane plus spaces required for accessory uses such as a bar or restaurant. |
| (4) | Commercial <u>indoor and</u> outdoor recreation facilities (such as archery ranges, batting cages, etc.) | One (1) <u>space for each</u> one thousand (1,000) <u>square feet of enclosed recreational space;</u> plus, one (1) <u>space for each employee on the largest typical shift</u> two (2) <u>spaces for each court (tennis, racquetball, etc.);</u> four (4) <u>spaces for each hole of golf, and t</u> wo (2) for each batting cage, archery range or similar activity. |
| (5) | Dancehalls, pool or billiard parlors, roller or skating rinks, exhibition halls, and assembly halls without fixed seats | One (1) for each three (3) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes or one (1) for each two hundred (200) square feet of gross floor area, whichever is greater. |
| (6) | Golf courses, open to the general public, except miniature or "par-three" courses | Six (6) for each one (1) golf hole and one (1) for each one (1) employee, plus spaces required for each accessory use such as a restaurant or bar. |
| (7) | Golf driving range | Two (2) for each driving tee plus three (3) spaces for employees. |
| (8) | Ice skating or roller rink | One (1) for each seat or six (6) feet of benches, or one (1) for each one hundred-fifty (150) square feet of skating area, whichever is the greater. |
| (9) | Miniature or "par-three" golf courses | Two (2) for each one (1) hole plus one (1) for each one (1) employee. |
| (10) | Private golf clubs, swimming pool clubs, tennis clubs or other similar uses | One (1) for each two (2) member families or individuals plus spaces required for each accessory use such as a restaurant or bar. |
| (11) | Stadium, sports arena, or similar place of outdoor assembly | One (1) for each four (4) seats or eight (8) feet of benches. |
| (12) | Tennis club, paddle-ball club, racquetball club and other similar uses | Six (6) per court, plus such additional spaces as may be required herein for affiliated uses such as restaurants, plus one (1) per employee. |
| (13) | Theaters and auditoriums | One (1) for each three (3) seats plus one (1) for each two (2) employees. |

Article 12 – Access, Parking & Loading Requirements
Final Draft
DATE: August 6, 2021

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| j. Industrial | | |
| (1) | Industrial or research establishments and related accessory offices | Five (5) plus one (1) for every one and a half (1 ½) employees in the largest working shift, or one (1) for every five hundred-fifty (550) square feet of usable floor space, whichever is greater |
| (2) (2) | Telephone exchange buildings Call Center | One (1) for every one (1) employee on the largest working shift. |
| (3) | Warehouses and wholesale establishments and related accessory offices | Five (5) plus one (1) for every one (1) employee in the largest working shift, or five (5) plus one (1) for every one thousand-seven hundred (1,700) square feet of usable floor space, whichever is the greater. |

3. Number of Spaces.

~~A. a.~~ For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the [Zoning Administrator](#) considers is similar in type.

~~A-B.~~ For the purpose of computing the number of parking spaces required, the definition of "useable floor area" in Article II, "Definitions," Section 201 shall govern.

~~B-C.~~ When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half (0.5) shall be disregarded and fractions over one-half (0.5) shall require one (1) parking space.

~~D.~~ Two (2) or more buildings or uses may collectively provide the required off-street parking in which case the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately, except as provided below.

~~C.~~

~~Shared Parking for Separate Zoning Lots~~

~~The developed parking for adjacent zoning lots may be shared provided a signed agreement is provided by the property owners, and the applicant can demonstrate that the peak usage will occur at different periods of the day.~~

~~To demonstrate shared parking compatibility, the applicant shall use a recognized industry standard such as the Urban Land Institute Shared Parking Report. Underlying parking space requirements for each use shall be based on Ypsilanti Township parking requirements noted herein or as otherwise modified by the provisions of this Article.~~

~~Side or rear parking lot setbacks may be reduced or waived where a shared access driveway, connected parking lots, and/or internal service drives are provided.~~

~~D-E.~~ The Planning Commission may reduce the parking requirements based upon a finding that there will be a lower demand for parking due to one (1) or more of the following:

Article 12 – Access, Parking & Loading Requirements

Final Draft

DATE: August 6, 2021

- (1) Shared parking by multiple uses where there will be a high proportion of multipurpose visits or uses have peak parking demands during differing times of the day or days of the week. Pedestrian connections shall be maintained between the uses. Where uses are on separate lots, the lots shall be adjacent, pedestrian, and vehicular connections shall be maintained between the lots and shared parking agreements shall be filed with the County Register of Deeds and the Township.
- (2) Expectation of walk-in trade due to sidewalk connections to adjacent residential neighborhoods or employment centers. The site design shall incorporate pedestrian connections to the site and on-site pedestrian circulation providing safe and convenient access to the building entrance.
- (3) Availability of other forms of travel such as transit. The Planning Commission may require the site design incorporate transit stops, pedestrian connections to nearby transit stops or bicycle parking facilities.

F. The applicant shall provide a parking study with adequate detail and information to assist the Planning Commission to determine of the appropriateness of the request.

G. The Planning Commission may attach conditions to the approval of a deviation from the off-street parking requirements that bind such approval to the specific use in question.

E.H. Where the conditions of ~~subsection a~~-item E above are not met, but an applicant demonstrates that the parking requirements for a proposed use would be excessive, the Planning Commission may defer some of the parking, provided the site plan designates portions of the site for future construction of the required parking spaces. Areas reserved for future parking shall be maintained in a landscaped appearance and not used for building area, storage, or other accessory use. The deferred parking shall be required to meet ordinance requirements if constructed and may not occupy required greenbelts. Construction of the deferred parking area to add parking spaces may be initiated by the owner or required by the ~~community and economic development director~~Zoning Administrator, based on parking needs or observation, and shall require administrative approval of an amended site plan.

F.I. In order to minimize excessive areas of pavement which reduces aesthetic standards and contribute to high rates of storm water runoff, exceeding the minimum parking space requirements by more than twenty percent (20%) shall only be allowed with approval by the Planning Commission. In granting such additional space, the Planning Commission shall determine that such parking will be required, based on documented evidence, to accommodate the use on a typical day.

2-4. Accessible Parking. Accessible parking shall comply with the provisions of the American's With Disabilities Act (ADA). The number and layout of spaces required shall comply with ADA accessibility guidelines including the following:

| Accessible Parking Spaces* (Required Minimum) | | | Accessible Spaces |
|--|----|----|-------------------|
| 1 | to | 25 | 1 |
| 26 | to | 50 | 2 |

Article 12 – Access, Parking & Loading Requirements
 Final Draft
 DATE: August 6, 2021

| | | | |
|---|-----|-------|-------|
| 51 | to | 75 | 3 |
| 76 | to | 100 | 4 |
| 101 | to | 150 | 5 |
| 151 | to | 200 | 6 |
| 201 | to | 300 | 7 |
| 301 | to | 400 | 8 |
| 401 | to | 500 | 9 |
| 501 | to | 1,000 | 2** |
| 1,001 | and | over | 20*** |
| *Accessible spaces are required to be eight (8) feet zero inches wide, with an adjacent access aisle five (5) feet zero inches wide. One (1) in every eight accessible spaces shall have an access aisle eight (8) feet eight inches wide (rather than five (5) feet) and shall be signed "van accessible." | | | |
| **Percent of total | | | |
| ***Plus one (1) space for each one hundred (100) over one thousand (1,000) | | | |

5. Parking location.

A. Off-street parking spaces may be located within a non-required side or rear yard and within the rear yard setback unless otherwise provided in this ordinance. Off-street parking shall not be permitted within a front yard or a side yard setback, except in the office, business, and industrial districts (NB, GB, IT, LM, I-C). In the office, business and industrial districts, off-street parking may be permitted in the required front yard provided a minimum unobstructed and landscaped setback of twenty (20) feet is provided. The setback is measured from the nearest point of the off-street parking area, exclusive of access driveways, and the nearest right-of-way line as indicated on the thoroughfare plan of the Master Plan of future land use.

A-B. Off-street parking shall be set back a minimum of ten (10) feet from all lot lines in all zoning districts.

C. ~~Off-street parking for uses in all districts shall be on the same lot as the use or building served by the parking.~~

(1) The Planning Commission may grant shared parking for separate zoning lots, under the following conditions:

a. The developed parking for adjacent zoning lots may be shared provided a signed agreement is provided by the property owners, and the applicant can demonstrate that the peak usage will occur at different periods of the day.

Article 12 – Access, Parking & Loading Requirements

Final Draft

DATE: August 6, 2021

- b. To demonstrate shared parking compatibility, the applicant shall use a recognized industry standard such as the Urban Land Institute Shared Parking Report. Underlying parking space requirements for each use shall be based on Ypsilanti Township parking requirements noted herein or as otherwise modified by the provisions of this Article.
 - c. Side or rear parking lot setbacks may be reduced or waived where a shared access driveway, connected parking lots, and/or internal service drives are provided.
 - d. The Planning Commission may attach conditions to the approval of a deviation from the off-street parking requirements that bind such approval to the specific use in question.
 - e. A shared parking agreement between both parties shall be reviewed and approved by the Township Attorney.
- ~~B.D.~~ Off-street parking for other than residential use shall be either on the same lot or within 300 feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership shall be shown of all lots or parcels intended for use as parking by the applicant.
- E. Required residential off-street parking spaces shall consist of a parking strip, parking bay, driveway, garage, or combination thereof, and shall be located on the premises they are intended to serve, and subject to the provisions of Section ~~2103~~802, Accessory Buildings and Accessory Uses. Front yard parking on other than a driveway or in an established apron between a curb and property line shall be prohibited. No parking shall be permitted between the rear property line and the rear building line of the residential structure unless on a driveway or improved surface.
6. Off-street parking space layout, and construction. Whenever the off-street parking requirements in this Section require the building of an off-street parking facility, ~~or where P-1 vehicular parking districts are provided,~~ such off-street parking lots shall be laid out, constructed, and maintained in accordance with the following standards and regulations:
- ~~C.A.~~ No parking lot shall be constructed unless and until a permit therefore is issued by the Building Official. Applications for a permit shall be submitted to the Township in such form as may be determined by the ~~building official~~Zoning Administrator and shall be accompanied with two (2) sets of plans for the development and construction of the parking lot showing the provisions of this Section will be fully complied with.
 - ~~D.B.~~ Notwithstanding the provisions of Section ~~2115~~903, in those instances where an existing building use has provided adequate parking under this Ordinance and a change of use is proposed wherein parking requirements for such proposed new use are equal to or lesser than those available on the site, site plan review by the Planning Commission shall not be required. Such parking lot shall be reviewed the ~~building official~~Zoning Administrator.
 - C. All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited.
 - ~~E.D.~~ Parking lots shall meet the following dimensional requirements:

Article 12 – Access, Parking & Loading Requirements
 Final Draft
 DATE: August 6, 2021

| Parking pattern | Maneuvering lane width | Parking space width | Parking space length | Total width of one (1) tier of parking spaces plus maneuvering lane | Total width of two (2) tiers of spaces plus maneuvering lane |
|-----------------------|------------------------|---------------------|----------------------|---|--|
| 0° (parallel parking) | 12 ft. | 8 ft. 6 in. | 24 ft. | 20 ft. | 28 ft. |
| 30° to 53° | 14 ft. | 9 ft. | 18 ft. | 30 ft. | 50 ft. |
| 54° to 74° | 17 ft. | 9 ft. | 18 ft. | 34 ft. 6 in. | 56 ft. |
| 75° to 90° | 24 ft. | 9 ft. | 18 ft. | 42 ft. | 60 ft. |

- ~~E.~~ E. Where a parking space abuts a seven (7) foot wide sidewalk or ten (10) foot wide greenbelt, the parking space may be decreased by two (2) feet in length if curbing is provided.
- F. All maneuvering lane widths shall permit one-way traffic movement, except that the ninety (90) degree pattern may permit two-way movement.
- ~~F.G.~~ F.G. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for all vehicles. Ingress and egress to a parking lot lying in an area zoned for other than single-family residential use shall not be across land zoned for single-family residential use.
- ~~G.H.~~ G.H. Each entrance and exit to and from any off-street parking lot located in an area zoned for other than single-family residential use shall be at least twenty-five (25) feet distant from adjacent property located in any single-family residential district.
- I. The entire parking area, including parking spaces and maneuvering lanes, required under this section shall be provided with asphalt or concrete surfacing in accordance with specifications approved by the Township Engineer. The parking area shall be surfaced prior to the issuance of a certificate of occupancy, or, in case of seasonal difficulties, a guarantee acceptable to the Township. In those instances where a parking area is nonconforming with respect to paving, the expansion of the use of land or structure shall require the paving of such parking area in conformity with this Section. The Planning Commission may approve alternative paving materials, such as permeable/grass pavers, for overflow, seasonal or low usage parking, based upon the review and recommendation of the Township Engineer.
- ~~H.J.~~ H.J. Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings.
- K. Off-street parking shall be provided with concrete curbs, where necessary to protect landscaped areas, sidewalks, buildings, or adjacent property from vehicles that might otherwise extend beyond the edge of the parking lot. Sidewalks abutting parking spaces shall be seven feet wide. Plantings shall be set back sufficient distance from curbs to allow for bumper overhang.
- L. To facilitate movement and to help maintain an orderly parking arrangement, all parking spaces shall be clearly striped with paint. Except for parallel parking spaces, each stall shall be

Article 12 – Access, Parking & Loading Requirements
Final Draft
DATE: August 6, 2021

delineated with four (4) inch wide double yellow lines twenty-four (24) inches apart. The width of the parking stall may be computed from the centers of the double striping.

- ~~7. Landscaping and screening.~~
- ~~The parking area shall be so designed as to provide a landscape plan in accord with section insert of this article.~~
- ~~2. When a front yard setback is required, all land between front building wall and the front property line or street right of way line shall be kept free from refuse and debris and shall be landscaped with deciduous shrubs, evergreen material and ornamental trees. The ground area shall be planted and kept in lawn. All such landscaping and planting shall be maintained in a healthy, growing condition, neat and orderly in appearance.~~
- ~~When a front yard setback is required, all land between front building wall and the front property line or street right of way line shall be kept free from refuse and debris and shall be landscaped with deciduous shrubs, evergreen material and ornamental trees. The ground area shall be planted and kept in lawn. All such landscaping and planting shall be maintained in a healthy, growing condition, neat and orderly in appearance.~~
- ~~Where an off-street parking area is located within a yard that adjoins a residential zoning district, the off-street parking area shall be provided with a continuous obscuring wall, fence, or landscaping on all sides facing the residential district as approved by the Planning Commission.~~
- ~~Wall~~
- ~~The wall shall be constructed of brick and be not less than four feet six inches in height measured from the surface of the parking area. The Planning Commission may approve alternative masonry materials that are compatible with the architecture of the building or wood privacy fencing where provisions are made to protect the fence from vehicle damage.~~
- ~~2. In all cases where a wall extends to an alley which is a means of ingress and egress to an off-street parking area, it shall be permissible to end the wall not more than ten feet from such alley line in order to permit a wider means of access to the parking area.~~
- ~~Fence. Solid opaque fence shall be no less than four feet six inches in height, with finished side facing residential property.~~
- ~~Landscape. Solid opaque landscape screen shall be no less than six feet in height.~~
- ~~The Planning Commission may modify the screening wall requirements where, in unusual circumstances, no good purpose would be served by compliance with the requirements of this section or where the Planning Commission determines that an alternative landscape screening method would be more appropriate.~~
- ~~Where an off-street parking area is located within a front yard, a landscape berm or continuous hedge row shall be provided within the greenbelt between parking area and the road right of way.~~
- ~~3. Lighting. All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto the parking area only and meet the requirements of Section 21101303, Exterior Lighting.~~

~~7.~~

~~A.8. Maintenance and storage.~~

Commented [BC1]: Covered in Landscape Section of Ordinance

Article 12 – Access, Parking & Loading Requirements

Final Draft

DATE: August 6, 2021

(1) All parking areas shall be maintained in a safe condition by the property owner free of snow and ice. The parking lot design shall provide a location for snow storage that does not encroach into required parking spaces.

~~4-(2)~~ The storage of merchandise, motor vehicles for sale, trucks, refuse the repair of vehicles is prohibited. The use of semi-trailers for storage purposes on the premises for five (5) or more consecutive days is prohibited.

(Ord. No. 2004-343, 9-21-04; [Ord. No. 2018-476](#), § 22, 2-20-18)

~~Sec. 2105. -- Reserved.~~

Editor's note— Ord. No. 2004-343, adopted Sept. 21, 2004, repealed § 2105 in its entirety. Former § 21-5 pertained to off-street parking space layout, standards, construction, and maintenance and derived from Ord. No. 74, adopted May 17, 1994, and effective on May 18, 1994.

Sec. ~~1224~~06. -- Bicycle and Pedestrian Accommodations

1. Development plans. Development plans shall include site amenities that enhance safety and convenience and promote walking or bicycling as an alternative means of transportation. Site amenities may include bike racks, drinking fountains, canopies, and benches. However, a All sites with parking of ten (10) spaces or greater shall provide a bike rack for at least two (2) bicycles within fifty (50) feet of the building entrance.

2. Walkways.

A. Walkways within the site shall directly connect points of pedestrian origin and destination. Walkways shall not be located based only on the outline of a parking lot if it does not provide direct pedestrian access. Walkways shall either be grade separated from parking lots or clearly delineated to avoid pedestrian/vehicular conflicts.

B. Where it is necessary for the pedestrian access to cross maneuvering aisles or internal roadways, the crossings shall emphasize and place priority on pedestrian access and safety. The pedestrian crossings must be well-marked, using such measures as pavement treatments, signs, striping, signals, lighting, pedestrian safety islands, landscaping, and other traffic calming techniques.

C. The Planning Commission may require additional walkways and pedestrian connections as part of the site plan review.

3. Sidewalks, safety paths:

A. Concrete paved sidewalks not less than five (5) feet wide shall be required in all subdivisions and site condominium subdivisions.

B. Concrete paved sidewalks not less than five (5) feet wide shall be required along all access drives in cluster housing and multiple-family developments.

C. Concrete paved safety paths for bicycles and pedestrians not less than eight (8) feet wide shall be provided on both sides of all major thoroughfares defined in Section 24, Definitions.

D. The Planning Commission may vary the width and location of safety paths in those instances where strict adherence to these provisions cannot be met due to conditions such as

restriction of space, improper soil conditions or other physical impairment to the location and construction of safety paths.

- E. In lieu of provisions of construction of safety paths, the Planning Commission may permit funds to be placed in escrow for construction at a later date.

Sec 1207- Off-street loading and unloading:

~~On the same premises with every building, structure or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading, and unloading in order to avoid undue interference with public use of dedicated rights-of way. Such space shall be provided as follows:~~

- ~~1. All spaces shall be provided in the rear yard in the ratio of at least ten square feet per front foot of building and shall be computed separately from the off-street parking requirements. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the center of said alley. In OS districts off-street loading may take place in undesignated places in parking lots provided such loading is of a short term nature.~~

1. Where Required. In connection with every building or part thereof hereafter erected, except single- and two-family dwelling unit structures, there shall be provided on the same lot with such buildings, off-street loading and unloading spaces for uses which customarily receive or distribute material or merchandise by vehicle. Plans and specifications showing required loading and unloading spaces including the means of ingress and egress and interior circulation shall be submitted to the Zoning Administrator for review in conjunction with a site plan, as set forth in Section 903 and Section 910.

2. Off-Street Loading-Unloading Design Standards.

- A. Each off-street loading-unloading space shall meet the following standards for the district in which the site is located:
- (1) In any residential district a loading-unloading space shall not be less than ten (10) feet in width and twenty-five (25) feet in length and, if a roofed space, not less than fourteen (14) feet in height.
 - (2) In any commercial or industrial district, a loading unloading space shall not be less than ten (10) feet in width and fifty-five (55) feet in length and, if a roofed space, not less than fifteen (15) feet in height.
- B. Subject to the limitations of the next paragraph, a loading-unloading space may occupy part of any required side or rear yard; except the side yard along a side street in the case of a corner lot. In no event shall any part of a required front yard be occupied by such loading space.
- C. Any loading-unloading space shall not be closer than fifty (50) feet to any other lot located in any residential district unless wholly within a completely enclosed building or unless enclosed on all sides by a wall, fence, or compact planting not less than six (6) feet in height.

Article 12 – Access, Parking & Loading Requirements

Final Draft

DATE: August 6, 2021

D. In the case of mixed uses on one (1) lot or parcel the total requirements for off-street loading/unloading facilities shall be the sum of the various uses computed separately.

E. All off-street loading-unloading facilities that make it necessary to back out directly into a public road shall be prohibited. All maneuvering of trucks, autos and other vehicles shall take place on the site and not within a public right-of-way.

F. It is the intent of this Ordinance to minimize excessive areas of pavement which reduces aesthetic standards and contributes to high rates of storm water runoff. The Planning Commission may grant a waiver in the loading space requirements set forth in this Section, if the applicant is able to demonstrate and the Planning Commission is able to determine that such loading space is not required, based on documented evidence, to accommodate the use on a typical day.

Sec. 2114.51208. – Sidewalks, safety paths:

1. Concrete paved sidewalks not less than five feet wide shall be required in all subdivisions and site condominium subdivisions.

2. Concrete paved sidewalks not less than five feet wide shall be required along all access drives in cluster housing and multiple family developments.

3. Concrete paved safety paths for bicycles and pedestrians not less than eight feet wide shall be provided on both sides of all major and secondary thoroughfares as designated on the Master Plan of future land use.

4. The Planning Commission may vary the width and location of safety paths in those instances where strict adherence to these provisions cannot be met due to conditions such as restriction of space, improper soil conditions or other physical impairment to the location and construction of safety paths.

5. In lieu of provisions of construction of safety paths, the Planning Commission may permit funds may be required to be placed in escrow for construction at a later date.

6. –

7. (c) – (d) – (e) – (Ord. No. 97-166, 5-20-9

ARTICLE XIII. – SITE DESIGN STANDARDS

Sec. ~~2109~~1301. - Landscape requirements.

1. Intent. Landscaping is the organization of outdoor space and shall be treated as a design element as important as building placement and vehicular circulation. The landscape plan shall be designed to achieve the following purposes:

- A. To preserve and enhance the identity or character of the site.
- B. To screen or filter views, buffer incompatible land uses, and blend inharmonious land uses.
- C. To integrate and unify various parts of the site.
- D. To articulate outdoor and architectural spaces.
- E. To improve the local environment by controlling soil erosion, moderating harsh or unpleasant sounds, removing air pollutants, controlling light trespass and reflection, moderating winds, and the effects of climate, and promoting stormwater infiltration thereby helping to prevent flooding.
- F. To preserve and enhance existing environmental systems and wildlife habitat, including woodlands, wetlands, and grasslands.

~~4.2. Where required.~~ A landscape plan shall be submitted for any proposed use or building which requires the submittal of a site plan or when otherwise required by this Ordinance. ~~In cases where a site plan is submitted for alterations or additions to an existing building, all of the standards set forth herein shall be met.~~ Landscape plans shall be approved by the Planning Commission ~~prior~~Commission prior to the issuance of a building permit.

~~3. 2. Landscaping design standards.~~

- A. Planting Specifications: A landscape plan shall be prepared in accordance with the following planting plan specifications:
 - (1) Minimum scale of one (1) inch = fifty (50) feet.
 - (2) Existing and proposed contours with contour interval not to exceed two (2) feet.
 - (3) The planting plan shall indicate, to scale, the location, spacing and starting size for all proposed landscape material.
 - (4) Typical straight cross section including slope, height and width of berms and type of ground cover or height and type of construction for all proposed walls, including footings.
 - (5) Significant construction details to resolve specific site conditions, e.g., tree wells to preserve existing trees, culverts to maintain natural drainage patterns.
 - (6) Planting and staking details in either text or drawing form to insure proper installation and establishment of proposed plant materials.
- (7) Landscape plans shall be prepared by a registered landscape architect.

General landscaping. Except for those areas occupied by buildings, loading areas, parking areas,

patios, ~~and~~ walkways, ~~and landscaping~~, all areas of a site shall ~~remain in be lawn~~ be lawn areas. Unless specified otherwise in this Ordinance, within such areas the following minimum plant material shall be provided:

B.

~~i.~~ A mixture of evergreen and deciduous trees shall be planted at the rate of one (1) tree for each one thousand (1,000) square feet or fraction thereof of lawn area, plus

(1)

(2) One (1) shrub for every five hundred (500) square feet or fraction thereof of lawn area.

~~B.C.b.~~ Street yard landscaping. Whenever, in this Ordinance, a landscaped setback is required between a public or private street and a parking or building setback, all such yards shall be landscaped in accordance with the following:

(1) A minimum of one (1) large deciduous tree shall be planted for each forty (40) lineal feet of frontage, or portion thereof, plus

(2) A minimum of one (1) ornamental tree shall be planted for each one hundred (100) lineal feet of frontage or portion thereof, plus

(3) A minimum of one (1) shrub shall be planted for each ten (10) lineal feet of frontage, or portion thereof.

(4) Creative placement of the trees, such as staggering, clustering, and/or other methods, is encouraged in an effort to eventually achieve a canopy.

(5) Access drives from public rights-of-way through required greenbelts shall be permitted, but such drives shall not be subtracted from the lineal dimension used to determine the minimum number of trees.

~~C.D.~~ Parking lot ~~landscaping~~

(1) Interior requirements:

a. One (1) large deciduous tree shall be required for each two thousand ~~3,000~~ (2,000) square feet of paved driveway and parking lot surface, provided that no less than two (2) trees are provided.

b. Trees shall be distributed evenly throughout the parking area. There shall be no more than twelve (12) spaces in a row without a landscape break.

c. Each tree shall be provided with an open land area of not less than one hundred-fifty (150) square feet to provide area for infiltration.

~~a.d.~~ Parking lot landscaping islands shall be no less than five (5) feet in any single dimension.

e. Landscaped areas shall be protected with curbing, or other permanent means to prevent vehicular encroachment onto the landscaped areas.

f. Parking lot landscaping islands shall be arranged to improve the safety of pedestrian and vehicular traffic and guide traffic movement. Parking lot end islands shall be provided at the intersection of any parking aisles.

Commented [BC1]: Moved parking lot requirements in line with other planting requirement sections for consistency

~~b.~~

~~e.g.~~ The preservation of existing trees within or adjacent to a parking area can be used to fulfill the requirement for parking lot trees. In such cases every six (6) caliper inches of preserved tree shall be counted as one parking lot tree.

~~h.~~ Parking lot lighting shall be located within landscaped areas including parking lot islands.

~~d.i.~~ An equivalent amount of landscape plantings at the perimeter of parking lots may be approved where landscaping within parking lots would be impractical due to the size of the parking lot, detrimental to safe and efficient traffic flow, or would create an unreasonable burden for maintenance and snowplowing, provided all other landscaping requirements are met.

(2) Perimeter

~~a.~~ Canopy trees shall be provided along the perimeter of a parking lot at a minimum rate of one (1) tree per forty (40) feet of lot perimeter; however, trees need not be planted on forty (40) foot centers.

~~b.~~ Parking lots that serve uses set forth in Section 1301.3.H shall meet the screening requirements set forth in Section 1301.3.H where such screening is needed to promote a compatible relationship with an adjacent use.

~~e.~~ Parking lots shall be screened from view with a landscaped berm at least three (3) feet in height along the perimeter of those sides that are visible from a public road. The Planning Commission, at its discretion, may approve alternative landscape plantings or a solid wall in lieu of a landscape berm.

~~f.c.~~ A minimum distance of three (3) feet from the backside of the curb and the proposed landscape plantings shall be provided. Where vehicles overhang a landscape island or strip, a minimum distance of five (5) feet from the backside of the curb and the proposed landscape plantings shall be provided.

~~d.~~ Parking lots that front on a public roadway shall meet street yard landscaping requirements set forth in Section 1301.2.C.

~~g.e.~~ Where an off-street parking area is located within a required front yard, a landscape berm or continuous minimum three (3) foot tall hedge row shall be provided within the greenbelt between parking area and the road right-of-way. The Planning Commission, at its discretion, may approve alternative landscape plantings or a solid wall in lieu of a landscape berm or hedges.

~~D.E.~~ Greenbelt buffer for residential developments. When a subdivision, site condominium, cluster housing or multiple family development borders a major thoroughfare, a landscaped greenbelt shall be provided directly adjacent, and parallel to, the future right-of-way of said thoroughfare for the entire length of the subdivision residential development. The applicant has the option of either constructing a landscaped earth berm or a decorative wall with landscaping as described below.

Creativity is encouraged. Thus, required trees and shrubs may be planted at uniform intervals, at random, or in groupings, with the intent being to screen the subdivision from the major

Commented [BC2]: Moved from parking section of Ordinance

thoroughfare, coordinate the landscaping treatment with adjoining properties, and provide a visually pleasing design.

For the purposes of calculating quantities of required plant material, greenbelt length shall be measured along the future right-of-way line. Existing plant material may be counted toward the fulfillment of the greenbelt planting requirements.

The planting of materials shall be done in a manner so as to provide adequate screening of the homes from the major thoroughfare within five years of construction.

- (1) Landscaped earth berm. ~~A greenbelt of no less than 25 feet in width shall be provided. Berm shall meet sizing and landscape requirements as set forth in section (insert section).~~
- (2) Decorative wall with landscaping. A greenbelt of no less than fifteen (15) feet in width shall be provided. A decorative wall four to six (6) feet in height shall be placed along the residential edge of the required greenbelt, with landscaping planted between said wall and the future right-of-way of the major thoroughfare shall be provided. The Planning Commission may entirely or partially waive the required wall or allow for it to be altered in order to retain existing natural features and preserve a natural appearance within the greenbelt.
- (3) Lots within the proposed subdivision that abut the greenbelt may have their total lot area reduced by ten percent (10%) when a wall is provided. A detail of the wall and landscaping shall be submitted with the tentative preliminary plat or the preliminary plan
- (4) All wall faces shall be brick or stone, or a combination thereof. The Planning Commission may allow the construction of a wood fence supported by brick or stone pillars.
- (5) If a decorative wall exists adjacent to the proposed subdivision, the Planning Commission may require the proposed wall to be of a matching or complimentary design and building materials.
- (6) The landscaping requirements between the wall and the future right-of-way shall meet the street yard landscaping as set forth in Section 13.1.3H.

E.F. Raingardens and Bioswales.

- (1) The integration of vegetated stormwater control measures with sites, especially around buildings and within parking lots, is allowed and encouraged.
- (2) Rain gardens and bioswales can meet stormwater requirements for new and redevelopment projects that manage less than five thousand (5,000) square feet of roof and paved areas. Site conditions will determine if this is a suitable method for managing stormwater onsite. Property line and building setbacks as well as surface grade and available landscaped areas for infiltration must be considered. Proposed downspout locations and roof/gutter alignments will impact the feasibility of this option, as well as slope, setback, and other site considerations.
- (3) Any non-single-family residential site plan, in accordance with Washtenaw County Water Resource Commission regulations, shall incorporate rain gardens and bioswales, unless applicant can prove to the satisfaction of the Township Engineer where installation of bioswales or rain gardens is not practical. Applicant shall provide a narrative explaining incorporation of rain gardens and bioswales.

(4) Rain Garden and Bioswale plans shall be reviewed and approved by the Township Engineer.

G. Detention/retention pond landscaping.

- (1) Landscape plans shall be submitted for all detention/retention ponds. Stormwater management systems that replicate a natural design and appearance is required.
- (2) Detention/retention ponds shall be landscaped to provide a natural setting in open space areas ~~which are removed from residential lots~~. Where possible, ponds or basins shall be "free form" following the natural shape of the land to the greatest practical extent.
- (3) Side slopes shall not exceed one (1) foot vertical for every five (5) feet horizontal.
- (4) Berms may be incorporated into the landscape but should be used to enhance the natural forms and not create artificial bumps and ridges.
- (5) The minimum requirements for the landscaping of detention/retention ponds shall be as follows:
 - a. One (1) deciduous shade or evergreen tree and ten (10) shrubs shall be planted for every fifty (50) lineal feet of pond perimeter as measured along the top of the bank elevation.
 - b. The required trees and shrubs shall be planted in a random pattern or in groupings. The placement of required landscaping is not limited to the top of the pond bank.
- (6) Detention and retention ponds in close proximity to residential, commercial, and industrial properties shall be landscaped in character with properties and shall be required to provide lawn areas, shrubs, and trees to accomplish a suitable appearance compatible with development on the property and on nearby properties. Landscaping shall be required on all areas disturbed by grading to establish detention/retention ponds.
- (7) To assure that water quality is maintained, ponds shall be designed to continuously circulate either by surface water movement, ground water movement or some form of artificial aeration.
- ~~(8)~~ Maintenance of detention/retention ponds and the landscaping thereof shall be the responsibility of the property owner or of the development association whichever is appropriate and shall be conducted in a manner acceptable to the Township. Should maintenance not be carried out in an acceptable manner the Township may carry out such maintenance and assess the developer and/or property owners for such maintenance.

~~(9)~~

(8)

~~When a parking area abuts a single family residential district, a row of large deciduous trees shall be provided on the nonresidential side of a required wall or berm. Such trees shall be located in a lawn panel with a minimum width of ten feet as measured from the property line.~~

~~(10) Parking lot landscaping shall be located within parking areas or within ten feet of a parking area. Required landscaping elsewhere on the parcel shall not be~~

Commented [BC3]: Moved detention/retention in line with other planting requirement sections for consistency

~~counted in meeting the parking lot landscaping requirements. Each parking lot island shall contain a minimum of one tree. Trees required under item (ii) above may be used to fulfill this requirement.~~

~~H. —Storefront pedestrian landscaping. Between any building and any parking lot or circulation aisles, the following standards shall apply:~~

- ~~i. —A minimum setback of 20 feet shall be provided between any building and any parking space or parking aisle.~~
- ~~ii. —Large deciduous canopy trees 50 feet on center shall be planted within such space.~~
- ~~iii. —Ornamental lighting at a spacing no greater than 100 feet between poles shall be provided.~~
- ~~iv. —Seating nodes shall be provided every 100 feet.~~
- ~~v. —Paving within storefront pedestrian areas shall include a minimum of ten percent decorative paving materials or surfaces.~~

~~vi. —For shopping centers containing 100,000 square feet gross floor area or more, a minimum of one outdoor plaza shall be provided. Each outdoor plaza shall include one fountain or sculptural elements. Plaza space shall be provided at a rate of one square foot per 200 square feet of building.~~

H. Screening between land uses

(1) Screening Between Land Uses Table

| | | <u>When Contiguous with These Land Uses</u> | | | | |
|-------------------------|--|---|------------------------------------|--|-------------------|-------------------|
| | | <u>Single Family Residential</u> | <u>Multiple Family Residential</u> | <u>Office / Retail / Institutional</u> | <u>Industrial</u> | <u>Automotive</u> |
| <u>Subject Property</u> | <u>Single-Family Residential</u> | | | | | |
| | <u>Multiple Family Residential</u> | <u>Screen 1</u> | | | | |
| | <u>Office/ Retail / Institutional /Service</u> | <u>Screen 2</u> | <u>Screen 2</u> | | | |
| | <u>Automotive</u> | <u>Screen 3</u> | <u>Screen 3</u> | <u>Screen 3</u> | | |
| | <u>Industrial</u> | <u>Screen 3</u> | <u>Screen 3</u> | <u>Screen 3</u> | | |

(2) Screening Requirement Table

| <u>Screen</u> | <u>Minimum Quality</u> | <u>Type</u> |
|---------------|---|-------------------------|
| <u>1</u> | One <u>1 tree per three (3) lineal feet</u> | <u>Narrow Evergreen</u> |
| <u>2</u> | One <u>1 tree per ten (10) lineal feet</u> | <u>Large Evergreen</u> |
| <u>3</u> | One <u>1 tree per ten (10) lineal feet;</u> <u>and</u> | <u>Large Evergreen</u> |
| | One <u>1 tree per three (3) lineal feet</u> | <u>Narrow Evergreen</u> |

~~(1)(3)~~ Landscape buffers shall be located on the property line but no closer than four (4) feet from a fence and/or property line, unless otherwise provided for in this Ordinance or by the Planning Commission.

~~(2)(4)~~ Solid Wall or Fence. Where a land use activity creates noise, light, dust, or other similar nuisance that cannot be effectively screened by a landscape buffer, the Planning Commission may approve the installation of a solid wall or fence. Such wall or fence shall be a minimum of four (4) feet and a maximum of eight (8) feet in height as measured on the side of the proposed wall having the higher grade. A required wall shall be located on the lot line, except alternate locations may be approved where underground utilities interfere, where this Ordinance requires conformity with front yard setback requirements, or where an alternate location provides more effective screening. The construction materials of the wall or fence may include masonry, stone, or wood.

(5) Combinations. A combination of landscaping and a solid wall or fence may be approved by the Planning Commission where such a combination provides more effective screening.

~~c. Landscape buffer. A landscape buffer may be provided as a screening device at the discretion of the petitioner or as required by the. Where allowed or required, landscape buffers shall conform to the following standards:~~

- ~~H. i. A landscape buffer may be interrupted only to provide for roads or driveways for vehicular access.~~
- ~~I. ii. For the purpose of determining required plant material, landscape area length shall be measured along the exterior periphery of the landscape buffer area. Within the landscape buffer, plant material shall be provided as follows:~~
 - ~~J. a) A minimum of one evergreen tree per 25 lineal feet or fraction thereof, plus~~
 - ~~K. b) A minimum of one deciduous tree per 50 lineal feet or fraction thereof, plus~~
 - ~~L. c) A minimum of one shrub per ten lineal feet or fraction thereof.~~
- ~~M. iii. Landscape buffers shall have a minimum width of not less than 20 feet.~~
- ~~N. iv. Landscape buffers shall be located on the property line, unless otherwise provided for in this ordinance or by the.~~

~~Q.v. In the B-4, B-5 and B-6 districts, a landscape buffer may along any property line that abuts a residential district or existing residential use. This buffer shall consist of a solid fence or decorative wall up to six feet in height to be erected parallel to any common lot line, with a ten-foot wide planting strip along the base of the wall or fence that consists of one evergreen tree and one canopy tree per 30 lineal feet along the property line.~~

~~P.l. d.~~ Landscaped berms.

(1) Berms shall be at least three (3) feet above the grade elevation and shall be constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal with at least a two (2) foot flat area on the top. For the purposes of this provision, grade elevation shall be the ground elevation at the property line adjacent to the proposed berm. The height of the berm shall be measured from the surface of the parking area or land on the nonresidential side of the berm.

(2) The berm area shall be planted with grass or other suitable ground cover to ensure that it withstands wind and weather and retains its height and shape.

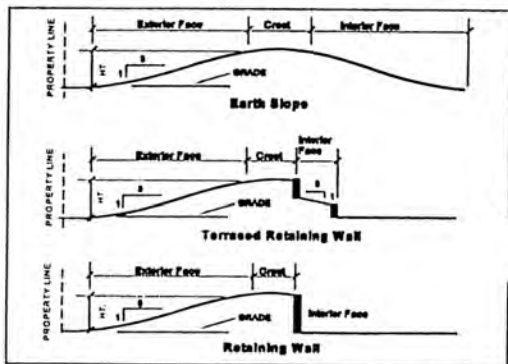
~~(2)~~

(3) Within a landscape berm, plant material shall be provided as follows:

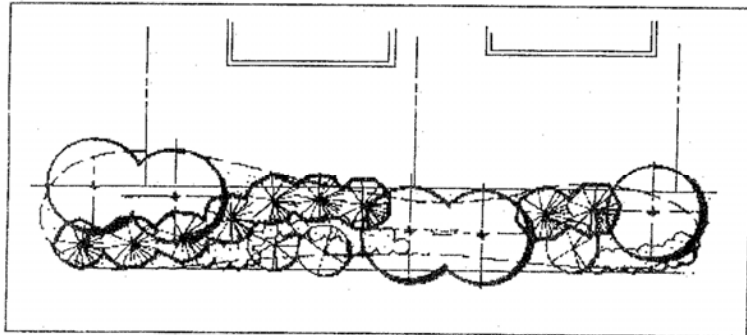
a. A minimum of one (1) evergreen tree per fifty (50) lineal feet or fraction thereof, plus

a.b. A minimum of one (1) deciduous tree per one hundred (100) lineal feet or fraction thereof, plus

c. A minimum of one (1) shrub per twenty (20) lineal feet or fraction thereof.

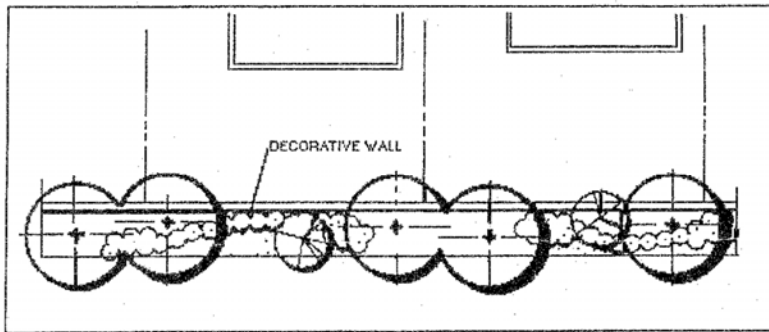


Berm Illustrations

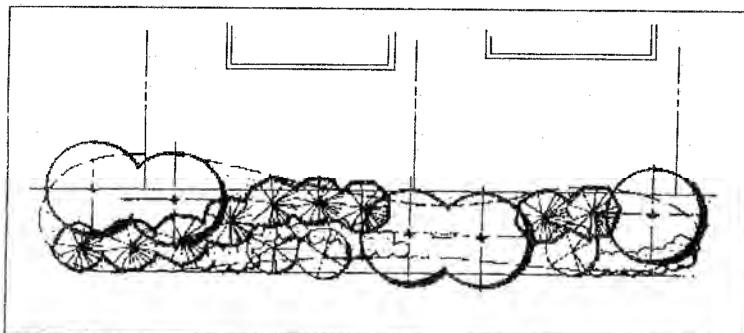


Landscaped earth berm.

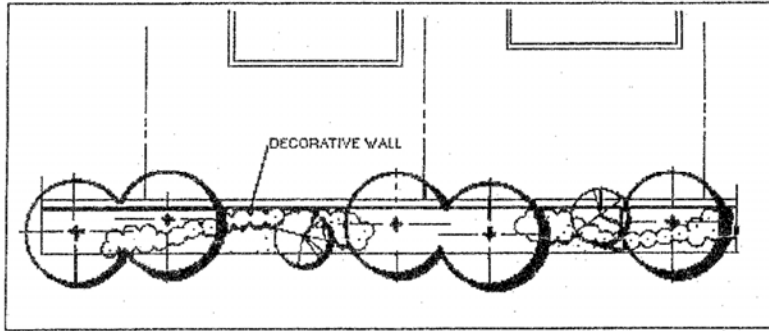
BERM



Decorative wall with landscaping.



Landscaped earth berm.



Decorative wall with landscaping.

J. 3.—Materials standards and specifications. Except as otherwise specified in the general requirements for each zoning district, all plant and non-plant material shall be installed in accordance with the following standards:

(1) a.—Maintenance-free non-plant material. All non-plant site features shall be durable and as maintenance-free as reasonably possible.

~~(1)(2)~~ (2) ~~Irrigation. All required landscaped areas shall be irrigated.~~ Plant quality. Plant materials used in compliance with provisions of this Ordinance shall be nursery grown, free of pests and diseases, hardy in Washtenaw County, in conformance with the standards of the American Association of Nurserymen and shall have passed any inspections required under state regulations.

~~(2)(3)~~ (3) Plastic plant material prohibited. Plastic and other nonorganic, nonliving plant materials shall be prohibited from use.

(4) Plant material size, location, and spacing. The following specifications shall apply to all plant material required by this section:

a. Plant materials shall not be placed closer than four (4) feet from a fence and/or property line.

b. Where plant materials are planted in two (2) or more rows for screening purposes, the rows shall be staggered.

(5) Minimum Plant Material Size at Time of Planting:

| <u>Minimum Size and Space of Landscape Planting</u> | | | | | | | | | | | | |
|---|-------------------------------|-------------------|-------------------|----------------------|------------------------|---------------------|------------------------------------|-----------|-----------|----------|----------|----------|
| | <u>MINIMUM SIZE ALLOWABLE</u> | | | | | | <u>MAXIMUM ON-CENTER SPACING**</u> | | | | | |
| | <u>Height</u> | | | | <u>Caliper/ Spread</u> | | <u>Feet</u> | | | | | |
| | <u>6'- 7'</u> | <u>5'- 6'</u> | <u>3'- 4'</u> | <u>2.5' - 3'</u> | <u>2.5"</u> | <u>24 - 36"</u> | <u>2 gal.</u> | <u>25</u> | <u>10</u> | <u>6</u> | <u>3</u> | <u>1</u> |
| <u>Large Evergreen Trees</u> | | | | | | | | | | | | |
| <u>Narrow Evergreen Trees</u> | | | | | | | | | | | | |
| <u>Large Evergreen Shrubs</u> | | | | | | | | | | | | |
| <u>Small Evergreen Shrubs</u> | | | | | | | | | | | | |
| <u>Vines</u> | | | | | | | | | | | | |
| <u>Large Deciduous Trees</u> | | | | | | | | | | | | |
| <u>Small Deciduous Trees (Ornamental)</u> | | | | | | | | | | | | |
| <u>Ground Cover</u> | | | | | | | | | | | | |
| <u>Large Deciduous Shrubs</u> | | | | | | | | | | | | |
| <u>Small Deciduous Shrubs</u> | | | | | | | | | | | | |

** "Maximum on-center" spacing refers to the largest space allowed between the centers of plants of the same species/variety.

- ~~(3)~~
- ~~(4)~~
- ~~(5) i.~~
- ~~(6) ii.~~
- ~~(7) iii. — Evergreen trees shall have a starting size of at least six feet in height. When planted in informal groupings, they shall be spaced not more than 20 feet on center. When planted in rows, they shall be spaced not more than 15 feet on center.~~
- ~~(8) iv. — Narrow evergreens shall have a starting size of at least five feet in height. When planted in informal groupings shall be spaced not more than ten feet on center. When planted in rows, they shall be spaced not more than five feet on center.~~

~~(9) v. — Large deciduous trees shall have a minimum starting size of two and one half caliper inches. They shall be planted not more than 30 feet on center when placed in informal groupings.~~

~~(10)vi. — Small deciduous trees shall have a minimum starting size of at least two caliper inches. They shall not be spaced more than 15 feet on center when placed in informal groupings.~~

~~(11)vii. — Large shrubs shall have a starting size of at least 30 inches in height. They shall be placed not more than six feet on center when placed in informal groupings and not more than four feet on center when planted in rows.~~

~~(12)viii. — Small shrubs shall have a starting size of not less than 24 inches in height or spread and be planted not more than four feet on center.~~

~~(13)~~Hedges shall be planted and maintained so as to form a continuous, unbroken, visual screen within two (2) years after planting.

~~(6)~~

~~(7)~~ Ground covers used in lieu of turf grasses in whole or in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage after one complete growing season.

~~(14)~~

~~(15)xi. — Vines shall be a minimum of 30 inches in length after one growing season.~~

~~(16)~~Grass areas shall be planted in species normally grown as permanent lawns in Washtenaw County. Grass may be plugged, sprayed, seeded, or sodded, except that rolled sod, erosion reducing net or suitable mulch shall be used in swales or other areas subject to erosion. Grass, sod, and seed shall be clean and free of weeds, noxious pests, and diseases.

~~(8)~~

~~(9)~~ Mulching material for planted trees, shrubs, and vines shall be a minimum of three (3) inches deep and installed in a manner as to present a finished appearance. Also, straw, or other mulch shall be used to protect newly seeded areas.

K. f. Installation, Maintenance, and Completion.

(1) Landscaped areas shall be protected from vehicular encroachment by use of wheel stops, curbing or other means.

(2) All landscaping required by this Ordinance shall be planted before obtaining a certificate of occupancy or the appropriate financial surety as required in Article 3, Administration and Enforcement.

(3) All landscaping and landscape elements shall be planted, and earth moving, or grading performed, in a sound workmanlike manner, according to accepted planting and grading procedure.

(4) Landscaping required by this Ordinance shall be maintained in a reasonably healthy condition, free from refuse and debris. All unhealthy or dead material shall be replaced within one (1) year of damage or death or the next appropriate planting period, whichever comes first. For all commercial, industrial, or multiple-family developments, landscaped

areas shall be provided with irrigation or a readily available and acceptable water supply. As a measure to promote water conservation and reduce stormwater volumes, all required site irrigation systems shall include a rain sensor or similar measure to ensure that irrigation does not occur during or shortly after precipitation events. All site plans shall note installation of required irrigation.

(5) Topsoil removed during construction shall be stockpiled in an appropriate manner to prevent erosion and shall be redistributed on regraded surfaces to be landscaped and provide a minimum of four (4) inches even cover. Plants shall be mulched with shredded hardwood bark mulch at a depth of four (4) inches. Failure to install and maintain approved landscaping shall be a violation of this Ordinance.

~~Q. Installation and maintenance.~~

~~R. i. Landscaping shall be planted within six months from the date of completion of the building or improvement, and shall thereafter be reasonably maintained with permanent plant materials in accordance with an approved site plan. Final certificate of occupancy shall be withheld until landscaping has been installed as per an approved landscape plan. A temporary certificate of occupancy may be issued in the interim subject to the posting of a bond in accordance with the provisions set forth in this ordinance.~~

~~S. ii. Landscaped areas shall be protected from vehicular encroachment by use of wheel stops, curbing or other means.~~

~~T. iii. The owner of landscaping required by this ordinance shall maintain the landscaping in a healthy, neat, and orderly appearance, free from refuse and debris. All unhealthy and dead plant material shall be replaced immediately or in the next appropriate planting period.~~

L. Use of Native Plants in Landscaping and Prohibited Species

(1) Native plant species chosen for a development shall be based on the native species currently growing on the site, if any.

(2) The arrangement of native plant species may be designed in both “natural” arrangements and more conventional arrangements.

Natural arrangements emulate the arrangements found in nature and have a less manicured appearance. Natural arrangements shall incorporate a wide mix of species.

(3) This landscape style shall be used for landscaping open space, surface stormwater systems, street tree plantings, and/or parks. If natural arrangements are used, plant spacing requirements may be waived as long as the function the plants are to serve is accomplished.

(4) Conventional, more formal arrangements are generally used close to buildings or heavily used areas of a site. Native species may be used in these areas just as any other commercially available landscape material. As with any landscape design, the plant’s ultimate size, soil and site requirements, and other characteristics shall be considered to ensure they do not overwhelm a space, encroach into walkways, or impede sight distance or visibility of motorists. In entryways, where aesthetics is of primary importance, cultivars of native plant species may be considered to ensure the plant’s appearance.

(5) Plantings installed in areas used for stormwater management shall be planted with native

species that specifically perform the necessary runoff attenuation, filtration, water uptake, and purification functions needed in such areas. Both herbaceous and woody species shall be incorporated into the mix where the desired function dictates.

(6) The following species may not be included in any landscape plan:

| <u>Table {insert}</u> | |
|--|--------------------------------|
| <u>Prohibited Species</u> | |
| <u>Trees</u> | |
| <u>Common Name</u> | <u>Scientific Name</u> |
| <u>Norway Maple</u> | <u>Acer plantanoides</u> |
| <u>Amur Maple</u> | <u>Acer ginnala</u> |
| <u>Silver Maple</u> | <u>Acer saccharinum</u> |
| <u>Box Elder</u> | <u>Acer negundo</u> |
| <u>Tree of Heaven</u> | <u>Alianthus altissima</u> |
| <u>European Alter</u> | <u>Alnus glutinosa</u> |
| <u>Northern Catalpa</u> | <u>Catalpa speciosa</u> |
| <u>White Ash*</u> | <u>Fraxinus americana</u> |
| <u>Green Ash*</u> | <u>Fraxinus pennsylvanica</u> |
| <u>Golden Rain Tree</u> | <u>Koelreuteria paniculata</u> |
| <u>Amur Cork Tree</u> | <u>Phellodendron amurense</u> |
| <u>Princess or Royal Empress Tree</u> | <u>Paulownia tomentosa</u> |
| <u>Poplar</u> | <u>Populus spp.</u> |
| <u>Black Locust**</u> | <u>Robinia pseudocacia</u> |
| <u>Willow (all)</u> | <u>Salix spp.</u> |
| <u>American Elm***</u> | <u>Ulmus americana</u> |
| <u>Norway Maple</u> | <u>Acer plantanoides</u> |
| <u>Amur Maple</u> | <u>Acer ginnala</u> |
| <u>Silver Maple</u> | <u>Acer saccharinum</u> |
| <u>Box Elder</u> | <u>Acer negundo</u> |
| <u>Tree of Heaven</u> | <u>Alianthus altissima</u> |
| <u>European Alter</u> | <u>Alnus glutinosa</u> |
| <u>Chinese Elm</u> | <u>Ulmus parvifolia</u> |
| <u>Siberian Elm</u> | <u>Ulmus pumila</u> |
| <u>* A native species but prohibited due to Emerald Ash Borer.</u> | |

| | |
|--|---|
| ** A native species but tends to be invasive. | |
| *** Except cultivars that are resistant to Dutch Elm Disease. | |
| Shrubs | |
| Common Name | Scientific Name |
| Porcelain Berry | Ampelopsis brevipedunculata |
| Japanese Barberry | Berberis thunbergii |
| Common Barberry | Berberis vulgaris |
| Oriental Bittersweet | Celastrus orbiculatus |
| Autumn Olive | Elaeagnus umbellata |
| Russian Olive | Elaeagnus angustifolia |
| Burning Bush | Euonymus alatus |
| Wintercreeper | Euonymus fortunei |
| English Ivy | Hedra helix |
| Eastern Red Cedar | Juniperus virginiana |
| Privet | Ligustrum vulgare |
| Honeysuckle (all) | Lonicera |
| Common Buckthorn | Rhamnus cathartica |
| Glossy Buckthorn | Rhamnus frangula |
| Multiflora Rose | Rosa multiflora |
| Guelder Rose | Viburnum opulus var. opulus |
| Grasses | |
| Common Name | Scientific Name |
| Chinese Silver Grass | Miscanthus sinensis |
| Giant Reed | Phragmites communis |
| Reed Canary Grass | Phalaris arundinacea |
| Flowers and Ground Cover | |
| Common Name | Scientific Name |
| Garlic Mustard | Alliaria officinalis |
| Spotted Knapweed | Centaurea maculosa |
| Crown Vetch | Coronilla varia |
| Queen Ann's Lace | Daucus carota |
| Foxglove | Digitalis purpurea |
| Japanese Knotweed | Fallopia japonica |

| | |
|---------------------------|----------------------------|
| <u>Dame's Rocket</u> | <u>Hesperis matronalis</u> |
| <u>Purple Loosestrife</u> | <u>Lythrum salicaria</u> |

M. Public Art.

(1) The inclusion of public art may be approved as a replacement to the required greenbelt landscaping in any non-residential district or a PUD.

(2) The proposed public art must be approved by the Planning Commission and must include a long-term maintenance plan for the public art.

~~(3) Public art must be visible from the public right-of-way.g. Suggested plant materials.~~

U.N. Waivers. The Planning ~~Commission may~~ Commission may waive or modify any of the standards of this Section in the following situations:

- (1) Where a proposed modification cannot be reasonably accomplished in strict adherence to this section due to existing site or building constraints.
- (2) Where a proposed building addition increases the gross building area by no greater than twenty percent (20%).
- (3) Where a proposed parking lot expansion increases the number of parking spaces by no greater than twenty percent (20%).
- (4) Where the addition of new landscape material would serve no good purpose due to its relation to existing plant material, changes in grade or other site characteristics.
- (5) Where the intent of this Section can be met through reasonable alternatives.

- ~~i. Evergreen trees – Pines, Douglas fir, hemlock, spruce.~~
- ~~ii. Narrow evergreens – Red cedar, arborvitae, junipers.~~
- ~~iii. Large deciduous trees – Oaks, ginkgo (male), birch, linden, hard maples, beech, honey locust (seedless and thornless), ash (seedless).~~
- ~~iv. Small deciduous trees – Hornbeam, hawthorn, magnolia, mountain ash, redbud, flowering dogwood, flowering crabs (disease resistant varieties).~~
- ~~v. Large shrubs:~~
 - ~~a) Deciduous – Honeysuckle, lilac, forsythia, border privet, buckthorn, sumac, pyracantha, barberry, flowering quince, sargent crabapple, dogwood (red osier, grey), cotoneaster (pekin, spreading).~~
 - ~~b) Evergreen – Irish yew, Hicks yew, mugho pine, Pfitzer juniper, savin juniper.~~
- ~~vi. Small shrubs:~~
 - ~~a) Deciduous – Regal privet, fragrant sumac, Japanese quince, potentilla, compact burning bush, cotoneaster (cranberry, rockspray).~~
 - ~~b) Evergreen – Dwarf mugho pine, big leaf winter creeper, arborvitae, low spreading junipers (Andora, Hughes, tamarack, etc.), spreading yews (dense, Brown's, Ward, etc.).~~

- vii. ~~Trees not suggested – Box elder, willows, soft maples (red, silver), poplars, horse chestnut (nut bearing), tree of heaven, elms, catalpa, Russian olive.~~

~~(Amd. of 5-2-95; Ord. No. 98-183, 2-17-98; Ord. No. 2001-288, 12-18-01; Ord. No. 2018-476, 5-22, 2-20-18)~~

Sec. ~~2107~~1302. - Trash and recycling receptacles:

1. ~~Where Required.~~ The standards set forth in this Section shall apply to all uses that have refuse and recycling disposal service by collective trash and a recycling container. This does not include curbside pickup for single-family residential uses; however, all residential buildings of more than two (2) dwelling units and non-residential shall provide trash and recycle enclosures.

~~Requirements: A space for the location of a separate trash and recycling receptacle, paved and with minimum dimensions of 16 feet wide and 12 feet deep, shall be provided for each zoning lot in the nonresidential districts (OS-1, B-1 through B-6, FS, IRO, I-1 through I-3, I-C, RM-1 through RM-5 and nonresidential uses proposed within a PD district) regardless of whether or not the use of a trash and recycling receptacle is intended, trash and recycling receptacles are permitted provided that:~~

2.

- A. Containers used to dispose of trash, grease, recyclables, and similar materials shall be screened on all sides with an opaque fence or wall, and gate at least as high as the container, but no less than six (6) feet in height, and shall be constructed of durable material, such as brick or finished concrete material, and construction which is compatible with the architectural materials used in the site development. Wire fencing or fencing with plastic, aluminum, or other filler strips shall not be used as enclosure walls or gates. Gates shall be constructed of treated aluminum or metal.
- B. Containers shall be consolidated to minimize the number of collection sites, located in close proximity to the building they serve, and easily accessed by refuse vehicles without potential damage to parked vehicles.
- A-C. Containers and enclosures shall be located in a side or rear yard but shall not be located in any required yard adjacent to a public or private street, or in a required transition strip. If located in a required side or rear yard, the enclosure shall be at least ten (10) feet from the property line. In no instance shall they be located within twenty (20) feet of any single-family residential property line or district.
- D. Containers and enclosures shall be screened from public view whenever possible. Tree and shrub screening may be required around the enclosure to screen the enclosure from view, to provide shade and to reduce odors during summer months.
- E. Containers and enclosures shall be situated so that they do not cause excessive nuisance or offense to occupants of nearby buildings, or users of adjacent streets or sidewalks.
- F. Concrete pads and aprons of appropriate size and construction, a minimum of six (6) inches thick, shall be provided.

G. Installation of recycling containers may permit the removal of up to two (2) required parking spaces.

H. The location of trash and recycling receptacles shall be indicated on site plans and the location and screening shall be subject to the approval of the ~~community and economic development~~Zoning Administrator-director, or ~~of the~~ P~~l~~anning C~~e~~ommission when the P~~l~~anning C~~e~~ommission reviews the site plan.

~~B-I. Enclosures shall be secured or locked during non-business hours.~~

~~C. The trash and recycling receptacles are located in a rear yard or interior side yard and are clearly accessible to servicing vehicles.~~

~~D. Trash and recycling receptacles shall be screened from view on all sides. Such screening shall consist of walls constructed of a brick or finished concrete materials or earth mound either of which are less than six feet in height or at least one foot above the height of the enclosed trash and recycling receptacles whichever is greater. Gates providing access shall also provide screening and may consist of an approved treated wood material. When possible, trash and recycling receptacles screening should be constructed of the same material type as the main building facade.~~

~~(Ord. No. 2018-476, § 22, 2-20-18)~~

~~Editor's note — Ord. No. 2018-476, § 22, adopted Feb. 20, 2018, repealed § 2107 in its entirety and enacted new provisions to read as herein set out. Former § 2107 pertained to uses not otherwise included within a specific use district, and derived from Ord. No. 95-137, adopted Oct. 17, 1995; Ord. No. 2000-245, § II, adopted March 21, 2000; Ord. No. 2001-266, § 2, adopted May 15, 2001~~

Sec. ~~2110~~1303. - Exterior lighting:

1. Intent. The purpose and intent of this Section is to provide reasonable regulations to direct the location, design, illumination level, and use of outdoor lighting from both direct and indirect sources to minimize its undesirable effects. Lighting standards recognize that parking areas, walkways, driveways, building entryways, off-street parking and loading areas, other outdoor pedestrian ways, and building complexes with common areas need to be sufficiently illuminated to ensure the security of property and the safety of persons using such public or common areas. Lighting standards set forth herein are also intended to:

A. Provide for and control lighting in outdoor public places where public health, safety, and welfare are potential concerns;

B. Protect drivers and pedestrians from the glare of non-vehicular light sources;

C. Protect neighbors, the environment, and the night sky from nuisance glare and light trespass from improperly selected, placed, aimed, applied, maintained, or shielded light sources;

D. Promote energy efficient lighting design and operation; and

E. Protect and retain the visual character of the Township.

2. Applicability. All outdoor lighting installed after the effective date of the amendment to the Zoning

Ordinance shall comply with the requirements of Section ~~insert section~~ 13.03. This includes, but is not limited to, new lighting equipment, light fixtures, replacement lighting, or any other outdoor lighting whether it is attached to structures, poles, buildings, or any other location.

3. Light from direct sources. Lighting from direct source shall be subject to the following standards:

A. Shielding and Light Trespass. Lighting shall be placed, directed, and shielded so as to direct the light onto the site and away from adjoining properties through the use of full-cutoff luminaires. Lighting shall be shielded so that it does not cause glare for vehicles, bicycles, and pedestrians. Directional luminaires such as floodlights and wall mounted luminaires shall be shielded and aimed so they do not create glare when viewed from neighboring property. The use of floodlights and wall-mounted luminaires to light parking areas shall be prohibited, unless there is a finding by the Planning Commission that no other acceptable means of lighting is possible. Lighting under canopies shall be recessed or full cutoff luminaires aimed straight down.

B. Maximum Illumination Levels. Lighting for uses adjacent to residentially zoned or used property shall be designed and maintained such that illumination levels do not exceed a half (0.5) footcandles at ground level along common property lines. Lighting for uses adjacent to nonresidential properties shall be designed and maintained such that illumination levels do not exceed one (1.0) footcandle at ground level along common property lines. Maximum light levels shall not exceed twenty (20.0) footcandles in any given area measured at ground level.

C. Maximum Height. Except as noted above, lighting fixtures shall not exceed a height of twenty-five (25) feet, including the base. In portions of a site adjacent to residential areas, lighting fixtures shall not exceed a height of eighteen (18) feet, including the base, and shall be located so as to result in the minimum interference with residential users.

D. Minimum Illumination Levels. Parking area lighting shall provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and to not cause glare or direct illumination onto adjacent properties or streets or public/private rights-of-way. At no point shall lighting of parking lots be less than 0.4 footcandles.

E. Light Color Standard. Correlated color temperature of any outdoor light source shall not exceed three thousand-five hundred (3500) Kelvin unless introduced as part of a façade or landscape lighting scheme used exclusively for the decorative illumination through color of certain building façade or landscape features.

A-F. Lighting Plans.

- (1) All lighting, including ornamental lighting, shall be shown on site plans in sufficient detail to allow determination of the effects of such lighting upon adjacent properties and traffic safety.
- (2) The lighting plan shall include a photometric plan which plots illuminance in footcandles on ten feet by ten feet (10' x 10') horizontal grid over the entire site up to and including all property boundaries. The lighting plan shall include a layout of all proposed and existing luminaires, and a photometric analysis plotted in a manner that demonstrates that Ordinance requirements are met. The lighting plan shall also include luminaire details, glare reduction devices, mounting heights, and pole and pole foundation details.
- (3) Lighting plans shall be coordinated with landscape plans to minimize conflict between

landscaping and intended light distribution.

G. Reduction in Nighttime Lighting. All outdoor lighting shall be reduced to at least fifty percent (50%) of the light level at full illumination one (1) hour after closing. Lighting reductions shall not be required under the following circumstances:

(1) Where a business operates twenty-four (24) hours;

(2) Where lighting is intended to reduce real or perceived risk; and,

(3) Where lighting is intended to discourage intruders, vandals, or burglars, and to protect merchandise and property.

4. Light from Indirect Sources. Lighting from indirect sources shall be subject to the following standards:

A. Glare from any process (such as or similar to arc welding or acetylene torch cutting) which emits harmful ultraviolet rays shall be performed in such a manner as not to be seen from any point beyond the property line, and so as not to create a public nuisance or hazard along lot lines;

B. The design and/or screening of the development shall ensure that glare from automobile and commercial or industrial vehicle headlights shall not be directed into any adjacent property, including residential property; and

C. Exterior doors shall be located, operated, and maintained so as to prevent any glare and light from creating a nuisance or safety hazard to operators of motor vehicles, pedestrians, and neighboring land uses.

5. Exemptions. The following types of lighting are exempt from this Ordinance:

A. Luminaires used for public roadway illumination;

B. All temporary emergency lighting needed by the police, fire, or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this Ordinance;

C. All hazard warning luminaires required by federal regulatory agencies are exempt from the requirements of this article, except that all such luminaires used must be red and must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task;

D. Luminaires used primarily for signal illumination may be mounted at any height required to ensure roadway safety, regardless of lumen rating;

E. Seasonal holiday lighting and illumination of the American and state flags shall be exempt from the requirements of this Ordinance, providing that such lighting does not produce glare on roadways and neighboring residential properties; and

F. Installations existing prior to the enactment of this Ordinance are exempt from its requirements. However, any changes to an existing lighting system, fixture replacements, or any grandfathered lighting system that is moved must meet these standards.

6. Prohibited Lighting. The following types of outdoor lighting are specifically prohibited:

A. Lighting that could be confused for a traffic control device;

- ~~B. Lighting that is oriented upward, except as otherwise provided for in this Ordinance;~~
 - ~~C. Searchlights, beacons, and laser source light fixtures;~~
 - ~~D. Lights that blink, flash, move, revolve, flicker, change intensity, or change color;~~
 - ~~E. Any lamp or bulb when not within a luminaire and which is visible from the property boundary line of the parcel on which it is located, except for landscape ornamental lighting;~~
 - ~~F. Lighting inside of an awning when the awning material is translucent; and~~
 - ~~G. Building or roof-mounted lighting intended to attract attention to the building and/ or use and not strictly designed for security purposes shall not be permitted.~~
 - ~~H. Luminous tube and exposed bulb fluorescent lighting (visible from the property line) is prohibited unless approved by the Planning Commission as an element of the building façade.~~
- ~~7. Lamp or Fixture Substitution. No Substitution of any existing light fixture or lamp type is permitted without approval of the Zoning Administrator, who may require sufficient information to ensure compliance with the standards of this Ordinance.~~
- ~~2. Sign lighting~~
- ~~A. Canopy signs: Canopy signs shall be illuminated from above using a maximum 100-watt, fully shielded metal halide, tungsten halogen or incandescent light fixture. The zoning official may permit the canopy to be internally illuminated using one single tube fluorescent fixture, provided that the fixture is recessed and the canopy material is opaque except for any permitted sign copy area.~~
 - ~~B. Wall and marquee signs: Wall and marquee signs shall be illuminated from above using a maximum 100-watt, fully shielded metal halide, tungsten halogen or incandescent light fixture that is directed downward. The zoning official may permit wall or marquee signs to be internally illuminated, provided that more than 50 percent of the sign face area is covered by semi-opaque colors and materials that have a color value and saturation of 50 percent or higher.~~
 - ~~C. Ground signs: Ground signs shall be illuminated from above or below using a maximum 100-watt, fully shielded metal halide, tungsten halogen or incandescent light fixture that is directed downward. The zoning official may permit ground signs to be illuminated from below, provided that the light is tightly focused to prevent spillage of excess light beyond the edge of the sign face. The zoning official may permit ground signs to be internally illuminated, provided that a minimum of 50 percent of the sign face area is covered by semi-opaque colors and materials that have a color value and saturation of 50 percent or higher.~~
 - ~~D. Billboard signs: Billboard signs shall be illuminated from above using light fixtures that are tightly focused to prevent spillage of excess light beyond the edge of the sign face and directed downward to prevent off-site glare and minimize light pollution.~~

~~It is the intent of this ordinance to preserve, protect, and enhance the lawful nighttime use and enjoyment of any and all property through the use of appropriate lighting practices and systems. Such individual fixtures and lighting systems are designed, constructed, and installed to control glare and light~~

~~trespass, minimize obtrusive light, conserve energy and resources while maintaining safety, security and productivity, and curtail the degradation of the nighttime visual environment.~~

Sec. ~~2114~~1305. - Fences and walls.

~~(1) Chain link fence: A fence constructed of galvanized steel or similar materials as approved by the building official for the purpose of enclosing or securing an area. Chain link fences shall not include wire fences or fences of similar construction.~~

~~(2) Industrial fence: A chain-link or ornamental fence constructed of materials approved by the building official for the purpose of enclosing or securing an industrial use.~~

~~(3) Living fence: A continuous hedgerow of living plant material planted and maintained for the purpose of enclosing an area.~~

~~(4) Ornamental fence: A fence consisting of wrought iron, galvanized steel, aluminum, vinyl, wood or similar materials fabricated into a design with specific pattern elements or ornamentation. All spaces in the fence shall be open and unobstructed and the fence shall not block vision to an extent greater than 40 percent. Ornamental fences shall not include chain link or wire fences or fences of similar construction.~~

~~(5) Privacy fence: A fence constructed of wood, vinyl or similar materials that blocks vision to an extent greater than 40 percent for the purpose of obscuring or screening an area from public view.~~

~~(6) Rail fence: A fence constructed of wood, vinyl or similar materials and consisting of one to four horizontal rails connecting to vertical posts spaced a minimum of six feet apart. All spaces in such fences shall be open and unobstructed and such fences shall not block vision to an extent greater than 40 percent.~~

~~(7) Temporary fence: A fence constructed of canvas, plastic, chain link, wood or similar material as approved by the building official for the purpose of enclosing or securing an area for a limited period of time.~~

~~(a) Construction: A fence erected for the purpose of securing a construction site against unauthorized access. The building official may require such fences as part of an approved permit.~~

~~(b) Special events: A fence erected for the purposes of public safety at a special event. Such fences shall not be erected across public rights of way except as authorized by the and the Washtenaw County Road Commission for special community events only.~~

~~(8) Decorative wall: A masonry wall consisting of brick, stone or similar materials as approved by the building official and constructed with a design that includes specific pattern elements or ornamentation.~~

~~(9) Obscuring wall: A masonry wall consisting of brick, stone or similar materials as approved by the building official and constructed for the purpose of enclosing, obscuring or screening an area from view.~~

~~(10) Damaged fence or wall: A fence or wall that is not properly secured, in danger of collapse or has otherwise been found by the building official to be in a damaged condition.~~

~~(11) Illegal fence or wall: A fence that was illegally erected or installed, or a fence that is not in compliance with the provisions of this article and does not meet the definition of a legal nonconforming fence.~~

~~(12) Legal nonconforming fence or wall: A fence or wall which was legally erected or installed but is no longer in compliance with the provisions of this article. Such fences or walls must be located outside of any existing right of way and wholly upon the parcel to which they are associated.~~

Commented [BC4]: Move to definitions

~~1. 2.~~ General requirements for fences and walls:

- A. Construction and maintenance: Fences and walls shall be securely constructed in conformance with this article and all applicable building codes and shall consist of durable, weather-resistant materials as approved by the Building Official. Masonry piers may be used as part of a fence installation with the approval of the Building Official. Fences and walls shall be maintained in good order, painted, rustproofed, or otherwise protected against damage and decay so as to present an orderly appearance.
- B. Hazards: Fences and walls shall not be erected in a manner that obstructs free and clear vision or would be a hazard to traffic or pedestrians. Fences and walls shall not be erected within public rights-of-way.
- C. Orientation of finished side: Fences that have one (1) finished or decorative side shall be oriented with the finished or decorative side facing outward towards adjacent parcels and away from the interior of the lot to which the fence is associated. Masonry walls shall be finished in a similar manner on all sides.
- D. Site drainage and utilities: Fences and walls shall not be erected in a manner that obstructs the free flow of surface water within or across the lot to which it is associated or the adjacent lots. Fences and walls shall not be erected in a manner that causes damage to underground utilities.
- E. Fences and walls, including, but not limited to posts, foundations, and overhanging elements, shall be located completely within the limits of the lot to which they are associated. Adjoining property owners may jointly apply for a fence permit for the purpose of constructing a fence on the common property line.

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~~2. 3.~~ 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.

B. Commercial, Office, or Form-Based District. Fences shall not exceed six (6) feet in height. Fences in a front yard shall not be permitted in a commercial or office district except where permitted by the Planning Commission.

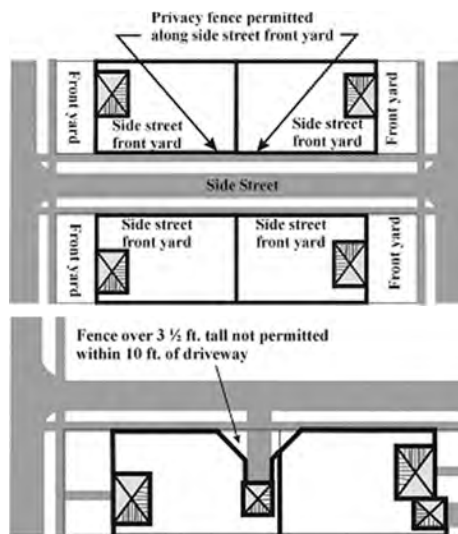
C. Business, Industrial, or Public Facility District. Fences shall not exceed eight (8) feet in height. Additional height may be permitted by the Planning Commission. Fences are not permitted in

the front yard unless approved by the Planning Commission. Fences when permitted in a front yard shall provide fifty percent (50%) opacity.

D. In determining the maximum height of a fence that separates two (2) adjoining lots and that is located within two (2) feet of the common lot line, the maximum height at any point shall be measured from the highest grade at that point within two (2) feet on either side of the common lot line.

(a) ~~All required setbacks for fences and walls shall be measured from the property line or existing street right of way line. Height of such fences or walls shall be measured from the grade level to the highest point of the fence or wall.~~

(b) ~~Fences and walls located within required side and rear yards may be erected on the property line with the submission of written consent from all adjacent property owners or a certified survey verifying the location of lot boundaries.~~



(c) ~~Fences, and walls above three and one-half feet in height and all chain link fences, privacy fences, and obscuring walls are not permitted within the required front yard of any zoning lot except where otherwise specified herein. On residential corner lots, a chain link fence up to four feet in height or privacy fence up to six feet in height is permitted within a front yard of a side street provided the residences on the adjacent lot and opposing lot also do not front on such side street. Such chain link fence or privacy fence shall not extend beyond the front building line into the front yard of the street that the front of the dwelling faces. On nonresidential lots, a privacy fence or an obscuring wall up to six feet in height shall be permitted within a front yard only where necessary for buffering from adjacent uses and approved on a site plan by the.~~

~~(d) On all lots, fences or walls over three and a half (3½) feet in height shall not be permitted within ten (10) feet of the intersection of a driveway with the road right-of-way. Such requirement shall apply to driveways on the same lot as the fence and driveways located on adjoining lots. On corner lots, fences and walls located within a front yard shall maintain the roadway corner clearance requirement of section 2112.~~

3. Vision clearance. All fences shall comply with Section 12.02, Corner Clearance, herein. A fence that is located at the intersection of a driveway and a public sidewalk, or a sidewalk along a private street, shall not impede vision between the driveway and sidewalk.

2.4. Prohibited fences and walls. The following fences and walls are prohibited within the ~~Township~~Township:

A. Barbed-wire, razor-wire, or electrified fences, except where, for the purpose of ensuring public safety, the Planning ~~Commission may~~Commission may approve such fences as part of an approved site plan.

B. Wire fences, except where such fences are located on parcels of not less than four (4) acres in size with a minimum road frontage of two hundred (200) feet.

C. Any fence or wall unlawfully installed, erected, or maintained.

5. Retaining walls. A retaining wall shall be regulated as a fence if the wall projects more than eighteen (18) inches above the grade of the ground being retained.

6. Public Utility Fences. Fences that enclose public utility installations shall not be located in any required yard where the lot is located in a residential zoning district. Such fences may be located in any required yard where the lot is located in any other zoning district. Such fences shall comply with all other provisions of this Ordinance.

7. Permits required: A fence permit shall be required for all work performed in association with the construction, alteration or relocation of a fence or wall, except where otherwise specified herein. A building permit shall also be required for any fence or wall over six (6) feet in height.

~~C.A.~~Fences and walls for which a fence permit is not required:

- (1) Repairs: Repairs to an existing fence or wall with no structural changes.
- (2) Replacement: Replacement of an existing fence with a new fence that is the same type, and height and in the same location as the existing fence; provided the replacement fence is otherwise in full compliance with this Ordinance and the Building Code.
- (3) Gates: The installation of gates of up to eight (8) feet in width in an existing fence or wall with no structural changes.
- (4) Short lengths of new fence: Construction of less than eight (8) feet of new fence, provided that such work is in compliance with the provisions of this article and all applicable building codes.
- (5) Fences associated with active farms: Wire or wood fences associated with an active farm or single-family residential use on parcels of not less than four (4) acres in size with a minimum road frontage of two hundred (200) feet.

(6) Living fences: Planting of continuous hedgerows or similar landscape features.

B. Permit application: Applications for fence permits shall be made upon forms provided by the community development department. The following information shall be provided with the application:

(1) Plot plan and construction drawings: A plot plan or lot survey shall be provided that includes the location of all existing and proposed fences, walls, structures, easements, and setback dimensions. A detail of the proposed fence or wall with all appropriate dimensions shall also be provided.

(7)(2) Removal agreement: The Building Official or Zoning Administrator may require a signed removal agreement for the removal of a fence and wall as deemed necessary. A bond or other acceptable surety to guarantee such removal may be required.

(8)(3) Written consent of all adjacent property owners, or a certified survey verifying the location of lot boundaries, if a fence or wall is proposed to be erected or installed on a property line.

D.C. Other information that the Zoning Administrator or Building Official may require to show full compliance with this and all other Township Ordinances.

(1) _____

3.8 Legal nonconforming fences and walls: All existing legal nonconforming fences or walls shall be permitted to continue as such until removed, extended, or altered, at which time such fences or walls shall be made to conform to the provisions of this article. ~~A legal nonconforming chain-link fence up to four feet in height, located within the required front yard of a platted lot in the R-5 (single-family residential) zoning district, may be extended with the approval of the zoning official.~~

Sec. ~~2125~~1306. – Building Design Requirements

1. Industrial and business park ~~e~~Exterior building wall design.

The purpose of this section is to provide a set of exterior industrial and business park building wall material standards, the intent of which is to enhance the visual environment of the Township. Furthermore, the review of exterior building wall design and the consistent administration of standards can help to maintain the Township's sense of place by encouraging consistent quality and character when structures are built or redeveloped.

A. 1. This section shall apply to all industrial and business park construction, ~~except single family residential structures~~, for all exterior building walls and shall consist of those materials and combinations of materials as set forth in this section.

A. _____

B. 2. The use of exterior wall materials shall be in compliance with the maximum percentages permitted in the "Schedule Regulating Exterior Building Wall Materials."

B. _____

C. 3. The application of these standards should promote integration and mixture of materials

where more than one (1) material is used on a building. If only one (1) material is used, architectural detailing and articulation, massing, texture, and form must be introduced into the building's design. Building roof materials should be in harmony with the style and material used on the building walls.

C.

~~D. 4.~~—When building walls are one hundred (100) feet or greater in length, design variations must be applied to assure that the building is not monotonous in appearance. Such variations include but are not limited to the following:

D.

~~(1) a.~~—Recess and projections along the building facade. Variations in depth should be a minimum of ten (10) feet.

~~(1)~~

~~(2) b.~~—Architectural details or features.

~~(2)~~

~~(3) c.~~—Enhanced ornamentation around building entryways.

~~(3)~~

~~(4) d.~~—Landscaping.

~~(4)~~

~~(5) e.~~—Streetscape elements.

~~(5)~~

~~(6) f.~~—Variations in building height.

~~(6)~~

~~E. 5.~~—When a particular building design and the materials or combination of materials proposed to be used in exterior walls are found by the Planning Commission, after consultation and review by an appropriate design professional, to be in keeping with the intent and purpose of this section, but which may differ from the strict application of the schedule regulating material use of this Section (e.g., use of new materials not covered in the Building Wall Materials Schedule), the Planning Commission may waive the requirements of this Section pertaining to materials. When a waiver is requested under this subsection, the proposed building design and materials schedule shall be accompanied by a written design statement which shall describe how the selected wall materials and material combinations will be consistent with and enhance the building design.

E.

~~F. 6.~~—Where a new wall material is proposed for an existing building wall, only that portion of the building being altered shall be subject to the standards of this section. However, in considering the proposed alteration, the Planning Commission shall view it in context of the architecture of the entire building.

F.

~~G. 7.~~ Where an addition is proposed to an existing building, the Planning Commission may allow the use of existing wall materials for the addition provided that the design of the alteration is consistent with the existing building wall design.

~~G.~~

~~H. 8.~~ This section is not intended to regulate the quality, workmanship, and requirements for materials relative to strength, durability and endurance, maintenance, performance, load capacity, or fire resistance characteristics.

~~H.~~

I. Schedule Regulating Exterior Building Wall Materials

| Building Material | Percentage Industrial Districts | | |
|--|---------------------------------|----|----|
| | 100 | 75 | 25 |
| Masonry/Stone | • | | |
| Face brick or ceramic | • | | |
| Split face or ribbed block | • | | |
| Stone | • | | |
| Precast concrete | • | | |
| Concrete formed in place | | • | |
| Metal ^{3,1} | | • | |
| Glass | | | |
| Tinted and reflective | | • | |
| Glass block | | • | |
| Finishes ² | | • | |
| Wood (fire resistant only) | | | |
| Wood siding (beveled, lap, TEG, batten) ³ | | | |
| Finishes ⁴ | | • | |

~~(1) — 2. All walls exposed to public view from adjacent residential, office, or business districts, or from a street, shall be constructed of not less than 75 percent masonry or stone, not to include unfinished concrete block. Metals, if utilized, shall be ribbed panels or other decorative finish in suitable colors.~~

~~(2) 3. Flat sheets and seamed or ribbed panels include aluminum, porcelain, stainless steel, etc.~~

~~(1)~~

~~(3) 4. Includes drivit, EIFS, cement, plaster, stucco, or similar materials. Such materials shall not be used where contact with vehicles may occur, such as parking areas, traffic ways, or loading areas adjacent to building walls, unless such walls are adequately protected to prevent wall damage.~~

~~(2)~~

~~(4)(3) 5. Not permitted.~~

2. NC and GB Design Requirements:

A. The maximum length of an uninterrupted building façade facing public streets and/or parks 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.

B. Ground Story Activation.

(1) The first floors of all buildings shall be designed to encourage and complement pedestrian-scale activity and crime prevention techniques. It is intended that this be accomplished principally by the use of windows and doors arranged so that active uses within the building are visible from or accessible to the street, and parking areas are visible to occupants of the building. The first floor of any front façade facing a right-of-way shall be no less than twenty-five percent (25%) windows and doors, and the minimum transparency for facades facing a side street, side yard, or parking area shall be no less than twenty percent (20%) of the façade. First-floor transparency is measured between two (2) and eight (8) feet above the first-floor elevation.

(2) For multiple tenant buildings, the minimum transparency requirement must be met by each suite or tenant.

(3) The minimum transparency requirement shall apply to all sides of a building that abut an open space, including a side yard, or public right-of-way. Transparency requirements shall not apply to sides which abut an alley.

(4) Windows for building sides shall be concentrated toward the front edge of the building, in locations most visible from an urban open space or public right-of-way.

(5) Visibility through the required transparency must portray the principal use of the operation and shall not portray secondary or “back of house” operation areas including, but not limited to, laundry, cleaning supply, stock, or storage areas.

C. Transitional Features.

- (1) Transitional features are architectural elements, site features, or alterations to building massing that are used to provide a transition between higher intensity uses and low- or moderate-density residential areas. These features assist in mitigating potential conflicts between those uses. Transitional features are intended to be used in combination with landscape buffers or large setbacks.
- (2) Intensity. A continuum of use intensity, where moderate intensity uses are sited between high-intensity uses and low-intensity uses, shall be developed for multi-building developments. An example would be an office use between commercial and residential uses.
- (3) Height and Mass. Building height and mass in the form of building step backs, recess lines or other techniques shall be graduated so that structures with higher intensity uses are comparable in scale with adjacent structures of lower intensity uses.
- (4) Architectural Features. Similarly sized and patterned architectural features such as windows, doors, arcades, pilasters, cornices, wall offsets, building materials, and other building articulations included on the lower-intensity use shall be incorporated in the transitional features.

D. Schedule Regulating Exterior Building Wall Materials

| <u>Building Material</u> | <u>Percentage</u> | | |
|--|-------------------|-----------|-----------|
| | <u>100</u> | <u>75</u> | <u>25</u> |
| <u>Masonry/Stone</u> | • | | |
| <u>Face brick or ceramic</u> | • | | |
| <u>Stone</u> | • | | |
| <u>Split face or ribbed block</u> | | • | |
| <u>Precast concrete</u> | | • | |
| <u>Metal¹</u> | | • | |
| <u>Tinted and reflective</u> | | • | |
| <u>Concrete formed in place</u> | | | • |
| <u>Glass block</u> | | | • |
| <u>Finishes²</u> | | | • |
| <u>Wood siding (beveled, lap, TEG, batten)³</u> | | | |

Article 13 – Site Design Standards

Final Draft

DATE: August 6, 2021

- (1) Flat sheets and seamed or ribbed panels include aluminum, porcelain, stainless steel, etc.
- (2) Includes drivit, EIFS, cement, plaster, stucco, or similar materials. Such materials shall not be used where contact with vehicles may occur, such as parking areas, traffic ways, or loading areas adjacent to building walls, unless such walls are adequately protected to prevent wall damage.
- (3) Not permitted.

ARTICLE XIV. – ENVIRONMENTAL STANDARDS

Sec. 1400. - Performance standards:

No parcel, lot, building, or structure in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable element or condition so as to adversely affect the surrounding area or adjoining premises provided that any use permitted by this Ordinance may be undertaken and maintained if acceptable measures and safeguards are employed to limit dangerous and objectionable elements to acceptable limits as established by the following performance requirements:

1. Airborne emissions:

A. Smoke and air contaminants. It shall be unlawful for any person to permit the emission of any smoke or air contaminant from any source whatsoever to a density greater than that permitted by applicable Federal and State Clean Air Standards. There shall not be discharged from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, or nuisance to the public or which endanger comfort, repose, health, or safety of persons or which cause injury or damage to business or property.

B. Odors. Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of the public or which interferes unreasonably with the comfort of the public shall be removed, stopped, or so modified as to remove the odor

C. Gases. The escape or emission of any gas that is injurious, destructive, or harmful to persons or property or explosive shall be unlawful and shall be abated

~~A. Smoke:~~

~~B. It shall be unlawful for any person, firm or corporation to permit the emission of any smoke from any source whatever to a density greater than that density described as no. 2 on the Ringelmann chart; provided that the following exceptions shall be permitted:~~

~~(1) Smoke, the shade or appearance of which is equal to but not darker than no. 3 on the Ringelmann chart for a period, or periods, aggregating four minutes in any 30 minutes.~~

~~(2) Smoke, the shade or appearance of which is equal to but not darker than no. 3 of the Ringelmann chart for a period or periods, aggregating three minutes in any 15 minutes, when building a new fire or when breakdown of equipment occurs such as to make it evident that the emission was not reasonably preventable.~~

~~C. Method of measurement: For the purposes of grading the density of smoke, the Ringelmann chart, as now published and used by the United States Bureau of Mines, which is hereby made a part of this ordinance, shall be the standard. However, the umbrascope readings of smoke densities may be used when correlated with Ringelmann's chart.~~

2. *Dust, dirt, and fly ash:*

- A. No person, firm or corporation shall operate or cause to be operated, maintain or cause to be maintained, any process for any purpose, or furnace or combustion device for the burning of coal or other natural or synthetic fuels, without maintaining and operating while using said process or furnace or combustion device, recognized and approved equipment, means, method, device or contrivance to reduce the quantity of gas borne, or airborne solids of fumes emitted into the open air, which is operated in conjunction with said process, furnace, or combustion device so that the quantity of gas borne, or airborne solids shall not exceed 0.20 grains per cubic foot of the carrying medium at a temperature of five hundred (500) degrees Fahrenheit.
- B. Method of measurement: For the purpose of determining the adequacy of such devices these conditions are to be conformed to when the percentage of excess air in the stack does not exceed fifty percent (50%) at full load. The foregoing requirement shall be measured by the A.S.M.E. Test Code of dust-separating apparatus. All other forms of dust, dirt and fly ash shall be completely eliminated insofar as escape or emission into the open air is concerned. The building inspector may require such additional data as is deemed necessary to show that adequate and approved provisions for the prevention and elimination of dust, dirt and fly ash have been made.

3. *~~Glare, and radioactivity and electrical disturbance materials:~~*

- A. Glare from any process (such as or similar to arc welding, or acetylene torch cutting) which emits harmful ultraviolet rays shall be performed in such a manner as not be seen from any point beyond the property line, and as not to create a public point beyond the property line, and as not to create a public nuisance or hazard along lot lines. Radioactive materials and wastes, and including electromagnetic radiation such as X-ray machine operation, shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards, when measured at the property line.
- B. No direct or reflected glare shall be permitted which is visible from any property or from any public street, road, or highway.
- C. Radioactivity or Electrical Disturbance. No activity shall emit dangerous radioactivity at any point, or unreasonable electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

4. *Fire and explosive hazards:*

- A. Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate firefighting and fire suppression equipment in compliance with the applicable local, state, and federal code and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.

- ~~A. In the I-1 industrial district, the storage, utilization or manufacture of materials or products ranging from incombustible to moderate burning, as determined by the fire marshal, is permitted, subject to compliance with all other performance standards above mentioned.~~
- ~~B. The storage, utilization, or manufacture of materials, goods, or products ranging from free to active burning to intense burning, as determined by the fire marshal is permitted subject to compliance with all other yard requirements and performance standards previously mentioned, and provided that the following conditions are met:~~
- ~~(1) Said materials or products shall be stored, utilized or produced within completely enclosed buildings or structures having combustible exterior walls, which meet the requirements of the building code.~~
- ~~(2) All such buildings or structures shall be set back at least 40 feet from lot lines, or in lieu thereof, all such buildings or structures shall be protected throughout by an automatic sprinkler system complying with installation standards prescribed by the National Fire Association.~~
- ~~(3) The storage and handling of flammable liquids, liquified petroleum gases, and explosives shall comply with the state rules and regulations as established by Public Act No. 207 of the Public Acts of Michigan of 1941 (MCL 29.1 et seq., MSA 4.559(1) et seq.), as amended.~~
5. Waste disposal: All solid, liquid, and sanitary wastes shall be treated and disposed of in accordance with the standards of local, state, and any federal requirements. Treatment or disposal of waste shall not create a hazard or nuisance to neighboring uses.

5.6. Noise:

- ~~A. The emission of measurable noises from the premises shall not exceed 60 decibels as measured at the boundary property lines, except where normal street traffic noises exceed 60 decibels during such periods, the measurable noise emanating from such premises may equal, but not exceed, such traffic noises. This provision shall apply in all districts except as hereinafter specified for the IRO, I-1, I-2, I-3 and IC districts.~~
- ~~B. IRO, I-1, I-2, I-3 and IC districts: The measurable noise emanating from the premises used for activities permitted shall not exceed 75 decibels during the normal work periods of between the hours of 6:00 a.m. and 10:00 p.m. and shall not exceed 70 decibels during the sleeping hours of 10:00 p.m. and 6:00 a.m., as measured at the property lines. Noises shall be muffled so as not to become objectional due to intermittence, beat frequency or high frequency.~~
- A. General Requirements. No use, operation or activity shall be carried on that causes or creates measurable noise levels that are unreasonably loud or that unreasonably interfere with the peace and comfort of others, or that exceed the maximum noise level limits prescribed in the Table of Maximum Noise Levels in subsection C below, as measured at any point on property adjacent or in close proximity to the lot, parcel, or other property on which the operation or activity is located.

B. Methods and Units of Measurement. The measuring equipment and measurement procedures shall conform to the latest American National Standards Institute (ANSI) specifications. The sound measuring equipment shall be properly calibrated before and after the measurements. Because sound waves having the same decibel (Db) level “sound” louder or softer to the human ear depending upon the frequency of the sound wave in cycles-per-second (that is, depending on whether the pitch of the sound is high or low) an A-weighted filter constructed in accordance with ANSI specifications shall be used on any sound level meter used to take measurements required in this Section. All measurements below are expressed in Db(A) to reflect the use of the A-weighted filter.

C. Table of Maximum Noise Levels. Except as otherwise provided in this Section, noise levels shall not exceed the limits set forth in the following table:

Maximum Noise Level Standards Table

| <u>Use</u> | <u>Time</u> | <u>Maximum Sound Level (A-Weighted) Decibels – Db(A)</u> |
|---|--------------------------------|--|
| <u>Residential</u> | <u>7:00 a.m. to 7:00 p.m.</u> | <u>60</u> |
| | <u>7:00 p.m. to 10:00 a.m.</u> | <u>55</u> |
| | <u>10:00 a.m. to 7:00 a.m.</u> | <u>50</u> |
| <u>Commercial, Business, Office, and Mixed Uses</u> | <u>7:00 a.m. to 7:00 p.m.</u> | <u>65</u> |
| | <u>7:00 p.m. to 7:00 a.m.</u> | <u>50</u> |
| <u>Industrial Office and Research Office</u> | <u>Anytime</u> | <u>65</u> |

D. Background Noise. Where existing background noise exceeds the maximum permitted levels specified in the Table of Maximum Noise Levels in subsection C above, the noise caused or created by a specific operation or activity may exceed the levels specified in the Table, provided that the sound level on property adjacent or in close proximity to the lot or parcel on which the operation or activity is located does not exceed the background noise level. For purposes of this subsection, background noise shall mean noise being produced by permitted uses conducted in a legally accepted manner from all sources other than those occurring on the lot or parcel on which the operation or activity is located. Background noise levels shall be determined by measurement at substantially the same time and location as the noise levels caused or created by the complained-of operation or activity.

E. Intermittent or Other Unreasonable Sounds. Intermittent sounds or sounds characterized by pure tones might be a source of complaints, even though the measured sound level does not exceed the permitted level the in Table of Maximum Noise Level in subsection C above. Such sounds shall be prohibited when found to be unreasonably loud or to unreasonably interfere with the peace and comfort of others. In making such determination, the following shall be considered:

- (1) The proximity of the sound to sleeping facilities;

- (2) The nature of the use from which the sound emanates and the area where it is received or perceived;
- (3) The time (day or night) the sound occurs; and
- (4) The duration of the sound.
- F. Exemptions. Noise resulting from the following activities shall be exempt from the maximum permitted sound levels provided such activity occurs in a legally accepted manner:
 - (1) Construction activity between the hours of 8:00 am and 7:00 pm;
 - ~~(1)~~(2) Performance of emergency work, including snow removal;
 - (3) Warning devices necessary for public safety, such as police, fire, and ambulance sirens, tornado and civil defense warning devices, and train horns;
 - (4) Lawn care and yard maintenance that occurs between 8:00 am and 9:00 pm;
 - (5) Outdoor school and playground activities when conducted in accordance with the manner in which such spaces are generally used, including, but not limited to, school athletic and school entertainment events;
 - (6) The operation or use of any organ, bell, chimes, or other similar means of announcing religious services at a place of religious worship between the hours of 8:00 am and 9:00 pm, no more than five (5) times per day, and for a duration of no more than two (2) minutes each time; provided, however, the sound level does not exceed eighty (80) Db(A) at the property line of the religious facility;
 - (7) An un-amplified human voice; and
 - (8) Public works maintenance, repair, or improvement projects being conducted by or on behalf of public agencies.
- G. I-94 Noise Provisions. Where a parcel that is within five hundred (500) feet of the I-94 right-of-way is proposed to be developed for residential purposes by means of a multiple-family development, condominium, subdivision plat or planned development, such site plan or plat shall delineate that area of the site with sound levels of sixty-one (61) dBA or greater. No dwelling units shall be located within this sixty-one (61) dBA or greater area unless one (1) of the following measures is taken:
 - (1) Sound walls or earth berming are installed to attenuate the noise level to less than sixty-one (61) dBA at the location of all dwellings and all yard areas within thirty-five (35) feet of all single-family dwellings.
 - (2) Sound attenuation measures incorporated into the design and construction of the dwellings, such as masonry construction and insulation resulting in interior noise levels less than fifty-two (52) dBA.
- 7. Use, Storage, and handling of hazardous substance; storage and disposal of solid, liquid, and sanitary wastes.
 - A. It shall be unlawful for any person, firm, corporation, or other legal entity to pollute, impair or destroy the air, water, soils, or other natural resources within the Township through the

- use, storage, and handling of hazardous substances and/or wastes or the storage and disposal of solid, liquid, gaseous and/or sanitary wastes.
- B. Any person, firm, corporation, or other legal entity operating a business or conducting an activity which uses, stores, or generates hazardous substances or sanitary wastes shall obtain the appropriate permits or approval from the Michigan Department of Environment, Great Lakes, and Energy or its successor; state fire marshal division, or other designated enforcing agencies.
- C. Any person, firm, corporation, or other legal entity operating a business or conducting an activity which uses, stores, or generates hazardous substances shall complete and file a hazardous chemicals survey on a form supplied by the Township in conjunction with the following:
- (1) Upon submission of a site plan;
 - (2) Upon any change of use or occupancy of a structure or premises; and
 - (3) Upon any change of the manner in which such substances are handled, and/or in the event of a change in the type of substances to be handled.
 - (4) The transportation of any hazardous substance in trucks, trailers, tankers, or rail cars shall be exempt from the provisions of this Ordinance provided the hazardous substances are fueling the transporting vehicle, or the transporting vehicle is in continuous transit, making a delivery, or is stopped for a period of time not to exceed twenty-four (24) hours.
 - (5) Sites at which hazardous substances are stored, used, or generated shall be designed to prevent spills and unpermitted discharges to air, surface of the ground, groundwater, lakes, streams, rivers, or wetlands.
 - (6) State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport, and disposal of hazardous substances and polluting materials shall be met. No discharges to groundwater, including direct and indirect discharges, shall be allowed without applicable permits and approvals.
 - (7) Bulk storage of pesticides shall be in accordance with Regulation No. 640, Commercial Pesticide Bulk Storage, of Act 171 of the Public Acts of 1976, as amended, being Section 286.569 of the Michigan Compiled Laws.
- D. All businesses and facilities, private and public, which use, store, or generate hazardous substances that require a manufacturer’s material safety data sheet shall familiarize themselves with the sheet, and shall be familiar with procedures required to contain and clean up any releases of the hazardous substance. If hazardous substances are used, stored, or generated in quantities greater than one hundred (100) kilograms per month (equal to about twenty-five (25) gallons or two hundred and twenty (220) pounds) shall comply with the standards established in items “(1)” through “(6)” herein.
- (1) Aboveground storage and use areas for hazardous substances.
 - a. Primary containment of hazardous substances shall be product tight.
 - b. Secondary containment of hazardous substances shall be provided for all facilities. Secondary containment shall be sufficient to store the substance for the maximum

anticipated period of time necessary for the recovery of any released substance. Products held in containers of ten (10) gallons or less packaged for retail use shall be exempt from this requirement.

- c. Outdoor storage of hazardous substances is prohibited except in product tight containers that are protected from weather, leakage, accidental damage, and vandalism. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance, including an allowance for the expected accumulation of precipitation.
- d. At a minimum, state and federal agency requirements for storage, leak detection, recordkeeping, spill prevention, emergency response, transport, and disposal shall be met.
- e. Out buildings, storage rooms, sheds, and pole barns which are utilized as secondary containment shall not have floor drains which outlet to soil, public sewer systems, groundwater, or nearby drains or natural water bodies unless a surface or groundwater discharge permit has been obtained pursuant to applicable requirements of the Michigan Natural Resource and Environmental Protection Act, Public Act 451 of 1994, as amended.
- f. Areas and facilities for loading and unloading of hazardous substances, as well as areas where such materials are handled and stored, shall be designed, and constructed to prevent unpermitted discharges to floor drains, rivers, lakes, wetlands, groundwater, or soils.

(2) Underground storage.

- a. Existing and new underground storage tanks shall be registered with the State of Michigan in accordance with applicable requirements of the U.S. Environmental Protection Agency.
- b. Installation, operation, maintenance, closure, and removal of underground tanks shall be in accordance with applicable requirements of the Township fire department and the State of Michigan.
- c. Out-of-service abandoned underground tanks shall be emptied and removed from the ground in accordance with the requirements of the Township fire department and the State of Michigan.
- d. At a minimum, state, and federal agency requirements for corrosion protection, overfill protection, storage, leak detection, recordkeeping, spill prevention, emergency response, transport, and disposal shall be met. Records of monthly monitoring or inventory control must be retained and available for review by Township officials for five (5) years.

(3) Well abandonment. Out of service water wells shall be sealed and abandoned in accordance with applicable requirements of the Township, Washtenaw County, and the State of Michigan.

(4) Site with contaminated soils and/or groundwater. Site plans shall take into consideration the location and extent of any contaminated soils and/or groundwater on the site, and the need to protect public health and the environment.

(5) Construction standards.

a. Storage of hazardous substances at a construction site during the construction process shall be prohibited unless the provisions for storage and handling outlined in this Ordinance have been met.

b. If the contractor will be storing or handling hazardous substances that require a manufacturer's material safety data sheet, the contractor shall be familiar with the sheet, and shall be familiar with procedures required to contain and clear up any releases of the hazardous substance.

c. Upon completion of construction, all hazardous substances and containment systems no longer used, or not needed in the operation of the facility, shall be removed from the construction site by the responsible contractor, and shall be disposed of, recycled, or reused in a proper manner as prescribed by applicable State and Federal regulations.

(6) Maintenance. In areas where hazardous substances are handled, structural integrity of the building must be maintained to avoid inadvertent discharge of chemicals to soil, groundwater, and surface waters. Cracks and holes in floors, foundations, and walls must be repaired in areas where chemicals are handled or stored.

E. All site plans for businesses or facilities that use, store, or generate hazardous substances shall be reviewed by the Township fire department, the Township's engineer and any other appropriate experts determined necessary by the Planning Commission prior to approval by the Planning Commission.

8. ~~Vibration: Machines or operations which cause vibration shall be permitted in industrial districts, but no operation shall cause a displacement exceeding 0.003 of one inch as measured at the property line.~~ No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.

A. No use shall generate any ground-transmitted vibration in excess of the limits set forth in the Maximum Vibration Standards Table in Section 1400.8.D. Vibration shall be measured at the nearest adjacent lot line.

B. The instrument used to measure vibrations shall be a three (3) compartment measuring system capable of simultaneous measurement of vibration in three (3) mutually perpendicular directions.

C. The vibration maximums set forth by the Maximum Vibration Standards Table are stated in terms of particle velocity, which may be measured directly with suitable instrumentation or computed on the basis of displacement and frequency. When computed, the following formula shall be used:

$$PV = 6.28 F \times D$$

Where:

PV = Particle velocity, inches per second

F = Vibration frequency, cycles per second

D = Single amplitude displacement of the vibration, inches

D. The following is the table of maximum ground-transmitted vibration:

Maximum Vibration Standards Table

| <u>Particle Velocity (Inches per Second)</u> | |
|--|--|
| <u>Along Non-Residential District Boundaries</u> | <u>Along Residential District Boundaries</u> |
| <u>0.10</u> | <u>0.02</u> |
| <u>0.20</u> | <u>0.02</u> |

E. The values stated in the Maximum Vibration Standards Table may be multiplied by two (2) for impact vibrations, i.e.; non-cyclic vibration pulsations not exceeding one (1) second in duration and having a pause of at least two (2) seconds between pulses.

F. Vibrations resulting from temporary construction activity shall be exempt from the requirements of this subsection.

6.9. Odors: Creation of offensive odors shall be prohibited. Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of the public or which interferes unreasonably with the comfort of the public shall be removed, stopped, or so modified as to remove the odor

Sec. 1401. - Ford Lake waterfront access

1. *Purpose:* It is the intent of this Section to promote the integrity of Ford Lake within any zoning district in the Township while preserving the quality of recreational use of the lake; to protect the quality of Ford Lake by discouraging excessive use; to promote the ecological health of Ford Lake and its wetlands by limiting incompatible land use of the wetlands associated with Ford Lake; and to maintain the beauty of Ford Lake by minimizing man-made adjustments to the current shorelines.
2. *Regulations:* In any zoning district where a parcel of land is contiguous to Ford Lake, such parcel of land may be used as access property or as common open space held in common by a subdivision, association or any similar agency; or held in common by virtue of the terms of a plat of record; or provided for common use under deed restrictions of record; or owned by two (2) or more dwelling units located away from the waterfront only if the following conditions are met:
 - A. That said parcel of land shall contain at least seventy (70) lineal feet of property contiguous to Ford Lake and a lot depth of at least one hundred (100) feet for each dwelling unit or each single-family unit to which such privileges are extended or dedicated. Frontage shall be measured by a straight line which intersects each side lot line at the water's edge.

- B. That in no event shall water frontage of such parcel of land consist of a ~~swamp, marsh or bog~~wetland as shown on the most recent U.S. geological survey maps, or as shown on the Michigan Resources Information System map (MIRIS); as shown by the National Wetlands Inventory; as determined to be wetland by the Michigan Department of Environment, Great Lakes and Energy; or as shown on the Washtenaw County Wetlands Coverage Map; and that in no event shall a ~~swamp, marsh, or bog~~wetland be altered by the addition of earth or fill material or by the drainage of water for the purpose of increasing the water frontage required by this Ordinance.
- C. That in no event shall such parcel of land abut a man-made canal or channel, and no canal or channel shall be excavated for the purpose of increasing the water frontage required by this Ordinance.
- D. That access property, as provided for in and meeting the conditions of this Section, regardless of total area, shall not be used as a residential lot for the purpose of constructing a dwelling and/or accessory structure(s), or for any commercial or business use.

Sec. 1402. - Marina and public launch access:

~~1. Short title. This section shall be known as the Marina and Public Access Launch Site Ordinance.~~

~~2.1. Purpose:~~ To promote the health, safety, and welfare of Township residents by regulating the development of marinas and public access launch sites on Ford Lake in Ypsilanti Township.

~~3.2. Expansion of existing facilities:~~

- A. Approval of the Planning Commission shall be required for any increase in the number of watercrafts allowed to be docked or moored at an existing marina over and above that allowed by the Michigan Department of Environment, Great Lakes and Energy at the time of adoption of the Ordinance from which this Section is derived.
- B. Approval of the Planning Commission shall be required for any increase in the size, capacity or utilization of an existing public access launch site, including the number of watercraft allowed to be launched from the site and the number of watercraft trailers allowed to be parked at the facility over and above the size, capacity and utilization of any such site allowed by the Michigan Department of Environment, Great Lakes and Energy at the time of adoption of the Ordinance from which this Section is derived.

~~4.3. Approval required for new facilities:~~ Approval of the Planning Commission shall be required for the development and construction of all new marinas and public access launch sites on Ford Lake. The Planning Commission in giving such approval shall specify the maximum number of watercrafts that can be docked or moored at and launched from such facility and the maximum number of watercraft trailers that can be parked or stored on the site. New marinas must be approved by the State of Michigan.

~~5.4. Application for permits and standards:~~ An application for a permit to develop and construct a new marina or public access launch on Ford Lake shall be filed with the Planning Commission.

An application for a permit to expand an existing marina or public access launch site on Ford Lake shall be filed with the Planning Commission.

The Planning Commission shall consider the environmental impact and recreational carrying of the proposed new marina, public access launch site, expansion of a marina or expansion of a public access launch site. The Planning Commission may refer an application to the Michigan Water Use Advisory Council for its recommendation on the proposed development. A permit shall not be granted if it is determined that:

- A. The water quality of Ford Lake would be adversely impacted; or
- B. The proposed addition or expansion of a marina or public access launch site would cause congested, unsafe conditions on the waters of Ford Lake due to the additional numbers of watercraft.

6-5. Right of appeal: Appeal may be taken as provided in Sections 1702 and 1704 to the Zoning Board of Appeals by any person, firm entity, or corporation or by any officer, department, board, or bureau affected by a decision of the Planning Commission with respect to the subject matter of this Section.

7-6. Enforcement:

- A. All persons who violate any of the provisions of this Section whether as owner, lessee, licensee, agent servant, or employee shall be liable as principals.
- B. In addition to, or in lieu of, seeking to enforce this Section by issuance of municipal civil infraction(s), the Township may institute an appropriate action in a court of competent jurisdiction seeking equitable relief including, but not limited to, an order to remove the structure.
- C. Any persons who shall violate any provision or provisions of this Section shall be responsible for a municipal civil infraction which shall be punishable by a fine of five hundred (\$500.00) dollars and provided further that each day's violation of this Section shall constitute a separate offense.

Sec. 1403. - Preservation of Environmental Quality

The preservation and enhancement of natural features is essential to maintaining Ypsilanti Township's character, ecological diversity and stability, economic wellbeing, and quality of life. For purposes of this Section, "natural features" shall include wetlands, watercourses, floodplains, woodlands and trees, steep slopes, threatened or endangered species habitats, and ground water recharge areas. When natural features exist on a site proposed to be developed, the applicant shall do the following:

1. Federal, state, and local permits: Development in or affecting natural features may be regulated by the Federal, State, County or Township governments, and require licenses, permits or approvals. Permits and approvals required by Ypsilanti Township shall not relieve a person from obtaining applicable permits or approvals from other relevant jurisdictions. Similarly, obtaining permits from the Federal, State, or County government does not relieve a person from obtaining the required permits from Ypsilanti Township.
2. Site plan review required: In any zoning district, none of the following natural features shall be obstructed, removed, altered, transformed, or otherwise impacted in any way at any time by any person except as provided in Article 9:

- A. Area, water level, vegetation, edge, bank, shore or natural condition of a river, stream, watercourse, drainageway, lake, or pond, whether filled or partly filled with water or dry in certain seasons.
 - B. Area, water level, vegetation, or natural conditions of a marsh, swamp, or wetland.
 - C. Living tree(s) in any wooded lot, grove, bush, park, wooded area, or forested land.
 - D. Land having a slope of twelve percent (12%) or greater.
3. Natural features impact statement: Such person shall submit to the Township Planning Commission a site plan and a Natural Features Impact Statement, if required, with the information described in items A and B below. Any such alterations to natural features shall be made in conformance to applicable local, state, and federal requirements. As part of the Preliminary Site Plan Review process, as set forth in Section 905, the applicant is required to determine if natural features exist on the site, and in proximity to the site. If one (1) natural feature is determined to exist on a site, then the applicant shall submit a Natural Features Impact Statement containing the following information:
- E. Site inventory map clearly showing locations and types of natural features both on-site and those within one hundred (100) feet beyond the property lines. The drawing shall delineate:
 - (1) Edges of woodlands, and description of plant community type.
 - (2) Heritage trees identified and labeled on the plans and in an accompanying table showing corresponding species, size, and condition data for individual trees.
 - (3) Edges of wetlands, watercourse stream banks, ordinary pond and high-water marks of water features, floodways, floodplains, areas of hydric soils, highly permeable soils, and groundwater recharge areas.
 - (4) Natural feature buffer areas.
 - (5) Steep slopes.
 - F. Written description that illustrates the quality, character, and health of the natural features.
4. Natural features protection plan: In addition to the Natural Features Impact Statement, when required, the applicant shall provide a Natural Features Protection Plan as part of the Preliminary Site Plan Review process, showing:
- A. Natural features that are excluded from development.
 - B. Natural features that are to be retained as part of the development, and the measures taken to sustain the natural features.
- A-C. See Section 24 – 69. Tree protection during construction of the Ypsilanti Township Code of Ordinances, Woodlands Protection regarding security for trees to be retained.

Sec. 1404. - Natural Feature Setbacks

- 1. Where required: A natural feature setback shall be maintained in relation to all areas defined in this Section as being a natural feature, unless and to the extent it is determined to be in the public

interest not to maintain such setback, in accordance with the standards set forth in subsection 4 below.

2. *Natural features for setback purposes:* The following are considered natural features for purposes of this Article: a wetland subject to regulation by the Michigan Department of Environment, Great Lakes, and Energy, or a watercourse, defined as any waterway including a river, stream, ditch, channel, canal, waterway, lake, pond, or any body of surface water having definite banks, a bed, and visible evidence of a continued flow or continued occurrence of water.

3. *Regulated activities:* Within an established natural feature setback there shall be no:

A. Construction.

B. Deposit of any material, including structures.

C. Removal of any soils or minerals.

D. Clearing of any native vegetation.

E. Dredging, filling, or land balancing.

F. Constructing or undertaking seasonal or permanent operations.

4. *Setback Standards:* The following setbacks shall apply:

A. A twenty-five (25) foot non-disturbance setback from the boundary or edge of a protected wetland or county drain.

B. A ~~twenty five~~ fifty (50) foot non-disturbance setback from the ordinary high-water mark of any lake, pond, river, or stream, including, but not limited to the Huron River, Paint Creek, and their tributaries.

C. *No building or construction shall occur within the greater of:*

(1) One hundred (100) feet from the high-water mark of any watercourse

(2) Within the one hundred (100) year floodplain, according to the provisions of Chapter 34 of the Ypsilanti Township Code of Ordinances, Flooding.

D. Such setbacks shall be measured from the top of the bank or other defined edge and shall not be subject to topography.

~~C.E.~~ The Township may permit trails, boardwalks, observation platforms or similar structures that enhance passive enjoyment of a site's natural amenities within the setback as part of an approved site plan.

Sec. 1405. - Protection of Water Quality and Quantity

Efforts shall be made to preserve water features (including natural wetlands, watercourses, lakes, and ponds) in a natural state and to avoid stormwater and sedimentation discharge that may damage these features. The following standards are intended to protect existing water features from impacts of stormwater quality and quantity

1. *Existing features:* Existing water features shall be protected from damaging modifications and adverse changes in runoff quality and quantity associated with land development.

2. Special significance: Water features of special significance, such as forested wetlands, wetlands associated with watercourses, streams and rivers with intact native plant associations, and the like, shall be protected from development and/or the effects of development.
3. Stormwater: Stormwater discharge to existing water features must not modify the existing water levels or flows.
4. Direct discharge: Direct discharge of untreated stormwater into a wetland or watercourse is prohibited. All runoff from development will be pre-treated by sedimentation traps and/or basins, or other best management practices, to remove sedimentation and other pollutants prior to discharge.
5. Construction: Any proposed treatment facilities shall be constructed as early as possible.
6. Impacts: Any proposed impacts to water features must be permitted by and adhere to applicable regulations of the Michigan Department of Environment, Great Lakes, and Energy or the Washtenaw County Water Resources Commissioner.

Sec. 1406. - Flood Hazard Regulations

1. Purpose: The Federal Emergency Management Agency has identified flood hazard areas in Ypsilanti Charter Township. It is the purpose of this Section to reduce hazards to persons and damage to property in such areas and to comply with the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, and subsequent regulations enacted by the Federal Emergency Management Agency.

This Section is designed to achieve the following purposes:

- A. Protect human life, prevent, or minimize property losses, and reduce public costs of rescue and relief efforts from the effects of flood conditions.
- B. Restrict or prohibit uses which, when located in designated flood hazard areas, are dangerous to health, safety, and property in times of flooding, or causes excessive increases in flood heights or velocities.
- C. Require that uses and structures which are vulnerable to floods including public facilities, in designated flood hazard areas be protected against flood damage at the time of construction.
- D. Alert the public to lands which are unsuitable for certain uses and structures because of potential flood hazards.
- E. Permit reasonable use of property located within designated flood hazard areas.

2. Application of regulations:

- A. All designated flood hazard areas shall be subject to the provisions of this Section. The Flood Boundary and Floodway Map and the Flood Profiles which are contained in the Flood Insurance Study and the Flood Insurance Rate Maps, dated May 15, 1991, or any updated flood insurance rate map, are hereby made part of this Ordinance.
- B. The general location of the designated flood hazard areas shall be shown on the official zoning map but shall be shown only for the purpose of providing information. The precise location

- of Floodway and flood hazard areas shall be determined from information as particularly specified on the Flood Boundary and Floodway Map, together with the Flood Profiles contained in the Flood Insurance Study, and by site surveys, and other base flood elevation data available from a federal, state, or other source, where applicable.
- C. The requirements of this Section overlay existing zoning districts. Compliance with the provisions of this Section shall be in addition to compliance with the provisions of this Ordinance. Conflicts among provisions of this Ordinance or with provision of any other Ordinance shall be resolved in favor of the more stringent requirement.
- D. No certificate of zoning compliance and no building permit shall be issued for any lot, use or structure subject, in whole or in part, to the provisions of this Section until all provisions of this Section, the underlying zoning district, and other applicable provision of the Zoning Ordinance have been met. The Zoning Administrator shall have the authority to determine whether a lot, use, or structure is subject to this Section.
3. Information Required: The following information shall be provided with an application for a certificate of zoning compliance for any lot, use, or structure located in whole or in part in a designated flood hazard area.
- A. Elevation of the lowest habitable floor, including basement, of all structures. The elevation shall be referenced to USGS data.
- B. If a structure is to be flood-proofed, the elevation to which flood proofing will be utilized shall be indicated. The elevation shall be referenced to USGS data. In such as a certificate of a professional engineer or architect registered in the State of Michigan shall be submitted indicating therein that the flood-proofing criteria of this Section will be met.
- C. A description of alteration or relocation of any watercourse.
- D. Proof of floodplain permit approval or letter of no authority from the Michigan Department of Environment, Great Lakes, and Energy, under the provisions of Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended (formerly Public Act 245 of 1929, as amended, MCL 324.3101...324.3134 et. seq.).
- E. Base flood elevation data for any lot subject to the Land Division Act, Public Act 288 of 1967, as amended Act (MCL 560.101 et seq).
- F. Additional information reasonably necessary to determine compliance with this Section.
4. General standards for flood hazard areas: The following standards, and all applicable provision of the currently adopted version of the BOCA code as amended, shall apply to all land within a designated flood hazard area:
- A. All new construction and substantial improvements including the placement of, or addition to or expansion of, prefabricated structures and mobile homes, shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure; shall be constructed with materials and utility equipment resistant to flood damage; and shall be constructed by methods and practices that minimize flood damage to the smallest reasonable extents.

- B. New and replacement water supply systems shall reduce to the smallest reasonable extent infiltration of flood waters into the systems.
 - C. New and replacement sanitary sewage systems shall reduce to the smallest reasonable extent infiltration of flood waters into the systems, and discharges from the system into flood waters. On-site disposal systems shall be located to avoid impairment to the system or contamination from the system during flooding.
 - D. Public utilities and facilities shall be designed, constructed, and located to reduce flood damage to such utilities and facilities to the smallest reasonable extent.
 - E. Adequate drainage shall be provided to reduce exposure to flood hazards. Positive drainage away from all structures shall be provided.
 - F. A watercourse within a designated flood hazard area shall not be relocated until approval has been obtained from the Michigan Department of Environment, Great Lakes, and Energy, the Washtenaw County Water Resources Commissioner, and Ypsilanti Township, whichever has jurisdiction. Evidence of the approval shall be submitted by the person relocating the watercourse to the Federal Emergency Management Agency.
5. Specific standards for flood hazard areas, excluding floodways: The following standards shall apply to all land located within a designated flood hazard area but outside a floodway:
- A. All buildings or structures shall be elevated so that the lowest floor is located at or above the base flood elevation. All basement floor surfaces shall be located at or above the base flood elevation.
 - B. Exceptions shall be permitted in accordance with applicable provisions of the currently adopted version of the BOCA code, as amended.
6. Specific standards for floodways: The following standards shall apply to land located within the floodway portion of a designated flood hazard area:
- A. Encroachments, including fill, new construction, substantial improvements, and other development, shall be prohibited in a floodway. Exceptions to this standard shall be made only upon certification by a professional engineer registered in the State of Michigan, or by the Michigan Department of Environment, Great Lakes, and Energy in cases in which the Department has jurisdiction, that the encroachment or other development will not result in any increase in flood levels during the discharge of base flood, and that the encroachment or other discharge complies with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended (MCL 324.3101...324.3134 et. seq.).
 - B. The uses and structures permitted in an underlying district shall not be permitted within a floodway unless an exception is obtained as provided in this Section.
 - C. Construction within a floodway shall be done with the least amount of disturbance to the existing vegetation.

Sec. 1407. - Steep Slope Protection

1. Purpose: The purpose of this Section is to establish a means of protecting existing landforms constituting steep slopes, protecting beneficial vegetation on steep slopes, and minimizing erosion by limiting disturbance on such landforms. The primary objective is preservation of natural contours rather than alteration by mass grading.
2. Where required: The following areas of the Township shall be considered steep slopes and shall be protected to the extent of the standards outlined in this Section.
3. Steep slopes: A naturally occurring landform with a vertical change in elevation of six (6) feet or more, and a slope of twelve percent (12%) or greater, and a length of fifty (50) feet or more, measured parallel to the contour lines.
 - A. Prohibitive Steep Slopes. Any naturally occurring landform with slopes of forty percent (40%) or greater.
 - B. Precautionary Steep Slopes. Any naturally occurring landform with slopes between twenty and thirty-nine percent (20% - 39%).
 - C. Moderate Steep Slopes. Any naturally occurring landform with slopes between twelve and nineteen percent (12% - 19%).
4. Steep slope protection standards:
 - A. Prohibitive Steep Slopes. Slopes of forty percent (40%) or greater shall be protected as key scenic assets. No disturbance is allowed unless the Township determines it is in the public interest to do so. In that case, the standards of item B below, Precautionary Steep Slopes, shall apply.
 - B. Precautionary Steep Slopes. Slopes of twenty to thirty-nine percent (20% - 39%) shall be disturbed to the least extent possible. The following standards will be used to evaluate alteration to Precautionary Steep Slopes:
 - (1) Development permitted on steep slopes shall maintain or enhance the natural contours.
 - (2) If any portion of a Precautionary Steep Slope must be disturbed as part of an approved project, the balance of the slope area must be protected from disturbance during construction, and it must be managed/restored as a natural area thereafter.
 - (3) Native vegetation, as defined by this Ordinance, growing on the steep slope shall not be disturbed to the greatest extent possible.
 - (4) All areas disturbed as part of an approved project must be re-vegetated to ensure slope stability by native vegetation of similar caliper on a 1:1 basis.
 - (5) The built environment is to be of the lowest impact possible, minimizing the area of impervious surfaces. Underground utilities shall not be located in steep slopes.
 - (6) If additional stormwater is generated by the built environment or landscape, such additional stormwater is to be managed on-site in such a way that erosion does not occur. Drainage shall be directed to inlet structures and not be permitted to flow down slopes during and after construction.

(7) Protection measures must be in place before landform or vegetation disturbance takes place. Any damage to waterways or off-site locations from erosion must be promptly repaired to the fullest extent practicable, using best management techniques.

C. Moderate Steep Slopes. Slopes of twelve to nineteen percent (12% - 19%) shall require special techniques to prevent soil erosion. The following standards will be used to evaluate alteration to Moderate Steep Slopes:

(1) Landscape work on these sites shall be conducted to restore native ecologies and promote slope stability.

(2) Stormwater runoff shall be reduced, and infiltration of stormwater enhanced through best management practices. Drainage shall be directed to inlet structures and not be permitted to flow down slopes during and after construction.

~~(1)~~(3) Natural linkages of native vegetation/habitat shall be maintained with native vegetation/habitat on contiguous properties.

ARTICLE XV. - SIGNS

Sec. ~~24~~1509. - Signs:

1. *Purpose, intent, and definitions.*

A. These regulations establish rules and standards for the construction, location, maintenance, and removal of all signs except those exempted from regulation by this Ordinance. Directional, emergency, or traffic-related signs owned by the Township, county, state, or federal government agencies are not regulated by this Section. The execution of these regulations recognizes that the purpose of this Chapter is to protect the interest of public health, safety, and welfare and to ensure the maintenance of an attractive physical environment while satisfying the needs of sign users for adequate identification and communication. The following municipal interests are considered by the Township to be compelling government interests. Each interest is intended to be achieved under this Article in a manner that represents the least restrictive means of accomplishing the stated interest, and in all events is intended to promote an important government interest that would not be effectively achieved absent the regulations in this Section. Regulating the location, size, construction, and manner of display of signage in the most narrowly tailored manner represents the least restrictive means of addressing the targeted government interests of avoiding unsafe and nuisance-like conditions while maintaining and improving pedestrian and vehicular safety and efficiency; character and quality of life; economic development and property values; property identification for emergency response and wayfinding purposes; and unique character of areas of the Township. In order that such purposes can be achieved, the following objectives shall be applied for this Ordinance and any future additions, deletions, and amendments:

- ~~(1) — *General.* Ensure that signs are located, designed, constructed, installed and maintained in a way that protects life, health, morals, property and the public welfare.~~
- ~~(2) — *Public safety.* Protect public safety by prohibiting signs that:
 - ~~i. — Are structurally unsafe or poorly maintained;~~
 - ~~ii. — Cause unsafe traffic conditions because they unreasonably distract motorists, have similarities to official traffic signs or hinder vision; and~~
 - ~~iii. — Impede safe movement of pedestrians or safe ingress and egress from buildings or sites.~~~~
- ~~(3) — *Protect aesthetic quality of districts and neighborhoods.* Prevent blight and protect aesthetic qualities by preventing visual clutter and protecting views. Prevent proliferation of signs in residential areas and eliminate abandoned signs and sign structures on unused properties. Avoid glare and light trespass through selection of proper fixture type(s) and location, lighting technology, and control of light levels.~~
- ~~(4) — *Free speech.* Ensure that the constitutionally guaranteed right of free speech is protected and allow signs as a means of communication.~~

~~(5) *Reduce conflict.* Reduce conflict among signs and light and between public and private information systems.~~

~~(6) *Business identification.* Allow for adequate signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law.~~

(1) Public Safety. Maintaining pedestrian and vehicular safety are predominant and compelling government interests throughout the Township, with particular emphasis on the safety of pedestrians. The safety path and sidewalk network provide facilities for pedestrians situated between vehicular roads and private properties throughout the Township in areas of the Township without sidewalks or safety paths, pedestrians typically travel along the edge of the roadways.

Since most signage on the private properties is intended and designed to attract the attention of operators of motor vehicles, thereby creating distractions that can jeopardize traffic and pedestrian safety, this Ordinance is intended to regulate signs so as to reduce such distractions and, in turn, reduce the risk of crashes, property damage, injuries, and fatalities, particularly considering the rate of speed at which the vehicles are travelling in the districts identified in this Section.

This Ordinance is also intended to protect public safety by requiring signs that are poorly maintained and/or structurally unsafe to be repaired or removed to protect against fallen signs or deteriorating sign debris from entering improved roadways, sidewalks and safety paths and causing dangerous conditions for vehicular traffic and pedestrians.

a. The Township encourages signage that will inform motorists and pedestrians of their desired destinations without conflicting with other structures and improvements. These interests are legitimately supported by limiting the maximum size of signage, providing setbacks, and specifying minimum-sized characters for efficient perception by motorists and pedestrians, while minimizing distractions that could put pedestrians at risk.

b. In some circumstances, adjusting the size, setback, and other regulations applicable to signage may be important to avoid confusion and promote clarity where vehicular speeds vary on commercial/business thoroughfares.

c. In multi-tenant buildings and centers, it is compelling and important to provide distinct treatment with a gradation of regulation for individual identification depending on base sign size, amount of road frontage, and the like, all intending to provide clarity to alleviate confusion and thus additional traffic maneuvers, provide a minimum size of characters to allow identification, and maintain maximum-sized overall signage to prevent line-of-sight issues.

d. Maximum size and minimum setback of signage is compelling and important to maintain clear views for both traffic and pedestrian purposes.

- (2) Character and Quality of Life. Achieving and maintaining attractive, orderly, and desirable places to conduct business, celebrate civic events, entertain people, and provide for housing opportunities is directly related to the stability of property values needed to provide and finance quality public services and facilities within the Township. This Article intends to allow signs that are of sufficient, but not excessive, size to perform their intended function as necessary to provide and maintain the Township’s character and support neighborhood stability. Signs that contribute to the visual clutter, contribute to the potential conflict between vehicular and pedestrian traffic, and distract from scenic resources and views, will be prohibited in efforts to preserve the character, aesthetic qualities, and unique experience within the Township. It is also the intent of this Ordinance that signs will reflect the character of unique districts as may be established by the Township’s Master Plan, other adopted plans, or this Article and other parts of the zoning Ordinance.
- (3) Economic Development and Property Values. The establishment of the restrictions in this Article has a direct relationship to creating stability and predictability, allowing each private interest to secure reasonable exposure of signage, and thus promoting business success. The application of the restrictions in this Article allows businesses to reasonably command attention to the content and substance of their messages while concurrently allowing the promotion of other visual assets, including (without limitation) landscaping and architecture, all of which contribute to economic development and property value enhancement.
- (4) Avoidance of Nuisance-Like Conditions. Due to the concentration of people and activities, there is a potential for, and it is a compelling interest to avoid, blight, physical clutter, and visual clutter in the Township. The result of these conditions leads to diminished property values, reduced attractiveness of the community, and reduced quality of life within the districts. Minimum regulations that substantially relate to signage are important and necessary for the maintenance and well-being of positive conditions, good character, and quality of life in the Township. Ultimately, these regulations are compelling and important for the protection of all police power values.
- a. An excessive number of signs in one location creates visual blight and clutter, as well as confusion of the public. Thus, limiting the number of signs on properties, establishing setbacks from property lines, and requiring reasonable spacing between signs are compelling interests that can be directed with minimum regulation.
 - b. Signs that are too large can lead to confusion, undermine the purposes of the signs, and ultimately lead to physical and visual clutter. Establishing maximum sizes can be the subject of clear and effective regulations that address this compelling and important interest.
 - c. Requiring maintenance specifications for signs can minimize the creation of blight and clutter due to the deterioration of signs that are not durable or otherwise well-constructed, and such regulations would be consistent with construction codes for other structures.

d. There is a compelling governmental interest that signs avoid glare, light trespass, safety, and skyglow. The selection of proper fixture type(s) and location, use of supportive lighting technology, and control of light levels in a reasonable fashion is consistent with regulations that are narrowly tailored to achieve the Township's interests.

(5) Property Identification for Emergency Response and Wayfinding Purposes. Locating a business or residence by police, fire, and other emergency responders can be a matter of life and death, and thus it is a compelling interest to ensure that proper, understandable, unambiguous, and coordinated signage be permitted and required, and specifications for such purposes can be accomplished in a simple and narrow manner. Wayfinding for vehicular and pedestrian purposes is also a compelling interest to avoid confusion in public rights-of-way, and unnecessary intrusions on private property. Sign specifications for such wayfinding can be coordinated with property identification for such emergency and other purposes.

(6) Maintaining Unique Character of Areas of the Township. Acknowledge the unique character of certain areas and districts, and establish special time, place and manner regulations that reflect the unique aesthetic, historical, and/or cultural characteristics of these areas/districts.

(7) Protection of the Right to Receive and Convey Messages. The important governmental interests and regulations contained in this Article are not intended to target the content of messages to be displayed on signs, but instead seek to achieve *non-speech* objectives. In no respect do the regulations of signage prohibit a property owner or occupant from an effective means of conveying the desired message. Nothing in this Article is intended to prohibit the right to convey and receive messages, specifically noncommercial messages such as religious, political, economic, social, philosophical, or other types of speech protected by the First Amendment of the United States Constitution.

B. *Sign definitions:* The following definitions are related to signs:

(1) Sign: Any announcement, declaration, display, billboard, illustration, and insignia when designed and placed so as to ~~attract general public attention~~communicate a message. Such shall be a single sign whenever the proximity, design, ~~content~~ or continuity reasonably suggest a single unit, regardless of any physical separation between parts. Signs shall include banners, bulbs, other lighting devices, streamers, pennants, balloons, propellers, flags, or similar devices.

For purposes of this Ordinance, the following additional definitions shall apply:

- a. *Abandoned sign:* A sign that is accessory to or associated with a legal use or building that has been discontinued or terminated.
- b. *Billboard:* A non-accessory sign, other than an off-premises directional sign, which does not pertain to the principal use of the premises on which it is located.
- c. *Canopy sign:* A sign which is painted on or attached to an awning or canopy. A canopy sign may be substituted for a wall sign.

- d. *Damaged sign*: A sign or supporting structure, which is torn, damaged, defaced, destroyed or has otherwise been found to be in a damaged condition by the Township.
- e. *Electronic Message Sign (EMS)*: A sign or portion of a sign that displays an electronic image or video, which may or may not include text, introducing any sign or portion of a sign that uses changing lights or similar forms of electronic display such as LED to form a sign message with text and or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays.
- f. *Entrance sign*: A sign located at the entrance to ~~M~~multiple-family residential, condominium, mobile home park and single-family residential developments. ~~subdivisions with more than 20 dwelling units or lots may erect signs bearing the name of the development. Such signs shall contain no advertising or information other than the name of the development, status of occupancy, management organization and contact information.~~
- g. *Erect*: To build, construct, attach, hang, place, suspend, or affix.
- h. *Ground sign*: A sign mounted directly on the ground by a structure on a foundation. Such signs shall have a maximum of seven feet and minimum of three feet clearance above ground level.
- i. *Illegal sign*: A sign for which no valid permit was issued by the Township at the time such sign was erected, or a sign which is not in compliance with the current zoning Ordinance and does not meet the definition of a legal nonconforming sign.
- j. *Legal nonconforming sign*: A sign for which the Township issued a permit at the time such sign was erected, but which is not in compliance with the current zoning Ordinance. Such signs must be located outside of any existing right-of-way, away from any public or private easement and wholly upon the parcel to which it is associated. Such signs must have all necessary structural and decorative parts, including, but not limited to supports, sign box or enclosure and electrical equipment. The sign face or sign copy area must be intact and illuminated signs must be capable of immediate illumination.
- k. *NameplateWall plate*: A wall sign ~~denoting the name of the occupant in mounted on the wall of~~ a residential dwelling unit. ~~or denoting only the name and profession of the occupants in a commercial, public or other institutional building.~~
- l. *Noncombustible material*: Any material which will not ignite at or below a temperature of one thousand two hundred (1,200) degrees Fahrenheit and will not continue to burn or glow at that temperature.
- m. *Off-premises directional sign*: A sign which provides direction to a location within the Township.

- n. *Portable sign*: A sign and sign structure which is not attached to a building and is capable of being moved within the zoning lot on which it is located or from one (1) zoning lot to another.
 - o. *Projecting sign*: A sign which is attached to a building and projects by more than eighteen (18) inches in a manner perpendicular to the building.
 - p. *Roof sign*: A display sign which is erected, constructed, and maintained on or above the roof of the building.
 - q. *Sign area*: The gross surface area within a single continuous perimeter enclosing the extreme limits of a sign, and in no case passing through or between any adjacent elements of same. Such perimeter shall not include any structural or framing elements, lying outside the limits of such sign, and not forming an integral part of the display. For computing the area of any sign, the area shall be deemed to be the total of the combined area of the smallest rectangular figure which can encompass all letters and descriptive matter on the sign.
 - r. *Sign, accessory*: A sign which ~~pertains to the principal use of~~ is located on the premises of a principal use.
 - s. *Sign, non-accessory*: A sign ~~which does not pertain to the principal use of the~~ which is not located on the premises of a principal use.
 - t. *Temporary sign*: A display sign, banner, or other advertising device constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without a structural frame, or any other sign intended for a limited period of display, ~~but not including decorative displays for holidays or public demonstration.~~
 - u. *Unsafe sign*: A sign that is not properly secured, is in danger of falling or has otherwise been found to be unsafe by the Building Official.
 - v. *Wall sign*: A display sign which is attached to a building wall, door, or related architectural feature and projecting not more than eighteen (18) inches from the wall.
 - w. *Window sign*: A sign affixed to the inside of a window or so as to be observable from the opposite side of the window to which such sign is located or affixed.
2. *General requirements for all signs*:
- A. *Construction*: All signs shall be securely constructed and in conformance with applicable building and electrical codes and standards. ~~Wood products shall be of wolmanized or equal treatment. A lightning grounding device shall be provided where required. All letters, figures, characters or representation in cutout or irregular form, shall be safely and securely built or attached to the sign structure. All signs of a greater area than 24 square feet shall have a surface or facing of noncombustible material. All signs shall be attached by means of metal anchors, bolts or expansion screws. In no case shall any sign be secured with wire, strips of wood or nails.~~
 - B. *Accessory to principal use*: All signs which ~~direct attention to a business, entertainment, service or commodity must~~ communicate a message on the premise of a principal use are

- considered to be accessory to the ~~business, entertainment, service or commodity offered, conducted or sold on principal use of~~ the premises on which the sign is located, except ~~real estate signs,~~ off-premises directional signs and non-accessory signs specifically allowed in specified districts.
- ~~e. Wind pressure and dead load requirements: Ground, projecting, wall and marquee signs shall be designed and constructed to withstand wind pressure and shall be constructed to receive dead loads as required in the township building code or other ordinances of the township.~~
- C. ~~d~~ Illumination: ~~Internally and externally lighted, reflectorized, glowing and other forms of illumination shall be permitted on all signs. All illumination shall be concentrated on the area of the sign to prevent glare upon the street or adjacent property. No sign shall be illuminated by other than electrical means or devices. All illuminated signs must be in compliance with Section 2110 and shall not be of a flashing or intermittent flashing type~~ 211509.68.
- D. e Signs not to constitute a traffic hazard: No sign shall be erected in such a manner as to obstruct free and clear vision or constitute a traffic hazard. No sign shall interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device. No sign shall make use of the words "stop," "look," "danger" or other word, phrase or symbol in a manner that is confusing or misleading.
- ~~D.E.~~ Clear vision area: At street intersections, no signs other than municipal traffic control signs shall be located within eight (8) feet of the ground surface in the triangle formed by the property lines paralleling the streets and extending for a distance of twenty-five (25) feet each way from the intersection of the right-of-way lines at the corner lot.
- ~~E.F.~~ Face of sign shall be smooth: No nails, tacks or wires shall be permitted to protrude from the front of any sign. This shall not exclude, however, the use of block letters, electrical reflectors, or other devices which may extend over the top and in front of the advertising structure.
- ~~F.G.~~ Obscene matter prohibited: It shall be unlawful for any person to display upon any sign or other advertising structure any obscene matter.
- ~~G.H.~~ Public right-of-way: No sign shall be erected or placed within the public right-of-way. The owner of any sign which has been removed by the Township from the right-of-way due it is in violation of this provision, shall pay to the Township the sum of twenty-five (\$25.00) dollars before recovering the sign. If any sign is not claimed within fourteen (14) days, said sign shall be disposed of.
- ~~i. Sign setbacks: All permitted ground and temporary signs shall be set back not less than 15 feet from all property lines and existing street right-of-way lines unless otherwise specified herein.~~
- ~~j. Glass in signs: Glass sheets used in any sign for which a permit is required, and in which wire mesh is not imbedded, shall not be less than three sixteenth inch thick and shall not exceed 100 square inches in area for any one piece. Provided, however, that pieces of glass not less than one eighth inch thick, covered with metal except for area cut in form letter, numerals, or~~

~~figures may be used, but the area of such piece of glass shall not exceed 340 square inches. Glass in sheets shall not exceed 720 square inches in area.~~

~~3. Permitted accessory signs by use or type of sign:~~

~~a. Residential uses:~~

| Sign Type/Purpose | Ground Entrance | Wall Name Plate |
|---|----------------------------|----------------------------|
| Sign permit required | Yes | No |
| Maximum number of signs | Footnote 1 | 1 |
| Maximum sign face area (sq. ft.) | 24 | 2 |
| Maximum number of sign faces per sign | 1 | 1 |
| Maximum sign height | 6 | — |
| Setback from property line/right-of-way (feet) | 10 | — |
| Setback from structures (feet) | 50 | — |
| May be illuminated (sec. 2110) | No | No |
| Maximum length of time for display (days) | — | — |

~~Footnotes:~~

~~(1) One sign per entrance from a collector road or thoroughfare.~~

~~(2) One ground-mounted sign per side of lot with frontage on a public street and one building-mounted sign per side of building with a public entrance.~~

3. Permitted ground signs.

A. General Requirements.

(1) All ground signs shall be permanent installations on a minimum twenty-four (24) inch high foundation or base.

(2) Within all districts, only one (1) ground sign shall be permitted per street frontage, except as noted in Section 211509.3.a.(3) and (4).

(3) In all residential zoning districts, one (1) ground sign that does not exceed thirty-two (32) square feet per side and four (4) feet in height shall be permitted at the primary entrance of a subdivision, site condominium, multiple-family development, or mobile home park. One (1) additional ground sign that does not exceed thirty-two (32) square feet per side may be permitted at a secondary entrance to the site.

(4) In all districts, one (1) sign shall be permitted along the principal frontage of a non-residential use. One (1) additional ground sign that does not exceed fifty percent (50%) of the permissible sign area may be permitted along the frontage of the site where a secondary entrance is located.

A.B.Height, setback, and area requirements. In addition to the general requirements set forth in Section 211509.3.A, maximum height, maximum area, and minimum setback requirement for ground signs in each district are set forth in the table below.

| Maximum Height, Maximum Area and Minimum Setback Requirements for Ground Signs Table | | | |
|---|-----------------------------|--|-----------------------------|
| <u>District</u> | <u>Minimum Setback (ft)</u> | <u>Maximum Area (sq. ft.) per side</u> | <u>Maximum Height (ft.)</u> |
| <u>R-1 through R-5 (non-residential uses)</u> | <u>10'</u> | <u>32</u> | <u>4'</u> |
| <u>RM-1 through RM-5 and MHP (non-residential and special uses)</u> | <u>10'</u> | <u>32</u> | <u>4'</u> |
| <u>OS-1, -B-1 and ERFB¹</u> | <u>10'</u> | <u>32</u> | <u>6'</u> |
| <u>B-2 and B-3 ¹</u> | <u>10'</u> | <u>50</u> | <u>6'</u> |
| <u>IRO and I-1 through I-3¹</u> | <u>15'</u> | <u>32</u> | <u>6'</u> |
| <u>I-C Industrial and Commercial ¹</u> | <u>15'</u> | <u>32</u> | <u>6'</u> |

4. Building mounted signs:

A. General Requirement.

- (1) In the R-1 through R-5 districts, a single wall-mounted sign, or wall plate, that does not exceed two (2) square feet shall be permitted for a single-family residential dwelling.
- (2) Wall and canopy signs shall not extend higher than the height of the face of the building upon which they are located.

A.B.Maximum number and area requirements. In addition to the general requirements set forth in Section 211509.4.A, the maximum number and area requirement for building mounted signs in each district are set forth in table below:

| Maximum number and Area Requirement for Wall Signs Table | | | |
|---|-----------------------|---|--------------------------------------|
| <u>District</u> | <u>Maximum number</u> | <u>Area in Sq. Ft. per One (1) lineal foot of Building Frontage</u> | <u>Total Maximum Area in Sq. Ft.</u> |
| <u>R-1 through R-5 (non-residential uses)</u> | <u>1</u> | 1 | 120 |
| <u>RM-1 through RM-5</u> | <u>2</u> | 1 | 120 |
| <u>OS-1, B-1 and ERFB</u> | <u>2</u> | 1 | 120 |

| | | | |
|--------------------------------------|----------|-----|-----|
| <u>B-2 and B-3²</u> | <u>3</u> | 1.5 | 180 |
| <u>IRO and I-1 through I-3</u> | <u>3</u> | 1.5 | 240 |
| <u>I-C Industrial and Commercial</u> | <u>3</u> | 1.5 | 240 |

c. ~~Non-residential ground signs:~~

| Maximum height (feet) | Minimum setback required (feet) | Maximum sign face area (sq. ft.) footnotes (2),(3) | Maximum number of signs |
|-----------------------|---------------------------------|---|-------------------------|
| 6.0 | 6.0 | 24.0 | Footnote (1) |
| 6.5 | 6.5 | 25.5 | |
| 7.0 | 7.0 | 27.0 | |
| 7.5 | 7.5 | 28.5 | |
| 8.0 | 8.0 | 30.0 | |
| 8.5 | 8.5 | 31.5 | |
| 9.0 | 9.0 | 33.0 | |
| 9.5 | 9.5 | 34.5 | |
| 10.0 | 10.0 | 36.0 | |

Footnotes:

(1) ~~Not more than one ground sign may be erected accessory to any development parcel or zoning lot, except where otherwise provided for herein. A maximum of two ground signs may be permitted if the development parcel or zoning lot has a minimum of 500 feet of frontage on a collector road or thoroughfare, or a minimum of 700 feet of total frontage on two collector roads or thoroughfares, provided that all ground signs related to the use or uses of the development parcel or zoning lot are in compliance with this ordinance.~~

(2) ~~The sign face area of one ground sign associated with a non-residential use may be increased to 150 percent of the maximum permitted by section 2109.3.c. if the sign abuts a collector road or thoroughfare with a road right-of-way width of 100 feet or more (or one-half right-of-way width of 50 feet or more).~~

(3) ~~The sign face area of one ground sign associated with a development parcel or zoning lot that has been improved with a multiple-tenant non-residential building containing five or more separate tenants or uses may be increased to 150 percent of the maximum permitted by section 2109.3.c., provided that written permission from the property owner shall be supplied to the office of community standards for each tenant or use to install sign copy on this sign, and provided that all ground signs related to the use or uses of the development parcel or zoning lot are in compliance with this ordinance.~~

d5. Temporary signs:

A. General Requirements.

- (1) The maximum display time of temporary signs is thirty (30) days up to maximum of two (2) times per calendar year unless additional time is granted under one of the following subsections 1509.5(2) of (3).
- (2) When all or a portion of a building or land area on a zoning lot is listed for sale or lease, the maximum display time of freestanding temporary signs for all uses and temporary signs mounted on buildings for all uses except residential uses shall be the duration the building, building unit or land is listed for sale or lease.
- (3) In recognition that there is a need for additional expression of speech prior to a scheduled election, the following applies for a period of sixty (60) days prior to until three days after a Township-designated election day on which there is at least one (1) ballot item: the maximum allowable area of temporary freestanding signs shall be increased to sixty-four (64) square feet in all districts. The maximum area of an individual sign remains as stated in the table ~~above~~ below during this period.
- (4) Temporary signs shall be constructed of durable, all-weather materials and designed to remain in place and in good repair so long as they remain on display.
- (5) Temporary signs shall be subject to the maintenance standards of this Section.

B. Height and area requirements for temporary signs. In addition to the general requirements set forth in Section ~~24~~1509.5.A, maximum height and area requirements for temporary signs are set forth in the table below:

| <u>Maximum Size, Maximum Height, and Permitted Type of Temporary Signs Table</u> | | | | |
|--|------------------------|--|---|--------------------------------|
| <u>Use</u> | <u>Permitted Types</u> | <u>Maximum Area of All Temporary Signs</u> | <u>Maximum Area of Any Individual Signs</u> | <u>Maximum Height (Ground)</u> |
| <u>Single-Family Residential</u> | <u>Ground</u> | <u>10 square feet</u> | <u>6 square feet</u> | <u>4 feet</u> |
| | <u>Wall</u> | NA | NA | |
| <u>Multiple Family Residential</u> | <u>Ground</u> | <u>32 square feet</u> | <u>16 square feet</u> | <u>6 feet</u> |
| | <u>Wall</u> | <u>4 square feet</u> | <u>2 square feet</u> | |
| <u>All Non-Residential Districts and Non-Residential Uses in Residential districts</u> | <u>Ground</u> | <u>64 square feet</u> | <u>20 square feet</u> | <u>6 feet</u> |
| | <u>Wall</u> | <u>64 square feet</u> | <u>32 square feet</u> | |

| | | | | | | | |
|--------------------------|-------------------------------|-------------------------|--------------------------|------------------------------|--------------------------|--------------------|----------------------------|
| <u>Sign Type/Purpose</u> | <u>Temporary Construction</u> | <u>Temporary Garage</u> | <u>Temporary Special</u> | <u>Temporary Real-Estate</u> | <u>Temporary Sale of</u> | <u>Temporary y</u> | <u>Temporary Political</u> |
|--------------------------|-------------------------------|-------------------------|--------------------------|------------------------------|--------------------------|--------------------|----------------------------|

| | | Sale | Event | | Produce | Builder Directional | |
|--|---------------|-------------------------------|-------------------------------|---------------|--------------------------------|---------------------|----|
| Sign permit required | Yes | No | No | No | No | No | No |
| Maximum number of signs | Footnote 1 | Footnote 2 | Footnote 2 | 1 | 1 | Footnote 5 | — |
| Maximum sign face area (sq. ft.) | 24 | 4 | Footnote 4 | 4 | 16 | 3 | 16 |
| Maximum number of sign faces per sign | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Maximum sign height | 6 | — | — | 6 | 6 | 3 | — |
| Setback from property line/right-of-way (feet) | 10 | 5 | 5 | 5 | 5 | 5 | — |
| Setback from structures (feet) | 50 | — | — | — | — | 25 | — |
| May be illuminated? (sec. 211510) | No | No | No | No | No | No | No |
| Maximum length of time for display (days) | Footnote 3, 6 | 14 days/year Footnote 3, 6 | 30 days/year Footnote 3, 6 | Footnote 3, 6 | 120 days/year Footnote 3, 6 | Footnote 3, 6 | — |

Footnotes:

(1) One sign per entrance from a collector road or thoroughfare.

~~(2) One sign per side of lot with frontage on a public street and one sign per side of building with a public entrance.~~

~~(3) A removal agreement or security bond to guarantee removal of the sign may be required. The sign must be removed within three days after completion of the activity for which it was erected.~~

~~(4) Up to ten percent of the area of the front face of the building space occupied by the use associated with the sign.~~

~~(5) Temporary signs, if located on a building, shall not extend higher than the height of the front face of the building.~~

~~(6) Temporary signs shall be located so as to provide adequate traffic circulation and emergency vehicle access, and shall not reduce the number of off-street parking spaces by more than ten percent.~~

46. Non-accessory signs:

A. Not adjacent to Interstate 94 (I-94).

- (1) Area and height limitations: No billboard may be erected or maintained of a greater surface area than three hundred (300) square feet per sign face or of a greater overall height above ground than thirty-five (35) feet or the bottom surface of which extends to within less than three (3) feet above the ground surface.
- (2) Location: Billboards may be erected only in I-2, I-3, I-C districts. No billboard may be erected within five hundred (500) feet of any residential use or district, hospital, public park, recreation ground, public reservation, bridge, school, library, or church, nor within fifty (50) feet of street right-of-way lines at any street intersection and shall have a minimum setback of twenty-five (25) feet from all property lines or shall meet the setback requirements of the district, whichever is greater. Billboards shall be located no closer to one another than one thousand (1,000) feet.
- (3) Material required: All billboards shall be in conformance with applicable building, electrical and structural codes. ~~have a surface or facing of noncombustible material. No wood products or other combustible materials shall be permitted to support such signs.~~
- (4) Limitations: No billboard shall be approved at any time when there are twenty (20) or more billboard sign faces in the Township except for that a new billboard structure may be granted approval only in exchange for the removal of four (4) nonconforming billboard faces.

B. Adjacent to Interstate 94 (I-94).

- (1) Area and height limitations: No billboard may be erected or maintained of a greater surface area than six hundred seventy-two (672) square feet per sign face or of greater overall height above ground than fifty (50) feet or the bottom surface of which extends to within less than three (3) feet above the ground surface.
- (2) Location: Billboards may be erected only in I-1, I-2, I-3, or I-C zoning districts. No billboard may be erected within five hundred (500) feet of any residential use or district, hospital, public park, recreation ground, public reservation, bridge, school, library, or

church and shall have a minimum setback of twenty-five (25) feet from all property lines or shall meet the setback requirements of the district for which it is located, whichever is greater. Billboards shall be located no closer to one (1) another than one thousand (1,000) feet on the same side of the given thoroughfare.

- (3) Material required: All billboards shall meet applicable building, electrical and structural codes. have a surface of facing of noncombustible material. No wood products or other combustible materials shall be permitted to support such signs.
- (4) Limitations: No billboard shall be approved at any time when there are twenty (20) or more billboard sign faces in the Township except for that a new billboard structure may be granted approval only in exchange for the removal of four nonconforming billboard faces.

75. Electronic changeable message signs:

- A. Electronic changeable message shall constitute no more than fifty percent (50%) of the allowable ground sign area.
- B. Such signs shall contain static messages only and shall not have movement, scrolling words or images, or flashing on any part of the sign structure, design, or pictorial segments of the sign, nor shall such sign have varying light intensity during display of any single message.
- C. Each display on an electronic changeable sign shall remain fixed for a minimum of thirty (30) seconds.
- D. When a message on an electronic changeable sign is changed, said change shall be accomplished immediately. No fading of the copy shall be permitted instantaneous without use of special effects like dissolve or fade.
- E. No EMS message display shall resemble or simulate any warning or danger signal, or any official traffic control device, sign, signal, or light or have the brilliance or intensity that will interfere with any official traffic sign, device, or signal.
- ~~E.F.~~ dNo auditory message or mechanical sounds may be emitted from the sign.
- ~~F.G.~~ eElectronic changeable message signs may not operate at brightness levels of more than 0.30 foot candles above ambient light level as measured at the following distances: shall meet the standards for illumination set forth in Section 211509.8.

| Sign Square Feet | Distance (feet) |
|------------------|-----------------|
| <300 | 150 |
| 301—378 | 200 |
| 379—672 | 250 |
| >672 | 350 |

~~A.~~ —

H. No sign shall be permitted to operate unless it is equipped with all of the following:

- (1) A default mechanism that will cause the sign to revert immediately to a black screen if the sign or any component thereof malfunctions;
- (2) A non-glare panel covering the electronic changeable copy display or other equivalent method approved by the Township to substantially reduce glare;
- (3) All permitted EMS shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to ambient light conditions;
- (4) A written certification from a sign manufacturer or other approved testing agency that the light intensity has been preset to conform to the brightness and display standards established in this Article and that the preset levels are protected from end user manipulation by password protected software or other method.

I. f.—The owner or controller of said electronic changeable copy sign must adjust the sign to meet these brightness standards in accordance with this Article. The adjustment must be made within twelve (12) hours upon notice of non-compliance from the Township. The owner of said electronic changeable message sign shall provide certification of the foot-candles at the time of application showing compliance by a certified independent contractor and supply said certification to the Ypsilanti Township Office of Community Standards.

~~J. g. Each sign shall have a light sensing device that will adjust to the brightness of the display as the natural ambient light conditions change.~~

~~J. h~~ All electronic changeable message signs shall conform to all Michigan Department of Transportation rules and regulations.

8. Sign illumination standards.

A. General Standards.

- (1) No sign shall be illuminated by other than electrical means.
- (2) The source of illumination may be internal or external. The source of the illumination shall not be exposed except for lighting that is integral for the use of electronic message signs, which are regulated in this Article.
- (3) All external lighting fixtures used to illuminate a sign shall be shielded to direct light towards the sign.
- (4) No sign, whether externally or internally illuminated, shall display a brightness of such intensity or brilliance that impairs the vision or endangers the safety and welfare of any pedestrian, cyclist, or operator of a motor vehicle.
- (5) No sign shall have illumination which creates blinking, flashing or movement.

~~A.B.~~ Sign Illumination Standards - The illumination of all signs, including EMS, shall not exceed 0.3 footcandles above ambient light levels based upon illumination measurement criteria set forth in [Sign Area Versus Measurement Distance Table](#) and [Section 21509.6.C](#).

| <u>Table 12.09.6.b</u> | |
|---|---|
| <u>Sign Area Versus Measurement Distance Table</u> | |
| <u>Area of Sign</u> <u>Sq. ft.</u> | <u>Measurement Distance</u> <u>(ft.)</u> |
| <u>10</u> | <u>32</u> |
| <u>15</u> | <u>39</u> |
| <u>20</u> | <u>45</u> |
| <u>25</u> | <u>50</u> |
| <u>30</u> | <u>55</u> |
| <u>35</u> | <u>59</u> |
| <u>40</u> | <u>63</u> |
| <u>45</u> | <u>67</u> |
| <u>50</u> | <u>71</u> |
| <u>55</u> | <u>74</u> |
| <u>60</u> | <u>77</u> |
| <u>65</u> | <u>81</u> |
| <u>70</u> | <u>84</u> |
| <u>75</u> | <u>87</u> |
| <u>80</u> | <u>89</u> |
| <u>85</u> | <u>92</u> |
| <u>90</u> | <u>95</u> |
| <u>95</u> | <u>97</u> |
| <u>100</u> | <u>100</u> |
| <u>110</u> | <u>105</u> |
| <u>120</u> | <u>110</u> |
| <u>130</u> | <u>114</u> |
| <u>140</u> | <u>118</u> |
| <u>150</u> | <u>122</u> |
| <u>160</u> | <u>126</u> |
| <u>170</u> | <u>130</u> |
| <u>180</u> | <u>134</u> |
| <u>190</u> | <u>138</u> |
| <u>200</u> | <u>141</u> |
| <p><u>*For signs with an area in square feet other than those specifically listed in this table (e.g., twelve (12) sq. ft., four hundred (400) sq. ft., etc.), the measurement distance may be calculated with the following formula:</u> <u>Measurement Distance = $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$</u></p> | |

C. EMS Illumination Measurement Criteria - The illuminance of a sign shall be measured with an illuminance meter set to measure footcandles accurate to at least two (2) decimals. Illuminance of an EMS shall be measured with the EMS off, and again with the EMS

displaying a white image for a full color-capable EMS, or a solid message for a single-color EMS. All measurements shall be taken as close as practical to a perpendicular plane of the sign at the distance determined by the total square footage of the sign as set forth in Table 12.08 B-1 Sign Area of a Sign versus Measurement Distance.

9.

~~6~~*Prohibited signs:* The following signs are prohibited within the Township:

- A. It shall be unlawful for any person to display upon any sign or other advertising structure any obscene material.
- B. Portable signs, swinging signs, inflatable displays, blade or feather signs, or any signs which incorporate flashing or moving lights or animation.
- C. String lights used in connection with business premises for commercial purposes other than holiday decorations.
- D. Any sign unlawfully installed, erected, or maintained.
- E. Signs on trees, utility poles or benches, whether located on public or private property.
- F. Signs mounted on the roof of a building or extending above the height of the front face of the building upon which it is mounted.
- G. Posting prohibited: No person shall post any placard, poster or other advertising matter on any post, tree, or other object within any street area or upon any public property, except legal notices which shall be posted on boards established at ~~three~~ places designated by the Township. No person, except an officer of the Township, shall post any notice on such boards or remove or mutilate any notice posted thereon.

~~7~~10. *Permits and fees:* It shall be unlawful for any person to erect, repair, alter or relocate a sign, repair a nonconforming sign damaged by winds, vandalism, fire, or an act of God unless the appropriate permits have first been obtained from the Building Official and the required permit fees have been paid to the Township according to the schedule established by resolution of the Township Board.

- A. Signs for which a permit is not required:
 - (1) Repairs to an existing sign: Repair of a sign damaged by winds, vandalism, fire, or an act of God provided that the sign is in conformance with the current Zoning Ordinance standards, that the sign is restored to its original design and that all work is in compliance with necessary structural and electrical codes.
 - (2) Service on an existing sign: Painting, servicing, or cleaning of existing signs shall not require a sign permit unless a structural change or any change to the sign box or enclosure is made.
 - (3) Nameplates, not exceeding two square feet in area. Temporary signs that are less than ten (10) square feet in size. When additional sign area is permitted during the time frame conditions specified in Section 241509.5.A(3), a permit is not required.
 - (4) ~~Memorial signs or tablets, building names and dates of construction when cut into any masonry surface or when constructed of bronze or aluminum.~~

~~(54)~~ Traffic or other municipal signs, legal notices, danger and such temporary emergency or non-advertising signs as may be approved by the Township.

~~(6)~~ Gasoline price signs not exceeding six square feet on pump islands.

~~(7)~~ Political campaign signs in conformance with section 2109.3.

~~(85)~~ Directional signs: Signs regulating on-site traffic and parking of not more than four square feet in area. One such sign for each public entrance from a collector or arterial street up to a maximum of two such signs per zoning lot or development parcel. Directional signs that are erected for the sole and express purpose of directing traffic flow on public property, provided such signs do not exceed four (4) square feet in area and four (4) feet in height.

~~(9)~~ Posting of no more than one "Private Property" or similar notice per side of a residential zoning lot with frontage on a public street, provided that the lot is greater than one acre in size. Such signs shall be no more than 1.5 square feet in area and located a minimum of five feet from any lot line or right-of-way line.

~~(106)~~ Flags bearing the official design of a nation, state, municipality, educational institution, or organization as approved by the Building Official.

~~(11)~~ Barber poles when a minimum of seven feet above the pedestrian right-of-way.

~~(127)~~ Non-illuminated window signs on the inside of windows in non-residential districts that do not obstruct vision by more than twenty percent (20%).

~~A. (13)~~ Menu boards at drive-through restaurants with a maximum size of 60 square feet.

B. Permits required:

(1) Sign permit: A sign permit shall be required for all signs except for those signs set forth in Section 15.09.10.A.

(2) Building permit: Required for all permanent building-mounted and ground signs, except such signs that are painted on an existing wall.

(3) Electrical permit: Required for all illuminated signs or signs in which electrical wiring will be used in connection with the structure.

C. Sign permit application: Applications for permits shall be made upon forms provided by the Zoning Administration and shall contain or have attached thereto the following information:

(1) Name, address, and telephone number of the applicant.

(2) A sign application shall include two (2) copies of a site plan in compliance with Section 2115 that includes the lot survey, easements and setback dimensions, location of all buildings, other structures and all proposed and existing signs on the development parcel or zoning lot where such signs are to be erected. Elevation drawings of all buildings on the site shall be provided showing the location of all existing and proposed building-mounted signs.

(3) Construction drawings: Two (2) blueprints or drawings of the plans, specifications, methods of construction and installation, materials list and method and type of

illumination for each sign. All construction drawings or attachment details shall be signed and sealed by a licensed design professional.

~~(4) A photometric grid that is in conformance with section 2110 must be overlaid on the sketch plan showing the location of each proposed sign and the overall light intensity (in foot-candles) from all existing and proposed sources of illumination throughout the area affected by the proposed sign.~~

911. *Legal nonconforming signs:* Nonconforming signs are those signs lawfully erected prior to the adoption of this Ordinance. All existing legal nonconforming signs shall be permitted to continue as such until removed or until changes other than painting or servicing are made, at which time they shall conform to the provisions of this Ordinance.
12. *Class A nonconforming sign designation:* Class A nonconforming signs shall be considered to be conforming signs for purposes of repair, service, or the changing of sign copy in a manner that does not require structural changes or any change to the sign box or enclosure. The Planning Commission may grant a Class A nonconforming sign designation in those instances where a determination is made after public hearing that the continuance of a nonconforming sign meets both the criteria found in Section ~~2116~~202.2 and the following:
- A. The granting of a continuance of the nonconforming sign will not create unfair advertising advantage over other properties in conformance with the sign provisions of this Article.
 - B. A nonconforming use shall not be permitted to add additional signs to the building or premises. Existing signs accessory to nonconforming uses may be maintained.
13. *Enforcement:* It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, or move any sign or structure in the Township, or cause or permit the same to be done in violation of any of the provisions of this Article. Any sign unlawfully erected or altered may be removed by the Township at the expense of the sign owner. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
14. *Removal of abandoned, damaged, illegal, or unsafe signs:*
- A. Abandoned signs:
 - (1) Any sign located on property in the Township that has ~~been become~~ vacant or upon which a building is unoccupied for more than one hundred eighty (1280) days, ~~and any sign that pertains to a use or activity that no longer exists on property in the township,~~ shall be presumed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one hundred eighty (180) days or more.
 - (2) At such time as the Building Official shall become aware of the sign that is presumed to have been abandoned under subsection (1) of this Section, a notice of sign abandonment declaring that the sign is deemed abandoned, and directing the removal of the sign, shall be sent to the owner of the property.
 - (3) If the owner of the property to whom such a notice has been sent claims that the sign has not been abandoned, such owner shall, within sixty (60) days from the date of the

notice, file a written response to the Building Official stating facts which rebut the presumption of abandonment and demonstrate the intent not to abandon the sign.

- (4) At the end of such sixty (60) day period, if a written response stating facts to rebut the presumption of abandonment has not been submitted to the Building Official, the sign shall be deemed abandoned, and a notice to such effect shall be sent to the owner.
- (5) If a written response stating facts to rebut the presumption of abandonment has been submitted to the Building Official, and if the response demonstrates in the discretion of the Building Official that the sign has not been abandoned, the sign shall be permitted to remain until further evidence of abandonment appears, or some other basis for removal arises. If the Building Official determines that the response fails to demonstrate that the sign has not been abandoned, the notice of sign abandonment, and the response from the owner, shall be placed upon the agenda of a meeting of the Zoning Board of Appeals, and notice of the time, place and date of the meeting shall be sent to the owner. After a review of the notice and response, and after affording an opportunity to be heard by the owner and the director, together with any and all other information and argument deemed appropriate by the Zoning Board of Appeals, the Zoning Board of Appeals shall make a final determination with respect to whether the sign has been abandoned.
- (6) Any sign deemed abandoned under subsection (4) or found by the Zoning Board of Appeals to be abandoned under subsection (5) shall be removed within ten (10) days of such determination, and a failure to do so shall constitute a violation of this Section.

The Building Official may remove such signs or sign copy at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the Building Official and has not done so within thirty (30) days. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.

- B. Damaged signs: Damaged signs shall be repaired, replaced, or removed within ten (10) days of the damage by the owner, agent or person having the beneficial use of the building or structure upon which said sign shall be found. Such signs may be removed by the Building Official at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the Building Official and has not done so within ten (10) days. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
- C. Illegal signs: Illegal signs may be removed by the Building Official at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the Building Official and has not done so within thirty (30) days. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
- D. Unsafe signs: Unsafe signs shall be immediately removed or made to conform to the provisions of this Article by the owner, agent or person having the beneficial use of the building or structure upon which said sign shall be found. If such action is not taken within twenty-four (24) hours, the unsafe signs may be removed by the Building Official at the expense of the sign owner. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.

15. *Sign maintenance:* The Building Official may order the removal of any sign that is not maintained in accordance with the provisions of this Article. Such signs may be removed by the Building Official at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the Building Official and has not done so within thirty (30) days. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
 - A. Maintenance: All signs for which a permit is required, together with all their supports, braces, guys, and anchors, shall be maintained in good working order; and when not galvanized or constructed of approved corrosion-resistant, noncombustible materials, shall be painted when necessary to prevent corrosion. The exteriors of all signs, supporting members, painted surfaces, advertising materials and lettering shall be kept painted and in good repair, so as to present a neat and orderly appearance. All bulbs or component parts of the sign, including the electrical switches, boxes and wiring used in the illumination of the sign must be well maintained and in good repair.
 - B. Housekeeping: It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean, sanitary, and healthful condition.

ARTICLE XVI. - NONCONFORMITIES

Sec. 1601. - General provisions:

1. *Intent:* Nonconformities are lots, structures, sites, or uses of land that do not conform to one (1) or more provisions of this Ordinance, but which were lawfully established prior to the date of adoption or amendment of this Ordinance. Regulations are hereby established to govern the completion, restoration, reconstruction, extension, and substitution of nonconformities, and to specify the circumstances and conditions under which nonconformities shall be permitted to continue.

The objectives of this Ordinance are as follows:

- A. To permit nonconforming structures and uses of land to remain until discontinued or removed.
- B. To encourage the upgrading of site improvements that were developed in compliance with the standards in force at the time of their construction, but which do not meet the site design standards of this Ordinance.
- C. To promote the combination of contiguous lots of record to create lots that conform to current standards for minimum lot width, lot area and street frontage.
- D. To eliminate nonconforming uses of land that are incompatible with and more intense than permitted uses in a particular zoning district, or to encourage their redevelopment into more compatible uses.
- E. To allow for the perpetuation of certain nonconforming structures or uses of land that do not significantly depress the value of nearby properties and are not contrary to the public health, safety, and welfare.
- F. To terminate and remove illegal structures or uses of land.

~~2. Definitions:~~

~~Nonconforming structure: A structure or portion thereof lawfully existing at the effective date of this ordinance or amendments thereto that does not conform to ordinance provisions for the district in which it is located, but is otherwise in compliance with all other applicable federal, state, county and township laws, ordinances, regulations and codes.~~

~~Nonconforming use of land: A use that lawfully occupied a parcel or contiguous parcels of land or structure and land in combination at the effective date of this ordinance or amendments thereto that does not conform to the use regulations of the district in which it is located, or does not have special land use approval in accordance with section 2119 (special land uses) where provisions of this ordinance require such approval, but is otherwise in compliance with all other applicable federal, state, county and township laws, ordinances, regulations and codes.~~

~~Nonconforming lot: A platted or unplatted parcel of land lawfully existing at the effective date of this ordinance or amendments thereto that does not conform to ordinance provisions for the district in which it is located.~~

~~Nonconforming sign: See section 2109 (signs).~~

Commented [MM1]: Move to article 2 - Definitions

Article 16 – Nonconformities
Final Draft
DATE: August 6, 2021

~~Nonconforming site: A parcel of land that was developed or improved with structures and other site improvements prior to the date of adoption of current zoning ordinance provisions for site design, landscaping, pedestrian access, exterior lighting, paving and other site elements.~~

~~Class A nonconforming designation: A nonconforming structure or use of land that has been designated by the Planning Commission to be allowed to be perpetuated and improved in accordance with the provisions of this article and an approved site plan.~~

~~Class B nonconforming status: Nonconforming structures or uses of land, other than those designated as Class A, are considered to be Class B and are allowed to continue within the restricted provisions of this ordinance.~~

~~Illegal structure: A structure or portion thereof, which is not a conforming or a nonconforming structure, or is not in compliance with all applicable federal, state, county and township laws, ordinances, regulations and codes.~~

~~Illegal use of land: A use that occupies one or more contiguous parcels of land, or structures and land in combination, which is not a conforming or a nonconforming use, or is not in compliance with all applicable federal, state, county and township laws, ordinances, regulations and codes.~~

~~Cessation: To terminate, abandon or discontinue a use of land for a period of time that, under the provisions of this ordinance, would prevent the use from being resumed.~~

~~3. Determinations: The zoning official Zoning Administrator shall determine the status of a structure, lot or use of land as conforming, nonconforming or illegal in accordance with the definitions and provisions of this ordinance.~~

~~4. Change of tenancy or ownership: There may be a change of tenancy, ownership or management of any existing nonconforming structure or use of land, provided there is no change in the nature or character of such nonconforming uses.~~

~~5. Appeals: All appeals of actions, orders, requirements, permits, decisions or refusals made by an administrative official the Zoning Administrator charged with enforcement of any of the provisions of this section shall be made to the Zoning Board of Appeals in accordance with Article 24 (XXIV) insert section of this ordinance.~~

Sec. 1602. - Class A nonconforming designation:

1. *Public hearing:* Upon petition, the Planning Commission shall hold a public hearing for consideration of a Class A designation for a nonconforming structure or a use of land.
2. *Conditions for approval of a Class A designation:* ~~Subsequent~~ After holding a ~~to a~~ public hearing, the Planning Commission may grant a Class A designation upon finding that all of the following conditions exist:
 - A. A determination that the structure or use of land is nonconforming as defined in this Ordinance.
 - B. The nonconformity does not significantly depress the value of nearby properties.
 - C. The nonconformity is not contrary to the public health, safety, and welfare.

- D. No useful purpose would be served by the strict application of requirements for such a nonconformity under this Ordinance.
 - E. Signage: Signage associated with the use shall be in compliance with Article 15.
 - F. Plan for site improvements: A plan for site improvements has been submitted in accordance with ~~section 2115~~ the preliminary site plan requirements in Section 910 that is satisfactory to the Planning Commission. The Planning Commission may require improvements to landscaping, site design and layout, pedestrian access, building materials, screening, off-street parking, exterior lighting, or other improvements as deemed necessary to protect surrounding uses.
 - G. Other conditions may be attached to the approval to assure that the structure or use of land does not become contrary to the public health, safety or welfare, or the spirit and purpose of this Ordinance.
3. *Effect of approval of a Class A designation:* Class A nonconforming uses of land shall be permitted to be perpetuated and expanded in accordance with an approved plan and under the provisions of this Ordinance. Class A nonconforming structures shall be permitted to be perpetuated, expanded, improved, or replaced if damaged or destroyed in accordance with an approved plan and under the provisions of this Ordinance.
 4. *Effect of denial of a Class A designation:* An application for a Class A designation that has been denied wholly or in part by the Planning Commission may not be appealed to the Zoning Board of Appeals but may be resubmitted for Planning Commission consideration after a minimum of three hundred sixty-five (365) days have elapsed from the date of denial.
 5. *Cessation or removal of Class A nonconforming structures or uses of land:* When a Class A nonconforming structure is permanently removed, or when a Class A nonconforming use of land is replaced by a conforming use, the designation shall be deemed removed. Any subsequent structure or use of land shall conform to Ordinance provisions for the district in which it is located.
 6. *Rescinding approval of a Class A designation:* Failure of the property owner, or the owner, operator or person having beneficial use of land occupied by a Class A designated nonconforming structure or use of land to maintain or improve the site in accordance with this Ordinance, an approved site plan or any conditions of approval shall be grounds for the Planning Commission to rescind a previously approved Class A designation. Such action shall be subject to the following:
 - A. Public hearing: Such action may be taken only after a public hearing has been held with notice in compliance with Section 307, Public Hearing Notice Requirements, at which time the property owner, or the owner, operator or person having beneficial use of land occupied by a Class A designated nonconforming structure or use of land shall be given an opportunity to present evidence in opposition to rescission.
 - B. Subsequent to the hearing, the Planning Commission's decision with regard to the rescission shall be made and written notification provided to said property owner, or the owner, operator or person having beneficial use of land occupied by a Class A designated nonconforming structure or use of land.
 7. *Class A designations for existing single-family residential dwellings:* Single-family residential dwellings, which are so used and so existing in non-residential zoning districts before the effective date of this Ordinance or amendments thereto, are hereby designated as Class A nonconforming

structures and Class A nonconforming uses of land. Such dwellings and accessory buildings may be repaired, expanded, or replaced if destroyed, subject to the following conditions:

- A. The expansion of the dwelling or accessory structures shall conform with all applicable yard dimensions, setbacks, and other requirements for the ~~R-4~~most similar single-family residential zoning district.
- B. If an existing structure is destroyed, the replacement dwelling or accessory structure shall conform with all applicable yard dimensions, setbacks, and other requirements for the ~~R-4~~most similar single-family residential zoning district.
- ~~C. The use of the dwelling and associated parcel of land shall conform with the use district provisions of the R-4 (single-family residential) zoning district.~~
- C. The dwelling and accessory structures shall conform to all other applicable federal, state, county and Township laws, Ordinances, regulations, and codes.
- D. The use of the dwelling and associated parcel of land shall remain single-family residential, unless an application and site plan in accordance with Article 9 is submitted that conforms to the Ordinance provisions for the district in which it is located

Sec. 1603. - Nonconforming lots:

- 1. *Division of nonconforming lots:* Parcels shall not be divided in a manner that increases nonconformity, causes an existing structure or site improvement to become nonconforming or creates one (1) or more nonconforming lots.
- 2. *Use of a nonconforming lot:* Any nonconforming lot shall only be used as permitted in the district in which it is located. A single nonconforming lot may be developed or improved with a principal building, and customary accessory structures, provided that the following conditions have been met:
 - A. The structures and lot shall conform with all applicable yard dimensions, setbacks, and other requirements, other than minimum lot width and lot area, for the district in which the lot is located.
 - ~~B. A lot of the same or smaller lot area and lot width, with frontage on the same street or a connecting street within 200 feet of the lot in question, has been lawfully developed with a principal building.~~
 - ~~C.~~B. The lot is not under contiguous single ownership with other lots that could be combined into one or more conforming lots.
 - ~~D.~~C. The lot and principal building shall be served by public water and public sanitary sewer.
- 3. *Use of contiguous nonconforming lots under the same ownership:* -If two (2) or more lots or combinations of lots with contiguous frontage in single ownership are of record at the time of passage or amendment of this Article, and if all or part of the lots do not meet the requirements for lot width and area as established by this Article, the lots or combination of lots involved shall be considered to be an undivided parcel for the purposes of this Article. No portion of said parcel shall be used or occupied in a manner which diminishes compliance with lot width and area requirements established by this Article, nor shall any division of the parcel be made which creates

~~a lot width or area below the requirements stated in this Article. Two or more contiguous, nonconforming lots under the same ownership shall be considered one parcel and may only be independently improved with principal buildings, and customary accessory structures under the following conditions:~~

- ~~A. A lot that has been developed with a principal building must meet the minimum ordinance requirements for its own lot to allow the independent development of the adjacent lots under the same ownership.~~
- ~~B. All lots shall conform with all applicable ordinance requirements, including minimum lot width and lot area, for the district in which the lot is located.~~

Sec. 1604. - Nonconforming structures:

1. *Class A nonconforming structures:* See Section 1602.
2. *Class B nonconforming structures:* No such structure may be enlarged or altered in a way that increases its nonconformity, except as provided for herein. Such structures may be enlarged or altered in a manner that does not increase its nonconformity.
3. *Normal repairs and maintenance:* Normal repair, maintenance or replacement of ~~interior non-bearing walls, fixtures, wiring, plumbing or heating and cooling systems in~~ Class B nonconforming structures may be permitted in accordance with applicable code requirements, provided that such improvements do not result in an enlargement of a nonconforming structure or an expansion of a nonconforming use of land, and provided that the cost of such improvements does not exceed the assessed value or, if higher, fifty percent (50%) of the ~~market value~~ replacement cost of the ~~property~~ structure.
4. *Buildings under construction:* Nothing in this Ordinance shall require a change in the plans, construction, or designated use of any building for which construction was lawfully begun prior to the effective date of this Ordinance or amendments thereto and diligently carried on until completion. Construction shall include the placement of materials in a permanent manner or demolition and removal of an existing structure preparatory to rebuilding in accordance with an approved site plan.
5. *Damaged or unsafe structures:* Class B nonconforming structures that are declared to be physically unsafe by the Building Official, or otherwise damaged or destroyed by any means to an extent greater than the assessed value or, if higher, fifty percent (50%) of the ~~market value~~ replacement cost of the ~~property-structure~~ shall not thereafter be restored, repaired or rebuilt except in conformity with the provisions of this Ordinance.
6. *Active farm operations:* Class B nonconforming structures used in active farm operations may be expanded if approved by the ~~zoning official~~ Zoning Administrator, subject to the following requirements:
 - A. ~~Farming-Agriculture is a~~ shall be a permitted use in the district in which it is located and ~~the-is~~ the intended use of the structure ~~shall be a permitted use in the district in which it is located.~~

Article 16 – Nonconformities

Final Draft

DATE: August 6, 2021

- B. The expansion shall meet all requirements of the zoning district in which it is located. ~~The existing structure and the expansion shall not exceed the ground floor coverage or floor area ratio limits of the district in which they are located.~~

7. *Single-family dwellings*: See Section ~~1602.7~~1602.7.

~~(Ord. No. 2001-273, 8-21-01)~~

Sec. 1605. - Nonconforming uses of land:

1. *Class A nonconforming uses of land*: See Section 1602.

2. *Class B nonconforming uses of land*: Such uses may continue after the effective date of this Ordinance or amendments thereto, subject to the following conditions:

- A. The property owner, or the owner, operator or person having beneficial use of land occupied by a Class B nonconforming use of land shall demonstrate that the use is maintained in compliance with all other applicable federal, state, county and Township laws, Ordinances, regulations, and codes. Failure to do so, or failure to bring the use into compliance with revised laws, Ordinances, regulations, and codes within six (6) months of their effective date, shall constitute grounds for the Township to seek court approval to terminate or remove the use at the owner's expense.
- B. The use shall not be enlarged or increased, extended to occupy a greater area of land, or moved in whole or in part to any other portion of the parcel or structure. No additional signage shall be permitted.
- C. If the use ceases for a period of more than one hundred eighty (180) days, the use shall not be resumed, and subsequent uses of such land shall conform to Ordinance provisions for the district in which it is located. Structures occupied by seasonal uses shall be excepted from this provision.
- D. No additional structures may be constructed in association with the nonconforming use. If the structure associated with a nonconforming use is removed or destroyed, the nonconformity shall be deemed removed and subsequent uses of such land shall conform to Ordinance provisions for the district in which it is located.
- E. If the use is superseded by a permitted use, subsequent uses of such land shall conform to Ordinance provisions for the district in which it is located.

3. *Determination of status of a use of land as nonconforming*: A determination of the status of a use of land as nonconforming shall be made by the ~~zoning official~~Zoning Administrator only upon finding that the following conditions have been met:

- A. A finding that the use of land does not conform to the use regulations of the district in which it is located.
- B. A finding that the use of land is in compliance with all other applicable federal, state, county and Township laws, Ordinances, regulations, and codes.
- C. A finding that evidence from a minimum of three (3) of the following sources clearly demonstrates that the use of land was legally established as a conforming use prior to the date of adoption of this Ordinance or amendments thereto:

Article 16 – Nonconformities

Final Draft

DATE: August 6, 2021

- (1) Local and county government files or records: Such evidence may include, but shall not be limited to permits, inspection reports, dated photographs or notarized statements of Township officials, agents, representatives, or employees.
- (2) The "R.L. Polk City Directory" or other dated telephone directories serving Washtenaw County.
- (3) Utility records, including, but not limited to telecommunication service providers, Detroit Edison, Michigan Consolidated Gas Co., or the Ypsilanti Community Utilities Authority.
- (4) Dated advertising or other information published in a newspaper or magazine serving Washtenaw County.
- (5) Dated aerial photos from Washtenaw County governmental departments, the Southeastern Michigan Council of Governments (SEMCOG) or other sources as approved by the Zoning Official.
- (6) Other relevant information, as may be accepted by the Zoning Official: Such evidence may include but shall not be limited to date-stamped photographs, diary or log entries, affidavits, or notarized statements.

4. *Determination of cessation of a nonconforming use of land:* ~~A determination that a Class B nonconforming use of land has ceased shall be made by the zoning official only upon finding that a minimum of three of the following statements are true: A Class B nonconforming use that is determined to be abandoned shall not be reestablished, and any subsequent use shall conform to this Ordinance.~~

~~A. Local and county government files or records provide clear evidence that the nonconforming use of land has ceased. Such evidence may include, but shall not be limited to permits, inspection reports, dated photographs or notarized statements of township officials, agents, representatives or employees.~~

~~B. The "R.L. Polk City Directory" or other dated telephone directories serving Washtenaw County provide clear evidence that the nonconforming use has ceased. Such evidence may include, but shall not be limited to entries that show the address associated with the use as vacant or occupied by another use, or show the telephone number associated with the use as disconnected or in use at another location.~~

~~C. Utility records, including, but not limited to telecommunication service providers, Detroit Edison, Michigan Consolidated Gas Co. or the Ypsilanti Community Utilities Authority, provide clear evidence that the nonconforming use has ceased. Such evidence may include, but shall not be limited to records indicating that the address of the use is vacant or occupied by another use, the utility service associated with the use has been disconnected or the business, organization or individual associated with the use has moved to another location.~~

~~D. Dated advertising or other information published in a newspaper or magazine serving Washtenaw County provides clear evidence that the nonconforming use of land has ceased. Such evidence may include, but shall not be limited to a "going out of business sale," "moving sale," or "grand opening" event at a new location.~~

Article 16 – Nonconformities

Final Draft

DATE: August 6, 2021

~~E. Dated aerial photos from Washtenaw County governmental departments, the Southeastern Michigan Council of Governments (SEMCOG) or other sources as approved by the zoning official provides discernible evidence that the nonconforming use of land has ceased.~~

~~F. Other relevant information, as may be accepted by the zoning official, provides clear evidence that the nonconforming use of land has ceased. Such evidence may include, but shall not be limited to date stamped photographs, diary or log entries, affidavits or notarized statements.~~

5. *Substitution of nonconforming uses of land*: Upon petition, the Planning Commission shall hold a public hearing for consideration of a request to substitute one (1) nonconforming use for another nonconforming use on the same parcel. Subsequent to a public hearing, the Planning Commission may grant approval of such a request upon finding that all of the following conditions exist:

A. The proposed nonconforming use is equally appropriate or more appropriate to the district than the existing nonconforming use. Where a nonconforming use is changed to a more conforming use, it shall not thereafter be changed to a less conforming use.

B. Signage: Signage associated with the proposed nonconforming use shall be in compliance with Article 15.

C. Plan for site improvements: A plan for site improvements has been submitted in accordance with the preliminary site plan requirements in Section 910, that is satisfactory to the Planning Commission. The Planning Commission may require improvements to landscaping, site design and layout, pedestrian access, building materials, screening, off-street parking, exterior lighting, or other improvements as deemed necessary to protect surrounding uses.

~~D. Other conditions may be attached to the approval to assure that the use of land does not become contrary to the public health, safety or welfare, or the spirit and purpose of this Ordinance.~~

~~(Ord. No. 2001-273, 8-21-01)~~

D.

Sec. 1606. - Nonconforming sites:

The purpose of this section is to encourage improvements and minor modifications to nonconforming sites by establishing standards for prioritizing site improvements that are designed to gradually bring the site into compliance with the site design requirements of this Ordinance. Nonconforming sites shall not be improved or modified in a manner that increases noncompliance with this Ordinance. Nonconforming sites subject to review in accordance with Section ~~2115~~ 1602 and Article 9 may be improved or modified without a complete upgrade of all site elements under the following conditions:

1. The proposed site improvements shall include exterior lighting, landscaping, screening, and building improvements that are in reasonable proportion to the scale and construction cost of proposed building improvements, expansions, or other improvements.
2. The proposed site improvements resolve public safety deficiencies, including building and fire code violations, emergency access and pedestrian/vehicle conflicts.

Article 16 – Nonconformities

Final Draft

DATE: August 6, 2021

3. The proposed site improvements include the installation, restoration or expansion of sidewalks and non-motorized paths within and through the site consistent with the provisions of this Ordinance.
4. A reasonable timeline for completion of site improvements may be approved as part of any site plan approval. Failure to complete improvements in accordance with an approved timeline shall be deemed a violation of the approved site plan.

Sec. 1606- Change in Tenant or Ownership

4. There may be a change of tenancy, ownership, or management of an existing non-conforming use, building or structure, provided there is no change in the nature of character, extent, or intensity of such non-conforming use, building, or structure.

ARTICLE ~~XXIV~~VII. - ~~BOARD OF ZONING APPEALS~~ ZONING BOARD OF APPEALS

Sec. ~~2400~~1700. - Creation and membership:

1. There is hereby established a Zoning Board of Appeals, which shall perform its duties and exercise its powers as provided in the Michigan Zoning Enabling Act Public Act 110 of 2006, as amended, MCL 125.3101, et seq., and in such a way that the objectives of this Ordinance shall be observed, public safety, and welfare secured, and substantial justice done.
2. The Zoning Board of Appeals shall be composed of five (5) members. The first regular member of the Zoning Board of Appeals shall be a member of the Planning Commission. The remaining members shall be selected from the electors of Ypsilanti Township ~~residing outside of the City~~. The members selected shall be representative of the population distribution and of the various interests present in the Township. One (1) regular member may be a member of the Township Board. An elected officer of the Township shall not serve as chairperson of the Zoning Board of Appeals. An employee or contractor of the Township Board may not serve as a member of the Zoning Board of Appeals.
3. The Township Board may appoint not more than two (2) alternate members for the same term as regular members to the Zoning Board of Appeals. An alternate member may be called upon as specified herein to sit as a regular member of the Zoning Board of Appeals in the absence of a regular member if a regular member is absent from or unable to attend one (1) or more consecutive meetings. An alternate member may also be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate having been appointed shall serve in the case until a final decision has been made. While serving, the alternate member shall have the same voting rights as a regular member of the Zoning Board of Appeals.
- ~~4.~~ Terms shall be for the three (3) years, except for members serving because of their membership on the Planning Commission, or Township Board, whose terms shall be limited to the time they are members of the Planning Commission, or Township Board, respectively, and the period stated in the resolution appointing them. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. Vacancies for unexpired terms shall be filled for the remainder of the term.
- ~~5.~~ Members of the Zoning Board of Appeals shall be removable by the Township Board for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.
- ~~4-6.~~ Conflict of Interest. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself constitutes malfeasance in office.

~~(Ord. No. 2008-385, 10-7-08)~~

Sec. ~~2404~~1701. - Meetings:

Article 17 – Zoning Board of Appeals

Final Draft

DATE: August 6, 2021

1. The Zoning Board of Appeals shall adopt rules and regulations to govern its procedures. The Zoning Board of Appeals shall elect a chairman, vice-chairman, and secretary from its membership.
2. A concurring vote of a majority of the members of the Zoning Board of Appeals shall be necessary for any decision. The Zoning Board of Appeals shall not conduct business unless a majority of its members is present.
3. Any person may appear on his or her behalf at a hearing or may be represented by an agent or attorney.
4. The Zoning Board of Appeals shall decide upon all matters within a reasonable time, not to exceed ninety (90) days from the filing date. The decision of the Zoning Board of Appeals shall be in the form of a resolution containing a full record of its findings and determinations in each case. The time limit may be extended by agreement between the applicant or appellant and the Zoning Board of Appeals.
5. Meetings of the Zoning Board of Appeals should be held at the call of the chairman and at such times as the Zoning Board of Appeals and its rules and regulations may specify. Minutes shall be kept of each meeting and the Zoning Board of Appeals shall record into the minutes all findings, conditions of approval, facts, and other relevant factors and all of its official actions. A vote of each member upon a question, or absence or abstention, shall be recorded into the minutes of the meeting. All meetings and records shall be open to the public. All minutes shall be filed in the office of the Township Clerk.

~~{Ord. No. 2008-385, 10-7-08}~~

Sec. ~~2402~~1702. - Appeals:

Appeals may be taken by the person, firm or corporation aggrieved or by any officer, department, board, agency, or bureau of the Township or, state governments. In addition, a variance in the Zoning Ordinance may be applied for and granted under Section 4 of the Uniform Condemnation Procedures Act, 1980 PA 87, MCL 213.54, and as provided under the Michigan Zoning Enabling Act, Public Act 110 of 2006, (MCL 125.3101, et seq). The Zoning Board of Appeals shall state the grounds of any determination made by the Board.

~~{Ord. No. 2008-385, 10-7-08}~~

Sec. ~~2403~~1703. - Fees:

The Township Board may from time to time prescribe and amend by resolution a reasonable schedule of fees to be charged to applicants for appeals to the Zoning Board of Appeals. A fee shall be paid to the Township Treasurer at the time of filing the appeal and shall be deposited in the Township's general fund.

~~{Ord. No. 2008-385, 10-7-08}~~

Sec. ~~24041704~~. - Jurisdiction:

The Zoning Board of Appeals has the power to act on matters as provided in this Ordinance and the Michigan Zoning Enabling Act, Public Act 110, of 2006, as amended (MCL 125.3101 et. seq.). The specific powers of the Board are enumerated in the following Sections of this Article. The Zoning Board of Appeals shall not have the power to alter or change the zoning district classification of any property, nor to make any change in the terms of this Ordinance but does have power to act on those matters where this Ordinance provides for an administrative review, interpretation, exception or to authorize a variance as defined in this Section and laws of the State of Michigan. Said powers include:

1. *Administrative review:* To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision, or refusal made by an administrative official or body charged with enforcement of any of the provisions of this Ordinance.

Appeals shall be filed within sixty (60) days of the decision in question. The appeal shall be filed with the ~~township clerk~~Zoning Administrator and a copy shall be filed with the Zoning Board of Appeals, and a copy shall be filed with the person or body whose decision is appealed. The appellant shall submit a clear description of the order, requirement, decision, or determination for which the appeal is made and the grounds of the appeal. The appellant may be required by the Zoning Board of Appeals to submit additional information to clarify the appeal. The administrative person or body appealed from shall transmit to the Zoning Board of Appeals copies of all papers constituting the record upon which the action appealed from was taken.

2. *Variance:* To authorize, upon an appeal, a variance from the strict application of the provisions of this Ordinance where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this Ordinance or amendments to this Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Ordinance. Undue hardships are situations created by circumstances unique to an individual property that do not generally occur to land or buildings in the neighborhood or zoning district of the property in question and which circumstances make the use of such property in question infeasible under conditions imposed by this Ordinance. Hardship shall not include personal or financial hardship or economic disadvantage, nor shall it constitute circumstances that are self-created.

In granting a variance, the Zoning Board of Appeals may attach thereto such conditions regarding the location, character, and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this Ordinance. A violation of any condition imposed shall be a violation of this Ordinance under Section ~~3100~~-1900, Violations, civil infractions, herein and shall result in revocation of any variance granted. In granting a variance, the Zoning Board of Appeals shall state the grounds upon which it justifies the granting of a variance.

- A. An application for a variance shall be filed with the ~~Community and Economic Development Department~~Zoning Administrator by the record owner of the property in question or by a person authorized to act on the record owner's behalf. The application shall consist of a

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Article 17 – Zoning Board of Appeals

Final Draft

DATE: August 6, 2021

completed application form, fee, and the information required. The ~~Community and Economic Development Department~~Zoning Administrator shall transmit the application and information to the Zoning Board of Appeals and to the Township Clerk.

- B. An application for a variance shall contain at a minimum, the following information:
- (1) Legal description, address, and tax parcel number of the subject property.
 - (2) An accurate scale drawing of the property, showing all property lines, dimensions, and bearings or angles correlated with the legal description; and all existing and proposed structures and uses on the property; and dimensions of structures and the dimensional locations; lot area calculations necessary to show compliance with the regulations of this Ordinance; and location of drives, sidewalks, and other paved areas on the property and on the adjacent streets.
 - (3) Location and dimensions of the nearest structures on adjacent properties.
 - (4) Name and address of the applicant, property owner, and the interest of the applicant in the property.
- C. The filing fee for a variance as determined by the Township ~~B~~board shall be paid to the ~~Township treasurer~~ at the time of the filing of the application for variance and shall be deposited in the Township's general fund.
- D. Findings. The Zoning Board of Appeals may grant a dimensional or non-use variance only upon a finding that compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would create a practical difficulty and unreasonably prevent the use of the property. A finding of practical difficulty shall require demonstration that all the following conditions are met:
- (1) That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties or classes of uses in the same zoning district. Exceptional or extraordinary circumstances or conditions include but may not be limited to:
 - a. exceptional narrowness, shallowness, or shape of a specific property;
 - b. exceptional topographic conditions;
 - c. any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; or,
 - d. development characteristics of land immediately adjoining the property in question that creates an exceptional constraint.
 - (2) That a variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and in the vicinity;
 - (3) That the authorizing of such variance will not be a substantial detriment to adjacent property, will not be harmful to or alter the essential character of the area, and will not materially impair the purposes of this Ordinance or the public interest; ~~and~~
 - (4) The problem and resulting need for the variance has not been self-created by any action of the applicant or the applicant's predecessors; and.

(5) The proposed variance will be the minimum necessary and no variance shall be granted where a different solution not requiring a variance would be possible.

E. Private Road Ordinance (Chapter 47 of the Township Code). When there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Article, such as topographical and other physical characteristics of a parcel, the Zoning Board of Appeals shall have the power to vary or modify the application of the provisions of Chapter 47 of the Township Code so that the intent and purpose of this Chapter shall be observed, public safety secured, and substantial justice done.

E.F. An application for variance which has been denied wholly or in part by the Zoning Board of Appeals shall not be resubmitted for a period of three hundred sixty-five (365) days from the date of denial, except on grounds of new evidence or changed conditions found by the Zoning Board of Appeals to be valid.

G. A variance granted shall not be the basis of a request for a further variance.

H. Violations. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance, and punishable under Section 1900, Violations, civil infractions.

I. Each variance granted under the provisions of this Ordinance shall become null and void unless: 1) The construction authorized by such variance or permit has been commenced within one hundred eighty (180) days after the granting of such variance and pursued diligently to completion; or 2) The occupancy of land or buildings authorized by such variance has taken place within one hundred eighty days (180) days after the granting of such variance of this Ordinance.

3. ~~3~~ Interpretation.

A. The Zoning Board of Appeals shall hear and decide requests for interpretation of this Ordinance or the Zoning Map, taking into consideration the intent and purpose of the Ordinance and the Master Plan. In an interpretation of the Zoning Map, the Zoning Board of Appeals shall be governed by the Rules of Interpretation set forth in Section 402, District boundaries interpreted. The Zoning Board of Appeals shall not have the power to alter or change zoning district boundaries, except where uncertainty exists as to the location of a boundary, land use classifications of any property, or Zoning Ordinance text.

B. A record shall be kept by the Zoning Board of Appeals of all decisions for interpretation of this Ordinance or Zoning Map. The Zoning Board of Appeals may request the Planning Commission to initiate an Ordinance amendment that would correct or clarify the Ordinance.

2. ~~Exceptions and special approvals~~ Delegated authority: ~~When authority is delegated by this ordinance to the Zoning Board of Appeals for a decision or any other matter, the Zoning Board of Appeals may require To hear and decide in accordance with the provisions of this ordinance, requests for exceptions, for interpretations of the zoning map, and for decisions on special approval situations on which this ordinance specifically authorizes the Zoning Board of Appeals to pass. Any exception decision or other matter on which this ordinance specifically authorizes the Zoning Board of Appeals to pass shall be subject to such conditions as the Zoning Board of Appeals~~

Article 17 – Zoning Board of Appeals

Final Draft

DATE: August 6, 2021

~~may require in order to preserve and promote the character of the zoning district in question and otherwise promote the purpose of this ordinance, including the following:~~

- ~~3. a. Interpret the provisions of this ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the zoning map fixing the use districts, accompanying and made part of this ordinance, where street layout actually on the ground varies from the street layout as shown on the map aforesaid.~~
- ~~4. b. Permit the erection and use of a building or use of premises for public utility purposes, upon recommendation of the planning commission.~~
- ~~5. c. Permit the modification of the automobile parking space or loading space requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements.~~
- ~~6. d. Permit such modification of the height and area regulations as may be necessary to secure an appropriate improvement of a lot which is of such shape, or so located with relation to surrounding development of physical characteristics, that it cannot otherwise be appropriately improved without such modification.~~

4. The Zoning Board of Appeals has the delegated authority to:

A. Permit temporary buildings ~~and uses~~ for periods not to exceed two (2) years in undeveloped sections of the Township and for periods not to exceed six (6) months in developed sections.

~~B. Permit a, upon proper application, the following character of temporary use, not otherwise permitted in any district, not to exceed twelve (12) months with the granting of twelve (12) month extensions being permissible. - Uses which do not require the erection of any capital improvement of a structural nature.~~

~~C. B.~~ The Zoning Board of Appeals, in granting permits for the above temporary uses, shall do so under the following conditions:

- (1) The granting of the temporary use shall in no way constitute a change in the basic uses permitted in the district nor on the property wherein the temporary use is permitted.
- (2) The granting of the temporary use shall be granted in writing stipulating all conditions as to time, nature of development permitted and arrangements for removing the use at the termination of said temporary permit.
- (3) All setbacks, land coverage, off-street parking, lighting, and other requirements to be considered in protecting the public health, safety, peace, morals, comfort, convenience, and general welfare of the inhabitants of the Charter Township of Ypsilanti, shall be made at the discretion of the Zoning Board of Appeals or Planning Commission as the case may be.
- (4) In classifying uses as not requiring capital improvement, the Zoning Board of Appeals shall determine that they are either demountable structures related to the permitted use of the land; recreation developments, such as, but not limited to: golf driving ranges and outdoor archery courts; or structures which do not require foundations, heating systems or sanitary connections.
- (5) The use shall be in harmony with the general character of the district.

Article 17 – Zoning Board of Appeals

Final Draft

DATE: August 6, 2021

~~(6)~~

~~(7)(6)~~ No temporary use permit shall be granted without first giving notice to owners of adjacent property of the time and place of a public hearing to be held as further provided for in this Ordinance.

Sec. ~~24051705~~. - Orders:

In exercising the above powers, the Zoning Board of Appeals may reverse or affirm wholly or partly, or may condition or modify the orders, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought be to be made, and to that end shall have all the powers of the administrative official or body from whom the appeal is taken.

~~(Ord. No. 2008-385, 10-7-08)~~

Sec. 1706. – Site Plan Requirements:

If an application to the Zoning Board of Appeals requires site plan approval by the Planning Commission pursuant to the provisions of Article 6, the applicant shall first apply for site plan approval as set forth in Article 9. The Planning Commission shall review the site plan, including site layout and other design features, but shall not grant Preliminary Site Plan approval nor make a recommendation on the variance. The Planning Commission shall then transmit the site plan and the minutes related to said site plan to the ~~Board of Zoning Appeals~~ Zoning Board of Appeals. ~~The board of Zoning Appeals~~ Zoning Board of Appeals shall transmit its decision related to the application to the Planning Commission. The Planning Commission shall then take action on the site plan.

Sec. ~~2417067~~. - Miscellaneous:

~~1~~—No order of the Zoning Board of Appeals permitting the erection of a building shall be valid for a period longer than one (1) year unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

1. Use variances as described in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, (MCL 125.3101, et seq.), shall not be permitted in the Township. In the event an application is made for such a use variance, the ~~Zoning Administrator ning board of appeals~~ shall deny the application and advise the applicant that use variances are prohibited in the Township by the Act.

2. Dimensional Variance in Special Use Approval and Planned Unit Developments.

A. The Zoning Board of Appeals may grant dimensional or other site plan related variances (e.g., lot dimensions, setbacks, building height, lot coverage, parking, etc.) for special approval uses. The Zoning Board of Appeals shall not have the power to reverse or modify the Planning Commission's decision to approve or deny a special use permit, nor grant variances to any conditions placed on special use approval.

Article 17 – Zoning Board of Appeals

Final Draft

DATE: August 6, 2021

A-B. The Zoning Board of Appeals shall not have the authority to grant variances to any regulations or any requirement placed upon a project approved as a Planned Unit Development or conditional rezoning. However, the Zoning Board of Appeals shall have the authority to decide appeal requests by individual lot or unit owners for variances from other sections of the Zoning Ordinance following final approval of a Planned Unit Development, provided such variances do not affect the terms or conditions of the original approval.

(Ord. No. 2008-385, 10-7-08)

Sec. ~~2417~~⁰⁷⁸ - Notice:

Notice shall be provided for each variance, appeal of an administrative decision, exception, or special approval in advance of a Zoning Board of Appeals meeting in accordance with the provisions of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101, et. seq.

(Ord. No. 2008-385, 10-7-08)

ARTICLE ~~XXVII~~XVIII. - CHANGES AND AMENDMENTS^[10]

Footnotes:

~~(10)~~

~~Editor's note~~— Ord. No. 2003-327, adopted Jan. 20, 2004, repealed the former § 2701 of art. XXVII and enacted new §§ 2701—2704 as set out herein. The former § 2701 pertained to changes and amendments and derived from the original zoning ordinance, Ord. No. 74, adopted May 17, 1994.

Sec. ~~2701~~1801. - Initiation of amendments:

The Township Board may from time to time, on recommendation from the Planning Commission, amend, supplement, or change the district boundaries or the regulations herein, or subsequently established herein. Amendments to the provisions of this Ordinance (i.e., Ordinance text amendment) may be initiated by the Township Board, the Planning Commission or by petition from one (1) or more residents or property owners of the Township. An amendment to the Official Zoning Map (i.e., rezoning) may be initiated by the Township Board, the Planning Commission or by the owner or owners of the property that is the subject of the proposed amendment. All proposed amendments to the provisions of this Ordinance or the Official Zoning Map shall be referred to the Planning Commission for public hearing and recommendation to the Township Board, prior to consideration thereof by the Township Board ~~pursuant to the authority and procedure established in Act No. 184 of the Public Acts of Michigan of 1943 (MCL 125.271 et seq.), as amended.~~

~~(Ord. No. 2003-327, 1-20-04)~~

Sec. ~~2702~~1802. - Application procedure:

An amendment to this Ordinance text or the Official Zoning Map shall be initiated by submission of a completed application on a form supplied by the ~~community and economic development director~~Zoning Administrator, including an application fee, which shall be established by resolution of the Township Board. Amendments initiated by the Township Board or Planning Commission do not require an application or fee.

1. In the case of an amendment to the Official Zoning Map, the application shall be accompanied by the following at a minimum:
 - A. The name and address of the owner of the subject property and a statement of the applicant's interest in the subject property, if not the owner in fee simple title;
 - B. A legal description and street address of the subject property;
 - C. A written description of how the requested rezoning satisfies the requirements identified in Section ~~2703~~1804;
 - D. A site analysis plan, the scale of which shall be no less than one (1) inch = two hundred (200) feet and includes the following information:
 - (1) A title indicating the nature of the rezoning request, the applicant's name and the site address or general location;

- (2) A legend indicating the owner of record, the engineer, surveyor, or drafter, as applicable, the date of submission, scale, and north arrow;
- (3) A boundary survey of the subject property;
- (4) The location of existing site boundary lines, buildings, structures or other improvements, parking areas, driveways, points of ingress and egress for the site and adjacent parcels;
- (5) The location, width, and names of existing streets and public or private easements adjacent to the site;
- (6) The location of existing and proposed man-made features, including but not limited to drainage or utility structures or improvements;
- (7) The location of existing natural features, including but not limited to the location of existing drainage courses, regulated floodplains or wetlands and other relevant information the Planning Commission has determined to be necessary and essential to making an informed recommendation to the Township Board; and
- (8) Existing and proposed zoning classification(s) of the site and adjacent parcels.

~~(Ord. No. 2003-327, 1-20-04)~~

Sec. ~~27031803~~. - Amendment procedure—Public hearing and notice:

1. Upon certification by the ~~community and economic development department~~Zoning Administrator that the application for amendment is complete, the item shall be ~~scheduled before the Planning Commission to set a public hearing~~forwarded to the Planning Commission.
2. In all cases of a text amendment or rezoning of individual or multiple properties, the Planning Commission shall conduct a public hearing to present the request and to receive comments. Notice of the hearing shall be given in accordance with the requirements of Section 103 of the Michigan Zoning Enabling Act, Act 110 of 2006, as amended. An affidavit of mailing shall be maintained.
3. If an individual property or several adjacent properties are proposed for rezoning, the Township shall give separate notice for each property for which approval is being considered. Such notice shall be consistent with the notice required by subsection 2 above.
4. A sign shall be placed on the subject property to inform the public that a request for rezoning has been filed, and to indicate ~~the location where additional~~of information ~~regarding the request may be obtained~~. The sign shall be placed in a conspicuous location where it is readable from the public road, not less than fifteen (15) days prior to the date the application will be considered for approval. The sign shall meet the following requirements:
 - ~~A.~~ The sign shall be a minimum of three (3) feet by three (3) feet in area, ~~painted white with a white background with~~ and black lettering.
 - ~~B.~~ The sign shall state "This property is petitioned ~~for rezoning from XX to XX for rezoning~~. If you have any questions call the Charter Township of Ypsilanti Planning Department" with the most current telephone number ~~with~~ entirely in four (4) inch tall block letters. ~~The sign shall also state "If you have any questions call the Charter Township of Ypsilanti Community~~

~~Development Department at 734-485-3943" and indicate the rezoning identification number assigned by the township with two-inch tall block letters~~

~~7.5.~~ Following the public hearing, the Planning Commission shall identify and evaluate factors relevant to the petition and the criteria in this Article and shall make its recommendation to the Township Board.

~~8.6.~~ The ~~community and economic development department~~Zoning Administrator shall forward a copy of the application, Planning Commission -recommendation and minutes of the public hearing to the Township Board and request the ~~T~~ownship ~~C~~lerk ~~to~~ place the application on the agenda of ~~a the next~~ regularly scheduled meeting of the Township Board.

~~9.7.~~ Following receipt of the findings and recommendation of the Planning Commission, the Township Board shall consider the proposed amendment. The Township Board shall conduct two (2) readings on the proposed amendment. The Township Board then shall approve or deny the amendment, based on the criteria contained in this Article.

~~(Ord. No. 2003-327, 1-20-04; Ord. No. 2008-386, 10-7-08)~~

Sec. ~~27041804~~. - Criteria for amendment of the Official Zoning Map:

In considering any petition for an amendment to the Official Zoning Map, the Planning Commission and Township Board shall consider the following criteria in making its findings, recommendations, and decision:

1. Consistency with the goals, policies, and future land use map of the Charter Township of Ypsilanti Master Plan, including any sub-area or corridor plans. If conditions have changed since the master plan was adopted, the rezoning may be found to be consistent with recent development trends in the area.

2. Compatibility of the site's physical, geological, hydrological, and other environmental features with all uses permitted in the proposed zoning district compared to uses permitted under current zoning.

~~3. Evidence the applicant cannot receive a reasonable return on investment through developing the property with at least one of the uses permitted under the current zoning.~~

~~4.3.~~ The compatibility of all uses permitted in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values compared to uses permitted under current zoning.

~~5.4.~~ The capacity of Township utilities and services sufficient to accommodate all the uses permitted in the requested district without compromising the "health, safety, and welfare" of the Township.

~~6.5.~~ The capacity of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district. ~~A traffic impact study in accordance with the requirements of the township traffic impact study ordinance shall be provided if the proposed rezoning district permits uses that could generate 100 or more directional trips during the peak hour, or at least 1,000 more trips per day than the majority of the uses that could be developed under the current zoning, as determined by the community and economic development department.~~

- ~~7.6.~~ The apparent demand for the types of uses permitted in the requested zoning district in the Township, and surrounding area, in relation to the amount of land in the Township, and surrounding area, currently zoned and available to accommodate the demand.
- ~~8.7.~~ The boundaries of the requested zoning district are sufficient to meet the dimensional regulations for the zoning district listed in Article IV, schedule of regulations.
- ~~9.8.~~ ~~If a rezoning is appropriate, t~~The requested zoning district shall be more appropriate from the Township's perspective than another zoning district.
- ~~10.9.~~ The requested rezoning will not create an isolated and unplanned spot zone.
- ~~11.10.~~ The request has not previously been submitted within the past one (1) year, unless conditions have changed, or new information has been provided.
- ~~12.11.~~ Other criteria as determined by the Planning Commission or Township Board which would protect the health and safety of the public, protect public and private investment in the Township, and enhance the overall quality of life in Charter Township of Ypsilanti.

Sec. 1805. – Conditional Rezoning Procedures

- 1. Authorization and limitations. The Township Board shall have the authority to place conditions on a rezoning, provided the conditions have been voluntarily offered in writing by the applicant and are acceptable to the Township Board. In exercising its authority to consider a conditional rezoning, the Township is also authorized to impose the following limitations:
 - A. An owner of land may voluntarily offer written conditions relating to the use and/or development of land for which a conditional rezoning is requested. This offer may be made either at the time the application for conditional rezoning is filed, or additional conditions may be offered at a later time during the conditional rezoning process as set forth below.
 - B. The owner's offer of conditions may not authorize uses or developments not permitted in the requested new zoning district. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which the conditional rezoning is requested.
 - C. Any use or development proposed as part of an offer of conditions that would require special use approval under the terms of this Ordinance may only be commenced if special use approval for such use or development is ultimately granted in accordance with the provisions of this Ordinance.
 - D. Any use or development proposed as part of an offer of conditions that would require a variance under the terms of this Ordinance may only be commenced if a variance for such use or development is ultimately granted by the Zoning Board of Appeals in accordance with the provisions of this Ordinance.
 - E. Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this Ordinance may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the terms of this Ordinance.

2. Amendment of conditions. The offer of conditions may be amended during process of conditional rezoning consideration, provided that any amended or additional conditions are entered voluntarily by the owner and confirmed in writing. An owner may withdraw in writing all or part of its offer of conditions any time prior to final rezoning action of the Township Board, provided that, if such withdrawal occurs subsequent to the Planning Commission's public hearing and recommendation ~~of~~ of the original rezoning request, then the rezoning application shall be referred back to the Planning Commission for a new public hearing with appropriate notice and a new recommendation.
3. Procedure. The procedure for consideration of Conditional Rezoning request shall be the same as provided in Section ~~1804~~ 1804 for other rezoning requests and the requirements of said Sections shall be applicable to Conditional Rezoning Agreement shall include the following:
 - A. A Conditional Rezoning request shall be initiated by the submission by the applicant of a proposed Conditional Rezoning Agreement. A Conditional Rezoning Agreement shall include the following:
 - (1) A written statement prepared by the applicant that confirms the Conditional Rezoning Agreement was proposed by the applicant and entered into voluntarily.
 - (2) A written statement prepared by the applicant that confirms that the property shall not be used or developed in a manner that is inconsistent with conditions placed on the rezoning.
 - (3) A list of conditions proposed by the applicant.
 - (4) A time frame for completing the proposed improvements.
 - (5) A legal description of the land.
 - (6) A Sketch Plan in sufficient detail to illustrate any specific conditions proposed by the applicant.
 - B. The Notice of Public Hearing on a Conditional Rezoning request shall include a general description of the proposed agreement being considered. A review of the proposed agreement shall be conducted at the public hearing.
 - C. A Conditional Rezoning may only be approved upon a finding and determination that all of the following are satisfied:
 - (1) The conditions, proposed development, and/or proposed use of the land ~~are designed or proposed for promote~~ public health, safety, and welfare ~~purposes~~.
 - (2) The conditions, proposed development, and/or proposed use are not in material conflict with the Master Plan, or, if there is material conflict with the Master Plan, such conflict is due to one of the following:
 - a. A change in Township policy since the Master Plan was adopted.
 - b. A change in conditions since the Master Plan was adopted.
 - c. An error in the Master Plan.

- (3) The conditions proposed development and/or proposed use are in accordance with all terms and provisions of the zoning district to which the land is to be rezoned, except as otherwise allowed in the Conditional Rezoning Agreement.
- (4) Public services ~~are~~ facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.
- (5) The conditions proposed development and/or proposed use shall insure compatibility with adjacent uses of land.
- 4. *Amendment to zoning map.* Upon approval by the Township Board of a Conditional Rezoning request and a Conditional Rezoning Agreement, as provided by this Section, the Zoning Map shall be amended to reflect a new zoning classification along with a relevant designation that will provide reasonable notice of the Conditional Rezoning Agreement.
- 5. *Expiration.* A Conditional Rezoning Approval shall expire following a period of two (2) years from the effective date of the rezoning unless progress has been diligently pursued and substantial completion has occurred in accordance with permits issued by the Township.

 - A. In the event the conditional rezoning expires, the rezoning and the Conditional Rezoning Agreement shall be void and of no effect.
 - B. If the Conditional Rezoning becomes void, no development shall be undertaken and no permits for development shall be issued until such time as a new zoning district classification of the property has become effective as a result of one (1) or both of the following actions that may be taken:

 - (1) The property owner seeks a new rezoning classification for the property; and/or
 - (2) The Township initiates a new rezoning request for the property to a reasonable district classification, in accordance with the conventional rezoning procedure.
- 6. *Recording.* A Conditional Rezoning Approval shall not become effective until the Conditional Rezoning Agreement is recorded with the Washtenaw County Register of Deeds and a certified copy of the Agreement is filed with the Township Clerk.
- 7. *Violation of conditional rezoning agreement.* If development and/or actions are undertaken on or with respect to the property in violation of the Conditional Rezoning Agreement, such development and/or actions shall constitute a violation of this Ordinance and deemed a nuisance per se. In such case, the Township may issue a stop work order relative to the property and seek any other lawful remedies. Until curative action is taken to bring the property into compliance with the Conditional Rezoning Agreement, the Township may withhold, or, following notice and an opportunity to be heard, revoke permits and certificates, in addition to or in lieu of such other lawful action to achieve compliance.

ARTICLE ~~IXX~~. ENFORCEMENT, PENALTIES AND OTHER REMEDIES

Sec. ~~31900~~. Violations, civil infractions:

Any person, firm or corporation violating any provision of this ~~e~~O~~r~~dinance shall be responsible for a civil infraction and shall be subject to a fine as follows:

~~(1)~~1. The fine for any first violation shall be \$100.00;

~~(2)~~2. The fine for any violation which the violator has, within the past two years, been found in violation of once before, shall be \$250.00;

~~(3)~~3. The fine for any violation which the violator has, within the past two years, been found in violation of twice before, shall be \$500.00.

Sec. ~~31901~~. Public nuisance per se:

Any building or structure which is erected, altered or converted, or any use of premises or land which is begun or changed subsequent to the time of passage of this ~~e~~O~~r~~dinance and in violation of any of the provisions thereof is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.

Sec. ~~31902~~. Owners knowingly assisting:

Any person, firm or corporation which owns a building, structure, or premise or part thereof, where any condition in violation of this ordinance shall exist or shall be created, and who has assisted knowingly in the commission of such violation, shall be responsible for a civil infraction and shall be subject to a fine as set forth in ~~s~~Section ~~31900(1), (2), and (3)~~.

Sec. ~~31903~~. Each day a separate civil infraction:

A separate civil infraction shall be deemed committed upon each day during or when a violation occurs or continues.

(Ord. No. 96-151, 6-18-96)

SUPERIOR TOWNSHIP

CITY OF YPSILANTI

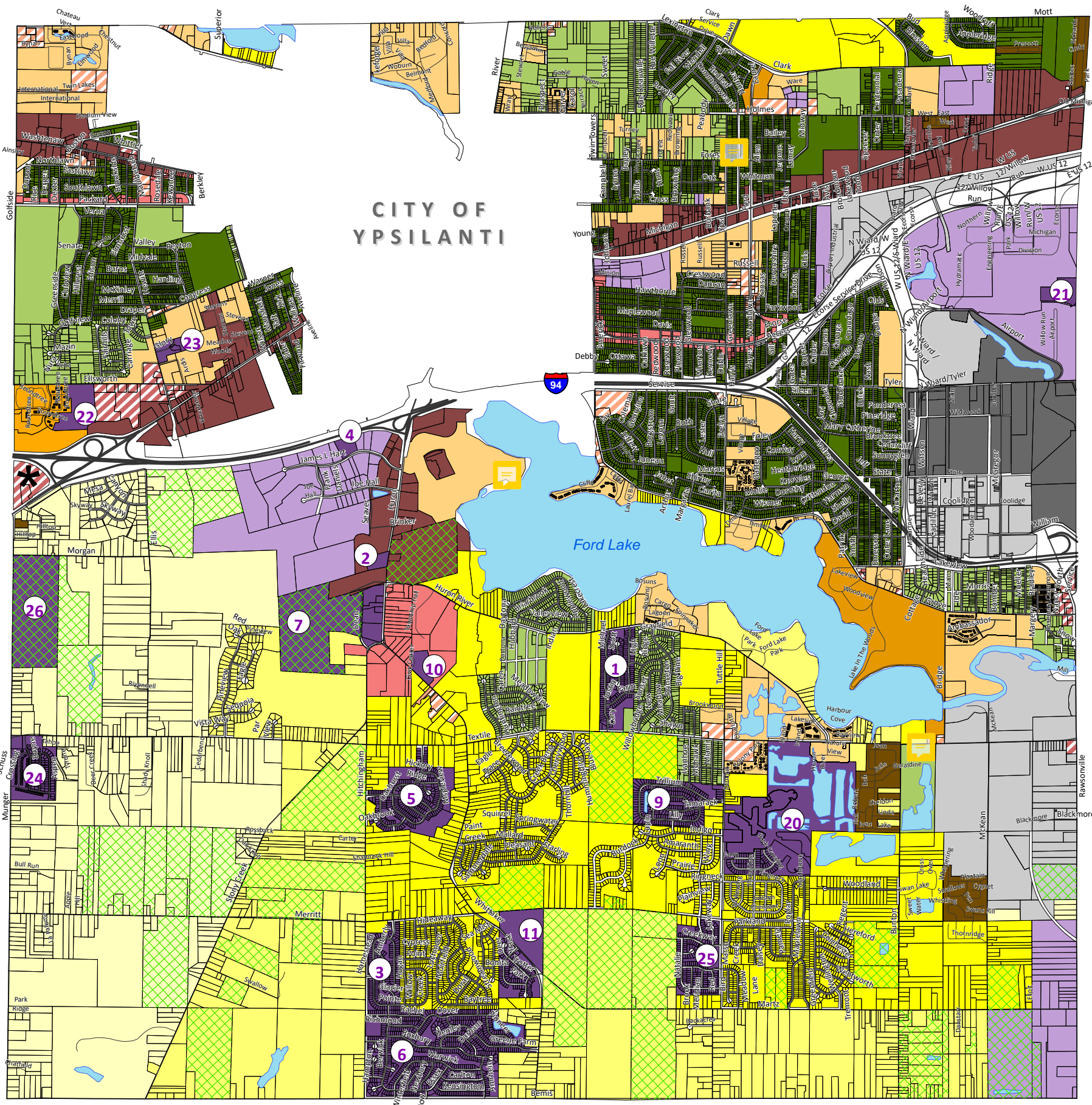
AUGUSTA TOWNSHIP

DRAFT Zoning Map: Version 1 Charter Township of Ypsilanti

7200 South Huron River Drive
Ypsilanti, Michigan 48197

PITTSFIELD TOWNSHIP

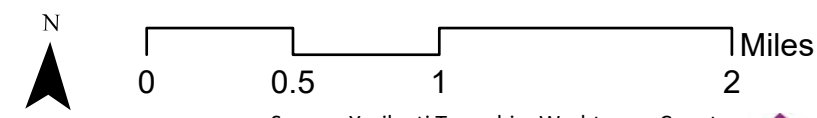
VAN BUREN TOWNSHIP



- Agricultural Overlay District
- R-1 One Family Residential
- R-2 One Family Residential
- R-3 One Family Residential
- R-4 One Family Residential
- R-5 One Family Residential
- RM-LD Multiple Family (Low Density)
- RM-MD Multiple Family (Medium Density)
- RM-HD Multiple Family (High Density)
- MHP Mobile Home Park
- NC Neighborhood Business
- GC General Business
- NCR Neighborhood Corridor
- RC Regional Corridor
- I-T Innovation and Technology
- L-M Logistics and Manufacturing
- I-C Industrial and Commercial
- PD Planned Development
- Conditional Zoning

Planned Developments

- | | |
|-----------------------------|----------------------------------|
| 1 Ford Lake Village | 11 Whittaker Village Condominium |
| 2 Post Office | 12-19 N/A |
| 3 Amberly Grove Condominium | 20 Majestic Lakes |
| 4 Burning Bush | 21 Yankee Air Museum (YAM) |
| 5 Paint Creek Farms | 22 Villas at McCalla Woods |
| 6 Greene Farms | 23 Latter Rain Ministries |
| 7 Paint Creek Crossing | 24 Aspen Ridge |
| 8 N/A | 25 Creekside South/Manors |
| 9 Whispering Meadows | 26 Forestview Estates |
| 10 Library | |



REVIEW AGENDA

- A. SUPERVISOR STUMBO WILL REVIEW BOARD MEETING AGENDA

OTHER DISCUSSION

- A. BOARD MEMBERS HAVE THE OPPORTUNITY TO DISCUSS ANY OTHER PERTINENT ISSUES



Charter Township of Ypsilanti

7200 S. HURON RIVER DRIVE • YPSILANTI, MI 48197

SUPERVISOR BRENDA STUMBO • CLERK HEATHER JARRELL ROE • TREASURER STAN ELDRIDGE
TRUSTEES: JOHN P. NEWMAN II • GLORIA PETERSON • DEBBIE SWANSON • JIMMIE WILSON, JR.

REGULAR MEETING AGENDA **TUESDAY, NOVEMBER 2, 2021** **7:00 P.M.**

1. CALL TO ORDER
2. PUBLIC COMMENTS (THREE MINUTES PER PERSON)
3. CONSENT AGENDA
 - A. MINUTES OF THE OCTOBER 19, 2021 WORK SESSION AND REGULAR MEETING
 - B. STATEMENTS AND CHECKS FOR NOVEMBER 2, 2021 IN THE AMOUNT OF \$759,192.94
4. ATTORNEY REPORT
 - A. GENERAL LEGAL UPDATE

NEW BUSINESS

1. REQUEST TO APPROVE AMENDMENT TO THE AGREEMENT WITH COMMUNITY PUBLISHING AND MARKETING FOR MAILING OF THE TOWNSHIP MAGAZINE IN THE AMOUNT OF \$9,547.50 BUDGETED IN LINE ITEMS #226-528-900, 230-754-880-000 AND 101-267-900-000
2. REQUEST TO WAIVE THE FINANCIAL POLICY AND AWARD THE LOW QUOTE FOR THE PURCHASE OF A BOX TRAILER TO D.R. TRAILER IN THE AMOUNT OF \$8,799.00 BUDGETED IN LINE ITEM #101-265-977-000
3. REQUEST TO WAIVE THE FINANCIAL POLICY AND AWARD THE LOW QUOTE FOR THE PURCHASE OF THREE (3) LANDSCAPING TRAILERS TO TRAILER SALES OF MICHIGAN IN THE AMOUNT OF \$11,670.00 BUDGETED IN LINE ITEM #101-770-977-000
4. REQUEST TO WAIVE THE FINANCIAL POLICY AND AWARD THE QUOTE FOR THE PURCHASE OF A TORO GROUNDMASTER 4100D AND WORK GTX EFI UTILITY CART IN THE AMOUNT OF \$89,371.62 BUDGETED IN LINE ITEM #213-753-977-000
5. REQUEST TO APPROVE THE FACILITY USAGE AGREEMENT WITH WILLOW RUN ACRES FOR THE DEVELOPMENT OF A COMMUNITY FARM AT APPLERIDGE PARK
6. RESOLUTION 2021-24, ESTABLISHING TOWNSHIP SUPERVISOR'S SALARY
7. RESOLUTION 2021-25, ESTABLISHING TOWNSHIP CLERK'S SALARY
8. RESOLUTION 2021-26, ESTABLISHING TOWNSHIP TREASURER'S SALARY

9. RESOLUTION 2021-26, ESTABLISHING TOWNSHIP TRUSTEE'S SALARY
10. REQUEST TO SET A PUBLIC HEARING FOR THE 2022 BUDGET ON TUESDAY, DECEMBER 7, 2021 AT APPROXIMATELY 7:00PM
11. BUDGET AMENDMENT #13

AUTHORIZATIONS AND BIDS

1. REQUEST TO SEEK SEALED BIDS FOR PHASE I OF THE HURON STREET PATHWAY PROJECT

OTHER BUSINESS

BOARD MEMBER UPDATES

PUBLIC COMMENTS

CONSENT AGENDA

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE OCTOBER 19, 2021 WORK SESSION**

Supervisor Stumbo called the meeting to order at approximately 4:30PM. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township.

Members Present: Supervisor Stumbo, Clerk Heather Jarrell Roe, and Treasurer Eldridge
Trustees: Gloria Peterson, Debbie Swanson, Jimmie Wilson, Trustee Newman – arrived late

Members Absent: none

Legal Counsel: Wm. Douglas Winters - Absent

**1. 2022 DRAFT BUDGET REVIEW.....SUPERVISOR STUMBO
.....JAVONNA NEEL**

- **FUND 206 – FIRE**

Javonna Neel explained the budget for Fund 206. She explained the Fire Marshall is retiring at the end of the year so we will be hiring for 2022 and that is in the budget. She said there would be two more firefighters retiring at the end of the year. Ms. Neel explained the revenues and expenditures for this fund. She said the two departments in this Fund are the Civil Service Department and the General Operations Department. She said per the firefighter contract there is a 2.75 increase in pay beginning January, 2022. She said although the Fire Chief is not a union position but his increase is determined by the fire contract. She said the Fire Chiefs' position is budgeted for a 2.75 increase beginning January, 2022.

- **FUND 216 – FIRE PENSION AND OPEB MILLAGE FUND**

Javonna Neel explained both the fire pension and the OPEB millage fund. She explained the revenues and expenditures for these two funds.

- **FUND 217 – FIRE SPECIAL MILLAGE CAPITAL FUND**

Javonna Neel explained the Fire Special Millage Capital Fund. She explained the revenues and expenditures for this fund.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE OCTOBER 19, 2021 WORK SESSION
PAGE 2**

Trustee Peterson asked about repaving the parking lot at the Fire Station. Eric Copeland, Fire Chief explained which and when parking lots at the various fire stations will be repaved.

- **FUND 226 – ENVIRONMENTAL FUND**

Javonna Neel explained the Environmental Fund. She said this fund has a millage. She explained the revenues and expenditures for this fund. She said this fund has a lot of Waste Managements' expenses.

Trustee Swanson stated she had seen postings where resident's trash had not been picked up on their scheduled day. She said the contract with Waste Management is very expensive and wondered what is done to accommodate the resident.

Mike Hoffmeister, Director of Residential Services stated that Waste Management is suffering like everyone else with staff shortages. He said they have sub-contracted out waste collection to other waste collection firms to help with our contract. He said because they are using new people or sub-contractors they are less familiar with our community so we have been experiencing missed roads. He said they hear about it very quickly from the residents and our clerical staff has a great relationship with the boots on the ground from Waste Management. He said Waste Management will respond quickly to our staff and they will utilize their staff that they have on the roads to pick up missed homes. He said the worst case will get picked up the next day. Mr. Hoffmeister stated they push very hard for them to pick it up on the same day but sometimes that is not feasible. He said that we are dealing with issues with Waste Management do to the staffing issues.

Supervisor Stumbo stated the service has gone downhill but we do keep on them. She said we document it, keep a list of the problems. She said if it gets bad enough we will meet with them.

Trustee Newman stated that his area has been missed and when he has called Residential Services and spoke with Carly it has been taken care of.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE OCTOBER 19, 2021 WORK SESSION
PAGE 3**

Trustee Peterson explained some of the complaints she has received from residents.

Trustee Swanson stated that we just passed a millage for this service and if the residents are not receiving good service they may not pass another millage.

- **FUND 252 – HYDRO STATION**

Javonna Neel explained the Hydro Station Fund. She said the only revenue in the Hydro Fund comes from the electricity we are paid from the Dam. She said on the expenditures not a lot has changed except what we have on the capital accounts.

Michael Saranen, Operation Manager explained the capital projects they have planned in 2022.

- **FUND 661 – MOTORPOOL/REPAIRS FUND**

Javonna Neel explained the Motorpool/Repairs Fund.

**2. ZONING ORDINANCE UPDATES.....JASON IACOANGELI
PLANNING DIRECTOR**

Jason Iacoangeli, Planning Director explained that he along with Megan Masson-Minock, Carlisle Wortman, Attorney McClain, Belinda Kingsley, Director of Community Compliance, Attorney Angela King have all worked on the updated zoning ordinances. He said the zoning ordinances is the keystone of the foundation for everything that has been built to date with our Master Plan being the foundation for our community for the next twenty years. He said the zoning ordinance being the keystone that guides everything from here forward. He said the zoning ordinance sets the law or the policy for the community and will dictate into the future how the Township envisions its' development.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE OCTOBER 19, 2021 WORK SESSION
PAGE 4**

Mr. Iacoangeli stated they will be presenting the proposed ordinance updates to the Board in two work sessions. He said this proposal has already been presented to the Zoning Board with little changes. He said most of their concerns could be tweaked after the new zoning ordinances are approved by the Township Board. He presented a power point to the Township Board explaining the changes in the zoning ordinances and requested their feedback.

Megan Masson-Minock, Carlisle Wortman continued with the power point stating she would go over the zoning map first and then she will take questions on the map changes. She answered questions from various Board Members and discussed possible changes from their suggestions.

The Work Session meeting was adjourned at approximately 6:40PM.

Respectfully Submitted,

**Heather Jarrell Roe, Clerk
Charter Township of Ypsilanti**

CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE OCTOBER 19, 2021 REGULAR BOARD MEETING

Supervisor Stumbo called the meeting to order at approximately 7:00 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township. The Pledge of Allegiance was recited followed by a moment of silent prayer.

Members Present: Supervisor Stumbo, Clerk Heather Jarrell Roe, and Treasurer Eldridge
Trustees: John Newman, Gloria Peterson,
Debbie Swanson, and Jimmie Wilson, Jr.

Members Absent: none

Legal Counsel: Wm. Douglas Winters

PUBLIC COMMENTS

- **THREE MINUTES PER PERSON**
- **ALL COMMENTS MUST BE ADDRESSED TO THE CHAIR**
- **PUBLIC COMMENTS ARE ALSO WELCOME AS THE BOARD ADDRESSES EACH AGENDA ITEM**

Alisha Dyer, Township Resident thanked the Board for the speed bumps that are going to be installed on Nash Ave. She stated that the Ytown Arbor Group they formed will have a zoom meeting on October 29th at 7:30PM.

Clerk Jarrell Roe read the following two public comments into the record:

From: Tajall Hodge, Township Resident

Good evening. Many of you may know me as I am an Ypsilanti Township Park Commissioner - but [tonight](#) I am speaking to you as a Sugarbrook resident. My husband and I purchased our home in Sugarbrook 3 years ago and in that time, there have been increased incidents of gun violence. This is not an every once in a while thing. There have been drive-by shootings on my street and in my neighborhood, entire clips emptied into homes, people killed at our parks. Our neighborhood page is filled with posts asking if someone else heard the gunshots.

Every year, there is another young person who tragically loses their life to gun violence and it is devastating every time. My heart breaks for the young people who are killed, the people who are responsible and the families of everyone affected. Not everyone knows someone who has died due to gun violence, but probably everyone in Sugarbrook does. Probably everyone in West Willow does. I know I do. We can't keep letting this happen - at some point, we have to sit down and put our heads together and figure out how we can create change. We need you for that.

There's no denying that gun violence is increasing. Especially in the eastern part of the township. I know the township cares about all of our residents and we need your support. We need structural changes to create lasting impact. I know a huge issue is that many of our youth don't have enough to do. There is a critical shortage of programming for youth between the ages of 13-18 and beyond. These ages of about 12-22 are absolutely integral to shaping the trajectory of a child's future. Imagine if we had the opportunities available to the 50 and Beyond program but accessible and focused on youth. Imagine if we had educational and enrichment activities along with a meal, but at a low cost for our low-income and food insecure residents.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE OCTOBER 19, 2021 REGULAR BOARD MEETING
PAGE 2**

Over 50% of children in Sugarbrook live at or below the poverty level. Sugarbrook is in a food desert. We have to address the services we have available for our residents and change based on need. We need you. I call upon the board and our treasurer, Mr. Eldrige, to look at the budget and assess how more funding can be allocated to providing recreational and other support services, with a low cost option, to residents between the ages of 12-22. ARPA funding used to address these issues would be great but I hope that the township can also commit to permanent funding out of the general fund. This would literally save lives.

I'm happy to discuss further and put together a focus group with residents in the impacted areas. There is no shortage of people who would like to see these changes. We appreciate your help and support in this matter. Thank you Supervisor Stumbo.

JoAnn McCollum, Township Resident and President of the New West Willow Neighborhood Association.

Hello Heather, I just want to thank the Board for their continuous support and help for the Township. I like how we work as a team in getting things done.

CONSENT AGENDA

A. MINUTES OF THE SEPTEMBER 21, 2021 WORK SESSION AND REGULAR MEETING AND MINUTES OF THE OCTOBER 5, 2021 WORK SESSION

A motion was made by Clerk Jarrell Roe, supported by Trustee Peterson to Approve the Consent Agenda.

B. STATEMENTS AND CHECKS

- 1. STATEMENTS AND CHECKS FOR OCTOBER 5, 2021 IN THE AMOUNT OF \$418,532.66**
- 2. STATEMENTS AND CHECKS FOR OCTOBER 19, 2021 IN THE AMOUNT OF \$487,811.69**
- 3. CLARITY HEALTHCARE DEDUCTIBLE ACH EFT FOR SEPTEMBER 2021 IN THE AMOUNT OF \$20,440.38**
- 4. CLARITY HEALTHCARE ADMIN FEE FOR AUGUST 2021 IN THE AMOUNT OF \$1,243.02**

C. TREASURER'S REPORT SEPTEMBER 2021

A motion was made by Treasurer Eldridge, supported by Trustee Peterson to Approve the Consent Agenda.

The motion carried unanimously.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE OCTOBER 19, 2021 REGULAR BOARD MEETING
PAGE 3**

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

Attorney Winters stated he has a meeting scheduled with the Attorney and the Management Company for Aspen Chase Apartments on Monday. He said there has been about 2300 calls for emergency services to this apartment complex in the last 18 months. He said there is a gate house at that complex that is not being utilized. He said they are having the same issues at Huron Heights and Huron Ridge Apartments. He said there is a development agreement with those complexes that states the residents must enter with a key pad but it is not being used. He said there was a shooting at that complex last night. He said the Village Grove Apartments are saturated with roaches and they have sewage issues. He said the Townships' full time Officials are being slammed by all these issues and he said he has never seen it like this since he has been the Attorney for Ypsilanti Township. Attorney Winters stated that as of today the Chief Building Official said that the entire Gault Village Shopping Center has been boarded up and secured. He said this boarded up center is not the image we want to see in the township but it is necessary at this time. He said we have issues with Ypsilanti Community Schools and how they are repurposing vacant school buildings by leasing buildings to tenants without getting prior approval. Attorney Winters explained the meaning of the white crosses that were placed near the Viet Nam Memorial during the month of September and how it is a remembrance for veterans who lose their life to suicide. He read the dedication that is written on the memorial. He said he is disappointed when the news media does not care enough to give recognition for these men and women who risked their life for all of us but would rather report about someone growing marijuana illegally in their home.

Supervisor Stumbo stated the veterans are very thankful to the Township for our support. She said on November 10, 2021 at 5:00pm they will be a celebration recognizing the 30th anniversary for the Viet Nam Memorial in Ypsilanti Township.

NEW BUSINESS

- 1. 1st READING OF RESOLUTION 2021-23, PROPOSED ORDINANCE 2021-497, AN ORDINANCE TO REZONE 1441 RUSSELL STREET, BEING PARCEL ID K-11-10-160-003, FROM ITS CURRENT RM-2 (MULTI FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION TO I-1(LIGHT INDUSTRIAL) DISTRICT ZONING CLASSIFICATION WITH VOLUNTARY CONDITIONS IN WRITING BY THE APPLICANT**

Jason Iacoangeli, Planning Director explained the request for the conditional rezoning. He said there are individuals from R+L Carriers who will give a brief slide presentation and will answer any questions.

Stan Richards, Wilmington Ohio said this is a service center expansion. He said they have a commitment to the community and they want to be a good neighbor. He

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE OCTOBER 19, 2021 REGULAR BOARD MEETING
PAGE 4**

explained a brief history of R+L Carriers, where they are today, and what they see in their future. He thanked the board for how they begin their meeting with the pledge of allegiance and a moment of prayer. He said it is a testimony to this community and why they want to be a part of it. Mr. Richards answered questions from Board Members.

Attorney Winters stated that R+L Carriers has done what they said that they would do and it is in proper form. He said Mr. Iacoangeli has done great work in bringing this project forward.

A motion was made by Clerk Jarrell Roe, supported by Trustee Wilson to Approve the 1st Reading of Resolution 2021-23, Proposed Ordinance 2021-497, an Ordinance to Rezone 1441 Russell Street, being Parcel ID K-11-10-160-003, from its Current RM-2 (Multi Family Residential) District Zoning Classification to I-1 (Light Industrial) District Zoning Classification with Voluntary Conditions in Writing by the Applicant (see attached).

| | | |
|---------------------|------------------|----------------|
| Wilson.....Yes | Eldridge.....Yes | Stumbo.....Yes |
| Jarrell Roe.....Yes | Peterson.....Yes | Newman.....Yes |
| Swanson.....Yes | | |

The motion carried unanimously.

2. REQUEST TO APPROVE AGREEMENT WITH THE WASHTENAW COUNTY ROAD COMMISSION FOR THE INSTALLATION OF SPEED HUMPS ON NASH AVENUE IN THE AMOUNT OF \$53,629.00 BUDGETED IN LINE ITEM #101-446-982-000 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT

A motion was made by Trustee Wilson, supported by Trustee Peterson Agreement with the Washtenaw County Road Commission for the Installation of Speed Humps on Nash Avenue in the Amount of \$53,629.00 Budgeted in Line Item #101-446-982-000 Contingent upon Approval of the Budget Amendment (see attached).

The motion was carried unanimously.

3. BUDGET AMENDMENT #12

A motion was made by Clerk Jarrell Roe, supported by Treasurer Eldridge to Approve Budget Amendment #12 (see attached).

The motion was approved unanimously.

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE OCTOBER 19, 2021 REGULAR BOARD MEETING
PAGE 5**

AUTHORIZATION AND BIDS

- 1. REQUEST TO AWARD THE BID FOR THE PURCHASE OF A FORD EXPLORER TO JACK DEMMER FORD IN THE AMOUNT OF \$27,629.38 BUDGETED IN LINE ITEM #661-268-986-000**

A motion was made by Clerk Jarrell Roe, supported by Treasurer Eldridge to Approve the Request to Award the Bid for the Purchase of a Ford Explorer to Jack Demmer Ford in the Amount of \$27,629.48 budgeted in Line Item #661-268-986-000.

The motion was approved unanimously.

A motion was made by Trustee Peterson, supported by Trustee Wilson to Adjourn.

Motion carried unanimously.

The meeting was adjourned at approximately 8:26PM.

Respectfully Submitted,

**Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti**

**Heather Jarrell Roe, Clerk
Charter Township of Ypsilanti**

**Charter Township of Ypsilanti
PROPOSED ORDINANCE 2021-497**

An Ordinance Amending Ordinance 2021-497 Township Zoning Ordinance, So As To Rezone 1441 Russell Street, being Parcel ID K-11-10-160-003, From Its Current RM-2 (Multi-Family Residential) District Zoning Classification to I-1 (Light Industrial) District Zoning Classification with voluntary conditions in writing by the Applicant

The Charter Township of Ypsilanti hereby ordains that Ordinance No. 74, adopted May 18, 1994, shall be amended as follows:

Real Property consisting of 8.24 acres of land located at 1441 Russell Street, also known as Parcel ID K-11-10-160-003, and more particularly described as follows:

See attached legal description labeled “Attachment A” shall be rezoned from its current RM-2 (Multi-Family Residential) District zoning classification to the I-1 (Light Industrial) District zoning classification with voluntary conditions of:

The Site will be developed as illustrated on the preliminary site plan drawings (dated 9-29-20), specifically:

1. *The existing parcel formally zoned RM-2 will not contain any buildings or driveways.*
2. *Open detention basins and landscaping will occupy the existing parcel formally zoned RM-2.*
3. *A minimum pavement setback of 80’ is provided on the south side of the property (20’ minimum by ordinance)*
4. *A variable width buffer of existing woods will remain as depicted on the preliminary site plans.*
5. *30 additional landscape buffer trees will be provided beyond ordinance requirements along the east and south property lines adjacent to single family residents.*
6. *Minion Drive will be reconstructed per the approved engineering standards of the Charter Township of Ypsilanti at the sole cost of the Developer.*

The Zoning Map, as incorporated by reference, in the Charter Township of Ypsilanti Zoning Ordinance is hereby amended by the rezoning of the afore-described parcel of property from its RM-2 District zoning classification to the I-1 District zoning classification.

Severability

In the event that any one or more sections, provisions, phrases or words of this ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity nor the enforceability of the remaining sections, provisions, phrases or words of this Ordinance unless expressly so determined by a Court of competent jurisdiction.

Publication

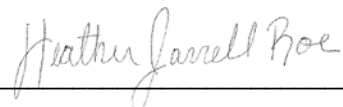
This Ordinance shall be published in a newspaper of general circulation as required by law.

Effective Date

This Ordinance shall become effective upon:

- 1) Recording of a Deed Restriction, approved by the Ypsilanti Township Attorney for Parcel ID K-11-10-160- 003, setting forth voluntary conditions in writing by the Applicant; and
- 2) Recording of a Conditional Rezoning Agreement, approved by the Ypsilanti Township Attorney for Parcel ID K-11-10-160- 003; and
- 3) Publication of this ordinance in a newspaper of general circulation as required by law.

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. 2021-497 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on October 19, 2021. The second reading is scheduled to be heard on November 16, 2021.



Heather Jarrell Roe, Clerk

Charter Township of Ypsilanti

"ATTACHMENT A"

LEGAL DESCRIPTIONS:

Tax Parcel Descriptions

43 EMERICK ST

Parcel Number: K -11-10-280-019

COM AT CENT OF SEC 10, TH N 87-15-30 W 502.72 FT ALONG E & W 1/4 LINE, TH N 3-4-0 W 331.02 FT FOR PL OF BEG, TH N 87-37-0 W 775.69 FT, TH N 3-39-59 W 261.96 FT, TH N 86-19-31 E 258.03 FT, TH N 3-40-29 W 199.44 FT, TH ALONG A CURVE TO THE L HAVING A RADIUS OF 4691.15 FT AND A CENTRAL ANGLE OF 19-51-9 AND A CHORD BEARING N 82-48-47 E 1719 FT, TH S 17-7-10 E 504.86 FT, TH S 71-53-0 W 341.56 FT, TH ALONG A CURVE TO THE R HAVING A RADIUS OF 2765 FT AND A CENTRAL ANGLE OF 20-30-0 A DISTANCE OF 989.30 FT TO THE POB. CONTAINING 22.78 +/- AC T3S R7E WASHTENAW COUNTY MICHIGAN SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

960 MINION ST

Parcel Number: K -11-10-160-002

COM AT CENT OF SEC, TH S 87 DEG 32' E 982.02 FT ALNG E & W 1/4 LN, TH N02-51-W 1223.37 FT TO P.O.B., TH S02-51E 1223.37 FT, TH N87-32-00W 879.15 FT, TH N02-47-00W 334.45 FT, TH 605.39 FT ALNG ARC OF A CIRCULAR CURVE TO RIGHT RADIUS 2831.0 FT, CHORD S87-07-54W 604.19 FT TH N03-04-00W 66.31 FT, TH ELY 989.30 FT ALNG ARC OF CURVELEFT, RADIUS 2765.0 FT, CHORD N82-08-00E 984.04FT, TH N71-53-00E 341.56 FT, TH N17-07-10W 504.86 FT TO S LN RR ROW, TH ELY ALONG S LINE RR ROW N72-38-58E 303.31 FT TO POB. SEC 10, T3S-R7E, 14.78 AC

1441 RUSSELL ST

Parcel Number: K -11-10-160-003

COM AT CENT OF SEC, TH S87-32-00E 982.02 FT IN E & W 1/4 LINE FOR PL OF BEG, TH N02-51-00W 1223.37 FT, TH N69-58-00E 115.66 FT IN S LINE OF RAILROAD TH N69-27-00E 239.23 FT, TH S02-51-00E 1362 FT, TH N87-16-00W 23.48 FT, TH N87-32-00W 316.23 FT TO PL OF BEG, BEING PART OF W 1/2 OF NE 1/4, EXC THAT PART INCLUDED IN CRESTWOOD SUBDIVISION, SEC 10, T3S-R7E. 8.15 AC.

Combined/Overall Parcel Description:

An area of land being located in the North 1/2 Section 10, Town 03 South - Range 07 East, Township of Ypsilanti, County of Washtenaw, State of Michigan; more particularly described as commencing at the Center of Section 10; thence South 88 degrees 03 minutes 40 seconds East, 102.81 feet to the point of beginning of this description; thence North 03 degrees 19 minutes 25 seconds West, 334.87 feet; thence 605.35 feet along the arc of a 2831.00-foot radius curve to the right which has a central angle of 12 degrees 15 minutes 05 seconds and a chord which bears South 85 degrees 44 minutes 06 seconds West, 604.20 feet; thence North 03 degrees 36 minutes 59 seconds West, 66.31 feet; thence North 88 degrees 00 minutes 29 seconds West, 783.27 feet; thence North 04 degrees 08 minutes 29 seconds West, 259.17 feet; thence North 85 degrees 51 minutes 31 seconds East, 258.00 feet; thence North 04 degrees 08 minutes 29 seconds West, 200.00 feet to the south line of the railroad right-of-way; thence 2057.70 feet along the arc of a 4962.68-foot radius curve to the left which has a central angle of 23 degrees 45 minutes 25 seconds and a chord which bears North 80 degrees 29 minutes 54 seconds East, 2043.00 feet; thence North 68 degrees 34 minutes 20 seconds East, 331.64 feet; thence South 03 degrees 21 minutes 49 seconds East, 787.65 feet; thence South 86 degrees 47 minutes 21 seconds West, 153.08 feet; thence South 10 degrees 10 minutes 05 seconds East, 248.31 feet; thence South 05 degrees 21 minutes 55 seconds West, 205.12 feet; thence South 01 degrees 59 minutes 55 seconds West, 110.00 feet; thence North 88 degrees 03 minutes 40 seconds West, 1053.73 feet returning to the point of beginning.

**AGREEMENT BETWEEN
CHARTER TOWNSHIP OF YPSILANTI AND
THE WASHTENAW COUNTY ROAD COMMISSION**

THIS AGREEMENT, made and entered into this _____ day of _____, 2021 between the Board of the Charter Township of Ypsilanti (the "Township") and the Board of Washtenaw County Road Commissioners (the "Road Commission").

WHEREAS, the Charter Township of Ypsilanti desires to install six (6) speed humps on Nash Avenue between Tyler Road and Service Drive (the "Project"); and

WHEREAS, proper authority is provided to the parties of this Agreement under the provisions of Act 51 of Public Acts of 1951 as amended; and

WHEREAS, the Road Commission will prepare documents for the Project; and

WHEREAS, the Township shall promptly reimburse the Road Commission upon receipt of any invoices for all costs and expenses attributed to the Project;

THEREFORE, BE IT AGREED that the Township will pay the Road Commission for all actual costs incurred associated with the construction of the Project estimated to be \$53,629.00.

IT IS FURTHER UNDERSTOOD that the Charter Township of Ypsilanti will be a named insured on the Washtenaw County Road Commission's coverage for liability for the activities described above. The Road Commission will submit a certificate of insurance evidencing such coverage to the Township Clerk prior to implementation of services under the contract. Each party to this contract shall be responsible for the acts and omissions of its employees and agents.

AGREEMENT SUMMARY

Estimated Cost

Installation of six speed humps on Nash Avenue **\$53,629.00**

FOR YPSILANTI TOWNSHIP:

Brenda L. Stumbo, Supervisor _____ Witness

Heather Jarrell Roe, Clerk _____ Witness

FOR WASHTENAW COUNTY ROAD COMMISSION:

Barbara R. Fuller, Chair _____ Witness

Sheryl Soderholm Siddall, Managing Director _____ Witness

**CHARTER TOWNSHIP OF YPSILANTI
2021 BUDGET AMENDMENT #12**

October 19, 2021

AMOUNTS ROUNDED UP TO THE NEAREST DOLLAR

| | | |
|--------------------------------------|-----------------------|---------------------|
| 101 - GENERAL OPERATIONS FUND | Total Increase | \$155,323.00 |
|--------------------------------------|-----------------------|---------------------|

Request to increase budget for the Board approved wage increase for 2021. This request will cover all the departments in the General fund. This will be funded by an appropriation for prior year fund balance.

| | | | |
|---------------|-------------------------|-----------------|-------------------------------------|
| Revenues: | Prior Year Fund Balance | 101-000-699.999 | \$49,450.00 |
| | | | Net Revenues <u>\$49,450.00</u> |
| Expenditures: | Salary & Wage | Various | \$45,417.00 |
| | FICA | Various | \$3,474.00 |
| | MERS | Various | \$559.00 |
| | | | Net Expenditures <u>\$49,450.00</u> |

Request to increase budget for PTO payout request of 180 hours to be paid at 75%. This will be funded by an appropriation for prior year fund balance.

| | | | |
|---------------|-------------------------------|-----------------|------------------------------------|
| Revenues: | Prior Year Fund Balance | 101-000-699.999 | \$5,534.00 |
| | | | Net Revenues <u>\$5,534.00</u> |
| Expenditures: | Salaries Pay Out - PTO & Sick | 101-228-708.004 | \$5,140.00 |
| | FICA | 101-228-715.000 | \$394.00 |
| | | | Net Expenditures <u>\$5,534.00</u> |

Request to increase budget for Washtenaw County Road Commission to install speed humps and related signs on Nash Avenue North. This will be funded by an appropriation for prior year fund balance.

| | | | |
|---------------|--------------------------------------|-----------------|-------------------------------------|
| Revenues: | Prior Year Fund Balance | 101-000-699.999 | \$53,629.00 |
| | | | Net Revenues <u>\$53,629.00</u> |
| Expenditures: | Highway, Streets & Road Construction | 101-446-982.000 | \$53,629.00 |
| | | | Net Expenditures <u>\$53,629.00</u> |

Request to increase budget for employee wages that were inadvertently left off of the 2021 budget when moved from the building maintenance department to the parks and grounds department. This will be funded by an appropriation for prior year fund balance.

| | | | |
|---------------|--------------------------|-----------------|-------------------------------------|
| Revenues: | Prior Year Fund Balance | 101-000-699.999 | \$46,710.00 |
| | | | Net Revenues <u>\$46,710.00</u> |
| Expenditures: | Salary - Permanent Wages | 101-770-706.000 | \$46,710.00 |
| | | | Net Expenditures <u>\$46,710.00</u> |

**CHARTER TOWNSHIP OF YPSILANTI
2021 BUDGET AMENDMENT #12**

October 19, 2021

206 - FIRE FUND

Total Increase \$3,304.00

Request to increase budget for the Board approved wage increase for 2021. This will be funded by an appropriation for prior year fund balance.

| | | | |
|----------------------|-------------------------|-------------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 206-000-699.999 | \$3,304.00 |
| | | Net Revenues | <u><u>\$3,304.00</u></u> |
| Expenditures: | Salary & Wage | 206-336-705.000 | \$2,226.00 |
| | Salary & Wage | 206-336-706.011 | \$843.00 |
| | FICA | 206-336-715.000 | \$235.00 |
| | | Net Expenditures | <u><u>\$3,304.00</u></u> |

213 - BIKE, SIDEWALK, REC, ROADS FUND (BSRII)

Total Increase \$10,000.00

Request to increase budget for the Huron Pathway - Bridge project with collaboration between the Township, City of Ypsilanti & MDOT approved at the 8/20/2019 Board meeting with the approved agreement between the City and Township signed 5-19-2021 Board meeting. This will be funded by an appropriation for prior year fund balance.

| | | | |
|----------------------|----------------------------|-------------------------|---------------------------|
| Revenues: | Prior Year Fund Balance | 213-000-699.999 | \$10,000.00 |
| | | Net Revenues | <u><u>\$10,000.00</u></u> |
| Expenditures: | Capital - Pathway Huron #2 | 231-901-986.010 | \$10,000.00 |
| | | Net Expenditures | <u><u>\$10,000.00</u></u> |

226 - ENVIRONMENTAL SERVICES FUND

Total Increase \$5,262.00

Request to increase budget for the Board approved wage increase for 2021. This will be funded by an appropriation for prior year fund balance.

| | | | |
|----------------------|-------------------------|-------------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 226-000-699.999 | \$5,262.00 |
| | | Net Revenues | <u><u>\$5,262.00</u></u> |
| Expenditures: | Salary & Wage | 226-528-705.000 | \$2,309.00 |
| | Salary & Wage | 226-528-706.000 | \$2,501.00 |
| | FICA | 226-528-715.000 | \$368.00 |
| | MERS | 226-528-718.000 | \$84.00 |
| | | Net Expenditures | <u><u>\$5,262.00</u></u> |

**CHARTER TOWNSHIP OF YPSILANTI
2021 BUDGET AMENDMENT #12**

October 19, 2021

230- RECREATION FUND **Total Increase** \$2,149.00

Request to increase budget for the Board approved wage increase for 2021. This will be funded by an appropriation for prior year fund balance.

| | | | |
|----------------------|-------------------------|-------------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 230-000-699.999 | \$2,149.00 |
| | | Net Revenues | <u><u>\$2,149.00</u></u> |
| Expenditures: | Salary & Wage | 230-754-706.000 | \$1,960.00 |
| | FICA | 230-754-715.000 | \$150.00 |
| | MERS | 230-754-718.000 | \$39.00 |
| | | Net Expenditures | <u><u>\$2,149.00</u></u> |

236- 14B DISTRICT COURT FUND **Total Increase** \$15,185.00

Request to increase budget for the Board approved wage increase for 2021. This will be funded by an appropriation for prior year fund balance.

| | | | |
|----------------------|-------------------------|-------------------------|---------------------------|
| Revenues: | Prior Year Fund Balance | 236-000-699.999 | \$15,185.00 |
| | | Net Revenues | <u><u>\$15,185.00</u></u> |
| Expenditures: | Salary & Wage | 236-286-706.000 | \$11,981.00 |
| | Salary - Magistrate | 236-286-706.002 | \$2,059.00 |
| | FICA | 236-286-715.000 | \$1,074.00 |
| | MERS | 236-286-718.000 | \$71.00 |
| | | Net Expenditures | <u><u>\$15,185.00</u></u> |

249 - BUILDING FUND **Total Increase** \$7,742.00

Request to increase budget for the Board approved wage increase for 2021. This will be funded by an appropriation for prior year fund balance.

| | | | |
|----------------------|-------------------------|-------------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 249-000-699.999 | \$7,742.00 |
| | | Net Revenues | <u><u>\$7,742.00</u></u> |
| Expenditures: | Salary-Supervisor | 249-371-705.000 | \$2,512.00 |
| | Salary Perm Wages | 249-371-706.000 | \$1,623.00 |
| | Building Inspector | 249-371-706.004 | \$1,498.00 |
| | Electrical Inspector | 249-371-706.005 | \$1,498.00 |
| | FICA | 249-371-715.000 | \$545.00 |
| | MERS | 249-371-718.000 | \$66.00 |
| | | Net Expenditures | <u><u>\$7,742.00</u></u> |

**CHARTER TOWNSHIP OF YPSILANTI
2021 BUDGET AMENDMENT #12**

October 19, 2021

252 - HYDRO STATION FUND

Total Increase \$40,922.00

Request to increase budget for the Board approved wage increase for 2021. This will be funded by an appropriation for prior year fund balance.

| | | | |
|----------------------|-------------------------|-------------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 252-000-699.999 | \$4,284.00 |
| | | Net Revenues | <u><u>\$4,284.00</u></u> |
| Expenditures: | Salary-Supervisor | 252-535-705.000 | \$1,747.00 |
| | Salary Perm Wages | 252-535-706.000 | \$2,163.00 |
| | FICA | 252-535-715.000 | \$299.00 |
| | MERS | 252-535-718.000 | \$75.00 |
| | | Net Expenditures | <u><u>\$4,284.00</u></u> |

Request to increase budget for PTO payout request of 100 hours to be paid at 75%. This will be funded by an appropriation for prior year fund balance.

| | | | |
|----------------------|-------------------------------|-------------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 252-000-699.999 | \$5,338.00 |
| | | Net Revenues | <u><u>\$5,338.00</u></u> |
| Expenditures: | Salaries Pay Out - PTO & Sick | 252-535-708.004 | \$5,140.00 |
| | FICA | 252-535-715.000 | \$198.00 |
| | | Net Expenditures | <u><u>\$5,338.00</u></u> |

Request to increase the budget for the purchase of a second vacuum circuit breaker for the Hydro Station. This was not added in the in the original budget amendment from 9/21/21. This will be funded by an appropriation of prior year fund balance.

| | | | |
|----------------------|-------------------------|-------------------------|---------------------------|
| Revenues: | Prior Year Fund Balance | 252-000-699.999 | \$23,300.00 |
| | | Net Revenues | <u><u>\$23,300.00</u></u> |
| Expenditures: | Equipment | 252-535-977.000 | \$23,300.00 |
| | | Net Expenditures | <u><u>\$23,300.00</u></u> |

Request to increase the budget for supplies, confine space service, and gate sensor and turbine maintenance. These maintenance issues all came up unexpectedly. This will be funded by an appropriation of prior year fund balance.

| | | | |
|----------------------|-------------------------|-------------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 252-000-699.999 | \$8,000.00 |
| | | Net Revenues | <u><u>\$8,000.00</u></u> |
| Expenditures: | Maintenance Supplies | 252-535-776.000 | \$2,000.00 |
| | Contractual Services | 252-535-818.013 | \$3,000.00 |
| | Repairs & Maintenance | 252-535-930.000 | \$3,000.00 |
| | | Net Expenditures | <u><u>\$8,000.00</u></u> |

**CHARTER TOWNSHIP OF YPSILANTI
2021 BUDGET AMENDMENT #12**

October 19, 2021

| | | |
|-----------------------------------|-----------------------|---------------------------------|
| 266 - LAW ENFORCEMENT FUND | Total Increase | <u><u>\$9,943.00</u></u> |
|-----------------------------------|-----------------------|---------------------------------|

Request to increase budget for the Board approved wage increase for 2021. This will be funded by an appropriation for prior year fund balance.

| | | | |
|---------------|-------------------------|------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 266-000-699.999 | \$9,943.00 |
| | | Net Revenues | <u><u>\$9,943.00</u></u> |
| Expenditures: | Salary-Supervisor | 266-301-705.000 | \$1,913.00 |
| | Salary Perm Wages | 266-301-706.000 | \$478.00 |
| | FICA | 266-301-715.000 | \$183.00 |
| | Salary-Supervisor | 266-304-705.000 | \$3,866.00 |
| | Salary Perm Wages | 266-304-706.000 | \$2,906.00 |
| | FICA | 266-304-715.000 | \$518.00 |
| | MERS | 266-304-718.000 | \$79.00 |
| | | Net Expenditures | <u><u>\$9,943.00</u></u> |

| | | |
|--------------------------------------|-----------------------|----------------------------------|
| 287 - NUISANCE ABATEMENT FUND | Total Increase | <u><u>\$15,000.00</u></u> |
|--------------------------------------|-----------------------|----------------------------------|

Request to increase budget for nuisance abatement of properties, specifically \$10,000 for the Gault Village property. The chargers will be invoiced to the property owners. This will be funded by an appropriation for prior year fund balance.

| | | | |
|---------------|----------------------------|------------------|---------------------------|
| Revenues: | Prior Year Fund Balance | 287-000-699.999 | \$15,000.00 |
| | | Net Revenues | <u><u>\$15,000.00</u></u> |
| Expenditures: | Board-up Enforcement Costs | 287-733-806.002 | \$15,000.00 |
| | | Net Expenditures | <u><u>\$15,000.00</u></u> |

| | | |
|-------------------------------|-----------------------|---------------------------------|
| 584 - GOLF COURSE FUND | Total Increase | <u><u>\$7,340.00</u></u> |
|-------------------------------|-----------------------|---------------------------------|

Request to increase budget for the Board approved wage increase for 2021. This will be funded by an appropriation for prior year fund balance.

| | | | |
|---------------|------------------------------|------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | | \$7,340.00 |
| | | Net Revenues | <u><u>\$7,340.00</u></u> |
| Expenditures: | Salaries - Greenskeeper | 584-784-702.001 | \$2,101.00 |
| | Salaries - Pro Shop Director | 584-784-702.002 | \$3,810.00 |
| | Salaries Perm Wages | 584-784-706.000 | \$832.00 |
| | FICA | 584-784-715.000 | \$516.00 |
| | MERS | 584-784-718.000 | \$81.00 |
| | | Net Expenditures | <u><u>\$7,340.00</u></u> |

**CHARTER TOWNSHIP OF YPSILANTI
2021 BUDGET AMENDMENT #12**

October 19, 2021

597 - COMPOST FUND

Total Increase \$3,975.00

Request to increase budget for the Board approved wage increase for 2021. This will be funded by an appropriation for prior year fund balance.

| | | | |
|----------------------|--------------------------------|-------------------------|---------------------------------|
| Revenues: | Prior Year Fund Balance | 597-000-699.999 | \$3,975.00 |
| | | Net Revenues | <u><u>\$3,975.00</u></u> |
| Expenditures: | Salary-Supervisor | 597-590-705.000 | \$2,111.00 |
| | Salary Perm Wages | 597-590-706.000 | \$1,581.00 |
| | FICA | 597-590-715.000 | \$283.00 |
| | | Net Expenditures | <u><u>\$3,975.00</u></u> |

661 - MOTOR POOL FUND

Total Increase \$319.00

Request to increase budget for the Board approved wage increase for 2021. This will be funded by an appropriation for prior year fund balance.

| | | | |
|----------------------|--------------------------------|-------------------------|-------------------------------|
| Revenues: | Prior Year Fund Balance | 661-000-699.999 | \$319.00 |
| | | Net Revenues | <u><u>\$319.00</u></u> |
| Expenditures: | Salary & Wage | 661-268-706.000 | \$296.00 |
| | FICA | 661-268-715.000 | \$23.00 |
| | | Net Expenditures | <u><u>\$319.00</u></u> |

Motion to Amend the 2021 Budget (#12)

Move to increase the General Fund budget by \$155,323 to \$9,959,196 and approve the department line item changes as outlined.

Move to increase the Fire Fund budget by \$3,304 to \$4,340,379 and approve the department line item changes as outlined.

Move to increase the Bike, Sidewalk, Rec, Roads (BSRII) Fund budget by \$10,000 to \$2,461,528 and approve the department line item changes as outlined.

Move to increase the Environmental Service Fund budget by \$5,262 to \$3,214,751 and approve the department line item changes as outlined.

Move to increase the Recreation Fund budget by \$2,149 to \$789,439 and approve the department line item changes as outlined.

Move to increase the 14B District Court Department Fund budget by \$15,185 to \$1,745,968 and approve the department line item changes as outlined.

Move to increase the Building Department Fund budget by \$7,742 to \$881,456 and approve the department line item changes as outlined.

Move to increase the Hydro Station Fund budget by \$40,922 to \$510,627 and approve the department line item changes as outlined.

Move to increase the Law Enforcement Fund budget by \$9,943 to \$8,551,346 and approve the department line item changes as outlined.

Move to increase the Nuisance Abatement Fund budget by \$15,000 to \$62,027 and approve the department line item changes as outlined.

Move to increase the Golf Course Fund budget by \$7,340 to \$819,040 and approve the department line item changes as outlined.

Move to increase the Compost Fund budget by \$3,975 to \$704,885 and approve the department line item changes as outlined.

Move to increase the Motor Pool Fund budget by \$319 to \$278,103 and approve the department line item changes as outlined.

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARRELL ROE
Treasurer
STAN ELDRIDGE
Trustees
JOHN P. NEWMAN II
GLORIA PETERSON
DEBBIE SWANSON
JIMMIE WILSON JR.



**Accounting
Department**

7200 S. Huron River Drive
Ypsilanti, MI 48197
Phone: (734) 484-3702
Fax: (734) 484-5154

Charter Township of Ypsilanti

STATEMENTS AND CHECKS

NOVEMBER 2, 2021 BOARD MEETING

| | | |
|---------------------------|----|-------------------|
| ACCOUNTS PAYABLE CHECKS - | \$ | 199,906.16 |
| HAND CHECKS - | \$ | 559,286.78 |
| CREDIT CARDS PURCHASES - | \$ | 0.00 |
| GRAND TOTAL - | \$ | 759,192.94 |

| Check Date | Check | Vendor Name | Amount |
|------------|--------|-------------------------------------|------------|
| Bank AP AP | | | |
| 10/14/2021 | 189157 | ATOMIC CLEANING SYSTEMS | 5,050.50 |
| 10/18/2021 | 189158 | COMCAST CABLE | 312.97 |
| 10/18/2021 | 189159 | COMCAST CABLE | 8,368.10 |
| 10/18/2021 | 189160 | DTE ENERGY | 74,300.05 |
| 10/18/2021 | 189161 | WASTE MANAGEMENT | 840.00 |
| 10/18/2021 | 189162 | WASTE MANAGEMENT | 60.71 |
| 10/18/2021 | 189163 | WASTE MANAGEMENT | 140.74 |
| 10/18/2021 | 189164 | WASTE MANAGEMENT | 206,661.24 |
| 10/18/2021 | 189165 | WEX BANK | 1,903.26 |
| 10/18/2021 | 189166 | YPSILANTI COMMUNITY | 4,487.64 |
| 10/20/2021 | 189167 | MICHIGAN ASSOC. OF PLANNING | 135.00 |
| 10/20/2021 | 189168 | MICHIGAN ASSOC. OF PLANNING | 210.00 |
| 10/20/2021 | 189169 | MICHIGAN ASSOC. OF MUNICIPAL CLERKS | 135.00 |
| 10/21/2021 | 189170 | LINCOLN SCHOOL DISTRICT | 231.08 |
| 10/22/2021 | 189171 | COMCAST CABLE | 125.58 |
| 10/22/2021 | 189172 | CONSTELLATION NEW ENERGY | 1,301.21 |
| 10/22/2021 | 189173 | DTE ENERGY | 14,199.00 |
| 10/27/2021 | 189174 | BLUE CROSS BLUE SHIELD OF MI | 193,130.24 |
| 10/27/2021 | 189175 | BLUE CROSS BLUE SHIELD OF MI | 28,393.90 |
| 10/27/2021 | 189176 | DELTA DENTAL PLAN OF MICHIGAN | 12,520.91 |
| 10/27/2021 | 189177 | STANDARD INSURANCE COMPANY | 4,119.27 |
| 10/27/2021 | 189178 | STANDARD INSURANCE COMPANY | 2,795.38 |

AP TOTALS:

| | |
|----------------------------|-------------------|
| Total of 22 Checks: | 559,421.78 |
| Less 1 Void Checks: | 135.00 |
| Total of 21 Disbursements: | <u>559,286.78</u> |

| Check Date | Check | Vendor Name | Amount |
|------------|--------|-------------------------------------|-----------|
| Bank AP AP | | | |
| 11/02/2021 | 189179 | ACCUSHRED LLC | 68.50 |
| 11/02/2021 | 189180 | ALL STAR PRO GOLF | 441.00 |
| 11/02/2021 | 189181 | AMAZON CAPITAL SERVICES | 754.46 |
| 11/02/2021 | 189182 | ANN ARBOR CLEANING SUPPLY | 1,003.21 |
| 11/02/2021 | 189183 | ANY LENGTHS SOBER LIVING | 545.00 |
| 11/02/2021 | 189184 | AUTO VALUE YPSILANTI | 342.37 |
| 11/02/2021 | 189185 | BARR ENGINEERING COMPANY | 11,961.50 |
| 11/02/2021 | 189186 | BUCK'S OIL CO. | 125.00 |
| 11/02/2021 | 189187 | CARLISLE/WORTMAN ASSOCIATES | 2,062.50 |
| 11/02/2021 | 189188 | CENTRON DATA SERVICES | 4,465.00 |
| 11/02/2021 | 189189 | CHARLES SYLVESTER | 120.00 |
| 11/02/2021 | 189190 | CHRISTOPHER LOEHER | 10,000.00 |
| 11/02/2021 | 189191 | CLI CONCRETE LEVELING INC. | 2,600.00 |
| 11/02/2021 | 189192 | COLMAN-WOLF SANITARY SUPPLY CO | 630.05 |
| 11/02/2021 | 189193 | CONTI | 12,404.80 |
| 11/02/2021 | 189194 | CRYSTAL FLASH, INC. | 5,354.79 |
| 11/02/2021 | 189195 | CSI EMERGENCY APPARATUS, LLC | 9,032.59 |
| 11/02/2021 | 189196 | DC HYDRAULICS INC. | 488.96 |
| 11/02/2021 | 189197 | DEANGELIS HTG/CLG | 135.00 |
| 11/02/2021 | 189198 | DEANGELIS HTG/CLG | 174.75 |
| 11/02/2021 | 189199 | DISPUTE RESOLUTION CENTER | 1,875.00 |
| 11/02/2021 | 189200 | DYNAMIC DRAINS LLC | 37.50 |
| 11/02/2021 | 189201 | EDWARD MICHOWSKI | 120.00 |
| 11/02/2021 | 189202 | EMERGENT HEALTH PARTNERS | 7,208.56 |
| 11/02/2021 | 189203 | ERIN MCCURTIS | 480.00 |
| 11/02/2021 | 189204 | ESTHER BARDON | 20.00 |
| 11/02/2021 | 189205 | FAST SIGNS | 477.00 |
| 11/02/2021 | 189206 | FASTENAL | 42.19 |
| 11/02/2021 | 189207 | FIBER LINK | 26.25 |
| 11/02/2021 | 189208 | G&G PLUMBING/MECH | 266.25 |
| 11/02/2021 | 189209 | G&G PLUMBING/MECH | 45.00 |
| 11/02/2021 | 189210 | GRAINGER | 66.52 |
| 11/02/2021 | 189211 | GRIFFIN PEST SOLUTIONS | 93.00 |
| 11/02/2021 | 189212 | HABITAT FOR HUMANITY - HURON VALLEY | 60,000.00 |
| 11/02/2021 | 189213 | HERITAGE-CRYSTAL CLEAN, LLC | 299.09 |
| 11/02/2021 | 189214 | HOME DEPOT | 197.54 |
| 11/02/2021 | 189215 | JULIA MCLEAN | 240.00 |
| 11/02/2021 | 189216 | KELLY DOE | 46.96 |
| 11/02/2021 | 189217 | LANSING SANITARY SUPPLY, INC | 687.45 |
| 11/02/2021 | 189218 | LODI FARMS | 6,611.05 |
| 11/02/2021 | 189219 | LOOKING GOOD LAWNS | 7,620.00 |
| 11/02/2021 | 189220 | LOWE'S | 92.14 |
| 11/02/2021 | 189221 | LUBRICATION ENGINEERS | 522.71 |
| 11/02/2021 | 189222 | MARIALANA BRANCH | 60.00 |
| 11/02/2021 | 189223 | MAX-VIEW WINDOW WASHING, INC. | 420.00 |
| 11/02/2021 | 189224 | MENARDS, INC. | 2.89 |
| 11/02/2021 | 189225 | MICHIGAN ASSESSORS ASSOC | 360.00 |
| 11/02/2021 | 189226 | MICHIGAN LINEN SERVICE, INC. | 1,344.80 |
| 11/02/2021 | 189227 | MILTON ANDREWS | 2,975.00 |
| 11/02/2021 | 189228 | O'BRYANS LOCK & KEY* | 84.50 |
| 11/02/2021 | 189229 | OFFICE EXPRESS | 282.12 |
| 11/02/2021 | 189230 | ORCHARD, HILTZ & MCCLIMENT INC | 10,010.25 |
| 11/02/2021 | 189231 | PEPSI BEVERAGES COMPANY | 349.44 |
| 11/02/2021 | 189232 | PETER POWER | 1,120.00 |
| 11/02/2021 | 189233 | PROFESSIONAL TREE SERVICE | 4,700.00 |
| 11/02/2021 | 189234 | QUANTINA GREENE | 200.00 |
| 11/02/2021 | 189235 | RHETT REYES | 1,353.75 |
| 11/02/2021 | 189236 | RUBBER STAMPS UNLIMITED INC | 46.25 |
| 11/02/2021 | 189237 | SALADINO CONSTRUCTION COMPANY | 1,200.00 |
| 11/02/2021 | 189238 | SAM'S CLUB DIRECT | 155.35 |
| 11/02/2021 | 189239 | SHERWIN WILLIAMS COMPANY | 54.81 |
| 11/02/2021 | 189240 | SHRADER TIRE & OIL | 1,219.86 |
| 11/02/2021 | 189241 | SOLOMON DIVING INC. | 2,735.00 |
| 11/02/2021 | 189242 | SPARTAN DISTRIBUTORS | 17.28 |
| 11/02/2021 | 189243 | STANDARD PRINTING | 505.00 |
| 11/02/2021 | 189244 | STANTEC | 1,760.00 |
| 11/02/2021 | 189245 | STAPLES* - ACCOUNT #1026071 | 169.69 |
| 11/02/2021 | 189246 | TERMINIX PROCESSING CENTER | 68.00 |
| 11/02/2021 | 189247 | TOVAH TAYLOR | 25.00 |
| 11/02/2021 | 189248 | TRENDSET COMMUNICATIONS GROUP | 1,914.92 |
| 11/02/2021 | 189249 | UNIFIRST CORPORATION | 304.87 |
| 11/02/2021 | 189250 | UNITED STATES POSTAL SERVICE | 10,000.00 |
| 11/02/2021 | 189251 | VANTAGE APPAREL | 100.11 |
| 11/02/2021 | 189252 | VERIZON CONNECT NWF, INC. | 679.98 |
| 11/02/2021 | 189253 | VICTORY LANE | 157.17 |
| 11/02/2021 | 189254 | W.J. O'NEIL COMPANY | 3,156.00 |
| 11/02/2021 | 189255 | WASHTENAW COUNTY LEGAL NEWS | 15.00 |
| 11/02/2021 | 189256 | WESTLAND FIRE EXTINGUISHER INC | 195.00 |

A/P CHECKS

10/28/2021 05:05 PM
User: mharris
DB: Ypsilanti-Twp

CHECK REGISTER FOR CHARTER TOWNSHIP OF YPSILANTI Page: 2/2
CHECK NUMBERS 189179 - 189259

| Check Date | Check | Vendor Name | Amount |
|----------------------------|--------|------------------------|------------|
| 11/02/2021 | 189257 | WILLIAM SWEENEY | 227.04 |
| 11/02/2021 | 189258 | YPSILANTI ACE HARDWARE | 29.92 |
| 11/02/2021 | 189259 | YPSILANTI COMMUNITY | 2,123.47 |
| AP TOTALS: | | | |
| Total of 81 Checks: | | | 199,906.16 |
| Less 0 Void Checks: | | | 0.00 |
| Total of 81 Disbursements: | | | 199,906.16 |

ATTORNEY REPORT

GENERAL LEGAL UPDATE

NEW BUSINESS

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARRELL ROE
Treasurer
STAN ELDRIDGE
Trustees
JOHN P. NEWMAN
GLORIA PETERSON
DEBBIE SWANSON
JIMMIE WILSON JR.



Residential Services
Department

7200 S. Huron River Drive
Ypsilanti, MI 48197

ytown.org

MEMORANDUM

To: Charter Township of Ypsilanti Board of Trustees

From: Mike Hoffmeister, Residential Services Director

CC: John Hines, Deputy Supervisor
Angela Verges, Recreation Services Manager

Date: October 26, 2021

RE: Request to approve the amendment to the existing agreement with Community Publishing & Marketing for Resident Magazine Mailer Services in the amount of \$9,547.50 budgeted in lines #226-528-900.000, #230-754-880.000 and #101-267-900.000

The Residential Services Department is requesting the board of trustees approve the amendment to the existing agreement with Community publishing & Marketing related to the resident magazines.

At the February 2, 2021 regular Board of Trustees meeting, approval was granted to go into contract with Community Publishing and Marketing to create and mail a Township Magazine and Recreation Guide three times a year. This process was vetted through the bidding process. Staff forgot to add the very important detail of a trash and recycling schedule magnet within the original RFP. After internal discussions it was determined that the magnets were an integral aspect to the Magazine and have been since the Helpful Handbook was implemented.

This amendment adds in the price of the magnets for the first edition of the Township Magazine and Recreation programming guide. This would be a 2022 addition and will not affect the 2021 budget at all.

Mike Hoffmeister
Residential Services Director
mhoffmeister@ytown.org
734-544-3515

**Community Publishing & Marketing
2021 Ypsilanti Lifestyle Magazine
Prepared for the Ypsilanti Township**

2021 Ypsilanti Lifestyle Magazine

Strategy

This marketing plan is to produce (create, design, layout, print, bind and mail) 3 full size full color 32 page + 4 page cover magazines each year that showcases all of Ypsilanti to its community residences. It is our mission and distinct honor to work hand and hand with the Ypsilanti Township and its Residential Services Department, to collaborate and formulate a production and marketing strategy that facilitates the entire production process for the 2021 Ypsilanti Lifestyle Magazine.

Specs:

- 15,500 magazines (approximately 15,000 mailing to residences of Ypsilanti Township per Township's mailing list and/or specifications) with postage being paid by Township. The balance will be carton packed and delivered to the township.
- 32 page + 4 page cover
- Text: 60# c2s gloss and/or matte text
- Cover: 80# c2s Satin Cover with Satin/Matte finish
- 4 color process throughout
- 8.5 x 11 trim (8.75 x 11.25 including 1/8" bleed all 4 sides)
- Saddle stitch along the 11 dimensions (vertical pub)
- CPM will print this project with a company of its choosing (parent company Printwell)
- Entire creation, design, layout will be a collaboration with Ypsilanti Township and CPM
- There will be no advertising in the publication at this time, however, CPM may be able to provide in the future and work out an appropriate deal with Township
- CPM will utilize photos/artwork provided by the Township for the magazine.
- CPM will produce a Digital Version of the magazine that will be accessible for both Android and Apple devices as well as on the Township's and CPM's website.
- The Ypsilanti Township will own all information and graphics/artwork within the 2021 Magazine (this is a Ypsilanti Township project/magazine and all content within the publication, the other material/graphics/information/text/etc. are township property and will not be used in any other context/publication/marketing material without written permission from the Ypsilanti Township).
- Final layout will be approved by the Ypsilanti Township.

Though both parties should do their very best to work out any difficulties and/or problems together, either party may opt out of the agreement with a minimum advance notice of 90 days prior to each scheduled mail date of the subsequent edition.

Total amount due per edition (3 editions per year, 2 in 2021): \$10,452.50/ edition, (\$31,357.50 per year). This will be a three-year agreement from February 2, 2021 – December 2023 (all of 2021,2022, & 2023)

***Addendum – December issue 3 for 2021 will have 13pt 1 sided magnets (6" x 6" 4/c 1 side) affixed onto either page 3 or page 5 within the publication, detailing recycling information provided by township. The additional charge for the magnets (and affixing them within publication) will be approximately \$9,547.50, thus totaling \$20,000 for the December issue.

100% due 7 days prior to mailing/shipping, as well as separate postage paid to either USPS directly or our printer... depending on arrangement and permit # used.

**Community Publishing & Marketing
2021 Ypsilanti Lifestyle Magazine
Prepared for the Ypsilanti Township**

2021 Ypsilanti Lifestyle Magazine

Signatures:

Township Supervisor, Brenda Stumbo, Ypsilanti Township

Date

Township Clerk, Heather Jarrell Roe, Ypsilanti Township

Date

Director of Publishing Mark A. Fisher, Community Publishing & Marketing

Date

**Community Publishing & Marketing
2021 Ypsilanti Lifestyle Magazine
Prepared for the Ypsilanti Township**

2021 Ypsilanti Lifestyle Magazine

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- Final layout will be approved by the Ypsilanti Township.

Though both parties should do their very best to work out any difficulties and/or problems together, either party may opt out of the agreement with a minimum advance notice of 90 days prior to each scheduled mail date of the subsequent edition.


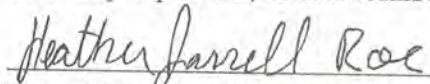
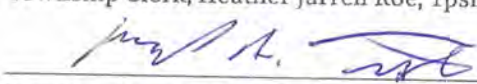
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100% due 7 days prior to mailing/shipping, as well as separate postage paid to either USPS directly or our printer... depending on arrangement and permit # used.

**Community Publishing & Marketing
2021 Ypsilanti Lifestyle Magazine
Prepared for the Ypsilanti Township**

2021 Ypsilanti Lifestyle Magazine

Signatures:

| | |
|---|-----------------|
|  | <u>2/9/2021</u> |
| Township Supervisor, Brenda Stumbo, Ypsilanti Township | Date |
|  | <u>2/9/2021</u> |
| Township Clerk, Heather Jarrell Roe, Ypsilanti Township | Date |
|  | <u>2/9/2021</u> |
| Director of Publishing Mark A. Fisher, Community Publishing & Marketing | Date |

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARREL ROE
Treasurer
STAN ELDRIDGE
Trustees
DEBBIE SWANSON
JOHN P. NEWMAN II
GLORIA PETERSON
JIMMIE WILSON JR.



Residential Services

7200 S. Huron River Drive
Ypsilanti, MI 48197

ytown.org

MEMORANDUM

To: Charter Township of Ypsilanti Board of Trustees

From: Mike Hoffmeister, Residential Services Director

Date: October 25, 2021

Subject: Request to waive Financial Policy's initial authorization from Board to seek bids and review the three quotes obtained proactively and to accept the low quote from DR Trailer for a new box trailer in the amount of \$8,799 budgeted in line #101-265-977.000

The Residential Services Department is requesting to waive the portion of the financial policy which requires seeking sealed bids and to accept the low quote of \$8,799 to purchase a new 20' box trailer from DR Trailer.

The purpose of this new trailer is to allow for more space and efficiencies within the elections setup process. This larger trailer will allow us to store more in the trailer, free up space in the Civic Center and allow us to use less vehicles and equipment during the elections setup process.

Please see below the quotes received during the process. The funds are budgeted in the 2021 budget and were included in previously approved Line Item Transfers (LIT). This equipment will be received in 2021.

DR Trailer: \$8,799
Kelly Trailer: \$9,750
USA Trailer: \$12,993.94

Mike Hoffmeister
Residential Services Director
mhoffmeister@ytown.org
734-544-3515

Enclosed

DR Trailer SALES

PLATE NO. _____

MAKE. RC

DATE MAILED: _____

MODEL: Rdix

DELIVERY DATE: _____

SIZE: 8.5 x 20'

ORDER DATE: 08/05/2021

GVW: 9,990

NAME: City of Ypsilanti

COLOR: Any

ADDRESS: _____

FEATURES: _____

CITY: _____

Tandem 5K Axles

STATE: _____ ZIP: _____

Ramp door

PHONE: _____

PHONE: _____

EMAIL: _____

COUNTY: _____

D/L #: _____

BIRTH DATE: _____

STOCK No.: _____

VIN #: _____

WEIGHT: _____

SALE PRICE: \$8,799⁰⁰

TAX: _____

LICENSE: _____

TITLE: _____

SERVICE FEE: _____

TOTAL: _____

DEPOSIT: _____

BALANCE: _____

8.5' x 20' = \$10,000
GVW = 9K

***ALL SPECIAL ORDERS NON REFUNDABLE ***
****ALL USED TRAILERS SOLD AS IS****
***** ALL SALES FINAL *****

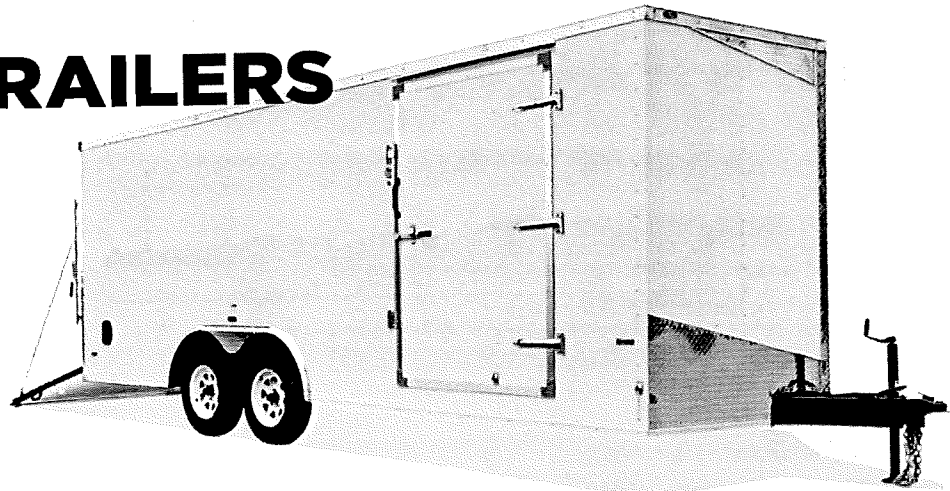
CUSTOMER SIGNATURE: _____

SELLER SIGNATURE: Dan Miller

RC TRAILERS

**DLX 4', 5', 6',
7', & 8.5'
Wide**

Spring Axle
Flat Top
18" Wedge
Cargo Trailer



STANDARD FEATURES & SPECIFICATIONS

Hitch

- 2" Coupler - Single Axle Models
- 2-5/16" Coupler - Tandem Axle Models
- 2,000 lb. Top Wind Jack w/Sand Pad
- Safety Chains

Axle

4', 5', 6', 7' Wides

- 4' Wide SA Models - 2,900 lb. Spring Idler Axle
- 5' - 7' Wide SA Models - 3,000 lb. Spring Idler Axle
- SAE Models - 3,500 lb. Spring Brake Axle
- TA2 Models - 3,500 lb. Spring Brake Axles

8.5' Wides

- TA2 Models - 3,500 lb. Spring Brake Axle
- TA3 Models - 5,200 lb. Spring Brake Axle

Tires and Rims

- 205/75R15C Radial Tire on Steel Wheel
SA, SAE, TA2
- 225/75R15D Radial Tire on Steel Wheel
TA3

Frame

- 16" On Center Floor and Walls
- 24" O/C Roof
- 18" Wedge Nose
- Undercoated Frame

Side Door - All Doors with NO Step

4', 5', 6', 7' Wides Flush Lock Added

- 4' Wide - No Side Door
- 24" Door w/Barlock on 8' Long Models
- 32" Door w/Barlock on Other 5' & 6' Wide Models
- 36" Door w/Barlock on 7' Wide Models

8.5' Wides

- 36" Door w/Barlock on 16' and Shorter Models
- 48" Door w/Barlock on 18' and Longer Models

Rear Door

| Width | Single Door | Double Door | Ramp Door |
|-------|-------------|-------------|-------------|
| 4' | X | | X |
| 5' | X | X | *Light Duty |
| 6' | | X | *Light Duty |
| 7' | | X | *Light Duty |
| 8.5' | | X | 3,000 lb. |

* Light Duty Ramp Door has a 1,000 lb. capacity
6' and 7' over 6" Extra Hgt. Requires STD Duty Ramp

Interior

- 3/4" Engineered Wood Flooring
- 3/8" Plywood Walls Trimmed with Lauan

Interior Heights

| | |
|------------------|--------------------|
| 4' Wides - 4' | 7' Wides - 6'6" |
| 5' Wides - 5'-6" | 8.5' Wides - 6' 6" |
| 6' Wides - 6'6" | |

Exterior

- Flow-Thru Sidewall Vents
- .030 Exterior Metal
- Inverted ATP Stoneguard
- (1pc.) Aluminum Roof
- Mill Finish Rear Corners and Header
- ATP Fenders
- 3" Lower Trim
- 3" Top Rail

Electrical

- (1) 12-Volt LED Dome Light
- 4-Way Plug on Idler Axles
- 7-Way Plug on Electric Brake Axles
- Breakaway Box, Battery, & Switch
- LED Strip Tail Light/Brake Lights, Surf Mounted
- LED Bullet Clearance Lights



TRAILER SALES
WWW.USA-TRAILER.COM

6896 North Telegraph Road
Monroe, Michigan 48162
(734) 241-9403

Box trail

TRAILER MODEL _____

No. _____

Date 8/9/21

Birth Date _____

No. of Months _____

Plate & Registration _____

Proof of Insurance _____

LOOK 8x20 10K GVW 7' INT

10,300 TRAILER

618 TAX

10918 TOTAL

275 TITLE/TAG

11193 OUT THE DOOR

RC/MTI 8x20 10K GVW 7' INT

11,999. TRAILER

719.⁹⁴ TAX

12718.⁹⁴ TOTAL

275. TITLE/TAG

12993.⁹⁴ OUT THE DOOR

_____ Purchase Price

_____ Tax

_____ Title Transfer

_____ New Plate or Transfer Fee

_____ Total

_____ Deposit

_____ Balance

_____ Paid in Full

Trailer will be ordered as specified.

ALL DEPOSITS ARE NON-REFUNDABLE

_____ Customer Signature

_____ Buyer

_____ Address

6826
_____ USA Trailers Agent

_____ County

Customer Phone # _____

Driver's License # _____

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARREL ROE
Treasurer
STAN ELDRIDGE
Trustees
DEBBIE SWANSON
JOHN P. NEWMAN II
GLORIA PETERSON
JIMMIE WILSON JR.



Residential Services

7200 S. Huron River Drive
Ypsilanti, MI 48197

ytown.org

MEMORANDUM

To: Charter Township of Ypsilanti Board of Trustees

From: Mike Hoffmeister, Residential Services Director

Date: October 25, 2021

Subject: Request to waive Financial Policy's initial authorization from Board to seek bids and review the four quotes obtained proactively and to accept the low quote from Trailer Sales of Michigan for three (3) new landscape trailers in the amount of \$11,670 budgeted in line #101-770-977.000

The Residential Services Department is requesting to waive the portion of the financial policy which requires seeking sealed bids and to accept the low quote of \$11,670 to purchase three new landscape trailers for the Parks and Grounds staff.

The purpose of these new trailers is to replace the old landscape trailers that are between 15-20 years old. These trailers are used daily towing our mowers around and are really showing their wear and tear. Our team constantly replaces boards, fixed lights and break issues.

Please see below the quotes received during the process. The funds are budgeted in the 2021 budget and were included in previously approved Line Item Transfers (LIT). This equipment will be received in 2021.

Trailer Sales of Michigan: \$11,670
PJ Trailers: \$12,447
Kelley Trailers: \$17,925
USA Trailers: \$22,799.97

Mike Hoffmeister
Residential Services Director
mhoffmeister@ytown.org
734-544-3515



\$3,890.00 Factory Direct

Our Deluxe 9000 GVWR Utility Trailer is constructed with 3"x3"x3/16" angle frame, 3" channel cross members, and 2"x2"x1/8" uprights and top rail, with a 4" channel wrap-around tongue. The running gear features 2 – 4,000 lb. 6 lug axles with four-wheel brakes, and 225/75 R15 load range D Castle Rock radial tires. Standard features include a 2 5/16" coupler, top wind jack, reflective tape, heavy duty diamond plate fenders with backs, pressure treated wood flooring, and a dovetail with a full width landscape gate. Width increases to 81" over the 7,000 GVWR model. An upgraded lighting package with wiring in conduit and rubber mounted sealed beam lifetime LED lights give added value to this deluxe utility trailer.

NO HIDDEN FEES!!! WE QUOTE AN "OUT THE DOOR" PRICE OVER THE PHONE!!!

NO Document, Freight, or Assembly fees added. You pay ONLY the listed price plus state sales tax.

Specifications | Additional Options

| | |
|------------|---|
| G.V.W.R. | 9,000 lb. - Approx. Empty Weight - 2,350 lb. - Capacity - 6,650 lb. |
| Electrical | Wiring in conduit with rubber mounted lifetime LED lights |



D. R. Trailer Sales, Inc.

Company Info:
14177 Plank Rd.
Milan, MI 48160, USA
www.drtrailer.net

Sales Info:
Dan Miller
Phone: 7344391441
Fax: 7344391415

Customer Info:
City Of Ypsilanti

83" Tndm Axle Channel Utility

Quote #189948

- 16 feet
- BP 2" A-Frame
- (2) 3,500# (Dexter) Electric / Spring
- Dovetail w/ 4' Fold-up Gate
- Black Powder Coat

*Black
- Luggage*



* actual product may vary from image shown

Notes:

Standard Features

- 7,000 G.V.W.R.
- 3,500 x 2 G.A.W.R.
- 2" Ball Demco EZ Latch Coupler
- Safety Chains
- 1 - Bulldog Pipe Mount Swivel Jack (5,000 lb.)
- (2) 3,500# (Dexter) One Electric (Spring)
- 4 Leaf Double-eye Spring Suspension
- 4 - NEW 15" Black Mod Wheels
- 4 - ST205/75R15 Radial Tires (1,820 lb)
- Stake Pockets
- 9" x 33" Treadplate Removable Alum Fenders
- 4" Channel Frame & Tongue
- 2 1/2" x 2 1/2" x 3/16" Angle Crossmembers
- 2" x 2" Removable Side Rail
- 2" x 2" Top Rail
- 2" Treated Pine Lumber Deck
- 83" Wide Deck
- DOT Approved Flushmount Lifetime LED Lights
- All-Weather Wiring Harness (7-way RV)
- Sand Blasted, Acid Washed, Powder Coated
- 5 year Dexter Axle Warranty

| | |
|----------------|------------|
| Trailer Price: | \$4,301.00 |
| Discount: | (\$152.00) |
| Taxes: | \$0.00 |
| Fees: | \$0.00 |
| Registration: | \$0.00 |
| Other: | \$0.00 |

Total Price: \$4,149.00



Prepared By:

USA Trailer Sales LLC (New Boston)

38771 Willow Rd.
New Boston, MI 48164
motorcitytrailers@yahoo.com
www.usa-trailer.com
7346542155

WEB119406

Date Created: 08/09/2021

Prepared For:

ypsilanti township

48164
RKronemann@ytown.org
734-654-2155

Landscape

Comments and Special Instructions:

N/A

Purchase Order Number : N/A

Promo Code : N/A

Quantity : 1

Final Trailer Part Number :



CH8320052ESBA27B05D01E02G84STBTM1ZP2CB2

Base Trailer

| Code | Description | Price for Quote |
|---------------|--|------------------------|
| CH83200 52 | Base Trailer 83" x 20' Tandem Axle Carhauler | \$4,846.15 |

| Code | Description | Price for Quote |
|-----------------------------|--|------------------------|
| | Axle | |
| ESB | 2 - 5,200 Lb Dexter Spring Axles (2 Elec FSA Brakes) | \$184.62 |
| | Color | |
| ZP2CB2 | Black (w/Primer) | \$0.00 |
| Base Trailer Total : | | \$5,030.77 |

Options

| Code | Description | Image | Price for Quote |
|------------------------|---|---|------------------------|
| B05 | 5" Channel Frame | | \$0.00 |
| D01E02 | Treated Wood Floor w/2' Dove Tail (Only On 12' & Up) | | \$76.92 |
| G84 | 4' HD Split Fold Gate w/Ramp & Spring Assist | | \$246.15 |
| TM1 | Spare Tire Mount |  | \$46.15 |
| A27 | ST225/75 R15 LRD 8 Ply. (BLACK WHEELS) | | \$0.00 |
| STB | Spare Tire ST225/75 R15 LRD 8 Ply. 6 Hole (BLACK WHEEL) |  | \$138.46 |
| Options Total : | | | \$507.68 |

Trailer Standard Features

| | | | |
|--------------|------------------------|-----------------|-------------------------|
| Product Line | Car-Haulers & Bob Cats | Product Series: | CH10 |
| GVWR: | 9,990 lb | GAWR: | 5,200 Lb (ea axle) |
| Couplers | 2-5/16" Adjustable | Safety Chains: | 12,600 Lb 1/4 X 28 G#70 |

| | | | |
|---------------------------|---|----------------------------------|---|
| Jack : | Dropleg 7,000 Lb | Axles: | 2-5,200 Lb Cambered Dexter Spring 1 Elec. NEV-R-ADJUST Brake |
| Whe els: | 15" 6-Hole | Tires: | 225/75 R15 LRD |
| Susp ensi on: | Multi-Leaf Spring | Tougue & Neck: | 5" Channel (6.7 lbs/ft) |
| Fram e: | 5" Channel (6.7 lbs/ft) | Up Rights: | 2" X 2" 3/16" Angle Iron |
| Cros sme mbe rs | 3" Channel 24" OC (3.5 lbs/ft) | Floorin g: | Treated Wood |
| Fend ers: | Weld On Diamond Plate | Ramps: | 5' Slide-In Ramps |
| Top Rail: | 2" X 2" 1/8" Tubing | Lights: | D.O.T. Stop, Tail, Turn and Clearance LED |
| Wire Harn ess: | 16 Ga. 5-Way Double Insulated Harness w/7- way plug | Finishin g Coat/Pr imer | Sherwin-Williams Powdura OneCure Primer w/Polyester TGIC Gloss Powder Topcoat |
| Finis h (pre p): | Mechanical and/or Chemical Pretreatment for Maximum Paint Adhesion | EWR Class | CARHAULER |
| D- Ring s: | 3" Standard D-Rings | | |

Surcharge (30%) :

\$1,661.54

Freight :

\$400.00

Total :

\$7,599.99



(734) 783-6464

SALES REP:

Stein

PRICE QUOTE

Customer Name Township of 4ps.late Date: 9/30/21
 Phone # (313)938-5020 E-Mail kroneanna@gm-1.com
 Address _____

Where did you hear about us: _____

| Manufacturer | | Price |
|------------------|--------------------------------------|-------------|
| <u>Jee-Trail</u> | | |
| Trailer Size | <u>18' Tube Top Utility 10k GVWR</u> | <u>5775</u> |
| Options: | <u>1 In Stock</u> | |
| | <u>20' Tube Top Utility 10k GVWR</u> | <u>5975</u> |
| | <u>2 In Stock</u> | |

These are straight deck - no - dovetail,
but include 5' Resford Gates
Dovetail units will arrive after the year

| | | | |
|-------------|-------|-------------|---------------|
| Color: | _____ | Sub-Total | _____ |
| In Stock #: | _____ | Admin. Fee | _____ |
| | | Freight | _____ |
| | | Tax | <u>Exempt</u> |
| | | Plate/Title | <u>N/C</u> |
| | | Total | _____ |

Monthly PAYMENT * _____

* Payment is subject to change based upon credit approval.
 All prices subject to change without notice.

NOTES: _____

**YOUR ONE STOP
 TRAILER SHOP**

12620 Telegraph Road Carleton, MI 48117 * kellytrailers.com * skelley@kellytrailers.com

+ \$275 dovetail

SURE-TRAC TUBE TOP UTILITY



Self-Retained Gate Pins



Board Retainer



Ramp Gate with Handle



Spare Tire Carrier



Spring-Assist Gate



Zinc-Plated Setback Jack



Shown with Optional HD Contractors Gate

10K Model Features 7k Dropleg Jack, 3 x 2 Tube Top Rail and Reinforced Gate

SURE-TRAC DIFFERENCE

- Fold-Flat HD Ramp Gate with Handle (New)
- Spring-Assist Ramp Gate
- Self-Retained Gate Pins
- Zinc-Plated Setback Jack
- Sealed LED Lights
- Protected Wiring

FEATURES

- Gel-Filled Electrical Connectors
- Pressure-Treated 2 x 6 Decking

- Easy-Lube Hubs
- 15" Radial Tires

- 2 x 2 Tube Top Rail (3 x 2 on 10K)
- Tube Uprights
- Front and Rear Board Retainers
- Spare Tire Mount
- HD Tread Plate Fenders
- Stake Pockets

OPTIONS

- Gate Upgrades
- Wheel Upgrades
- Color Options
- Contact Your Local Dealer for More Options

SPECIFICATIONS

| | 5' x 8' 3K | 5' x 10' | 6' x 10' | 6' x 12' | 7' x 12' | 7' x 14' | SA 7' x 14' | TA 7' x 16' | 7' x 18' | 7' x 20' |
|--------------------------|------------|----------|----------|----------|----------|----------|-------------|------------------|-----------------------------|------------------|
| GVWR (lbs) | 2990 | 2990 | 2990 | 2990 | 2990 | 2990 | 7000 | 7K/10K 7000/9900 | 7K/10K 7000/9900 | 7K/10K 7000/9900 |
| GAWR (lbs/axle) | 3500 | 3500 | 3500 | 3500 | 3500 | 3500 | 3500 | 3500/5200 | 3500/5200 | 3500/5200 |
| Curb Weight (lbs) | 890 | 960 | 990 | 1115 | 1300 | 1420 | 1700 | 1820/2530 | 2200/2650 | 2410/2770 |
| Payload (lbs) | 2100 | 2030 | 2000 | 1875 | 1690 | 1570 | 5300 | 5180/7370 | 4800/7250 | 4590/7130 |
| Coupler | | | | | | | 2" Ball | | 2-5/16" Ball | |
| Electric Plug | | | | | | | 4-Way Flat | | 7 Pole RV Molded Flat Blade | |
| Overall Length | 137" | 161" | 161" | 185" | 185" | 209" | 215" | 239" | 263" | 287" |
| Bed Length | 96" | 120" | 120" | 144" | 144" | 168" | 168" | 192" | 216" | 240" |
| Bed Width | 61.5" | 61.5" | 71.5" | 71.5" | 81.5" | 81.5" | 81.5" | 81.5" | 81.5" | 81.5" |
| Deck Height | 18" | 18" | 18" | 18" | 18" | 18" | 18" | 18"/19.5" | 18"/19.5" | 18"/19.5" |
| Coupler Height | 16" | 16" | 16" | 16" | 16" | 16" | 16" | 16"/17" | 16"/17" | 16"/17" |

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARREL ROE
Treasurer
STAN ELDRIDGE
Trustees
DEBBIE SWANSON
JOHN P. NEWMAN II
GLORIA PETERSON
JIMMIE WILSON JR.



Residential Services

7200 S. Huron River Drive
Ypsilanti, MI 48197

ytown.org

MEMORANDUM

To: Charter Township of Ypsilanti Board of Trustees
From: Mike Hoffmeister, Residential Services Director
Date: October 25, 2021

Subject: Request to waive Financial Policy's initial authorization from Board to seek bids and review the two quotes obtained proactively and to accept the quote from Spartan Distributors for a new Toro Groundsmater 4100D and Workman GTX EFI (utility cart) in the amount of \$89,371.62 budgeted in line #213-753-977-000

The Residential Services Department is requesting to waive the portion of the financial policy which requires seeking sealed bids and to accept the quote of \$89,371.62 to purchase one new Toro Groundsmaster 4100D mower and one new Workman GTX EFI utility cart for Green Oaks Golf Course. Only two quotes were received due to the mowing span and deck size that is necessary to replace the existing 4100D mowers.

This new equipment will greatly help a more efficient operation at the Golf Course. Existing Toro mowers are 9 years old (given to them from Parks and Grounds) and utility carts are 20 years old. Also, each existing Toro mower receives \$5,000 in maintenance per year due to their age, previous year's wear-and-tear, etc.

You'll notice that Spartan is not the low quote. The John Deere product don't have quite as large of a mower deck as the Toro. Toro holds the government cooperative contract for this type of equipment. Also, golf staff have a long standing relationship with Spartan Distributing. They are a great partner as they work with us and take great care of us by providing backup machines, quick responses, and complete repairs that we cannot do in house.

Finally, this golf year has been a great one and staff deserve to be utilizing newer equipment due to their successes of 2021. Lead time for this equipment is 4-6 months. Similar to what we did with the OCS Explorer, these funds will be encumbered in 2021 (via purchase order) and will be re-budgeted in 2022 to complete the purchase when the equipment is received. The funds are budgeted in the 2021 budget and were included in previously approved Line Item Transfers (LIT).

Spartan Distributing: \$89,371.62 (Government Cooperative Pricing)
Revels Turf & Co: \$83,917.62 (John Deere equipment)

Mike Hoffmeister
Residential Services Director
mhoffmeister@ytown.org
734-544-3515

September 22, 2021

487 W Division Street
PO Box 246
Sparta, MI 49345
616.887.7301
Fax: 616.887.6288

1050 Opdyke Road
Auburn Hills, MI 48326
248.373.8800
Fax: 248.373.8899

Green Oaks Golf Course
Ypsilanti Township
Tim Smith
2025 Clark Rd
Ypsilanti, MI 48198

Dear Tim,

We are pleased to provide a quote on the following equipment:

| | |
|---|--------------------------|
| (1) TORO Groundsmaster 4100-D (T4) (#30608) | \$ 79,024.92 |
| (2) TORO Groundsmaster Workman GTX EFI (#07409) | \$ 20,693.40 |
| • (2) Bucket Seat (#07048) | Unit price: \$ 10,346.70 |
| • (2) Plastic Cargo Bed (#07046) | |

*- 6 mo's lead free
- maintenance
- 2-yr warranty*

The above TORO pricing is based on OMNIA Contract #2017025

Pricing is firm for 30 days from date of quotation.

DELIVERY: As Arranged

TERMS: Net 30 Days; Financing Available

Thank you for your interest in our line of equipment. If you have any questions, please feel free to call me at 800-822-2216.

Sincerely,

Stephen Carrier

Stephen Carrier
Commercial Sales

SC/jgm



JOHN DEERE

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Revels Turf and Tractor, LLC
7060 Kensington Road
Brighton, MI 48116
248-446-0397

Quote Summary

Prepared For:

YPSILANTI TOWNSHIP GREEN OAKS GOLF COURSE
1775 E CLARK RD
YPSILANTI, MI 48198
Business: 734-482-2386

Delivering Dealer:

Revels Turf and Tractor, LLC
Robert Traver
7060 Kensington Road
Brighton, MI 48116
Phone: 248-446-0397
rtraver@jwrturf.com

Quote ID: 25037837
Created On: 11 August 2021
Last Modified On: 11 August 2021
Expiration Date: 11 September 2021

| Equipment Summary | Suggested List | Selling Price | Qty | Extended |
|---|----------------|----------------|-----|---------------------|
| JOHN DEERE 9009A TerrainCut Rough Mower | \$ 93,229.00 | \$ 72,718.62 X | 1 = | \$ 72,718.62 |
| Contract: MI Ag, Grounds, and Roadside 071B7700085 (PG 3W CG 22) | | | | |
| Price Effective Date: November 30, 2020 | | | | |
| Equipment Total | | | | \$ 72,718.62 |

* Includes Fees and Non-contract items

Quote Summary

| | |
|----------------------------|---------------------|
| Equipment Total | \$ 72,718.62 |
| Trade In | |
| SubTotal | \$ 72,718.62 |
| Est. Service Agreement Tax | \$ 0.00 |
| Total | \$ 72,718.62 |
| Down Payment | (0.00) |
| Rental Applied | (0.00) |
| Balance Due | \$ 72,718.62 |

Salesperson : X _____

Accepted By : X _____



JOHN DEERE

Selling Equipment

Quote Id: 25037837

Customer Name: YPSILANTI TOWNSHIP GREEN OAKS GOLF COURSE

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513

FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Revels Turf and Tractor, LLC
7060 Kensington Road
Brighton, MI 48116
248-446-0397

JOHN DEERE 9009A TerrainCut Rough Mower

Hours:

Suggested List *

Stock Number:

\$ 93,229.00

Contract: MI Ag, Grounds, and Roadside 071B7700085 (PG
3W CG 22)

Selling Price *

\$ 72,718.62

Price Effective Date: November 30, 2020

* Price per item - includes Fees and Non-contract items

| Code | Description | Qty | List Price | Discount% | Discount Amount | Contract Price | Extended Contract Price |
|------------------------------------|---|-----|---------------------|-----------|---------------------|---------------------|-------------------------|
| 1445TC | 9009A TerrainCut Rough Mower | 1 | \$ 93,229.00 | 22.00 | \$ 20,510.38 | \$ 72,718.62 | \$ 72,718.62 |
| Standard Options - Per Unit | | | | | | | |
| 001A | United States/Canada | 1 | \$ 0.00 | 22.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 0443 | All Other Countries (English / Spanish) | 1 | \$ 0.00 | 22.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Standard Options Total | | | \$ 0.00 | | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Value Added Services Total | | | \$ 0.00 | | | \$ 0.00 | \$ 0.00 |
| Total Selling Price | | | \$ 93,229.00 | | \$ 20,510.38 | \$ 72,718.62 | \$ 72,718.62 |

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TH 6x4 Gas

Traditional Utility Vehicle

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- Top of the line heavy duty work vehicle
- Best in class work capability
- Wide stance for enhanced stability

STARTING AT:

\$11,199.00 USD¹

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Features

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- + Powered by 11.6-kW (15.5-hp)*, 675-cc (41.2-cu in.), air-cooled, V-twin, four-cycle gas engine
- + Precision-engineered drive system optimizes hauling, towing, and hill-climbing capabilities
- + Features operating conveniences such as high-back seats, cup holders, 12-V outlet, glove box, and fuel gauge
- + Durable deluxe cargo box is spacious and allows for easy loading and unloading

Specs & Compare

Key Specs

Engine power

11.6* kW
15.5* hp

Cargo box dimensions

1143 x 304.8 x 1320 mm
45 x 12 x 52 in.

Cargo box capacity

544 kg
1200 lb

Towing capacity

635 kg
1400 lb

Front suspension

Independent spring over shock, single A-arm

Rear suspension

Two high-floatation, low pressure tires (solid axles)

Final drive

Fully enclosed, oil bath

Fuel capacity

5.0 G listed in the Sales Manual

Engine

Type

4 cycle gas

Displacement

675 cc

41.2 cu in.

Power

11.6* kW

15.5* hp

Cooling system

Air

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+ 3.90% APR fixed rate for 84 Months OR No-Interest if Paid in Full within 12 Months†

Accessories and Attachments

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Alternator

+ High-Capacity Alternator (TH 6X4 Gas Only) - 561CMBM21982

Backup Alarm

+ Backup Alarm Kit (S/N 90.001-...) - 561CMBM26351

Bumper

+ Front Bumper - 561CMBM23458

+ Front Bumper and Brush Guard - 561CMBM23459

+ Front Fender Guard - 561CMBM23457

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*Manufacturer's suggested price in USD. MSRP may be different in California. Taxes, freight, setup, delivery and optional attachments shown not included. Equipment, models, features, options, attachments and prices may vary by dealer. John Deere reserves the right to change specifications, model features, design, and price of the products described here without notice. Before operating or riding, always refer to the safety and operating information on the vehicle, and in the Operator's Manual. Actual vehicle top speed may vary based on belt wear, tire selection, vehicle weight, fuel condition, terrain and other environmental factors. The engine horsepower and torque information are provided by the engine manufacturer to be used for comparison purposes only. Actual operating horsepower and torque will be less. Refer to the engine manufacturer's website for additional information.

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARREL ROE
Treasurer
STAN ELDRIDGE
Trustees
DEBBIE SWANSON
JOHN P. NEWMAN II
GLORIA PETERSON
JIMMIE WILSON JR.



Residential Services

7200 S. Huron River Drive
Ypsilanti, MI 48197

ytown.org

MEMORANDUM

To: Charter Township of Ypsilanti Board of Trustees

From: Mike Hoffmeister, Residential Services Director

Date: October 25, 2021

Subject: Request to approve the Facility Usage Agreement with Willow Run Acres, a 501C3, for the development of a Community Farm at Appleridge Park

The Residential Services Department is requesting to approve the Facility Use Agreement with Willow Run Acres for the development of a Community Farm at Appleridge Park.

Staff have been in communication with Willow Run Acres staff since early 2021 to develop this plan and present to the Board of Trustees this concept. Please see below the process that has been taken thus far to make this project happen:

- 2/1/21: Presentation to Park Commission and recommendation to Board
- 5/1/21: Letter written and sent to Appleridge Residents asking for feedback
- 7/20/21: Internal Meeting with Legal to Review Facility Usage Agreement
- 8/25/21: Special Park Commission Meeting at Appleridge Park with Presentation to Residents

Mike Hoffmeister
Residential Services Director
mhoffmeister@ytown.org
734-544-3515

**FACILITY USAGE AGREEMENT FOR
WILLOW RUN ACRES (WRA)**

This Agreement is made by and between the **WILLOW RUN ACRES**, herein referred to as **(WRA)**, and the **CHARTER TOWNSHIP OF YPSILANTI**, herein referred to as **(TWP.)**.

WHEREAS, the **WRA** is a Michigan non-profit organization organized to fight food injustice and financial insecurity through hand-on education about American agriculture and its history while providing opportunities for self – sufficiency and discovery. ; and

WHEREAS, the **TWP.** is the administrator of certain public amenities: and

WHEREAS, the **WRA** and the **TWP.** desire to enter into this agreement with regard to the use of the Apple Ridge Park and the facilities contained therein by the **WRA** and respective obligations of the parties regarding the use and maintenance of the facilities;

NOW, THEREFORE in consideration of the promises and the mutual covenants and obligations contained herein; the parties agree as follows:

I. TERM

This agreement shall be for a term of five years (5), beginning on the date of the execution hereof; provided that the proper paperwork in regard to yearly insurance documentation is provided by the **WRA** to the **TWP.** by April 1 of each year of the term of this agreement.

II. OPTION TO RENEW

This agreement may be renewed at the option, but not the obligation, of the parties for an additional term, conditioned upon the following:

1. If not in violation of any obligation hereunder, the **WRA** shall be given the option to renew this agreement for a like term upon conditions set forth by the **TWP.** for a term of five (5) years. If the **WRA** should desire to renew this agreement it shall do so by giving

written notice to the **TWP.** prior to September 1 of the year prior for which the extension is requested.

III. USE OF FACILITIES

1. During the period of April 1, 2021 through May, 2025, the **WRA** shall have the preferred use of the **TWP.** Apple Ridge Park with the parking facilities, water use, and restroom access, as assigned by the **TWP.,** for year-round farming, educational classes, events, activities, fund raisers, and produce giveaways and sales. It is understood that the **TWP.** programs and certain community events may be scheduled in advance of the release of the facilities to the **WRA.**
2. **WRA** understands that the **TWP.** staff has the authority to deny use of the fields if they are deemed unsafe to farm on
3. The **TWP.** shall at all times have the right to inspect its facilities being used by the **WRA** and all **WRA** sponsored activities related to the use of such facilities.
4. If the **WRA** should desire to use the **TWP.** fields, outside of the contracted use dates, for additional special events or programs, the **WRA** shall make a written request to the **TWP.** a minimum of fourteen days prior to the start of the event. Any and all additions or special programs shall not be included in this agreement, but shall require a separate written agreement, as mentioned above, between both parties.

IV. OBLIGATIONS OF WRA

WRA shall:

1. Provide to the **TWP.** the following information two weeks prior to the start of Summer season (When community farmers have enrolled and all plots have been accounted for).
 - A. Proof of insurance and indemnification naming the **CHARTER TOWNSHIP OF YPSILANTI** as an additional insured per the **TWP.** required language.
 - B. A list of current **WRA** Officers and Board members, including home addresses, current phone numbers and email addresses (if applicable).
 - C. A listing of the total number of participants in the **WRA** programs, including the number of Ypsilanti Township residents who participate.
 - D. Execution of this agreement: **WRA** shall provide a copy of the official corporate resolution authorizing the **WRA** President, or authorized designee, to execute this agreement on behalf of the **WRA.**

2. Provide the following maintenance and repairs in a manner generally equal to the normal **WRA** maintenance and repair of similar recreational facilities:
 - A. Maintain all walking paths, raised beds, fences and gates in a safe and secure condition.
 - B. Operate and maintain any field irrigation system as well as the watering schedules of varied plants.
 - C. Report any damages and/or vandalism found, or observed, on any structure or facility to the **TWP.** immediately (including graffiti). The safety of the park users must always remain the top priority.
3. Schedule an organizational meeting with the **TWP.** representatives in October of each year, prior to the upcoming season, so as to go over the plans for the upcoming season.
4. The cost of installation of a potable water well will be shared among **WRA, TWP.,** and their partners. That potable water well will be used for farm plots, raised beds, and other education related gardens. **WRA** will gain understanding and provide oversight in the operation of the well, however **TWP.** will be responsible for the maintenance and upkeep of the potable water well.
5. Inclement weather: **WRA** will follow, at a minimum, the **TWP.** established policy for postponing or canceling events and activities due to inclement weather or threat thereof.
6. **WRA** will not discriminate against any person or persons because of race, color, religion, sex, height, weight, marital status, disability, national origin, sexual orientation, gender identity, veteran status, or political affiliation.
7. No persons affiliated with **WRA** shall engage in any business at **TWP.** facilities or perform any activity that shall be in violation of any existing state or federal law or municipal ordinance. The **TWP.** reserves the right to exclude any individual or group from its facilities based on conduct, which it determines in its discretion to be objectionable or contrary to community interests. **WRA** hereby consents to the exercise of such authority by the **TWP.** over its members, officials and agents.
8. **WRA** shall comply with all rules, regulations and township ordinances as they pertain to the use of township parks and facilities.
9. Promote **TWP.** Recreation activities and scholarship through web, email, social media, flyers, and signage at Apple Ridge Park.

V. OBLIGATIONS OF THE TWP.

The **TWP.** shall:

1. Help promote the **WRA** through resources mutually agreed upon between the **WRA** and the **TWP.**
2. Maintenance:
 - A. Cut, trim, and maintain all grass cutting exterior to farm and garden plots.
 - B. Remove all trash that has been deposited in trash receptacles as warranted (those receptacles that are located outside of the farm and garden plots).
 - C. Maintain the structural integrity of the restrooms, storage buildings, including the repair or replacement of damaged roofs, doors and windows.
 - D. Maintain all common areas, including the parking lot, playground equipment, field lights, ADA accessible paths, and the turf areas outside of the farm and garden plots.

It is understood and agreed upon, that the **TWP.** obligations under this Agreement will be performed as soon as, and to the extent that, budgeted funds are available for performance of its obligations. If the **TWP.** is unable to fulfill its obligations due to budget restraints, it will not be obligated to the **WRA** for any monetary damages.

VI. ASSIGNABILITY AND EXCLUSIVITY

This Agreement is a privilege for the benefit of the **WRA** only, and may not be assigned in whole or in part by the **WRA** to any other person or organization without advanced notice and approval from **TWP.** Both parties understand that the **WRA** use of the facilities is non-exclusive.

VII. INSURANCE AND INDEMNIFICATION

The **WRA** shall at all times during the term of this Agreement maintain in effect general public liability insurance covering the **CHARTER TOWNSHIP OF YPSILANTI.** The Charter Township of Ypsilanti ***STRICTLY*** adheres to the insurance requirements. These insurance requirements shall not be waived for any reason. The minimum amount of the policy shall be \$1,000,000 general liability per occurrence. Please read carefully the required insurance that must be obtained. The Charter Township of Ypsilanti shall be named as an additional insured on such policy and shall be entitled to at least a thirty day (30) day notice of cancellation or changes of any kind.

The wording on the policy ***MUST*** read:

“...The Charter Township of Ypsilanti and its past, present and future elected officials, trustees, appointed commissions and board, agents and employees shall be named as **“additional insured”** on the General Liability policy with respect to (event, dates, times and location).

This may require an addition to your current policy or an additional policy, either of which could result in extra cost from your insurance carrier.

The **WRA** shall indemnify and hold harmless the Charter Township of Ypsilanti and its officers, agents and employees from and against any and all suits, actions or claims of any character, type or description, including all expenses of litigation, court costs and attorney’s fees, brought or made for on account of any injuries or damages received or sustained by any person or persons or property, arising out of, or occasioned by, the act or failure to act of the **WRA** or its agents, volunteers or employees in the use of the facilities arising out of obligations of the **WRA** as set forth in this Agreement.

VIII. **PARK AND FACILITY IMPROVEMENTS**

1. All improvements to Apple Ridge Park and the facilities therein that the **WRA** would like to make must have prior approval from the **TWP.** and the Ypsilanti Township Building Dept.
2. All improvements must adhere to all requirements set forth by the Ypsilanti Township Building Department and the Community and Economic Development Department.

IX. SEVERANCE OF AGREEMENT

1. This agreement may be terminated by the **WRA** upon a sixty (60) day written notification to the **TWP**. The **WRA** agrees to complete any and all outstanding obligations due to the **TWP**.
2. In the event that the **WRA** fails to fulfill the obligations of this Agreement and/or violates the terms of this Agreement, the **TWP** may terminate the remainder of the Agreement upon a sixty (60) written notification to the **WRA**. If the violation of this Agreement results in a health and safety issue to the users of the park and facilities, the **TWP** reserves the right to sever this Agreement immediately without written notice.
3. In the event the **WRA** dissolves or no longer desires to use Apple Ridge Park, including all facilities therein, all permanent park and facility improvements made by the **WRA** shall remain in Apple Ridge Park and shall become the property of the Charter Township of Ypsilanti.

X. NOTICES

Unless otherwise provided herein, any notice, tender or delivery to be given hereunder by either party to the other may be effected by personal delivery in writing or registered or certified mail, postage prepaid, return receipt requested. Mailed notices shall be addressed as set forth, but each party may change its address by written notice in accordance with this section.

IN WITNESS THEREOF, the parties have executed this Agreement on the day and year set forth below,

WILLOW RUN ACRES

AUTHORIZED WRA REPRESENTATIVE **DATE**

WITNESS **DATE**

CHARTER TOWNSHIP OF YPSILANTI

BRENDA STUMBO, TOWNSHIP SUPERVISOR **DATE**

HEATHER JARRELL ROE, TOWNSHIP CLERK **DATE**

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARRELL ROE
Treasurer
STAN ELDRIDGE
Trustees
JOHN NEWMAN II
GLORIA PETERSON
DEBBIE SWANSON
JIMMIE WILSON JR.



Civic Center
Supervisor's Office
7200 S. Huron River Drive
Ypsilanti, MI 48197
Phone: (734) 481-0617
Fax: (734) 484-0002
www.ytown.org

Charter Township of Ypsilanti

Dear Apple Ridge Area Residents,

We wanted to reach out to you for input on your neighborhood park and get your input on a new opportunity in the park.

Township Recreation Staff and your Park Commission are supportive of Willow Run Acres, a non-profit organization that aims to combat hunger, poverty and access to health foods approached the township with a new opportunity in Appleridge Park.

Willow Run Acres is a non-profit that aims to combat poverty and hunger. Their vision is to utilize part of Appleridge Park to cultivate gardens, bring nutrition, fresh food, and programming for our children and others to learn how to grow their own food. It would allow residents to rent raised garden space and be an outdoor teaching space for current and future generations. Future uses could also include a Community Farmers Market for affordable fresh fruits and vegetables grown by our local residents. The park improvements for this project would include tilled ground gardens, raised garden beds, flower pollinator gardens, and a sensory garden. .

We are very excited by their plan and have provided a diagram on the back of this letter showing the proposed location in the park, which is away from the basketball courts and children's playground. Appleridge Park consists of 42 acres, of which are highly underutilized. We would greatly appreciate your input on this proposal.

Please call our office at 734-481-0617 or email me at supervisor@ytown.org and let us know your thoughts. If this project moves forward, Willow Run Acres would have to enter into a lease agreement for the park space with the township. Before we bring it forward your input is an essential part of the decision making process. We appreciate your consideration and time for providing input on Appleridge Park.

Respectfully,

Brenda L. Stumbo
Supervisor

Angela Verges
Recreation Manager

John Hines
Deputy Supervisor/Recreation Coordinator

a. If you are planting an area, include a design, plant list and location map of proposed site



Current Site Map



Planned Site Map – Apple Ridge Park























Garden season begins with cold crops first weather permitting, April through October 1 all Gardens dismantled by October 12 annually or by the second Saturday of every October all Gardens will be listed as annual Gardens unless otherwise noted .
Garden and farm officially opens the second week in May for many annually.

Tilled ground Garden
40 garden beds plots 15-by-15-foot-space 65.00 per season
20 garden beds plots 15-by-32-foot- space 125.00 per season

Raised Garden Beds
10 garden beds plots
Two--16-by-4 foot raised bed
105.00 per season



Americans with Disabilities Act accessible raised beds
12 4-by-8 raised beds handicap accessible 80.00 per season



4 flower pollinator Gardens





Sensory Garden

60 ft by 60 ft sensory garden for children and learning

First and foremost when choosing plants for sensory gardens, it is imperative that you choose plants that will thrive in your garden region. Native plants are great because they are used to the environment, are less susceptible to disease, and are generally lower maintenance than other non-native plants.

Read more at Gardening Know How: Creating A Sensory Garden – Ideas And Plants For Sensory Gardens <https://www.gardeningknowhow.com/special/accessible/sensory-garden-ideas.htm>

Sound – To stimulate hearing, choose plant flora that make noise when the wind passes through them, such as bamboo stems. Many seed pods make interesting sounds as well and the end of season leaves provide a fun crunching sound under feet. You can also include plants that encourage wildlife in the garden. The buzzing of a bee, the chirping of a cricket, or the whizzing of a hummingbird all stimulates the sense of hearing.

Read more at Gardening Know How: Creating A Sensory Garden – Ideas And Plants For Sensory Gardens <https://www.gardeningknowhow.com/special/accessible/sensory-garden-ideas.htm>

Touch – There is no shortage of plants that offer interesting textures, perfect for encouraging the sense of touch. From the baby soft feel of a lamb's ear to the irresistible sensation of cool moss through the fingers

or the brush of rough seedpods, it is possible to incorporate many different textures into the garden. Do not plant anything that may be dangerous, however, such as prickly roses or spiny agaves.

Read more at Gardening Know How: Creating A Sensory Garden – Ideas And Plants For Sensory Gardens <https://www.gardeningknowhow.com/special/accessible/sensory-garden-ideas.htm>

Smell – The sense of smell is extremely memorable and aromas easily find their place in our memory banks. Most sensory gardens are full of mingling aromas that entice a wide range of emotions. Highly aromatic plants, such as the sweet smelling gardenia, honeysuckle, herbs and spices, provide ample opportunity for stimulation.

Read more at Gardening Know How: Creating A Sensory Garden – Ideas And Plants For Sensory Gardens <https://www.gardeningknowhow.com/special/accessible/sensory-garden-ideas.htm>

Sight – Adding visual interest to a sensory garden can be achieved by using plants with varying habits such as those that creep, climb, trail, bush, or stand upright. Incorporating plants with different bloom, leaf, bark, and stem colors provide visual appeal as well.

Read more at Gardening Know How: Creating A Sensory Garden – Ideas And Plants For Sensory Gardens <https://www.gardeningknowhow.com/special/accessible/sensory-garden-ideas.htm>

Taste – Edible fruits, herbs, and spices planted in a sensory garden allow visitors an opportunity to experience nature's bounty while enticing their taste buds. Vegetables can also arouse the taste buds.

Read more at Gardening Know How: Creating A Sensory Garden – Ideas And Plants For Sensory Gardens <https://www.gardeningknowhow.com/special/accessible/sensory-garden-ideas.htm>



Form Revision Date 07/2016

ARTICLES OF INCORPORATION

For use by DOMESTIC NONPROFIT CORPORATION

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:

WILLOW RUN ACRES

ARTICLE II

The purpose or purposes for which the corporation is formed are:

To provide charitable programs, classes, projects, and services that enriches the mind, body, and soul through gardening.

ARTICLE III

The Corporation is formed upon basis.

If formed on a stock basis, the total number of shares the corporation has authority to issue is

If formed on a nonstock basis, the description and value of its real property assets are (if none, insert "none"): none

The description and value of its personal property assets are (if none, insert "none"): none

The corporation is to be financed under the following general plan:

- Donations
- Fundraisers
- Grants
- Membership Dues

The Corporation is formed on a basis.

ARTICLE IV

The street address of the registered office of the corporation and the name of the resident agent at the registered office (P.O. Boxes are not acceptable):

1. Agent Name: TAKUNIA KANAWHA COLLINS
 2. Street Address: 3109 WOODLAND HILLS DR
 Apt/Suite/Other: 34
 City: ANN ARBOR
 State: MI Zip Code: 48108

3. Registered Office Mailing Address:
 P.O. Box or Street Address: 111 SOUTH WALLACE
 Apt/Suite/Other: 128
 City: YPSILANTI
 State: MI Zip Code: 48197

ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

| Name | Residence or Business Address |
|-----------------|---|
| URISHAMA COWARD | 111 SOUTH WALLACE, 128, YPSILANTI, MI 48197 USA |
| TUCKER COLLINS | 111 SOUTH WALLACE, 128, YPSILANTI, MI 48197 USA |
| TAKUNIA COLLINS | 111 SOUTH WALLACE, 128, YPSILANTI, MI 48197 USA |

Signed this 5th Day of September, 2019 by the incorporator(s).

| Signature | Title | Title if "Other" was selected |
|-----------------|--------------|-------------------------------|
| Takunia Collins | Incorporator | |
| Tucker Collins | Incorporator | |
| Urishama Coward | Incorporator | |

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

Decline Accept

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
FILING ENDORSEMENT

This is to Certify that the ARTICLES OF INCORPORATION

for

WILLOW RUN ACRES

ID Number: 802360607

received by electronic transmission on September 05, 2019 , ***is hereby endorsed.***

Filed on September 05, 2019, ***by the Administrator.***

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 5th day of September, 2019.

Julia Dale, Director

Corporations, Securities & Commercial Licensing Bureau

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARRELL ROE
Treasurer
STAN ELDRIDGE
Trustees
JOHN P. NEWMAN
GLORIA PETERSON
DEBBIE SWANSON
JIMMIE WILSON JR.



**Office of the
Supervisor**

7200 S. Huron River Drive
Ypsilanti, MI 48197

ytown.org

MEMORANDUM

To: Lisa Stanfield, Deputy Clerk

From: Brenda Stumbo, Supervisor

CC: Heather Jarrell Roe, Clerk
Stan Eldridge, Treasurer
Javonna Neel, Accounting Director
Karen Wallin, HR Manager
John Hines, Deputy Supervisor

Date: October 27, 2021

Please place the following resolutions on the November 2, 2021 agenda:

- | | |
|---------------------------|--|
| 1. Resolution No. 2021-24 | : Establish Township Supervisor's Salary |
| 3. Resolution No. 2021-25 | : Establish Township Clerk's Salary |
| 4. Resolution No. 2021-26 | : Establish Township Treasurer's Salary |
| 2. Resolution No. 2021-27 | : Establish Township Trustee's Salary |

**CHARTER TOWNSHIP OF YPSILANTI
RESOLUTION NO. 2021-24**

ESTABLISH TOWNSHIP SUPERVISOR'S SALARY

WHEREAS according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for elected officials shall be determined by the township board; and

WHEREAS in July 2021, Teamster, AFSCME and non-union employees received a 2.5% increase in their base wages; and

WHEREAS it is recommended that trustees and full-time elected officials receive a 2.5% increase;

NOW THEREFORE BE IT RESOLVED that the salary for the office of Supervisor shall receive a lump sum to cover January 2021 to November 2021 (non MERS wages) the same as all other employees, 2.5% on their base salary with annual salary going from \$86,341.55 to \$88,500.09.

**CHARTER TOWNSHIP OF YPSILANTI
RESOLUTION NO. 2021-25
ESTABLISH TOWNSHIP CLERK'S SALARY**

WHEREAS according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for elected officials shall be determined by the township board; and

WHEREAS in July 2021, Teamster, AFSCME and non-union employees received a 2.5% increase in their base wages; and

WHEREAS it is recommended that trustees and full-time elected officials receive a 2.5% increase;

NOW THEREFORE BE IT RESOLVED that the salary for the office of Clerk shall receive a lump sum to cover January 2021 to November 2021 (non MERS wages) the same as all other employees, 2.5% on their base salary with annual salary going from \$86,341.55 to \$88,500.09.

**CHARTER TOWNSHIP OF YPSILANTI
RESOLUTION NO. 2021-26**

ESTABLISH TOWNSHIP TREASURER'S SALARY

WHEREAS according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for elected officials shall be determined by the township board; and

WHEREAS in July 2021, Teamster, AFSCME and non-union employees received a 2.5% increase in their base wages; and

WHEREAS it is recommended that trustees and full-time elected officials receive a 2.5% increase;

NOW THEREFORE BE IT RESOLVED that the salary for the office of Treasurer shall receive a lump sum to cover January 2021 to November 2021 (non MERS wages) the same as all other employees, 2.5% on their base salary with annual salary going from \$86,341.55 to \$88,500.09.

**CHARTER TOWNSHIP OF YPSILANTI
RESOLUTION NO. 2021-27
ESTABLISH TOWNSHIP TRUSTEE'S SALARY**

WHEREAS a new policy was adopted at the October 18, 2016 Township Board meeting that included compensation for Township Trustees; and

WHEREAS all AFSCME, Teamsters and non-union employees received a 2.5% increase in 2021; and

WHEREAS it is recommended that both trustees and full-time elected officials also receive a 2.5% increase in 2021;

NOW THEREFORE BE IT RESOLVED that the Trustees will be paid a lump sum of \$352.34 to cover January 2021 to November 2021 and effective December 2021, trustees will receive a 2.5% increase from \$15,375 to \$15,759.

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARRELL ROE
Treasurer
STAN ELDRIDGE
Trustees
JOHN P. NEWMAN
GLORIA PETERSON
DEBBIE SWANSON
JIMMIE WILSON JR.



**Office of the
Supervisor**

7200 S. Huron River Drive
Ypsilanti, MI 48197

ytown.org

MEMORANDUM

To: Charter Township of Ypsilanti Board of Trustees

From: Brenda Stumbo, Supervisor

CC: Clerk Heather Jarrell Roe
Lisa Stanfield, Deputy Clerk
Javonna Neel, Accounting Director
John Hines, Deputy Supervisor

Date: October 27, 2021

Please place the following on the November 2, 2021 agenda:

1. Request to set public hearing on Tuesday, December 7, 2021 at approximately 7:00 p.m. for 2022 Fiscal Year Budget.

**CHARTER TOWNSHIP OF YPSILANTI
2021 BUDGET AMENDMENT #13**

November 2, 2021

AMOUNTS ROUNDED UP TO THE NEAREST DOLLAR

101 - GENERAL OPERATIONS FUND

Total Increase \$3,152.00

Request to increase budget for PTO payout request of 70 hours to be paid at 75%. This will be funded by an appropriation for prior year fund balance.

| | | | |
|---------------|-------------------------------|------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 101-000-699.999 | \$1,481.00 |
| | | Net Revenues | <u><u>\$1,481.00</u></u> |
| Expenditures: | Salaries Pay Out - PTO & Sick | 101-191-708.004 | \$1,376.00 |
| | FICA | 101-191-715.000 | \$105.00 |
| | | Net Expenditures | <u><u>\$1,481.00</u></u> |

Request to increase budget for PTO payout request of 60 hours to be paid at 75%. This will be funded by an appropriation for prior year fund balance.

| | | | |
|---------------|-------------------------------|------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 101-000-699.999 | \$1,671.00 |
| | | Net Revenues | <u><u>\$1,671.00</u></u> |
| Expenditures: | Salaries Pay Out - PTO & Sick | 101-270-708.004 | \$1,553.00 |
| | FICA | 101-270-715.000 | \$118.00 |
| | | Net Expenditures | <u><u>\$1,671.00</u></u> |

249 - BUILDING FUND

Total Increase \$4,000.00

Request to add a new expenditure line for the annual service fee and online processing fees charged by BS&A for online permit payment capability. The annual service fee is \$2,280 and the cost of processing online permits is \$2 per permit. Approved at 6/16/2020 Board meeting. This will be funded by an appropriation for prior year fund balance.

| | | | |
|---------------|------------------------------|------------------|--------------------------|
| Revenues: | Prior Year Fund Balance | 249-000-699.999 | \$4,000.00 |
| | | Net Revenues | <u><u>\$4,000.00</u></u> |
| Expenditures: | Contractual - Online Permits | 249-371-801.060 | \$4,000.00 |
| | | Net Expenditures | <u><u>\$4,000.00</u></u> |

**CHARTER TOWNSHIP OF YPSILANTI
2021 BUDGET AMENDMENT #13**

November 2, 2021

287 - NUISANCE ABATEMENT FUND

Total Increase \$5,000.00

Request to increase the revenue line for noxious weeds - tax reimbursement due to more funds collected than budgeted and increase the expenditure line for noxious weed enforcement cost due to more citations than budgeted. This will be funded by revenues collected from noxious weed property owners.

| | | | |
|---------------|-----------------------------------|------------------|--------------------------|
| Revenues: | Noxious Weeds - Tax Reimbursement | 287-000-452.002 | \$5,000.00 |
| | | Net Revenues | <u><u>\$5,000.00</u></u> |
| Expenditures: | Noxious Weed Enforcement Cost | 287-733-806.003 | \$5,000.00 |
| | | Net Expenditures | <u><u>\$5,000.00</u></u> |

Motion to Amend the 2021 Budget (#13)

Move to increase the General Fund budget by \$3,152 to \$9,962,348 and approve the department line item changes as outlined.

Move to increase the Building Fund budget by \$4,000 to \$885,456 and approve the department line item changes as outlined.

Move to increase the Nuisance Abatement Fund budget by \$5,000 to \$67,027 and approve the department line item changes as outlined.

AUTHORIZATIONS AND BIDS

Supervisor
BRENDA L. STUMBO
Clerk
HEATHER JARRELL ROE
Treasurer
STAN ELDRIDGE
Trustees
JOHN P. NEWMAN
GLORIA PETERSON
DEBBIE SWANSON
JIMMIE WILSON JR.



**Residential Services
Department**

7200 S. Huron River Drive
Ypsilanti, MI 48197

ytown.org

MEMORANDUM

To: Charter Township of Ypsilanti Board of Trustees

From: Mike Hoffmeister, Residential Services Director

Date: October 27, 2021

RE: **Request authorization to seek sealed bids for Phase 1 of the Huron Street Pathway Project**

The Residential Services Department is requesting authorization to seek sealed bids for Phase 1 of the Huron Street Pathway Project.

This project has been on the radar for some time now. Pathway construction will be added to the west side of Huron Street between S. Huron River Drive and Joe Hall Drive. And additionally on the east side of Huron Street between James L. Hart Parkway and mDOT Park and Ride/North Bay Park entrance.

This project is budgeted in 2022 and is partially funded by a Connecting Communities grant of \$150,000 from the Washtenaw County Parks & Recreation Commission. Bids will be opened on December 15, 2021. Staff will come back to the board in late 2021 or early 2022 to award the contract and for a Construction Administration Agreement.

Attached to this memo are the contract book and bid specifications, the drawings and the easements (Bethesda Bible Church & Demco LLC.) that were required to proceed with this project.

Mike Hoffmeister
Residential Services Director
mhoffmeister@ytown.org
734-544-3515

**CONTRACT DOCUMENTS
FOR
HURON STREET PATHWAY**

**CHARTER TOWNSHIP
OF YPSILANTI
YPSILANTI, MI 48197**

**OHM Advisors
Consulting Engineers
34000 Plymouth Road
Livonia, Michigan 48150**

0098-19-0040
November 17, 2021

Huron Street Pathway
Charter Township of Ypsilanti
0098-19-0040

TABLE OF CONTENTS

| | Page No. |
|---|----------|
| <i>Bidding Requirements</i> | |
| Advertisement for Bid | AB-1 |
| Instructions to Bidders..... | IB-1-3 |
| Supplemental Instructions to Bidders..... | SIB-1-3 |
| Insurance Specifications..... | IS-1-4 |
| Bid Form..... | BF-1-8 |
| Bid Guarantee..... | BG-1 |
| Bid Bond..... | BB-1-3 |
| Statement of Qualifications | SQ-1-3 |
| Iran Linked Business Certification..... | IL-1-2 |
| Subcontractor Listing | SL-1-2 |
| <i>Contract Forms</i> | |
| Agreement (Contract) | AG-1-6 |
| Performance Bond..... | PFB-1-4 |
| Payment Bond | PYB-1-3 |
| Maintenance and Guarantee Bond..... | MG-1-2 |
| Contractor’s Affidavit | CA-1 |
| Contractor’s Declaration | CD-1 |
| Sworn Statement..... | SW-1-2 |
| <i>Conditions of the Contract</i> | |
| General Conditions..... | GC-1-20 |
| <i>General Specifications</i> | |
| General Specifications..... | GS-1-6 |
| <i>Technical Specifications</i> | |
| Storm Sewer Construction..... | ST-1-8 |
| Digital Recorded Video Survey..... | DV-1-4 |
| Restoration..... | R-1-8 |
| Method of Payment | MP-1-16 |
| Supplemental Specifications | SS-1-10 |

ADVERTISEMENT FOR BID

Huron Street Pathway
Charter Township of Ypsilanti
November 17, 2021

Sealed Bids for Huron Street Pathway will be received at the office of the Charter Township of Ypsilanti until 2:00 PM local time, on December 15, 2021, by the office of the Residential Services Director located at 7200 S Huron River Dr, Ypsilanti, MI 48197. The approximate quantities of major items of work involved are as follows:

3,500 feet of variable 10-ft and 8-ft HMA pathway with ADA and minor stormwater improvements.

The Contract Documents for this project are on file and may be examined on and after 2:00 PM, November 17, 2021, at the following locations: the office of the ENGINEER, Orchard, Hiltz, & McCliment, Inc. d/b/a OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150; Dodge Data & Analytics, dodgeproducts.construction.com; CMD Group, cmdgroup.com; the Construction Association of Michigan (CAM), buildwithcam.com; and Charter Township of Ypsilanti, 7200 S Huron River Dr, Ypsilanti, MI 48197.

Digital copies thereof may be obtained on or after 2:00 PM, local time, November 17, 2021, from the online plan room section of the website of the ENGINEER, www.ohm-advisors.com. A digital download fee may apply.

By request only, hard copies thereof may be obtained on or after 2:00 PM, local time, November 17, 2021, at the office of the ENGINEER, Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI 48150. A fee of fifty-five dollars (\$55) non-refundable will be charged for each set of Contract Documents. An additional fee of fifteen dollars (\$15) non-refundable will be charged for each set of Contract Documents which are mailed.

Bid Security in the form of a Certified or Cashier's Check or Bid Bond for a sum no less than five percent (5%) of the amount of the Bid will be required with each Bid.

The OWNER reserves the right to accept any Bid, reject any Bid, or waive irregularities in Bids.

No Bid may be withdrawn for a period of sixty (60) calendar days after the scheduled closing time for receipt of the Bids.

No pre-bid meetings are scheduled for this project.

Michael Hoffmeister, Residential Services Director
Charter Township of Ypsilanti

INSTRUCTIONS TO BIDDERS

1. BIDS

- A. Sealed Bids will be received as per Advertisement for Bids.
- B. Bid Forms shall be submitted only on forms provided by the ENGINEER and shall be of the type specified in the Bid Form.
- C. Bid Forms must be completed legibly in ink or by typewriter. In case of a discrepancy between the unit price and the extended amount, the unit price shown shall govern. Illegibility of any figure or word in the Bid Form may be sufficient cause for rejection of the Bid by the OWNER.
- D. Bid Forms shall be enclosed in sealed envelopes marked with the name of the project and Bidder and shall be delivered to the OWNER at the place specified in the Advertisement for Bids on or before the time specified in the Advertisement for Bids.
- E. Bid Forms shall be made in full conformity with all the conditions set forth in the drawings and in these specifications

2. NAME AND STATUS OF BIDDER

- A. The name and legal status of Bidder, that is, as a corporation, partnership or individual, shall be stated in the Bid Form.
- B. Anyone signing a Bid Form as an agent of another or others must submit with the Bid Form legal evidence of his authority to do so.
- C. The place of residence of each Bidder, or the office address in the case of a firm or company, with county and state, must

be given after his signature. Phone and fax numbers are also required.

3. BID SECURITY

Each Bid must be in the form requested in the Advertisement for Bid. The CONTRACTOR shall complete and sign the Bid Guarantee form (page BG-1). If a Bid Bond is requested, it must be from a Treasury Listed surety company licensed to do business in the state of Michigan in the amount as stated in the Advertisement for Bid, payable to the OWNER as a guarantee on the part of the Bidder that he will, if called upon, enter into the attached Agreement.

4. BONDS

- A. CONTRACTOR will be required to furnish performance and payment bonds each equal to one-hundred percent (100%) of the Contract Sum. The bonds shall be the OWNER's guarantee of the faithful performance and payment of all the CONTRACTOR's obligations under the Agreement. These bonds shall remain in effect for the period as stated in each bond's provisions.
- B. Maintenance and Guarantee Bonds shall be required.

5. INSPECTION OF SITE

- A. Before submitting a Bid Form, each Bidder shall personally inspect the site of the proposed work to arrive at a clear understanding of the conditions under which the work is to be done.
- B. Each Bidder shall be held to have compared the premises with the Bid documents and to have satisfied himself as to conditions of the premises, existing construction and any other conditions

affecting the carrying out of the work before delivery of his Bid Form.

- C. No allowance or extra consideration on behalf of the CONTRACTOR will subsequently be allowed by reason of error or oversight on the part of the CONTRACTOR or on account of interference by the OWNER's or other CONTRACTOR's activities.

6. TIME OF COMPLETION

Time of completion will be as stated in the Agreement.

7. EXPLANATION TO BIDDERS BY ADDENDA

- A. Neither the OWNER nor the ENGINEER will give verbal answers to inquiries regarding the meaning or intent of the Contract Documents prior to award of the Contract. Any verbal statements regarding same by any person prior to the award shall be without legal effect.
- B. Explanations desired by Bidders shall be requested of the ENGINEER in writing and, if explanations are necessary, a reply will be made in the form of an addendum, a copy of which will be forwarded to each Bidder of Record whose work is affected.
- C. Addenda issued to Bidders prior to date of receipt of Bid Forms shall become a part of the Contract Documents, and all Bid Forms shall include the work described in the Addenda.
- D. No inquiry received within four (4) business days of the date fixed for opening of the Bids will be given consideration.
- E. Failure of the ENGINEER to send, or the Bidder to receive, any such interpretations shall not relieve the

Bidder from obligation under his Bid as submitted.

- F. Bidder of Record is defined as an individual, partnership or corporation having purchased a set of Bid Documents from the ENGINEER.

8. EXPERIENCE AND FINANCIAL STATEMENT

- A. It is the intention of the OWNER to award the Contract to a contractor fully capable, both financially and as regards to experience to perform and complete the work in a satisfactory manner. Each Bidder must complete the Statement of Qualifications, which follows the Bid Form. If required by the OWNER, each Bidder under consideration may be required to submit additional evidence of qualifications.
- B. Each Bidder under consideration must be able to demonstrate that the Bidder has successfully completed projects of a similar nature and scope within the last two years.

9. SUBCONTRACTORS

Bidder shall submit to OWNER a list of all subcontractors and other persons and organizations (including those who are to furnish the principal items of material and equipment) proposed for those portions of work as to which such identification is so required. If requested by the OWNER, the apparent successful Bidder and any other Bidder so requested, will, within ten (10) days after the day of Bid opening, submit a Statement of Qualifications with pertinent information as to similar projects and other evidence of qualification for each such subcontractor, person and organization if requested by the OWNER. If the OWNER or ENGINEER, after due investigation, has reasonable objection to any proposed subcontractor, other person or organization, OWNER may request the apparent successful Bidder to submit an acceptable

substitute without an increase in Bid price. If the apparent successful Bidder declines to make any such substitutions, the Contract shall not be awarded to such Bidder, but his declining to make any such substitution will not constitute grounds for sacrificing his Bid Security. Any subcontractor, other person or organization so listed and to whom the OWNER or ENGINEER does not make written objection prior to signing of the Agreement will be deemed acceptable to the OWNER and ENGINEER.

10. AWARD OF CONTRACT

The OWNER reserves the right to accept any Bid, to reject any or all Bids, and to waive defects or irregularities in any Bid for any reason or no reason at all. The OWNER also reserves the right to award some, none, or all of the Contract.

11. LIQUIDATED DAMAGES/INCENTIVES

- A. If the CONTRACTOR fails to complete all the work within the time stipulated, he will be assessed liquidated damages as set forth in the Agreement.
- B. If set forth in the Agreement, incentives will be paid by OWNER to CONTRACTOR at the rate specified in the Agreement, when the work is completed prior to the time specified in the Agreement.

12. TAXES

The Bidder shall include in the base Bid and shall pay all applicable federal, state and local taxes of whatever character and description.

End of Section

SUPPLEMENTAL INSTRUCTIONS TO BIDDERS

These Supplemental Instructions to Bidders (SIB) amend or supplement the Instructions to Bidders. All provisions that are not so amended or supplemented remain in full force and effect.

A. Time of Completion & Construction Schedule

Prior to the execution of the Contract, the CONTRACTOR shall submit an outline of his proposed order of work and indicate dates for completing the major items of work. Major items shall be considered to be removal of pavement, station grading, pathway paving, approach work, and surface restoration. This schedule, when approved by the OWNER, shall become part of the Contract.

A pre-construction meeting shall be arranged prior to the start of work. The CONTRACTOR shall bring a tentative schedule to the pre-construction meeting. At this time, all Contract requirements shall be reviewed.

It is anticipated that construction will begin on May 11, 2022. The CONTRACTOR shall complete the proposed work, including final tests thereof, in order to have the pathway project finished as of the substantial completion date. Final cleanup and restoration shall be finished by the project completion date, unless otherwise directed in writing by the OWNER or its ENGINEER.

Summary of anticipated dates:

Contract Award January 4, 2021
Notice to Proceed May 4, 2022
Construction Start Date May 11, 2022
Substantial Completion Date June 22, 2022
Project Completion September 19, 2022

All requests for extensions of time shall be submitted in writing in accordance with Section 15 of the General Conditions. Such requests shall:

1. Detail the reason for the request.
2. Provide a realistic revised completion date.
3. Indicate any other areas that may be impacted by such an extension.

The CONTRACTOR shall request a deadline extension as soon as it has become apparent the completion date is unreasonable. In no case will a request be considered if it is submitted after the originally required completion date has passed.

originally required completion date has passed.

A. Pathway Construction

The proposed project, Huron Street Pathway, will construct a 10-foot wide HMA pathway parallel to and on the west side of Huron Street along the west side of Huron St from Morgan
October 2021

Road to Joe Hall Drive, then continue the work in a form of an 8- ft path from the east side of Huron Street from James L Hart Parkway to the North Bay Park parking lot.

B. Permits

The following permits will be required for project construction. The CONTRACTOR is required to comply with all terms and conditions of the permit as incidental to the unit prices bid and no extra compensation will be allowed.

- a. Permitting Agency: Charter Township of Ypsilanti SESC
Contact at Agency: Michael Hoffmeister
Phone number: (734) 544-3515
Permit Fee: Letter of Retainage (by Township)
Bond Amount (if applicable): N/A
Date of Application: Contractor needs to apply
Person Responsible for Acquiring the Permit: Contractor
Date Permit issued if already in hand: TBD

- b. Permitting Agency: Washtenaw County Road Commission (WCRC)
Contact at Agency: Gary Streight
Phone number: (734) 761-1500
Permit Fee: Letter of Retainage (by Township)
Bond Amount (if applicable): N/A
Date of Application: Contractor needs to apply
Person Responsible for Acquiring the Permit: Contractor
Date Permit issued if already in hand: TBD

Application has been made by the Engineer for the permit identified above. Unless otherwise indicated, the CONTRACTOR must secure the WCRC permit prior to the start of construction within the Huron Street Right-of-Way and shall be responsible for all associated fees, deposits, bonds, proof of insurance, etc. The permit review fee shall be paid for by the Township. The Contractor shall also be responsible for arranging for inspection by the governing agencies. Work cannot proceed until all permits are obtained.

C. Minimum Wage Requirements

The OWNER has specific minimum wage requirements that are as follows:

Davis-Bacon Act, July 2, 1964 (Title 40, USC, 276A)

Anti-Kickback Act (Title 18, USC 874)

U.S. Department of Labor Regulations and Standards (Title 29, 1, 3 and 5)

Equal Employment Opportunity Act, September 18, 1965 (Executive Order No. 11246)

Federal Occupational Safety and Health Act of 1970

Housing and Urban Development Act of 1968, Section 3, as amended, 12 USC, 1701u.

See the Supplemental Specifications for additional information.

D. Pre-bid Meeting

No pre-bid meetings are scheduled for this project.

INSURANCE SPECIFICATIONS

1. LIABILITY OF CONTRACTOR

The Contractor shall take all responsibility for the work and shall provide barricades, watchmen and lights, and take all precautions for preventing injuries to persons and property on or about the work; shall bear all losses resulting to him on account of the amount or character of the work or because the nature of the ground in which the work is done is different from what was estimated or expected, or on account of weather, floods, elements or other cause; and shall assume defense of, indemnify and save harmless the party of the first part and its individual officers and agents from all claims relating to labor, equipment and materials furnished for the work, inventions, patents and patent rights used in doing the work, also to injuries to any person or property received or sustained by or from the CONTRACTOR, his agents or employees.

The mention of any specific duty or liability of the CONTRACTOR in any part of the specifications shall not be construed as a limitation or restriction upon any general liability or duty imposed upon the CONTRACTOR by the specifications.

INDEMNIFICATION - HOLD HARMLESS AGREEMENT

The CONTRACTOR agrees to indemnify, defend, and save harmless the OWNER and ENGINEER, their consultants, agents, and employees, from and against all loss or expense (including costs and attorney's fees) by reason of liability imposed by law upon the OWNER and ENGINEER, their consultants, agents, and employees for damages to property and for damages because of bodily injury, including death at any time resulting therefrom, arising out of or in consequence of the performance of this work, whether such injuries to persons or damage to property is due, or claimed to be due, to the negligence of the CONTRACTOR, his subcontractors, the OWNER, the ENGINEER, and their consultants, agents, and employees, except only such injury or damage as shall have been occasioned by the sole negligence of the

OWNER, the ENGINEER, and their agents and/or consultants.

COMPOSITION OF THE CONTRACTOR

If the CONTRACTOR hereunder is comprised of more than one legal entity, each such entity shall be jointly and severally liable hereunder.

2. INSURANCE

2.1. Insurance Required of the CONTRACTOR:

Prior to commencement of work, the CONTRACTOR shall purchase and maintain during the term of the project such insurance as will protect him, the OWNER(s), and Orchard, Hiltz & McCliment, Inc., Consulting Engineers, from claims arising out of the work described in this Contract and performed by the CONTRACTOR, subcontractor(s) or sub-subcontractor(s) consisting of:

2.1.1. Workers' Compensation Insurance including Employer's Liability to cover employee injuries or disease compensable under the Workers' Compensation Statutes of the states in which work is conducted under this Contract; disability benefit laws, if any; or Federal compensation acts such as U.S. Longshoremen or Harbor Workers', Maritime Employment, or Railroad Compensation Act(s), if applicable. Self-insurance plans approved by the regulatory authorities in the state in which work on this project is performed are acceptable.

2.1.2. A Comprehensive General Liability policy to cover bodily injury to persons other than employees and for damage to tangible property including loss of use thereof, including the following exposures:

- A. All premises and operations.
- B. Explosion, collapse and underground damage.

- C. Contractor's Protective coverage for independent contractors or subcontractors employed by him.
- D. Contractual Liability for the obligation assumed in the Indemnification or Hold Harmless agreement found under Part I of this Section.
- E. The usual Personal Injury Liability endorsement with no exclusions pertaining to employment.
- F. Products and Completed Operations coverage. This coverage shall extend through the contract guarantee period.

2.1.3. A Comprehensive Automobile Liability policy to cover bodily injury and property damage arising out of the ownership, maintenance or use of any motor vehicle, including owned, non-owned and hired vehicles. In light of the standard policy provisions concerning (a) loading and unloading, and b) definitions pertaining to motor vehicles licensed for road use vs. unlicensed or self-propelled construction equipment, it is strongly recommended that Comprehensive General Liability and Comprehensive Auto Liability be written by the same insurance carrier, though not necessarily in one policy.

2.1.4. CONTRACTOR will purchase for the OWNER an Owner's Protective Liability policy to protect the OWNER; the ENGINEER (Orchard, Hiltz & McCliment, Inc.); their consultants, agents, employees and such public corporations in whose jurisdiction the work is located for their contingent liability for work performed by the CONTRACTOR, the subcontractor(s) or the sub-subcontractor(s) under this Contract.

2.1.5. CONTRACTOR shall purchase a Builder's Risk-Installation Floater in a form acceptable to the OWNER covering property of the project for the full cost of replacement as of the time of any loss which shall include, as named insureds, (a) the CONTRACTOR, (b)

all subcontractors, (c) all sub-subcontractors, (d) the OWNER, and Orchard, Hiltz & McCliment, Inc., Consulting Engineers, as their respective interests may prove to be at the time of loss, covering insurable property which is the subject of this Contract, whether in place, stored at the job site, stored elsewhere, or in transit at the risk of the insured(s). Coverage shall be effected on an "All Risk" form, including but not limited to the perils of fire, wind, collapse, vandalism, theft and earthquake, with exclusions normal to the cover. The CONTRACTOR may arrange for such deductibles as he deems to be within his ability to self-assume, but he will be held solely responsible for the amount of such deductible and for any co-insurance penalties. Any insured loss shall be adjusted with the OWNER and CONTRACTOR and paid to the OWNER and CONTRACTOR as Trustee for the other insureds.

2.1.6. Umbrella or Excess Liability

The OWNER or its representative may, for certain projects, require limits higher than those stated in paragraph. 2.2 that follows. CONTRACTOR is granted the option of arranging coverage under a single policy for the full limit required or by a combination of underlying policies with the balance provided by an Excess or Umbrella Liability policy equal to the total limit(s) requested. Umbrella or Excess policy wording shall be at least as broad as the primary or underlying policy(ies) and shall apply both to the CONTRACTOR's general liability and to his automobile liability insurance.

2.1.7. Railroad Protective Liability

Where such an exposure exists, the CONTRACTOR will provide coverage in the use of each railroad company having jurisdiction over rights-of-way across which work under the Contract is to be performed. The form of policy and limits

of liability shall be determined by the railroad company(ies) involved.

2.2.6. Umbrella or Excess Liability

\$2,000,000

2.2. Limits of Liability

The required limits of liability for insurance coverages requested in Section 2.1 shall be not less than the following:

2.2.1. Worker's Compensation

| | |
|------------------------------------|-----------|
| Coverage A Compensation | Statutory |
| Coverage B Employer's Liability | \$100,000 |

2.2.2. Comprehensive General Liability

| | |
|--|--------------------------|
| Bodily Injury - Each Occurrence | \$500,000 |
| Bodily Injury - Aggregate (Completed Operations) | \$500,000 |
| Property Damage - Each Occurrence | \$100,000 |
| Property Damage - Aggregate or combined single limit | \$500,000 \$1,000,000 |

2.2.3. Comprehensive Automobile Liability

| | |
|---|--------------------------|
| Bodily Injury | \$500,000 |
| Property Damage or combined single limit | \$200,000 \$1,000,000 |

2.2.4. Owner's Protective

| | |
|---|--------------------------|
| Bodily Injury- Each Occurrence | \$1,000,000 |
| Property Damage- Each Occurrence | \$250,000 |
| Property Damage- Aggregate or combined single limit | \$500,000 \$1,500,000 |

2.2.5. Builder's Risk-Installation Floater

Cost to replace at time of loss

2.3. Insurance - Other Requirements

2.3.1. Notice of Cancellation or Intent Not to Renew

Policies will be endorsed to provide that at least thirty (30) days written notice shall be given to the OWNER and the ENGINEER of cancellation or of intent not to renew.

2.3.2. Evidence of Coverage

Prior to the commencement of work, the CONTRACTOR shall furnish to the OWNER, Certificates of Insurance in force on the Owner's Form of Certificate provided. Other forms of certificate are acceptable only if (1) they include all items prescribed in the Owner's Form of Certificate, including agreement to cancellation provisions outlined in Paragraph 2.3.1 above, and (2) they have the written approval of the OWNER and ENGINEER. The OWNER reserves the right to request complete copies of the policies if deemed necessary to ascertain details of coverage not provided by the certificates. Such policy copies shall be "Originally Signed Copies," and so designated.

A. Insurance Required for the CONTRACTOR

- i. Workers' Compensation and Employers' Liability Comprehensive General Liability, including:
 - a. All premises and operations.
 - b. Explosion, collapse, and underground damage.
 - c. Contractors' Protective.
 - d. Contractual Liability for obligations assumed in the Indemnification-Hold Harmless agreement of this contract.
 - e. Personal Injury Liability.
 - f. Products and Completed Operations.
- ii. Comprehensive Automobile Liability, including owned, non-owned, and hired vehicles.
- iii. Umbrella or Excess Liability.

B. Insurance Required for the OWNER

Owners' Protective Liability which names as insured(s) the OWNER; the ENGINEER, Orchard, Hiltz & McCliment, Inc.; their consultants, agents, employees and such public corporations in whose jurisdiction the work is located.

C. Insurance Required for the CONTRACTOR and the OWNER

Builders Risk-Installation Floater which names as insured(s) the OWNER; the ENGINEER, Orchard, Hiltz & McCliment, Inc.; their consultants, agents and employees; the CONTRACTOR and all subcontractors.

2.3.3. Qualification of Insurers

In order to determine the financial strength and reputation of insurance carriers, all companies providing coverages required shall be licensed or approved by the Office of Financial and Insurance Services of the State of Michigan. The company shall also have a financial rating not lower than X and a policyholder's service rating no lower than A as listed in A.M. Best's Key Rating Guide, current edition. Companies with ratings lower than A:X will be acceptable only upon the written consent of the OWNER

End of Section

BID FORM

Huron Street Pathway Charter Township of Ypsilanti

THIS BID IS SUBMITTED TO:
Charter Township of Ypsilanti
7200 S Huron River Dr
Ypsilanti, MI 48197

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

Bidder accepts all of the terms and conditions of the Advertisement to Bid, Instructions to Bidders and Supplemental Instructions to Bidders.

In submitting this Bid, Bidder represents, as set forth in the Agreement, that:

- A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of all which is hereby acknowledged.

| Addendum No. | Addendum Date | Signature |
|--------------|---------------|-----------|
|--------------|---------------|-----------|

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

- B. Bidder has visited the site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the site (except underground facilities) which have been identified in the Supplemental Instructions to Bidders, and (2) reports and drawings of a hazardous environmental condition, if any, which has been identified in the Supplemental Instructions to Bidders.
- E. Bidder has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and underground facilities) at or contiguous to the site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences,

and procedures of construction expressly required by the Bidding Documents to be employed by Bidder, and safety precautions and programs incident thereto.

- F. Bidder does not consider that any further examinations, investigations, exploration, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by OWNER and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Bidding Documents.
- I. Bidder has given ENGINEER written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by ENGINEER is acceptable to Bidder.
- J. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

Bidder further represents that this Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any individual or entity to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.

Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

**BID FORM for
Huron Street Pathway
Township of Ypsilanti, Washtenaw County, State of Michigan
OHM Job Number: 0098-19-0040**

Category 1 - Removal

| Item | Description | Estimated Quantity | Unit Price | Amount |
|--|--|-------------------------------|-----------------------|---------------|
| 1 | Curb and Gutter, Rem | 294.00 Ft | \$ _____ | \$ _____ |
| 2 | Pavt, Rem | 288.00 Syd | \$ _____ | \$ _____ |
| 3 | Remove Fence | 16.00 Ft | \$ _____ | \$ _____ |
| 4 | Remove Fence Post | 2.00 Ea | \$ _____ | \$ _____ |
| 5 | Erosion Control, Inlet Protection, Fabric Drop | 16.00 Ea | \$ _____ | \$ _____ |
| 6 | Erosion Control, Silt Fence | 2338.00 Ft | \$ _____ | \$ _____ |
| 7 | Sign, Salvage and Reset | 3.00 Ea | \$ _____ | \$ _____ |
| Subtotal Category 1 (ITEM 1-7 incl.): | | | | \$ _____ |

Category 2 - Construction

| Item | Description | Estimated Quantity | Unit Price | Amount |
|-------------|---|-------------------------------|-----------------------|---------------|
| 8 | Aggregate Base, 6 inch | 4718.00 Syd | \$ _____ | \$ _____ |
| 9 | Drainage Structure Tap, 6 inch | 2.00 Ea | \$ _____ | \$ _____ |
| 10 | Sewer CI A, Edge Drain, 6 inch | 115.00 Ft | \$ _____ | \$ _____ |
| 11 | Dr Structure, 24 inch dia | 1.00 Ea | \$ _____ | \$ _____ |
| 12 | Hand Patching | 2.00 Ton | \$ _____ | \$ _____ |
| 13 | HMA, 13A | 3176.00 Syd | \$ _____ | \$ _____ |
| 14 | Conc Pavt, Nonreinf, 8 inch | 345.00 Syd | \$ _____ | \$ _____ |
| 15 | Curb, Conc, Det E4 | 65.00 Ft | \$ _____ | \$ _____ |
| 16 | Curb and Gutter, Conc, Det F4 | 346.00 Ft | \$ _____ | \$ _____ |
| 17 | Detectable Warning Surface | 52.00 Ft | \$ _____ | \$ _____ |
| 18 | Sidewalk Ramp, Conc, 6 inch | 2024.00 Sft | \$ _____ | \$ _____ |
| 19 | Block Retaining Wall, Mortarless, Reinf | 65.00 Ft | \$ _____ | \$ _____ |
| 20 | Pavt Mrkg, Polyurea, 12 inch, White | 242.00 Ft | \$ _____ | \$ _____ |

**BID FORM for
Huron Street Pathway
Township of Ypsilanti, Washtenaw County, State of Michigan
OHM Job Number: 0098-19-0040**

| | | | | | | | |
|---|--|-----------|----|-------|----|-------|-------|
| 21 | Pavt Mrkg, Polyurea, 24 inch, Stop Bar | 52.00 Ft | \$ | _____ | \$ | _____ | |
| 22 | Riprap, Plain | 20.00 Syd | \$ | _____ | \$ | _____ | |
| 23 | Adjust Drainage/Utility Structure | 10.00 Ea | \$ | _____ | \$ | _____ | |
| Subtotal Category 2 (ITEM 8-23 incl.): | | | | | | \$ | _____ |

Category 3 - Miscellaneous

| Item | Description | Estimated Quantity | Unit | Price | Amount |
|------|---------------------------------|-----------------------|------|-------|--------|
| 24 | Mobilization, Max 5% | 1.00 | LSUM | \$ | _____ |
| 25 | Traffic Maintenance and Control | 1.00 | LSUM | \$ | _____ |
| 26 | Audio Video Route Survey | 1.00 | LSUM | \$ | _____ |
| 27 | Minor Traf Devices | 1.00 | LSUM | \$ | _____ |
| 28 | Curb and Gutter, Rem | 18.00 | Ft | \$ | _____ |
| 29 | Pavt, Rem | 414.00 | Syd | \$ | _____ |
| 30 | Subgrade Undercutting, Type II | 150.00 | Cyd | \$ | _____ |
| 31 | Station Grading | 32.50 | Sta | \$ | _____ |
| 32 | Aggregate Base, 6 inch | 198.00 | Syd | \$ | _____ |
| 33 | Maintenance Aggregate | 50.00 | Ton | \$ | _____ |
| 34 | Hand Patching | 27.00 | Ton | \$ | _____ |
| 35 | HMA, 13A | 290.00 | Syd | \$ | _____ |
| 36 | Conc Pavt, Nonreinf, 8 inch | 14.00 | Syd | \$ | _____ |
| 37 | Curb and Gutter, Conc, Det F4 | 18.00 | Ft | \$ | _____ |
| 38 | Sidewalk Ramp, Conc, 6 inch | 69.00 | Sft | \$ | _____ |
| 39 | Sidewalk, Conc, 6 inch | 22.00 | Sft | \$ | _____ |
| 40 | Riprap, Plain | 4.00 | Syd | \$ | _____ |
| 41 | Rain Garden Plantings | 1.00 | LSUM | \$ | _____ |
| 42 | Sign, Salvage and Reset | 3.00 | Ea | \$ | _____ |

**BID FORM for
Huron Street Pathway
Township of Ypsilanti, Washtenaw County, State of Michigan
OHM Job Number: 0098-19-0040**

| | | | | | | |
|----|-----------------------------------|-----------|----|-------|----|-------|
| 43 | Sprinkler Head, Salvage and Reset | 10.00 Ea | \$ | _____ | \$ | _____ |
| 44 | Monument Box Adjust | 3.00 Ea | \$ | _____ | \$ | _____ |
| 45 | Adjust Drainage/Utility Structure | 5.00 Ea | \$ | _____ | \$ | _____ |
| 46 | Adjust Sanitary Structure | 1.00 Ea | \$ | _____ | \$ | _____ |
| 47 | Turf Establishment | 33.00 Sta | \$ | _____ | \$ | _____ |

Subtotal Category 3 (ITEM 24-47 incl.): \$ _____

Category 4 - Permits

| Item | Description | Estimated Quantity | Unit | Price | Amount |
|------|----------------------------------|-----------------------|------|-------|--------|
| 48 | SESC Permit/Inspection Allowance | 1000.00 | Dlr | \$ | _____ |
| 49 | WCRC Permit/Inspection Allowance | 5000.00 | Dlr | \$ | _____ |

Subtotal Category 4 (ITEM 48-49 incl.): \$ _____

Subtotal Category 1: \$ _____

Subtotal Category 2: \$ _____

Subtotal Category 3: \$ _____

Subtotal Category 4: \$ _____

Total Bid Amount (Categories 1-4 incl.): \$ _____

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price bid items will be based on actual quantities constructed in accordance with the Contract Documents.

Bidder agrees that the Work will be Substantially Complete on or before June 22, 2022, and completed and ready for final payment in accordance with the General Conditions on or before September 19, 2022.

Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified above, which shall be stated in the Agreement.

The following documents are attached to and made a condition of this Bid:

- Bid Guarantee (circle one): Certified or Cashier's Check or Bid Bond
- Statement of Qualifications
- Subcontractor Listing
- Legal Status of Bidder

SUBMITTED on _____, 20 _____

State Contractor License No. _____ . (If applicable)

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____ (SEAL)
(Individual's signature)

Doing business as: _____

Business address: _____

Phone No.: _____ FAX No.: _____

A Partnership

Partnership Name: _____ (SEAL)

By: _____
(Signature of general partner – attach evidence of authority to sign)

Name (typed or printed): _____

Business address: _____

Phone No.: _____ FAX No.: _____

A Corporation

Corporation Name: _____ (SEAL)

State of Incorporation: _____

Type (General Business, Professional, Service, Limited Liability): _____

By: _____
(Signature – attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Attest: _____ (CORPORATE SEAL)
(Signature of Corporate Secretary)

Business address: _____

Phone No.: _____ FAX No.: _____

Date of Qualification to do business is: _____

A Joint Venture

Joint Venture Name: _____ (SEAL)

By: _____
(Signature of joint venture partner – attach evidence of authority to sign)

Name (typed or printed): _____

Title:

Business address: _____

Phone No.: _____ FAX No.: _____

Joint Venture Name: _____ (SEAL)

By: _____
(Signature of joint venture partner – attach evidence of authority to sign)

Name (typed or printed): _____

Title:

Business address: _____

Phone No.: _____ FAX No.: _____

Phone and FAX Number, and Address for receipt of official communications.

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above).

BID GUARANTEE

The undersigned attaches bid security in the form of a BID BOND / CERTIFIED CHECK / CASHIER'S CHECK (Circle one) in the amount of _____

_____ Dollars (\$_____).

The undersigned agrees, if awarded the Contract, to deliver the executed Agreement and bonds and furnish evidence of insurance within fourteen (14) business days after the date of the Notice of Award. And to complete the proposed work within the time specified in the Bid Form.

If the Bid is accepted by the OWNER, and the undersigned shall fail to enter into the Agreement as aforesaid and to furnish the required surety bonds within fourteen (14) business days after Notice of Award, the Bid Bond in the amount of \$_____ accompanying this Bid shall be considered due and payable to the OWNER.

If the undersigned enters into the Agreement in accordance with this Bid or if his Bid is rejected, then the accompanying Bid Guarantee shall be voided.

In submitting this Bid, it is understood that the right is reserved by the OWNER to reject any or all bids, to waive irregularities and/or formalities and, in general, to make award in any manner deemed by it, in its sole discretion, to be in the best interest of the OWNER.

SIGNED AND SEALED THIS _____ DAY OF _____, 20 _____

Authorized Signature of Bidder:

(TITLE) _____

(SEAL)

BID BOND

BIDDER (Name and Address):

SURETY (Name and Address of Principal Place of Business):

OWNER (Name and Address):

Charter Township of Ypsilanti
7200 S Huron River Dr
Ypsilanti, MI 48197

BID

BID DUE DATE: December 15, 2021

PROJECT (Brief Description Including Location):

3,500 feet of variable 10-ft and 8-ft HMA pathway with ADA and minor stormwater improvements.

BOND

BOND NUMBER: _____

DATE (Not later than Bid due date): _____

PENAL SUM: _____
(Words) (Figures)

IN WITNESS WHEREOF, Surety and Bidder, intending to be legally bound hereby, subject to the terms printed on the reverse side hereof, do each cause this Bid Bond to be duly executed on its behalf by its authorized officer, agent, or representative.

BIDDER

SURETY

(Seal)

(Seal)

Bidder's Name and Corporate Seal

Surety's Name and Corporate Seal

By: _____
Signature and Title

By: _____
Signature and Title

(Attach Power of Attorney)

Attest: _____
Signature and Title

Attest: _____
Signature and Title

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to pay to OWNER upon default of Bidder the penal sum set forth on the face of this Bond.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by OWNER) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Document.
3. This obligation shall be null and void if:
 - 3.1. OWNER accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by OWNER) the executed Agreement required by the Bidding Documents and any performance and payment Bonds required by the Bidding Documents, or
 - 3.2. All Bids are rejected by OWNER, or
 - 3.3. OWNER fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default by Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from OWNER, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of and any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by OWNER and Bidder, provided that the total time of issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in paragraph 4 above is received by Bidder and Surety and in no case later than one year after Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent or representative who executed this Bond on behalf of Surety to execute, seal and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer or proposal as applicable.

End of Section

STATEMENT OF QUALIFICATIONS

Bidder must answer all questions. If more space is needed to complete a question, attach a separate sheet. Bidder may submit any additional information.

Name: _____

Address: _____ Phone: _____

Number of years operating under your present name: _____

Bonding Capacity: _____

Bonding Company: _____ Phone: _____

Prequalified by MDOT to bid on projects of this magnitude and type of work

(circle one) YES NO Prequalification Number: _____

General nature of work performed by your company: _____

Background and experience of the principal members of your organization including officers:

Major equipment available for this contract: _____

CURRENT PROJECTS:

| | Project | Project | Project |
|------------------|---------|---------|---------|
| Name: | _____ | _____ | _____ |
| Owner: | _____ | _____ | _____ |
| Contact Person: | _____ | _____ | _____ |
| Phone: | _____ | _____ | _____ |
| Contract Amount: | _____ | _____ | _____ |
| Completion Date: | _____ | _____ | _____ |
| % Complete: | _____ | _____ | _____ |

COMPLETED PROJECTS:

| | Project | Project | Project |
|------------------|---------|---------|---------|
| Name: | _____ | _____ | _____ |
| Owner: | _____ | _____ | _____ |
| Contact Person: | _____ | _____ | _____ |
| Phone: | _____ | _____ | _____ |
| Contract Amount: | _____ | _____ | _____ |
| Date Completed: | _____ | _____ | _____ |

Additional information that may be pertinent to demonstrate your ability to complete this project.

Has your company defaulted on a contract? _____

If yes, where and why? _____

I hereby certify that the above answers are correct and true.

By: _____
Name

Signature

Title

Number of additional sheets attached: _____

IRAN LINKED BUSINESS CERTIFICATION

Pursuant to Michigan Public Act 517 of 2012, any Bidder that submits a bid on a request for proposal with the Charter Township of Ypsilanti shall certify that Bidder is not an Iran linked business. An Iran linked business is not eligible to submit a bid on a request for proposal with the Charter Township of Ypsilanti. See attached definitions regarding this certification.

The undersigned Bidder does hereby certify, pursuant to Michigan Public Act 517 of 2012, that:

Bidder is not a person engaging in investment activities in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran, or

Bidder is not a financial institution that extends credit to another person if that person will use the credit to engage in investment activities in the energy sector of Iran.

Date: _____

By: _____

Its: _____

Subscribed and sworn to before me, a Notary Public on this ____ day of _____, _____.

Notary Public _____

_____ County, Michigan

My Commission Expires: _____

DEFINITIONS

- (A) “Energy sector of Iran” means activities to develop petroleum or natural gas resources or nuclear power in Iran.
- (B) “Investment” means 1 or more of the following:
- i. A commitment or contribution of funds or property.
 - ii. A loan or other extension of credit.
 - iii. The entry into or renewal of a contract for goods or services.
- (C) “Investment activity” means 1 or more of the following:
- i. A person who has an investment of \$20,000,000.00 or more in the energy sector of Iran.
 - ii. A financial institution that exceeds \$20,000,000.00 or more in credit to another person, for 45 days or more, if that person will use the credit for investment in the energy sector of Iran.
- (D) “Iran” means any agency or instrumentality of Iran.
- (E) “Iran linked business” means either of the following:
- i. A person engaging in investment activities in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran.
 - ii. A financial institution that extends credit to another person, if that person will use the credit to engage in investment activities in the energy sector of Iran.
- (F) “Person” means any of the following:
- i. An individual, corporation, company, limited liability company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group.
 - ii. Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in section 1701(c) (3) of the international financial institutional act, 22 USC 262r(c) (3).
 - iii. Any successor, subunit, parent company, or subsidiary of, or company under common ownership or control with, any entity described in subparagraph (i) or (ii).
- (G) “Public entity” means this state or an agency or authority of this state, school district, community college district, intermediate school district, city, village, township, county, public authority, or public airport authority.

SUBCONTRACTOR LISTING

Bidder submits to use the following subcontractors for performance of the work in accordance with Article 9 of the Instructions to Bidders.

Note to Bidder: List all work you propose to sublet on this Contract. Include each subcontractors name, address, phone, fax and e-mail address. Also include a description of work to be performed by subcontractor. For example: restoration, landscaping, lighting, signage, bore and jack, etc. List approximate dollar value of the subcontract.

| NAME, ADDRESS & PHONE NO. OF SUBCONTRACTOR | DESCRIPTION OF WORK | APPROXIMATE DOLLAR VALUE OF SUBCONTRACT |
|---|------------------------|---|
| | | \$ _____ |
| | | |
| | | |
| Phone: _____ | | |
| FAX: _____ | | |
| E-mail _____ | | |
| | | \$ _____ |
| | | |
| | | |
| Phone: _____ | | |
| FAX: _____ | | |
| E-mail _____ | | |

_____ \$ _____

Phone: _____

FAX: _____

E-mail _____

_____ \$ _____

Phone: _____

FAX: _____

E-mail _____

_____ \$ _____

Phone: _____

FAX: _____

E-mail _____

AGREEMENT

This AGREEMENT is by and between Charter Township of Ypsilanti (hereinafter called OWNER) and _____ (hereinafter called CONTRACTOR).

ARTICLE 1 WORK

1.01 CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

3,500 feet of variable 10-ft and 8-ft HMA pathway with ADA and minor stormwater improvements.

ARTICLE 2 THE PROJECT

2.01 The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows:

Huron Street Pathway

ARTICLE 3 ENGINEER

3.01 The Project has been designed by Orchard Hiltz & McCliment, Inc. who is hereinafter called ENGINEER and who is to act as OWNER's representative, assume all duties and responsibilities, and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4 CONTRACT TIMES

4.01 Time is of the Essence

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 Dates for Substantial Completion and Final Payment

A. The Work will be substantially completed on or before June 22, 2022, and completed and ready for final payment on or before September 19, 2022.

4.03 Liquidated Damages

A. CONTRACTOR and OWNER recognize that time is of the essence of this Agreement and that OWNER will suffer financial loss if the Work is not completed within the times specified in paragraph 4.02 above, plus any extensions thereof allowed in accordance with Article 15 of the General Conditions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty), CONTRACTOR shall pay OWNER \$900.00/day for each day that expires after the time specified in paragraph 4.02 for Substantial Completion until the Work is substantially complete. After Substantial Completion, if CONTRACTOR shall neglect, refuse, or fail to complete the remaining Work within the Contract Time or any proper extension thereof granted by OWNER, CONTRACTOR shall pay OWNER \$900.00/day for each day that

expires after the time specified in paragraph 4.02 for completion and readiness for final payment until the Work is completed and ready for final payment.

- B. As a financial incentive to complete the project in a timely manner, and as additional consideration for the liquidated damages provision, the OWNER agrees to pay the CONTRACTOR a financial incentive for each calendar day that the project requirements for the Substantial Completion deadline are met up to the specified maximum amount. Financial incentive will not be paid for meeting the Final Completion date. Should the CONTRACTOR not meet the Final Completion Date, he shall waive his right to any incentive in full that may have been earned by meeting the Substantial Completion deadline. Any financial incentives earned shall be paid only on the final pay estimate.

ARTICLE 5 CONTRACT PRICE

5.01 OWNER shall pay CONTRACTOR for completion of the Work in accordance with the Contract Documents an amount in current funds equal to the sum of the amounts determined pursuant to paragraph 5.01.A below:

- A. For all Unit Price Work, an amount equal to the sum of the established unit price for each separately identified item of Unit Price Work multiplied by the measured quantity of that item as indicated in the Bid Form (Bid Form to be inserted here at the time the Agreement is to be signed.):

As provided in Article 13 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by ENGINEER as provided in Article 23 of the General Conditions.

ARTICLE 6 PAYMENT PROCEDURES

6.01 Submittal and Processing of Payments

CONTRACTOR shall be paid in accordance with Article 14 of the General Conditions.

ARTICLE 7 CONTRACTOR'S REPRESENTATIONS

7.01 In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

CONTRACTOR has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.

CONTRACTOR has visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, and performance of the Work.

CONTRACTOR is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

CONTRACTOR has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the site (except underground facilities) which have been identified in the Supplemental Instructions to Bidders and (2) reports and drawings of a hazardous environmental condition, if any, at the site which has been identified in the Supplemental Instructions to Bidders.

CONTRACTOR has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and underground facilities) at or contiguous to the site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by CONTRACTOR, including applying the specific means, methods, techniques, sequences, and procedures of construction, if any, expressly required by the Contract Documents to be employed by CONTRACTOR, and safety precautions and programs incident thereto.

CONTRACTOR does not consider that any further examinations, investigations, exploration, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.

CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the Site that relates to the Work as indicated in the Contract Documents.

CONTRACTOR has correlated the information known to CONTRACTOR, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.

CONTRACTOR has given ENGINEER written notice of all conflicts, errors, ambiguities, or discrepancies that CONTRACTOR has discovered in the Contract Documents, and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.

The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 8 CONTRACT DOCUMENTS

8.01 Contents

A. The Contract Documents consist of the following:

1. This Agreement;
2. Performance Bond;
3. Payment Bond;
4. Maintenance and Guarantee Bond;
5. General Conditions;
6. General Specifications;
7. Technical Specifications as listed in the table of contents of the Project Manual;
8. Drawings consisting of a cover sheet and sheets numbered 1 through 18, inclusive, with each sheet (excluding standard details) bearing the following general title: Huron Street Pathway;
9. Addenda (numbers _____ to _____, inclusive);
10. Exhibits to the Agreement (enumerated as follows):
 - a. Documentation submitted by CONTRACTOR prior to Notice of Award (pages ___ to ___, inclusive);
 - b. _____
11. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:
 - a. Written Amendments;
 - b. Work Orders;
 - c. Change Order(s).

The documents listed in paragraph 8.01.A are attached to this Agreement (except as expressly noted otherwise above).

There are no Contract Documents other than those listed above in this Article 8.

ARTICLE 9 MISCELLANEOUS

9.01 Terms

Terms used in this Agreement will have the meanings indicated in the General Conditions.

9.02 Assignment of Agreement

No assignment by a party hereto of any rights under or interests in the Agreement will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be

limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

9.03 Successors and Assigns

OWNER and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

9.04 Severability

Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon OWNER and CONTRACTOR, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each has been delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed or identified by OWNER and CONTRACTOR or on their behalf.

This Agreement will be effective on _____, _____
(which is the Effective Date of the Agreement)

OWNER:

CONTRACTOR:

By: _____
(CORPORATE SEAL)

By: _____
(CORPORATE SEAL)

Attest _____

Attest _____

Address for giving notices: _____

Address for giving notices: _____

(If OWNER is a corporation, attach evidence of authority to sign. If OWNER is a public body, attach evidence of authority to sign and resolution or other documents authorizing execution of OWNER – CONTRACTOR Agreement)

License No. _____

(Where applicable)

Agent for service of process: _____

(If CONTRACTOR is a corporation or a partnership, attach evidence of authority to sign.)

Designated Representative:

Designated Representative:

Name: _____

Name: _____

Title: _____

Title: _____

Address: _____

Address: _____

Phone: _____

Phone: _____

FAX: _____

FAX: _____

PERFORMANCE BOND

Any singular reference to CONTRACTOR, Surety, OWNER or other party shall be considered plural where applicable.

| | |
|--------------------------------|---|
| CONTRACTOR (Name and Address): | SURETY (Name and Address of Principal Place of Business): _____ |
| | _____ |
| | _____ |
| | _____ |

OWNER:
Charter Township of Ypsilanti
7200 S Huron River Dr
Ypsilanti, MI 48197

CONTRACT

Date:
Amount:
Description: Huron Street Pathway
Charter Township of Ypsilanti

BOND

Date (Not earlier than Contract Date):
Amount:
Modifications to this Bond Form:

Surety and CONTRACTOR, intending to be legally bound hereby, subject to the terms printed on the reverse side hereof, do each cause this Performance Bond to be duly executed on its behalf by its authorized officer, agent or representative.

| | |
|-----------------------------|---|
| CONTRACTOR AS PRINCIPAL | SURETY |
| Company: _____ (Corp. Seal) | Company: _____ (Corp. Seal) |
| Signature: _____ | Signature: _____ |
| Name & Title: _____ | Name & Title: _____ (Attach Power of Attorney) |

(Space is provided below for signatures of additional parties, if required).

| | |
|-----------------------------|---|
| CONTRACTOR AS PRINCIPAL | SURETY |
| Company: _____ (Corp. Seal) | Company: _____ (Corp. Seal) |
| Signature: _____ | Signature: _____ |
| Name & Title: _____ | Name & Title: _____ (Attach Power of Attorney) |

1. The CONTRACTOR and the Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the OWNER for the performance of the Contract, which is incorporated herein by reference.
2. If the CONTRACTOR performs the Contract, the Surety and the CONTRACTOR have no obligation under this Bond, except to participate in conferences as provided in paragraph 3.1
3. If there is no OWNER Default, the Surety's obligation under this Bond shall arise after:
 - 3.1. The OWNER has notified the CONTRACTOR and the Surety at the addresses described in paragraph 10 below, that the OWNER is considering declaring a CONTRACTOR Default and has requested and attempted to arrange a conference with the CONTRACTOR and the Surety to be held not later than fifteen days after receipt of such notice to discuss methods of performing the Contract. If the OWNER, the CONTRACTOR and the Surety agree, the CONTRACTOR shall be allowed a reasonable time to perform the Contract, but such an agreement shall not waive the OWNER's right, if any, subsequently to declare a CONTRACTOR Default; and
 - 3.2. The OWNER has declared a CONTRACTOR Default and formally terminated the CONTRACTOR's right to complete the Contract. Such CONTRACTOR Default shall not be declared earlier than twenty days after the CONTRACTOR and the Surety have received notice as provided in paragraph 3.1; and
 - 3.3. The OWNER has agreed to pay the Balance of the Contract Price to:
 - 3.3.1. The Surety in accordance with the terms of the Contract;
 - 3.3.2. Another contractor selected pursuant to paragraph 4.3 to perform the Contract.
4. When the OWNER has satisfied the conditions of paragraph 3, the Surety shall promptly and at the Surety's expense take one of the following actions:
 - 4.1. Arrange for the CONTRACTOR, with consent of the OWNER, to perform and complete the Contract; or
 - 4.2. Undertake to perform and complete the Contract itself, through its agents or through independent contractors; or
 - 4.3. Obtain bids or negotiated proposals from qualified contractors acceptable to the OWNER for a contract for performance and completion of the Contract, arrange for a contract to be prepared for execution by the OWNER and the contractor selected with the OWNER's concurrence, to be secured with performance and payment bonds executed by a qualified surety equivalent to the Bonds issued on the Contract, and pay to the OWNER the amount of damages as described in paragraph 6 in excess of the Balance of the Contract Price incurred by the OWNER resulting from the CONTRACTOR Default; or
 - 4.4. Waive its right to perform and complete, arrange for completion, or obtain a new contractor and with reasonable promptness under the circumstances;
 - 4.4.1. After investigation, determine the amount for which it may be liable to the OWNER and, as soon as practicable after the amount is determined, tender payment therefore to the OWNER; or

4.4.2. Deny liability in whole or in part and notify the OWNER citing reasons therefore.

5. If the Surety does not proceed as provided in paragraph 4 with reasonable promptness, the Surety shall be deemed to be in default on the Bond fifteen days after receipt of an additional written notice from the OWNER to the Surety demanding that the Surety perform its obligations under this Bond, and the OWNER shall be entitled to enforce any remedy available to the OWNER. If the Surety proceeds as provided in paragraph 4.4, and the OWNER refuses the payment tendered or the Surety has denied liability, in whole or in part, without further notice the OWNER shall be entitled to enforce any remedy available to the OWNER.
6. After the OWNER has terminated the CONTRACTOR's right to complete the Contract, and if the Surety elects to act under paragraph 4.1, 4.2, or 4.3 above, then the responsibilities of the Surety to the OWNER shall not be greater than those of the CONTRACTOR under the Contract, and the responsibilities of the OWNER to the Surety shall not be greater than those of the OWNER under the Contract. To a limit of the amount of this Bond, but subject to commitment by the OWNER of the Balance of the Contract Price to mitigation of costs and damages on the Contract, the Surety is obligated without duplication for:
 - 6.1. The responsibilities of the CONTRACTOR for correction of defective Work and completion of the Contract;
 - 6.2. Additional legal, design professional and delay costs resulting from the CONTRACTOR's Default, and resulting from the actions or failure to act of the Surety under paragraph 4; and
 - 6.3. Liquidated damages, or if no liquidated damages are specified in
7. The Surety shall not be liable to the OWNER or others for obligations of the CONTRACTOR that are unrelated to the Contract, and the Balance of the Contract Price shall not be reduced or set off on account of any such unrelated obligations. No right of action shall accrue on the bond to any person or entity other than the OWNER or its heirs, executors, administrators, or successors.
8. The Surety hereby waives notice of any change, including changes of time, to the Contract or to related subcontracts, purchase orders and other obligations.
9. Any proceeding, legal or equitable, under this Bond may be instituted in any court of competent jurisdiction in the location in which the Work or part of the Work is located and shall be instituted within two years after CONTRACTOR Default or within two years after the CONTRACTOR ceased working or within two years after the Surety refuses or fails to perform its obligations under this Bond, whichever occurs first. If the provisions of this paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.
10. Notice to the Surety, the OWNER or the CONTRACTOR shall be mailed or delivered to the address shown on the signature page.
11. When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the Contract was being performed, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted here from and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. The intent is that this Bond shall be construed as a

statutory bond and not as a common law bond.

12. Definitions.

12.1. Balance of the Contract Price:

The total amount payable by the OWNER to the CONTRACTOR under the Contract after all proper adjustments have been made, including allowance to the CONTRACTOR or any amounts received or to be received by the OWNER in settlement of insurance or other Claims for damages to which the CONTRACTOR is entitled, reduced by all valid and proper payments made to or on behalf of the CONTRACTOR under the Contract.

12.2. Contract: the agreement between the OWNER and the CONTRACTOR identified on the signature page, including all Contract Documents and changes thereto.

12.3. CONTRACTOR Default: Failure of the CONTRACTOR, which has neither been remedied nor waived, to perform or otherwise to comply with the terms of the Contract.

12.4. OWNER Default: Failure of the OWNER, which has neither been remedied nor waived, to pay the CONTRACTOR as required by the contract or to perform and complete or comply with the other terms thereof.

End of Section

PAYMENT BOND

Any singular reference to CONTRACTOR, Surety, OWNER or other party shall be considered plural where applicable.

CONTRACTOR (Name and Address): SURETY (Name and Address of Principal Place of Business):

OWNER: Charter Township of Ypsilanti 7200 S Huron River Dr Ypsilanti, MI 48197

CONTRACT Date: Amount: Description: Huron Street Pathway Charter Township of Ypsilanti

BOND Date (Not earlier than Contract Date): Amount: Modifications to this Bond Form:

Surety and CONTRACTOR, intending to be legally bound hereby, subject to the terms printed on the reverse side hereof, do each cause this Payment bond to be duly executed on its behalf by its authorized officer, agent, or representative.

CONTRACTOR AS PRINCIPAL SURETY Company: (Corp. Seal) Signature: Name and Title: (Attach Power of Attorney)

(Space is provided below for signatures of additional parties, if required).

CONTRACTOR AS PRINCIPAL SURETY Company: (Corp. Seal) Signature: Name & Title: (Attach Power of Attorney)

1. The CONTRACTOR and the Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the OWNER to pay for labor, materials and equipment furnished for use in the performance of the Contract, which is incorporated herein by reference.
2. With respect to the OWNER, this obligation shall be null and void if the CONTRACTOR:
 - 2.1. Promptly makes payment, directly or indirectly, for all sums due Claimants, and
 - 2.2. Defends, indemnifies and holds harmless the OWNER from all claims, demands, liens or suits by any person or entity who furnished labor, materials or equipment for use in the performance of the Contract, provided the OWNER has promptly notified the CONTRACTOR and the Surety (at the addresses described in paragraph 12) of any claims, demands, liens or suits and tendered defense of such claims, demands, liens or suits to the CONTRACTOR and the Surety, and provided there is no OWNER Default.
3. With respect to Claimants, this obligation shall be null and void if the CONTRACTOR promptly makes payment, directly or indirectly, for all sums due.
4. The Surety shall have no obligation to Claimants under this Bond until:
 - 4.1. Claimants who are employed by or have a direct contract with the CONTRACTOR have given notice to the surety (at the addresses described in paragraph 12) and sent a copy, or notice thereof, to the OWNER, stating that a claim is being made under this Bond and, with substantial accuracy, the amount of the claim.
 - 4.2. Claimants who do not have a direct contract with the CONTRACTOR:
 - 4.2.1. Have furnished written notice to the CONTRACTOR and sent a copy, or notice thereof, to the OWNER, within 90 days after having last performed labor or last furnished materials or equipment included in the claim stating, with substantial accuracy, the amount of the claim and the name of the party to whom the materials were furnished or supplied or for whom the labor was done or performed; and
 - 4.2.2. Have either received a rejection in whole or in part from the CONTRACTOR, or not received within 30 days of furnishing the above notice any communication from the CONTRACTOR by which the CONTRACTOR had indicated the claim will be paid directly or indirectly; and
 - 4.2.3. Not having been paid within the above 30 days, have sent a written notice to the Surety and sent a copy, or notice thereof, to the OWNER, stating that a claim is being made under this Bond and enclosing a copy of the previous written notice furnished to the CONTRACTOR.
5. If a notice required by paragraph 4 is given by the OWNER to the CONTRACTOR or to the Surety, that is sufficient compliance.
6. When the Claimant has satisfied the conditions of paragraph 4, the Surety shall promptly and at the Surety's expense take the following actions:
 - 6.1. Send an answer to the Claimant, with a copy to the OWNER, within 45 days after receipt of the claim, stating the amounts that are undisputed and the basis for challenging any amounts that are disputed.
 - 6.2. Pay or arrange for payment of any undisputed amounts.
7. The Surety's total obligation shall not exceed the amount of this Bond, and the amount of this Bond shall be credited for any payments made in good faith by the Surety.
8. Amounts owed by the OWNER to the CONTRACTOR under the Contract shall be used for the performance of the Contract and to satisfy claims, if any, under any Performance Bond. By the CONTRACTOR

furnishing and the OWNER accepting this Bond, they agree that all funds earned by the CONTRACTOR in the performance of the Contract are dedicated to satisfy obligations of the CONTRACTOR and the Surety under this Bond, subject to the OWNER's priority to use the funds for the completion of the Work.

9. The Surety shall not be liable to the OWNER, Claimants or others for obligations of the CONTRACTOR that are unrelated to the Contract. The OWNER shall not be liable for payment of any costs or expenses of any Claimant under this Bond, and shall have under this Bond no obligations to make payments to, give notices on behalf of, or otherwise have obligations to Claimants under this Bond.
10. The Surety hereby waives notice of any change, including changes of time, to the Contract or to related subcontracts, purchase orders and other obligations.
11. No suit or action shall be commenced by a Claimant under this Bond other than in a court of competent jurisdiction in the location in which the Work or part of the Work is located or after the expiration of one year from the date (1) on which the Claimant gave the notice required by paragraph 4.1 or paragraph 4.2.3, or (2) on which the last labor or service was performed by anyone or the last materials or equipment were furnished by anyone under the Construction Contract, whichever of (1) or (2) first occurs. If the provisions of this paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.
12. Notice to the Surety, the OWNER or the CONTRACTOR shall be mailed or delivered to the addressee shown on the signature page. Actual receipt of notice by Surety, the OWNER or the CONTRACTOR, however accomplished, shall be sufficient compliance as of the date received at the address shown on the signature page.
13. When this Bond has been furnished to comply with a statutory or other legal requirement in

the location where the Contract was to be performed, any provision in the Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. The intent is, that this Bond shall be construed as a statutory Bond and not as a common law bond.

14. Upon request of any person or entity appearing to be a potential beneficiary of this Bond, the CONTRACTOR shall promptly furnish a copy of the Bond or shall permit a copy to be made.

15. DEFINITIONS

15.1. Claimant: an individual or entity having a direct contract with the CONTRACTOR or with a Subcontractor of the CONTRACTOR to furnish labor, material or equipment for use in the performance of the Contract. The intent of this Bond shall be to include without limitation in the terms "labor, materials or equipment" that part of water, gas, power, light, heat, oil, gasoline, telephone service or rental equipment used in the Contract, architectural and engineering services required for performance of the Work of the CONTRACTOR and the CONTRACTOR's Subcontractors, and all other items for which a mechanic's lien may be asserted in the jurisdiction where the labor, materials or equipment were furnished.

15.2. Contract: The agreement between the OWNER and the CONTRACTOR identified on the signature page, including all Contract Documents and changes thereto.

15.3. OWNER Default: Failure of the OWNER, which has neither been remedied nor waived, to pay the CONTRACTOR as required by the Contract or to perform and complete or comply with the other terms thereof.

End of Section

MAINTENANCE AND GUARANTEE BOND

KNOW ALL MEN BY THESE PRESENTS, That we _____ (contractor name), as Principal, and _____, as Surety, are held and firmly bound unto the Charter Township of Ypsilanti, 7200 S Huron River Dr, Ypsilanti, MI 48197, as Owner, in the sum of _____ DOLLARS and _____ CENTS (\$ _____) good and lawful money of the United States of America, to be paid to said Charter Township of Ypsilanti, its legal representatives and assigns for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, and each and every one of them jointly and severally, firmly by these presents.

Sealed with our seals and dated this _____ day of _____ A.D. 20 _____ .

WHEREAS, the above named Principal has entered into a certain written Contract with Charter Township of Ypsilanti dated this _____ day of _____ A.D. 20 _____, wherein the said Principal covenanted and agreed to follows, to-wit: TO CONSTRUCT THE WORK IN ACCORDANCE WITH THE SPECIFICATIONS, CONTRACT DOCUMENTS AND DRAWINGS TITLED: Huron Street Pathway, OHM JOB NO. 0098-19-0040.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that by and under said Contract, the above named Principal has agreed with the Charter Township of Ypsilanti that for a period of TWO year(s) from date of payment of Final Estimate, to keep in good order and repair any defect in all work done under said Contract either by the Principal or his Subcontractors, or his material suppliers, that may develop during said period due to improper materials, defective equipment, workmanship or arrangements, and any other work affected in making good such imperfections, shall also be made good all without expense to the OWNER, excepting only such parts or part of said work as may have been disturbed without consent or approval of the Principal after final acceptance of the work, and that whenever directed to do so by the OWNER by notice served in writing, either personally or by mail, on the Principal at _____ (contractor's city, state, and zip code),

_____ legal representatives, or successors, or on the Surety at _____ WILL PROCEED at once to make such repairs as directed by said OWNER; and in case of failure so to do within one week from the date of service of such notice, or within reasonable time not less than one week, as shall be fixed in said notice, then the said OWNER shall have the right to purchase such materials and employ such labor and equipment as may be necessary for the purpose, and to undertake, do and make such repairs and charge the expense thereof to, and receive same from, said Principal or Surety. If any repair is necessary to be made at once to protect life and property, then and in that case, the said OWNER may take immediate steps to repair or barricade such defects without notice to the CONTRACTOR. In such accounting the said OWNER shall not be held to obtain the lowest figures for the doing of the work, or any part thereof, but all sums actually paid therefore shall be charged to the Principal or Surety. In this connection the judgment of the OWNER is final and conclusive. If the said Principal for a period of TWO year(s) from the date of payment of Final Estimate, shall keep said work so constructed under said Contract in good order and repair, excepting only such part or parts of said work which may have been disturbed without the consent or approval of said Principal after final acceptance of same, and shall whenever notice is given as hereinbefore specified, at once proceed to make repair as in said notice directed, or shall reimburse said OWNER for any expense incurred by making such repairs, should the Principal or Surety fail to do as hereinbefore specified, and shall fully indemnify, defend and save harmless the said Owner and Orchard, Hiltz & McCliment, Inc. from all suits and actions for damages of every name and description brought or claimed against it for, or on account of, any injury or damage to person or property received or sustained by any party or parties, by or from any of the acts or omissions or through the negligence of said

Principal, servants, agents or employees, in the prosecution of the work included in said Contract, and from any and all claims arising under the Workman's Compensation Act, so-called, of the State of Michigan, then the above obligation shall be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective authorized officers this _____ day of _____ A.D., 20 _____.

Signed, Sealed and Delivered
In the Presence of:

Signature

Signature

Name

Name

Principal

Signature

Signature

Name

Name

Surety

CONTRACTOR'S AFFIDAVIT

STATE OF MICHIGAN)
)SS.
COUNTY OF _____)

The undersigned, _____, CONTRACTOR, hereby represents that on _____, 20____ he (it) was awarded a Contract by Charter Township of Ypsilanti hereinafter called the OWNER, to construct Huron Street Pathway in accordance with the terms and conditions of Contract No. _____; and the undersigned further represents that the subject work has now been accomplished and the said Contract has now been completed.

The undersigned hereby warrants and certifies that all of his (its) indebtedness arising by reason of said Contract has been fully or satisfactorily secured, and that all claims from subcontractors and others for labor and material used in accomplishing the said project, as well as all other claims arising from performance of said Contract, have been fully paid or satisfactorily secured. The undersigned further agrees that if any such claim should hereafter arise, he (it) shall assume responsibility for same immediately upon request to do so by the OWNER.

The undersigned, for a valuable consideration, receipt of which is hereby acknowledged, does further hereby waive, release and relinquish any and all claims or right of lien which the undersigned now has or may hereafter acquire upon the subject premises for labor and material used in accomplishing said project owned by the OWNER.

This affidavit is freely and voluntarily given with full knowledge of the facts on this ____ day of _____, 20_____ .

Contractor
By: _____
Title _____

Subscribed and sworn to before me, a Notary Public in and for _____ County, Michigan, on this _____ day of _____, 20_____ .

Notary Public: _____
My Commission expires: _____

CONTRACTOR'S DECLARATION

I HEREBY DECLARE THAT I HAVE NOT, during the period

_____ to

_____ A.D., 20 _____ performed any work, furnished any material, sustained any loss, damage or delay for any reason, including soil conditions encountered or created, or otherwise done anything for which I shall ask, demand, sue for or claim compensation from Charter Township of Ypsilanti or his agents, in addition to the regular items set forth in the Contract numbered _____ and dated _____ A.D., 20 _____ for the Agreement executed between myself and the OWNER, and in the Change Orders for work issued by the OWNER in writing as provided thereunder, except as I hereby make claim for additional compensation and/or extension of time, as set forth on the itemized statement attached hereto.

There (is) (is not) an itemized statement attached.

Date: _____

By: _____

Title: _____

SWORN STATEMENT

State of Michigan

County of: : _____ Date: _____

_____ (deponent) being duly sworn deposes and says:

1. That _____ is the Contractor/Subcontractor for an improvement to the property described on the following page.
2. That the following is a statement of each subcontractor and supplier and laborer, for which the payment of wages or fringe benefits and withholdings is due but unpaid, with whom the Contractor/Subcontractor has Contracted/Subcontracted for performance under the Contract with the Owner or Lessee of the property, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names as follows:

| Name of Subcontractor, Supplier or Laborer | Type of Improvement Furnished | Total Contract Price | Amount Already Paid | Amount Currently Owing | Amount of Laborer Wages Due but Unpaid | Amount of Labor, Fringe Benefits & Withholdings due but Unpaid |
|--|-------------------------------|----------------------|---------------------|------------------------|--|--|
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The contracts or subcontracts cited herein are for improvement to the following described real property situated in Washtenaw County, Michigan, described as:

(Insert legal description of property) _____

Commonly known as:

Huron Street Pathway

OHM Job Number:

0098-19-0040

- 3. That the Contractor has not procured material from, or subcontracted with, any person other than those set forth above and owes no money for the improvement other than the sums set forth above.
- 4. Deponent further says that he makes the foregoing statement as the Contractor/Subcontractor or as Controller of the Contractor/Subcontractor for the purpose of representing to the owner of the above described premises and his agents that the above described property is free from claims of construction liens, or the possibility of construction liens, except as specifically set forth above and except for claims of construction liens by laborers which may be provided pursuant to Section 109 of the Construction Lien Act, Act No. 497 of the Public Acts of 1980, as amended, being Section 570.1109 of the Michigan Compiled Laws.

WARNING TO OWNER: An Owner of the above described property may not rely on this sworn statement to avoid the claim of a Subcontractor, Supplier or Laborer who has provided a Notice of Furnishing (or a Laborer who may provide a Notice of Furnishing pursuant to Section 109 of the Construction Lien Act) to the Designee or to the Owner if the Designee is not named or has died.

Dated: _____

Signature of Deponent

WARNING TO DEPONENT: A person, who with intent to defraud, gives a false sworn statement is subject to criminal penalties as provided in Section 110 of the Construction Lien Act, Act No. 497 of the Public Acts of 1980, as amended, being Section 570.1110 of the Michigan Compiled Laws.

Subscribed and sworn to before me on: _____ in _____ County, Michigan

My commission expires: _____ Signature: _____

GENERAL CONDITIONS

Table of Contents

| | |
|--|-----------|
| General..... | 3 |
| 1. Definitions..... | 3 |
| 2. Contract Documents..... | 3 |
| 3. Bonds..... | 4 |
| 4. Contract Drawings & Specifications..... | 4 |
| 5. Coordination of Contract Documents..... | 4 |
| 6. Preconstruction Meeting..... | 5 |
| 7. Reuse of Documents..... | 5 |
| 8. Availability of Lands..... | 5 |
| 9. Physical Conditions..... | 6 |
| 10. General Requirements of Materials & Workmanship..... | 6 |
| 11. Shop Drawings & Special Drawings..... | 6 |
| 12. Changes in Quantities or Plans..... | 7 |
| 13. Estimated Quantities..... | 7 |
| 14. Payments..... | 7 |
| 15. Extension of Time..... | 8 |
| 16. Authority..... | 9 |
| 17. Progress of Work..... | 9 |
| 18. Time is Essence of Contract..... | 9 |
| 19. Commencement of Contract Time..... | 9 |
| Owner Responsibilities..... | 9 |
| 20. Extra & Force Account Work..... | 9 |
| 21. Payments Withheld..... | 12 |
| 22. Use of Complete Portions of the Work..... | 12 |
| Engineer Responsibilities..... | 12 |
| 23. Engineer During Construction..... | 12 |
| 24. Authority & Duties of Construction Observer..... | 12 |
| 25. Limitations on Engineer's Responsibilities..... | 13 |
| 26. Lines & Grades..... | 13 |
| 27. Testing & Sampling..... | 13 |
| Contractor Responsibilities..... | 15 |
| 28. Unforeseen Physical Conditions..... | 15 |
| 29. Composition of the Contractor..... | 15 |
| 30. Assignment of Contract..... | 15 |
| 31. Agents..... | 15 |
| 32. Safety & Protection..... | 15 |
| 33. Contractor's Supervision & Origination..... | 16 |
| 34. Contractor's Right to Stop Work..... | 17 |
| 35. Storage of Materials..... | 17 |
| 36. Cleaning Up..... | 17 |
| 37. Sunday & Night Work..... | 17 |
| 38. Sanitary Regulations..... | 17 |
| 39. Permits & Regulations..... | 17 |
| 40. Guarantee..... | 18 |
| 41. Patents..... | 18 |

| | | |
|-----|-------------------------------------|-----------|
| 42. | Information by the Contractor | 18 |
| 43. | Forfeiture of Contract | 18 |
| 44. | Relation to Other Contractors..... | 19 |
| 45. | “Or Equal” Clause | 19 |
| | Legal | 19 |
| 46. | Indemnification | 19 |
| 47. | Controlling Law | 20 |
| 48. | No Waiver of Contract | 20 |
| 49. | Dispute Resolution | 20 |
| 50. | Giving Notice | 20 |
| 51. | Cumulative Remedies..... | 20 |

General

1. DEFINITIONS

The following terms as used in the Contract Documents are respectively defined as follows:

“Agreement”: The written document between the OWNER and the CONTRACTOR concerning the work to be performed.

“Change Order” - A document recommended by ENGINEER, which is signed by CONTRACTOR and OWNER and authorizes an addition, deletion or revision in the Work, or an adjustment in the Contract Price or the Contract Time, issued on or after the Effective Date of the Agreement.

“Contract” – The entire and integrated written agreement between the OWNER and CONTRACTOR concerning the Work. The Contract supersedes prior negotiations, representations, or agreements, whether written or oral.

“CONTRACTOR”: The person, firm or corporation to whom the Contract is awarded by the OWNER and who is subject to the terms thereof and party of the second part of the Agreement.

“ENGINEER”: Orchard, Hiltz & McCliment, Inc., Livonia, Michigan

“Construction Observer”: The authorized representative of ENGINEER who is assigned to the site or any part thereof.

“OWNER”: The public body or authority, corporation, association, firm or person with whom CONTRACTOR has entered into the Agreement: and for whom the work is to be provided; and the party of the first part of the Contract.

“Project Manual” – The bound documentary information prepared for bidding and constructing the Work. A listing of the contents of the Project Manual, which may be bound in one or more volumes, is contained in the table(s) of contents.

“Specifications” - Those portions of the Contract Documents consisting of written technical descriptions of materials, equipment, construction systems, standards and workmanship as applied to the Work and certain administrative details applicable thereto.

“Subcontractor”: A person, firm or corporation having a direct contract with CONTRACTOR or with any other subcontractor for the performance of a part of the Work at the site.

“Supplier”: A manufacturer, fabricator, supplier, distributor, material man or vendor.

“Supplemental Conditions”: The part of the Contract Documents that amends or supplements the General Conditions and/or the Insurance Specifications and the Bond Requirements.

“Work” - The entire completed construction or the various separately identifiable parts thereof required to be furnished under the Contract Documents. Work is the result of performing services, furnishing labor and furnishing and incorporating materials and equipment into the construction, all as required by the Contract Documents.

“Written Notice”: Shall be deemed to have been “duly served” when such notice shall have been given or mailed to the CONTRACTOR or his superintendent at the site of the Work or when such notice shall have been given or mailed to the OWNER.

2. CONTRACT DOCUMENTS

The original and three counterparts of the Contract shall be signed by the OWNER and the CONTRACTOR.

The Work under this Contract shall consist of the items listed in the Bid Form, including all incidentals necessary to fully complete the project in accordance with the Contract Documents. The Contract Documents shall consist of the Advertisement, Instructions to Bidders, Supplemental Instructions to Bidders, Supplemental Specifications, Bid Form, Project Plans and Drawings, Standard Plans and Details, Technical Specifications,

General Conditions, General Specifications, Method of Payment, Insurance, Bonds and Agreement.

The Contract Documents comprise the entire agreement between OWNER and CONTRACTOR. The Contract Documents are complimentary, and what is called for by any one shall be as binding as if called for by all. The intent of the Contract Documents is to include in the Contract Price the cost of all labor and material, water, fuel, tools, plant, equipment, light, transportation and all other expenses that may be necessary for the proper execution and completion of the Work.

3. BONDS

The CONTRACTOR shall furnish a surety bond (form included) in an amount at least equal to 100 percent of the Contract Price as security for faithful performance of this Contract. CONTRACTOR shall also furnish a separate surety bond (form included) in an amount at least equal to 100 percent of the Contract Price as security for the payment of all persons performing labor on the project under this Contract, and furnishing materials in connection with this Contract. The Surety on each such bond shall be a duly authorized surety company satisfactory to the OWNER.

The CONTRACTOR shall furnish a Maintenance and Guarantee Bond (form included) covering all Work under this Contract. The guarantee is to cover fifty percent (50%) of the contract amount for a period of two (2) years subsequent to the date of final payment unless otherwise specified.

Should any Surety upon any bond furnished in connection with this Contract become unacceptable to the OWNER, or if any such Surety shall fail to furnish reports as to his financial condition from time to time as requested by the ENGINEER, the CONTRACTOR must promptly furnish such additional security as may be required from time to time by the ENGINEER to protect the interests of the OWNER or persons supplying labor or materials in the

prosecution of the Work contemplated by the Contract.

4. CONTRACT DRAWINGS & SPECIFICATIONS

The original drawings prepared by the ENGINEER and included in the Contract Documents may be supplemented by other drawings furnished by the CONTRACTOR and approved by the ENGINEER or supplied to the CONTRACTOR by the ENGINEER during progress of the Work as he may deem to be necessary or expedient. All such supplementary Contract Drawings or instructions are intended to be consistent with the Contract Documents, true developments thereof, and reasonably inferable therefrom. Therefore, no extra charge will be allowed on a claim that particular supplemental contract drawings or instructions differed from the Contract Documents, incurring extra work, unless CONTRACTOR has first brought the matter, in writing, to the ENGINEER's attention for proper adjustment before starting on the work covered by such, and has received from the ENGINEER an order, in writing, to so proceed.

These original and supplemental drawings constitute the drawings according to which the Work is to be done. The CONTRACTOR shall keep at the site of the Work an approved or confirmed copy of all drawings and specifications, and shall at all times give the ENGINEER and OWNER access thereto.

5. COORDINATION OF CONTRACT DOCUMENTS

In case of discrepancy, figured dimensions shall govern over scaled dimensions and the parts of the Contract will prevail over all other parts of the following order:

Supplemental Specifications

Supplemental Instructions to Bidders

Instructions to Bidders

Bid Form

Project Plans and Drawings

Standard Plans & Details

Method of Payment

Technical Specifications

General Conditions

General Specifications

Insurance Specifications and Bond Forms

The CONTRACTOR shall not take advantage of any apparent error or omission in the Contract Documents, and if any inconsistency, omission, or conflict is discovered in the Contract Documents, or if in any place the meaning of the Contract Documents is obscure, uncertain, or in dispute, the ENGINEER will decide as to the true intent.

Information regarding site of the Work given in drawings and specifications has been obtained by the ENGINEER and is believed to be reasonably correct, but the OWNER does not warrant either the completeness or accuracy of such information, and it is the CONTRACTOR's responsibility to verify all such information.

6. PRECONSTRUCTION MEETING

A preconstruction meeting will be held prior to the beginning of any work. The ENGINEER will schedule the meeting as soon as possible after acceptable executed Contract Documents are received from the CONTRACTOR.

Notice of the meeting will be made to the OWNER, the CONTRACTOR, and to the following applicable entities, contingent upon their interest in the project:

Utility Companies

County Road Commission

Michigan Department of Transportation (MDOT)

Michigan Department of Labor-Safety Division

Railroad Companies

Other State, Local and County Agencies

The purpose of the preconstruction meeting is to discuss particular procedures and potential problem areas. The CONTRACTOR is given updates on the conditions of the proposed construction and what is expected as to proper notification in the event of damage to existing utilities.

The CONTRACTOR shall submit in writing at the preconstruction meeting the following information:

Schedule of construction

Sources of materials

Final list of subcontractors

The designated safety officer on the job

Superintendent for the project

Foreman in charge on the job site

Emergency and after hours phone numbers for CONTRACTOR, including Safety Officer, Superintendent and Foreman.

Approval by ENGINEER and OWNER of any construction schedule indicating completion of the work in less time than allotted by the Contract shall not be construed as an acknowledgment, either express or implied, that the work can be completed within the time shown on this schedule, and shall not under any circumstances give rise to a cause of action for damages by the CONTRACTOR.

7. REUSE OF DOCUMENTS

Neither CONTRACTOR nor any subcontractor or supplier or other person or organization performing or furnishing any of the Work under a direct or indirect contract with OWNER shall have or acquire any title to or ownership rights in any of the drawings, specifications or other documents (or copies of any thereof) prepared by or bearing the seal of ENGINEER; and they shall not reuse any of them on extensions of the project or any other project without written consent of OWNER and ENGINEER and specific written verification or adaptation by ENGINEER.

8. AVAILABILITY OF LANDS

OWNER shall furnish, as indicated in the Contract Documents, the lands upon which the work is to be performed, rights-of-way for access thereto, and such other lands which are designated for the use of CONTRACTOR. CONTRACTOR shall provide for all additional lands and access thereto that may be required for temporary construction facilities or storage of materials and equipment.

Permission to use private property shall be obtained prior to any such use by the CONTRACTOR. Written evidence of such permission shall be given to the ENGINEER prior to any such use.

9. PHYSICAL CONDITIONS

Reference is made to the Supplemental Instructions to Bidders for identification of those reports of investigations and tests of subsurface and latent physical conditions at the site or otherwise affecting cost, progress or performance of the Work which have been relied upon by the ENGINEER in preparation of the drawings and specifications. Such reports are not guaranteed as to accuracy or completeness and are not part of the Contract Documents.

10. GENERAL REQUIREMENTS OF MATERIALS & WORKMANSHIP

In the specifications where a particular material or piece of equipment is specified by reference to some particular make or type, or equal, it is not the intent to limit competition but to set up by such reference a standard of quality most easily understood and defined. If materials or equipment of other make or type other than that specified by name are offered by CONTRACTOR they will be given full consideration by the ENGINEER, and the ENGINEER's decision will be final as to whether the materials or equipment offered are equal to those specified.

Unless otherwise stipulated in the specifications, all equipment, materials and articles incorporated in the Work covered by this Contract are to be new and of the best grade of their respective kinds for the

purpose. The CONTRACTOR shall, if required, furnish such evidence as to kind and quality of materials as the ENGINEER may require.

The CONTRACTOR shall furnish suitable tools and building appliances and employ competent labor to perform the work to be done, and any labor, tools or appliances that shall not, in the judgment of the ENGINEER, be suitable or competent to produce this result may be ordered from the Work by him, and such labor, tools or appliances shall be substituted therefore by the CONTRACTOR as will meet with the approval of the ENGINEER.

If not otherwise provided, material or work called for in this Contract shall be furnished and performed in accordance with well-known established practice and standards recognized by architects, engineers and the trade.

11. SHOP DRAWINGS & SPECIAL DRAWINGS

Where called for in the specifications, CONTRACTOR shall submit to the ENGINEER for approval in not less than five copies, details, specifications, cuts and drawings of such equipment and structural work as may be required. CONTRACTOR shall make any changes or alterations required by the ENGINEER and resubmit same without delay. Approval of the ENGINEER shall not relieve the CONTRACTOR of responsibility for errors in the drawings, as the ENGINEER's checking is intended to cover compliance with the drawings and specifications and not to enter into every detail of the shop work. No work shall be undertaken until the ENGINEER has approved the shop drawings.

When the work of the CONTRACTOR is of a nature originating with it, full general and detail drawings shall be furnished to the ENGINEER on 24" x 36" size sheets of polyester film base which shall, upon approval, become the property of the OWNER.

It is understood that approval by the ENGINEER of CONTRACTOR's drawings, whether general or detailed, is a general approval relating only to their sufficiency and compliance with waiver of errors, discrepancies or omissions.

12. CHANGES IN QUANTITIES OR PLANS

The OWNER reserves the right to make, by written order, at any time during the Work, such changes in quantities and such alterations in the work as are necessary to satisfactorily complete the project. Such changes in quantities and alterations shall not invalidate the Contract nor release the Surety, and by signing a work order or authorization, the CONTRACTOR agrees to perform the Work as altered and agrees to accept, as payment in full for such Work, the monetary amounts set forth in such written order as balanced by OWNER. In addition, by signing a written order, the CONTRACTOR releases the OWNER from any and all claims for compensation with regard to the items of work specified in the written order; including, but not limited to, any and all claims for delay and overhead, unless the OWNER is notified in writing at the time of signing the authorization that the CONTRACTOR refuses to release the OWNER from such claims. All increases in quantities of work which appear in the Contract as pay items shall be paid for at the Contract Unit Prices. Decreases in quantities included in the Contract shall be deducted from the Contract at the Contract Unit Prices.

13. ESTIMATED QUANTITIES

The quantities of various classes of work to be done and materials to be furnished under this Contract, which have been estimated as stated elsewhere herein, are approximate and only for the purpose of comparing, on a uniform basis, the bids offered for work under this Contract; and neither the OWNER nor the ENGINEER is to be held responsible should any of the said estimated quantities be found incorrect during the construction of the work; and the

CONTRACTOR shall make no claim for anticipated profit, nor for loss of profit, because of a difference between the quantities of the various classes of work actually done or materials actually delivered, and the estimated quantities as herein stated.

14. PAYMENTS

Payments for work completed, as recommended by the ENGINEER, will be made as specified herein.

Partial Payments

CONTRACTOR shall submit to OWNER an application for each payment and shall submit a Contractor's Declaration declaring that he has not performed any work, furnished any material, sustained any loss, damage or delay for any reasons, including soil conditions encountered or created, or otherwise done anything for which he will ask, demand, sue for, or claim compensation from the OWNER other than as indicated on the Contractor's Declaration and shall, if required, submit receipts or other vouchers showing his payments for materials and labor, including payments to subcontractors.

Payments, based on progress estimates, will be made on a monthly basis on work completed during the preceding month, less retainage held in accordance with Public Act No. 524 of 1980.

The retainage shall be as follows:

Not more than ten percent (10%) of the dollar value of all work in place until work is fifty percent (50%) in place.

After the work is fifty percent (50%) in place, additional retainage shall not be withheld unless the OWNER determines that the CONTRACTOR is not making satisfactory progress, or for other specific cause relating to the CONTRACTOR's performance under the Contract. If the OWNER so determines, then the retainage amount shall not be more than ten percent (10%) of the dollar value of work more than fifty percent (50%) in place.

Retainage shall be released to CONTRACTOR together with the final progress payment.

The OWNER may withhold payment of any estimate or portion of estimate until the CONTRACTOR shall have furnished satisfactory evidence that he has paid all claims of every nature. The CONTRACTOR shall submit to the OWNER with each application for payment a "Sworn Statement" attesting to all payments made and balances due to all subcontractors and to all suppliers of materials, fuel, and equipment for the project work completed. He shall also attest to all payments made for labor furnished for the work completed. The "Sworn Statement" shall be in a form acceptable to the OWNER and all suppliers and subcontractors shall be listed along with payments made and balances owed to each.

No partial payment shall be considered as acceptance of the work or any portion thereof prior to final completion of the work, and payment of final estimate.

Final Payment

The CONTRACTOR's request for final payment shall be accompanied by the following documents:

Contractor's Declaration

Contractor's Affidavit

Unconditional waivers, as required, from major suppliers and subcontractors

Release of Surety

Release from other public agencies for which permits have been obtained under this Agreement.

Within thirty (30) days after completion of the work under this Agreement to the satisfaction of the OWNER and ENGINEER, in accordance with all and singular terms and stipulations herein contained, the OWNER shall make final payment, from a final estimate made by the ENGINEER. Before final payment is made, the CONTRACTOR shall, as directed by the OWNER, make a Contractor's Affidavit that he has paid all claims of every nature, or

secured a release from the Surety or Sureties approving payment of the final estimate by the OWNER. Final payment, when made, shall be considered as final approval and acceptance of the completed work herein specified.

The acceptance by the CONTRACTOR of final payment aforesaid shall operate as, and shall be, a release to the OWNER and his agents, from all claim and liability to the CONTRACTOR for anything done or furnished for, relating to, or affecting the work.

Incorrect/Improper Payments

OWNER shall not, nor shall any officer thereof, be precluded or stopped by any return or certificate made or given by the ENGINEER, or other officer, agent or appointee, under the provision of this Agreement, at any time (either before or after final completion and acceptance of the work and payment made therefore pursuant to any such return or certificates showing the true and correct amount of money due therefore, notwithstanding any such return or certificate, or any payment made in accordance therewith) from demanding and receiving from the CONTRACTOR or his sureties, separately or collectively, such sums as may have been improperly paid said CONTRACTOR by reason of any such return or certificate which has been untruly or incorrectly compiled.

15. EXTENSION OF TIME

All days in which work is suspended by order of the ENGINEER, or in accordance with these specifications, shall automatically extend the time for completion an equal number of days.

In the event work is suspended because the CONTRACTOR does not perform, no extension will be allowed for this period of time.

All requests from CONTRACTOR for extensions of time shall be submitted in writing. Such requests shall detail the reason for the request, provide a realistic revised completion date, and indicate any other

areas which may be impacted by such an extension. Such requests must be submitted to the field ENGINEER within ten (10) days after the occurrence of the incident or situation that brought about a reason for extending the time of completion. The final decision of whether or not to grant an extension of time will be made by the field ENGINEER. In no case will a request be considered if it is submitted after the ten (10) day period has passed.

16. AUTHORITY

No officer, agent or employee of the OWNER shall have power to revoke, alter, enlarge, or relax the stipulations or requirements of the Contract Documents, except insofar as such authority may be specifically conferred by the Contract Documents themselves, without formal authorization to do so, conferred by the Agreement, or by ordinance, resolution or other usual official action by the OWNER.

17. PROGRESS OF WORK

The work shall be prosecuted regularly and uninterruptedly, unless the OWNER shall otherwise specifically direct, with such force and at such points as to insure its full completion within the time stated herein.

If, in the opinion of the ENGINEER, it is necessary or advisable that certain portions of the work be done immediately, the CONTRACTOR, upon written order shall proceed with such work without delay. Should he fail to so proceed, the OWNER may do or cause to be done, such work, and the cost of same will be deducted from any money due or to become due the CONTRACTOR under this Agreement.

18. TIME IS ESSENCE OF CONTRACT

It is distinctly understood and agreed to by the parties hereto that the time specified for completion of the Work is the essence of this Agreement, and CONTRACTOR shall not be entitled to claim performance of this Agreement unless the work is satisfactorily completed, in every respect, within the time herein specified.

19. COMMENCEMENT OF CONTRACT TIME

The Contract Times will commence to run on the thirtieth day after the Effective Date of the Agreement or, if a Notice to Proceed is given, on the day indicated in the Notice to Proceed. A Notice to Proceed may be given at any time within thirty (30) days after the Effective Date of the Agreement. In no event will the Contract Times commence to run later than the sixtieth (60) day after the day of Bid Opening or the thirtieth (30) day after the Effective Date of the Agreement, whichever date is earlier.

Owner Responsibilities

20. EXTRA & FORCE ACCOUNT WORK

When extra work is required, it shall be performed and payment for such work will be on the unit price or lump sum basis agreed to in a written order. When such agreement cannot be reached, the OWNER may order such work, including any required offsite work, to be done by force account. The compensation as herein provided shall be accepted by the CONTRACTOR as payment in full for extra work done by force account, and the said percentages shall cover profit, superintendence, general expense, overhead, miscellaneous unforeseen costs, and the use of small tools and equipment. For approved subcontract work, the CONTRACTOR will be paid an amount equal to six percent (6%) of the total cost of the subcontract work, as reimbursement for administrative costs incurred in connection with the subcontract work.

When it is necessary for the CONTRACTOR to hire a firm to perform a specialized type of work or service for which the CONTRACTOR or subcontractors are not qualified to do, payment will be made at the invoice cost. The CONTRACTOR will be paid an amount equal to six percent (6%) of the invoice cost, as reimbursement for administrative costs. Prior approval by the OWNER is required.

REPORTS:

The CONTRACTOR shall furnish to the OWNER, itemized reports of the costs of all force account work. The reports shall be furnished each week and shall include a certified copy of the weekly payroll and copies of bills for the materials used and the freight charges paid on same. Discount for prompt payment or penalty for late payment will not be considered in determining the net amount of the bill. The net amount of the bill shall be charged to the force account work. Where materials used are not specifically purchased for use on extra work but are taken from the CONTRACTOR's stock, the CONTRACTOR shall submit a certification of the quantity, price, and freight on such materials in lieu of original bills and invoices.

The CONTRACTOR shall prepare itemized statements containing the following detailed information:

Labor: Name, classification, dates, number of hours worked each day, total hours computed to nearest half hour, total hours, rate, and extension for each employee engaged.

Equipment: Designation, number of hours used each day (computed to nearest half hour), total hours, rental rate, and extension for each unit of equipment engaged.

Materials: Quantities of materials, with prices per unit and extensions and freight costs when applicable.

The CONTRACTOR and the OWNER shall compare records of force account work and bring them into agreement at the end of each day.

LABOR:

For all labor and for all craft foreman directly engaged in the specific work, the CONTRACTOR will be paid the actual rate of wages and the number of hours paid said labor and foremen in accordance with approved labor agreements, computed to nearest half hour, to which sum twenty-six (26) percent will be added (this sum includes a one (1) percent allowance for the

Single Business Tax). Project foremen will be classified as Superintendents and their compensation will not be included in the payment provided herein.

Bond Premium: Workmen's Compensation Insurance; Personal Injury Public Liability and Property Damage Public Liability Insurance; Unemployment Compensation; Federal Social Security; and payments required to be made to Employer and Employee Trusteships, the proceeds from which accrue exclusively to the benefit of the employee; will be paid for at actual cost, to which sum twenty (20) percent will be added except that twenty-six (26) percent will be added to the taxable fringe benefits. The CONTRACTOR shall furnish satisfactory evidence of the amounts paid for each of these required costs as related to force account work.

MATERIALS:

For materials, the CONTRACTOR will receive the actual cost delivered to the project site, including freight charges, as shown by copies of bills, to which sum fifteen (15) percent will be added.

If a charge in the amount or type of force account work results in a surplus of the material ordered and delivered to the project site, the OWNER will reimburse the CONTRACTOR for the costs incurred in returning the surplus material to the supplier.

SMALL HAND & POWER TOOLS:

No payment will be allowed for small hand and power tools which are not listed in the Rental Rate Blue Book for Construction Equipment as published by the Equipment Guide Book Company. All small hand and power tools listed in the Rental Rate Blue Book at a rate of less than one (1) dollar per hour will be considered part of overhead and will not be paid for separately.

EQUIPMENT:

For any machinery and equipment, including the foreman's transportation unit, which the OWNER approves for use on extra work

done by force account, the CONTRACTOR will be paid as follows:

The time paid for shall be the period that the equipment is required at the site of the extra work and, in addition, shall include traveling time to the location of the extra work when the equipment is moved under its own power. When transportation from one site to another is by other than its own power, the actual operating time during periods of loading and unloading will be paid for at the regular rental rate and transportation costs will be allowed.

When the periods of work are not consecutive and the interval between the termination of a period of work and the commencement of the subsequent period does not exceed thirty (30) days, the rates allowed will be the same as if the periods of work were consecutive.

The rental rate established for each piece of CONTRACTOR owned equipment, including appurtenances and attachments to equipment used will be determined by use of the Rental Rate Blue Book for Construction Equipment Volume 1, 2, or 3, as applicable. The edition which is current at the time the force account work was started will apply.

The established rental rate will be equal to the "Monthly" rate divided by 176; modified by the rate adjustment factor and the applicable map adjustment factor, plus the "Estimated Operating Costs per Hour", to which sum ten (10) percent will be added.

For equipment not listed in the Rental Rate Blue Book, Volume 1, 2, or 3, the rental rate will be determined by using the rate listed for a similar piece of equipment or by proportioning a rate listed so that the capacity, size, horsepower, and age are properly considered.

For equipment for which there are no comparable in the Rental Rate Blue Book, Volume 1, 2, or 3, the monthly rate shall be reasonable, but not more than five (5) percent of the current list price, or invoice, of the equipment. The base hourly rate shall then be determined by dividing the monthly rate by 176 to which sum twenty percent

(20%) will be added. The twenty percent (20%) includes adjustments and operating costs.

The rates used for CONTRACTOR owned trucks used to haul material will be those published by MDOT. These rates shall include all adjustments and operating costs. Separate payment for the driver will be allowed. The rates will be reviewed and adjusted periodically.

The rental rate for the foreman's transportation unit will be seven dollars (\$7.00) per hour, to which sum twenty percent (20%) will be added.

When leased or rented equipment is used on force account work, the hourly rate used in computation of payment will be the leased or rented rate, except that if the leased or rented rate exceeds the rental rate established by the Rental Blue Book, the established rate determined from the Blue Book will apply. In either case, the Estimated Operating Cost per Hour will be added to the appropriate hourly rate to which sum ten percent (10%) will be added.

In all cases the "Estimated Operating Cost per Hour" includes all fuel, oil, lubrications, tires, parts, and other operating expendables such as truck and labor assigned to the truck for servicing the equipment.

The rental rates allowed herein include the cost of insurance covering the usual insurable risks, including fire and theft. The OWNER will not be liable for losses which can be covered by insurance.

In the event that machinery or equipment is idled, payment may be allowed on a rental basis for the idled equipment as specified herein. Only machinery or equipment actually on the project site at the time of the delay, as required for that phase of construction work in question, will be considered eligible for rental reimbursement. Specialized equipment for machinery directly related to the work, whether on or off the site, may be considered eligible for payment if actually idled and if such idleness can be certified by the CONTRACTOR and verified by the

OWNER. Payment for idled equipment and/or machinery will not be allowed during periods of seasonal suspension of the work.

The rental rate for idled leased or rented equipment will be the leased or rented rate, or the equipment shall be returned and taken off rental as directed by the OWNER.

The rental rate for idled CONTRACTOR owned equipment will be the "Monthly" rate divided by 176; modified by the rate adjustment factor and the applicable map adjustment factor, and then multiplied by fifty percent (50%). No payment will be allowed for operating costs.

Payment will be limited to the difference between the hours worked and eight (8) hours in any one day and to the difference between the hours worked and forty (40) hours in any one week. No provisions of these specifications shall entitle the CONTRACTOR to rental compensation for idled equipment. No additional compensation for overhead will be allowed.

In the event that labor is idled, payment may be allowed provided there is no other location within the project that the labor can be gainfully employed. Payment will be limited to a maximum of eight (8) hours per occurrence and in no case will exceed the amount of the CONTRACTOR's obligation as provided by the CONTRACTOR's current labor agreement. No additional compensation for overhead will be allowed.

21. PAYMENTS WITHHELD

The OWNER may withhold or, on account of subsequently discovered evidence, nullify the whole or a part of any certificate for progress payment to such extent as may be necessary to protect itself from loss on account of:

Defective work not remedied;

Claims filed or reasonable evidence indicating probable filing of claims;

Failure of the CONTRACTOR to make payments properly to subcontractors or for material or labor;

A reasonable doubt that the Agreement can be completed for the balance then unpaid;

Damage to another CONTRACTOR.

When the above grounds are removed, payment shall be made for amounts withheld because of them.

22. USE OF COMPLETE PORTIONS OF THE WORK

The OWNER may, at any time during progress of the work, after written notice to CONTRACTOR, take over and place in service any completed portions of the work which are ready for service, although the entire work of the Agreement is not fully completed, and notwithstanding the time for completion of the entire work or such portions may not have expired. In such event, the CONTRACTOR will be relieved of further work on, or maintenance of, said portion except as covered by his guarantee of same.

Engineer Responsibilities

23. ENGINEER DURING CONSTRUCTION

The Work shall be subject to the approval of the ENGINEER, who shall determine the amount, quality, acceptability, and fitness of the items of work and materials to be furnished hereunder, and who shall decide all questions which may arise as to measurements of quantities and fulfillment of the requirements of the Contract Documents.

24. AUTHORITY & DUTIES OF CONSTRUCTION OBSERVER

Construction Observers may be appointed by the ENGINEER and directed to check or review materials used and completed work. The observation may extend to any parts of the Work and to the preparation or manufacture of the materials for use in the Work. Construction Observers will not be authorized to revoke, alter, enlarge, or relax any of the provisions of the Contract Documents. The Construction Observer will call to the attention of the CONTRACTOR any failure to follow the plans and

specifications that he may observe. In case of any dispute arising between the CONTRACTOR and Construction Observer as to materials furnished or the manner of performing the work, the Construction Observer shall have the authority to reject materials or completed items of work until the question at issue can be referred to and be decided by the ENGINEER. In no instance shall any action or omission on the part of the Construction Observer relieve the CONTRACTOR of the responsibility of completing the Work in accordance with the Contract Documents.

25. LIMITATIONS ON ENGINEER'S RESPONSIBILITIES

Neither ENGINEER's authority or responsibility under this Article or under any other provision of the Contract Documents nor any decision made by ENGINEER in good faith either to exercise or not exercise such authority or responsibility or the undertaking, exercise or performance of any authority or responsibility by ENGINEER shall create, impose or give rise to any duty owed by ENGINEER to CONTRACTOR, any subcontractor, any supplier, any other person or organization, or to any surety for or employee or agent of any of them.

ENGINEER will not supervise, direct, control or have authority over or be responsible for CONTRACTOR's means, methods, techniques, sequences or procedures of construction, or the safety precautions and programs incident thereto, or for any failure of CONTRACTOR to comply with laws and regulations applicable to the furnishing or performance of the Work. ENGINEER will not be responsible for CONTRACTOR's failure to perform or furnish the Work in accordance with the Contract Documents.

ENGINEER will not be responsible for the acts or omissions of CONTRACTOR or of any subcontractor, any supplier, or of any other person or organization performing or furnishing any of the Work.

ENGINEER's review of the final application for payment and accompanying

documentation and all maintenance and operating instructions, schedules guarantees, bonds and manufacturer's certificates of inspection, tests, and approvals and other documentation required in Article 14b will only be to determine generally that their content complies with the requirements of, and in the case of manufacturer's certificates of inspections, tests and approvals that the results certified indicate compliance with the Contract Documents.

The limitations upon authority and responsibility set forth in this Section shall also apply to ENGINEER's consultants, authorized representative and assistants.

26. LINES & GRADES

Principal reference lines or points and bench marks may be given by the ENGINEER at such time as he may deem necessary; or, if the CONTRACTOR shall be in need of such reference lines or bench marks, he shall notify the ENGINEER three (3) working days in advance.

The ENGINEER may set suitable stakes and marks showing locations and elevations of the various parts of the work, and will furnish the CONTRACTOR with required data referring to the reference points. No work shall be undertaken until such stakes and marks shall have been set by the ENGINEER. CONTRACTOR shall take due and proper precautions for the preservation of these stakes and marks, shall see that the work at all times proceeds in accordance therewith, and shall provide all labor and material to set the required line and grade control and locate the work accurately with reference to the above points. In case such stakes are destroyed due to the CONTRACTOR's carelessness, they will be replaced at the ENGINEER's earliest convenience and the CONTRACTOR may be back charged for the crew time incurred.

27. TESTING & SAMPLING

Where called for in the specifications, samples of materials in the quantity named shall be submitted to the ENGINEER for approval. Where tests are required, they

shall be made at the expense of the OWNER, except as otherwise called for in the specifications. For materials covered by ASTM or Federal Specifications, or with the specifications of well known or recognized technical and/or trade organizations, unless otherwise stipulated, required tests are to be made by the manufacturer, and his certificate therefore submitted to the ENGINEER.

The ENGINEER and/or OWNER shall determine which materials are required by the specifications to be factory certified or to have chemical or physical analysis or other examination or test. The CONTRACTOR shall furnish to the ENGINEER and/or OWNER two copies of orders for all materials requiring such examination or test as soon as placed. Such orders shall contain complete information, including that as to the quantity, quality, dimensions, sizes, capacities and types, shall contain proper reference to the applicable specifications by title, number and paragraph, and shall show the name and address of the producing factory but need not contain prices or contractual terms.

All materials and workmanship (if not otherwise designated by the specifications) shall be subject to examination and test by the ENGINEER and/or OWNER at any time during manufacture or construction, and at any place where such manufacture or construction is carried on. The ENGINEER and/or OWNER shall have the right to reject defective material and workmanship or require its correction. Rejected workmanship shall be satisfactorily corrected, and rejected material shall be satisfactorily replaced with proper material without charge therefore, and the CONTRACTOR shall promptly segregate and remove rejected material from the premises. If the CONTRACTOR fails to proceed at once with replacement of rejected material and correction of defective workmanship, the OWNER may, by Agreement or otherwise, replace such material and correct such workmanship and charge the cost thereof to the

CONTRACTOR, or may immediately terminate the Agreement.

CONTRACTOR shall furnish promptly, without additional charge, all reasonable facilities, labor and materials necessary for the safe and convenient conduct of all construction observations and tests that may be required by the ENGINEER. All construction observations and tests by the ENGINEER and/or OWNER shall be performed in such a manner as not to delay the work unnecessarily. Special, full size, and performance tests shall be as described in the specifications. CONTRACTOR shall be charged with any additional cost of construction observations when material or workmanship is not ready at the time checking is requested by the CONTRACTOR.

Should it be considered necessary or advisable by the ENGINEER and/or OWNER any time before final acceptance of the entire work to make an examination of work already completed, by removing or tearing out same, the CONTRACTOR shall on request promptly furnish all necessary facilities, labor and material. If such work is found to be defective or nonconforming in any material respect, due to the fault of the CONTRACTOR or his subcontractor, CONTRACTOR shall defray all the expenses of such examination and of satisfactory reconstruction, and be responsible for any resulting delay. If, however, such work is found to meet the requirements of the Agreement, the actual cost involved in the examination and replacement shall be allowed the CONTRACTOR and he shall in addition, if completion of the work has been delayed thereby, be granted a suitable extension of time on account of the additional work involved.

Examination of material and finished articles to be incorporated in the work at the site shall be made at place of production, manufacture or shipment stated in the specifications; and such examinations and acceptance, unless otherwise stated in the specifications, shall be final, except as

regards latent defects, departures from specific requirements of the Agreement and the specifications and drawings made a part thereof, damage or loss in transit, fraud or such gross mistakes as amount to fraud. Subject to requirements contained in the preceding sentence, examinations of material and workmanship for final acceptance as a whole or in part shall be made at the site.

Contractor Responsibilities

28. UNFORSEEN PHYSICAL CONDITIONS

CONTRACTOR shall promptly notify the OWNER and ENGINEER in writing of any subsurface or latent physical conditions at the site or in an existing structure differing materially from those indicated or referred to in the Contract Documents. The ENGINEER will promptly review those conditions and advise the OWNER in writing if further investigation or tests are necessary. Promptly thereafter, the OWNER shall obtain the necessary additional investigations and tests and furnish copies to the ENGINEER and the CONTRACTOR. If the ENGINEER finds that the results of such investigations or tests indicate that there are subsurface or latent physical conditions which differ materially from those intended in the Contract Documents, and which could not reasonably have been anticipated by the CONTRACTOR, a Change Order may be issued incorporating the necessary revisions.

29. COMPOSITION OF THE CONTRACTOR

If the CONTRACTOR hereunder is comprised of more than one legal entity, each such entity shall be jointly and severally liable hereunder.

30. ASSIGNMENT OF CONTRACT

The CONTRACTOR shall not sublet, assign or transfer this Agreement or any portion thereof or any payments due him thereunder, without the written consent of the OWNER.

Assignment or subletting the whole or any portion of this Agreement shall not operate

to release the CONTRACTOR or his bondsmen hereunder from any of the contract obligations.

The CONTRACTOR agrees that he is fully responsible to the OWNER for the acts and omissions of his subcontractors and of persons either directly or indirectly employed by him. Nothing contained in the Contract Documents shall create any contractual relation between any subcontractors and the OWNER.

Neither the ENGINEER nor any officer, agent or employee of the OWNER shall have any power or authority whatsoever to bind the OWNER or to incur obligation in his behalf to any subcontractors, material supplier or other persons in any manner whatsoever.

31. AGENTS

Work shall be carried on under personal supervision of the CONTRACTOR or his properly authorized representative, who shall be on the grounds at all times during the construction, and who shall have full and responsible charge of the Work with power to receive orders and carry out instructions.

32. SAFETY & PROTECTION

A. People and Property

CONTRACTOR shall be solely responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the Work. CONTRACTOR shall take all necessary precautions for the safety of, and shall provide the necessary protection to prevent damage, injury or loss to:

All persons on the site or who may be affected by the Work;

All the Work and materials and equipment to be incorporated therein, whether in storage on or off the site; and

Other property at the site or adjacent thereto, including trees, shrubs, lawns, walks, pavements, roadways, structures, utilities, and Underground Facilities not designated for removal, relocation, or replacement in the course of construction.

B. Site Safety

CONTRACTOR shall comply with all applicable laws and regulations relating to the safety of persons or property, or to the protection of persons or property from damage, injury, or loss; and shall erect and maintain all necessary safeguards for such safety and protection. CONTRACTOR shall notify owners of adjacent property and of underground facilities and other utility owners when prosecution of the Work may affect them, and shall cooperate with them in the protection, removal, relocation, and replacement of their property. All damage, injury, or loss to any property referred to in this section caused, directly or indirectly, in whole or in part, by CONTRACTOR or any subcontractor, supplier, or any other individual or entity directly or indirectly employed by any of them to perform any of the Work, or anyone for whose acts any of them may be liable, shall be remedied by CONTRACTOR. CONTRACTOR's duties and responsibilities for safety and for protection of the Work shall continue until such time as all the Work is completed and ENGINEER has issued a notice to OWNER and CONTRACTOR that the Work is acceptable (except as otherwise expressly provided in connection with Substantial Completion).

C. Safety Representative

CONTRACTOR shall designate a qualified and experienced safety representative at the site whose duties and responsibilities shall be the prevention of accidents and the maintaining and supervising of safety precautions and programs.

D. Hazard Communication Program

CONTRACTOR shall be responsible for coordinating any exchange of material safety data sheets or other hazard communication information required to be made available to or exchanged between or among employers at the site in accordance with laws or regulations.

E. Compliance with MIOSHA

All of the CONTRACTOR and subcontractors operations and construction equipment shall comply with requirements of the Michigan Occupational Safety and Health Act (MIOSHA) insofar as they apply to the work to be performed under this Contract.

33. CONTRACTOR'S SUPERVISION & ORIGINATION

The Work under this Agreement shall be under the direct supervision and direction of the CONTRACTOR. The CONTRACTOR shall give sufficient supervision to the Work, using his best skill and attention. The CONTRACTOR shall, at all times, keep on the site of the Work during its progress a competent superintendent and any and all necessary foremen and assistants. The superintendent shall represent and have full authority to act for the CONTRACTOR in the latter's absence, and all directions given to him shall be as binding as if given to the CONTRACTOR. On written request in each case, all such directions will be confirmed in writing to the CONTRACTOR.

The CONTRACTOR shall employ only competent, efficient workmen and shall not use on the Work any unfit person or one not skilled in the work assigned to him, and he shall at all times enforce strict discipline and good order among his employees. Whenever the ENGINEER shall notify the CONTRACTOR, in writing, that any man on the Work is, in the opinion of the ENGINEER, careless, incompetent, disorderly, or otherwise unsatisfactory, such man shall be discharged from the work and shall not again be employed on it except with the written consent of the ENGINEER.

The CONTRACTOR shall establish and maintain an office on the site of the work, or at some convenient point adjacent thereto, during the continuance of this Agreement and shall have at all times during working hours, a representative authorized to receive and execute any and all orders, when given by the ENGINEER; and such order, when given out and received by said representative shall be deemed to have been

given to and received by the CONTRACTOR. Copies of the drawings and specifications shall at all times be kept on file by the CONTRACTOR at readily accessible points near the work.

34. CONTRACTOR'S RIGHT TO STOP WORK

If the work should be stopped under an order of any court, or other public authority for a period of three months, through no act or fault of the CONTRACTOR or of anyone employed by him, or if the OWNER should fail to pay to the CONTRACTOR within sixty (60) days of its maturity and presentation any sum certified by the ENGINEER, provided no appeal is taken, the CONTRACTOR may, upon seven (7) days' written notice to the OWNER and the ENGINEER, stop work or terminate this Agreement, and shall receive from the OWNER payment in full for all work executed, as determined from the prices contained in the approved detailed estimate as computed by the ENGINEER, but no claim for extra compensation or damages shall be made or allowed because of such termination of the Agreement.

35. STORAGE OF MATERIALS

Materials and equipment distributed, stored and placed upon or near the site of the Work shall at all times be so disposed as not to interfere with work being prosecuted by other contractors in the employ of the OWNER, or with street drainage, or with fire hydrants or with access thereto, and not to hinder any more than may be necessary the ordinary traffic (either vehicular or pedestrian) of the street.

36. CLEANING UP

The CONTRACTOR shall, as directed by the ENGINEER, remove at his own expense from the OWNER's property and from all public and private property all temporary structures, rubbish and waste materials resulting from his operations. This requirement shall not apply to property used for permanent disposal of rubbish or waste materials in accordance with permission of

such disposal granted to the CONTRACTOR by the OWNER thereof.

37. SUNDAY & NIGHT WORK

The CONTRACTOR is required to prosecute work done under this Agreement during the hours of daylight, and no work will be permitted at night or on Sundays, except to save property or life, or as specifically authorized or directed by the ENGINEER.

No work shall be permitted on holidays.

38. SANITARY REGULATIONS

Sanitary conveniences for the use of project personnel properly secluded from public observation shall be constructed and maintained in sanitary condition by the CONTRACTOR. Its use shall be strictly enforced.

39. PERMITS & REGULATIONS

The CONTRACTOR shall secure, at no cost to the OWNER, all permits and licenses necessary for the prosecution of the Work. He shall pay for same at his own expense as well as for any inspection fees required in connection with such permits, and shall conduct his operations in accordance with the provisions of such permits, including tunneling of pavements where required. He shall also furnish any required bonds and pay the cost of same.

The CONTRACTOR shall keep himself fully informed of all laws, ordinances, and regulations in any manner affecting those engaged or employed in the Work or materials used in the Work, or in any way affecting the conduct of the Work, and of all orders and decrees of bodies or tribunals having any jurisdiction or authority over the same.

He shall at all times observe and comply with, and shall cause all his agents and employees to observe and comply with all existing and future laws, ordinances, regulations, orders and decrees; provided, that if the drawings and specifications are at variance therewith, the CONTRACTOR shall promptly notify the ENGINEER in

writing and any necessary changes shall be adjusted as provided in the Contract Documents.

All work shall be executed and checked in accordance with all local and state rules and regulations and all established codes applicable thereto and shall conform in all respects to the requirements of all competent authorities having jurisdiction there over.

Should any change in plans and specifications be required to comply with local regulations, CONTRACTOR shall notify the OWNER at the time of submitting his bid. After entering into Agreement, CONTRACTOR will be held to complete the work necessary to meet local requirements without extra expense to the OWNER.

Where the work required by the drawings and specifications is above the standard required, it shall be done as shown or specified.

40. GUARANTEE

The CONTRACTOR, as a condition precedent to final payment, shall execute a guarantee to the OWNER warranting for a period of two (2) years from date of final payment to keep in good order and repair any defect in all the work done under the Agreement, either by the CONTRACTOR, his subcontractors, or material suppliers, that may develop during said period due to improper materials, defective equipment, improper materials workmanship, or arrangements, and any other work affected in making good such imperfections shall also be made good, all without expense to the OWNER, and CONTRACTOR shall execute, in favor of the OWNER the attached Maintenance and Guarantee Bond.

41. PATENTS

CONTRACTOR shall pay all royalties and license fees and shall hold and save the OWNER and his agents harmless from all liability of any nature or kind, including cost and expenses for, or on account of, any patented or unpatented invention, process, article or appliance manufactured or used in

performance of the Agreement, including its use by the OWNER, unless otherwise specifically stipulated in the Contract Documents. In this respect the CONTRACTOR shall defend all suits or claims for infringement of any patent or license right.

In the event that any claim, suit or action at law or inequity of any kind whatsoever is brought against the OWNER, involving any such patents or license rights, then the OWNER shall have the right to, and may retain, from any money due or to become due to the CONTRACTOR, such sufficient sum as is considered necessary to protect said OWNER against loss, and such sum may be retained by the OWNER until such claim or suit shall have been settled and satisfactory evidence to that effect shall have been furnished the OWNER.

42. INFORMATION BY THE CONTRACTOR

The CONTRACTOR shall submit to the ENGINEER full information as to the materials, equipment and arrangements that the CONTRACTOR proposes to furnish. This information shall be complete to the extent that the ENGINEER may intelligently judge if the proposed materials, equipment and arrangements will meet with the requirements of the Contract Documents.

Prior to approval of the materials, equipment and arrangements by the ENGINEER, based on the information submitted by the CONTRACTOR, any work done by the CONTRACTOR shall be at his own risk.

Approval of information covering materials, equipment and arrangements by the ENGINEER shall in no way release CONTRACTOR from his responsibility for the proper design, installation and performance of any material, equipment or arrangement, or from his liability to replace same should it prove defective.

43. FORFEITURE OF CONTRACT

If work to be done under the Contract Documents shall be abandoned by CONTRACTOR or if, at any time in the

judgment of the OWNER, CONTRACTOR shall fail to prosecute the Work at a reasonable rate of progress, or to comply with all or any of the terms and requirements herein set forth, then the OWNER shall have the right to take possession of the Work, including CONTRACTOR's plant, supplies and materials, at any time after having notified the CONTRACTOR, in writing, to discontinue work under this Agreement for said cause or causes, and such action shall not affect the right of the OWNER to recover damages resulting from such failure. Upon receiving such notice the CONTRACTOR shall and will, upon demand, immediately give the OWNER safe and peaceable possession of the Work, including the plant, and shall then cease to have control over any portion thereof or the men employed thereon.

The OWNER may then proceed to complete the Work herein specified, by Agreement or otherwise; and the entire cost of same shall be charged to the CONTRACTOR and deducted from any sum or sums due or to become due under the Agreement; the excess cost, if any, to be paid by CONTRACTOR or his sureties to said OWNER.

44. RELATION TO OTHER CONTRACTORS

CONTRACTOR shall so conduct his operations as not to interfere with or injure the work of other contractor's or workmen employed on adjoining or related work, and he shall promptly make good any injury or damage which may be done to such work by him or his employees or agents. Should a contract for adjoining work be awarded to another contractor, and should the work of one of these contracts interfere with that of the other, the OWNER shall decide which contractor shall cease work for the time being and which shall continue, or whether work in both contracts shall continue at the same time and in what manner.

45. "OR EQUAL" CLAUSE

Whenever, in any of the Contract Documents an article, material or equipment

is defined by describing a proprietary product or by using the name of a manufacturer or vendor, the term "or equal", if not inserted, shall be implied. The specific article, material or equipment mentioned shall be understood as indicating the type, function, minimum standard of design, efficiency and quality desired, and shall not be construed in such a manner as to exclude manufacturers' products of comparable quality, design and efficiency. If the CONTRACTOR proposes any "or equal" substitutes, these substitutes shall be subject to the review and approval of the OWNER before they can be incorporated into the work.

Legal

46. INDEMNIFICATION

To the fullest extent permitted by Laws and Regulations, CONTRACTOR shall indemnify and hold harmless OWNER and ENGINEER and their consultants, agents and employees from and against all claims, damages, losses and expenses, direct, indirect or consequential (including but not limited to fees and charges of engineers, architects, attorneys and other professionals and court and arbitration costs) arising out of or resulting from the performance of the Work, provided that any such claim, damage, loss or expense (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself) including the loss of use resulting therefrom and (b) is caused in whole or in part by any negligent act or omission of CONTRACTOR, any subcontractors, any person or organization directly or indirectly employed by any of them to perform or furnish any of the Work or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder or arises by or is imposed by Law and Regulations regardless of the negligence of any such party.

In any and all claims against OWNER or ENGINEER or any of their consultants,

agents or employees by any employee of CONTRACTOR, any subcontractors, any person or organization directly or indirectly employed by any of them to perform or furnish any of the Work or anyone for whose acts of them may be liable, the indemnification obligation under the preceding paragraph shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for CONTRACTOR or any such subcontractors or other person or organization under worker's or workmen's compensation acts, disability benefit acts or other employee benefit acts.

The obligations of the CONTRACTOR under this article shall not extend to the liability of ENGINEER, ENGINEER's consultants, agents or employees arising out of the preparation or approval of drawings, opinions, reports, surveys, change orders, designs or specifications.

47. CONTROLLING LAW

In the case of a legal dispute between the OWNER and the CONTRACTOR the law of the state of Michigan shall govern. The venue for resolving any legal dispute between the two parties will be within the County of the OWNER's legal address.

48. NO WAIVER OF CONTRACT

Neither acceptance of the whole or any part of the Work by the OWNER or his ENGINEER, or any of its agents, nor any order, measurements or certificate by the ENGINEER, nor any order by OWNER for payment of money, nor any payment for the whole or any part of the Work by OWNER, nor any extension of time, nor any possession taken by the OWNER or its agents, shall operate as a waiver for any portion of the Contract Documents or any power therein provided; nor shall any waiver

of any breach of contract be held to be a waiver of any other or subsequent breach.

49. DISPUTE RESOLUTION

Dispute resolution methods and procedures, if any, shall be as set forth in the Supplemental Specifications. If no method and procedure has been set forth, OWNER and CONTRACTOR may exercise such rights or remedies as either may otherwise have under the Contract Documents or by Laws or Regulations in respect of any dispute.

50. GIVING NOTICE

Whenever any provision of the Contract Documents requires the giving of written notice, it will be deemed to have been validly given if delivered in person to the individual or to a member of the firm or to an officer of the corporation for whom it is intended, or if delivered at or sent by registered or certified mail, postage prepaid, to the last business address known to the giver of the notice.

51. CUMULATIVE REMEDIES

The duties and obligations imposed by these General Conditions and the rights and remedies available hereunder to the parties hereto are in addition to, and are not to be construed in any way as a limitation of, any rights and remedies available to any or all of them which are otherwise imposed or available by Laws or Regulations, by special warranty or guarantee, or by other provision of the Contract Documents, and the provisions of this paragraph will be as effective as if repeated specifically in the contract Documents in connection with each particular duty, obligation, right, and remedy to which they apply.

End of Section

GENERAL SPECIFICATIONS

Table of Contents

| | | |
|-----|---|---|
| 1. | Existing Underground Structures & Utilities..... | 1 |
| 2. | Soil Conditions..... | 1 |
| 3. | Soil Erosion and Sedimentation Control | 1 |
| 4. | Preservation, Protection & Use of Survey Controls, Monument Points & Grade Stakes | 2 |
| 5. | Protection of Public and Private Utilities..... | 2 |
| 6. | Miscellaneous Damages | 3 |
| 7. | Sump Pump Discharge Pipe & Local Services..... | 3 |
| 8. | Existing Sewer Facilities..... | 3 |
| 9. | Existing Water Facilities | 3 |
| 10. | Existing Gas Facilities..... | 3 |
| 11. | Existing Electric, Cable, and Telecommunications | 3 |
| 12. | Preservation of Trees & Shrubbery | 4 |
| 13. | Trimming Trees & Shrubs..... | 4 |
| 14. | Maintenance of Service | 4 |
| 15. | Cleanliness of the Work Site and Streets | 4 |
| 16. | Dust Control | 5 |
| 17. | Working Space & Use of Streets or Private Property | 5 |
| 18. | Easements..... | 5 |
| 19. | Power & Light..... | 5 |
| 20. | Water | 5 |
| 21. | Weather Protection & Heating | 6 |
| 22. | Railroad Crossing..... | 6 |
| 23. | Ownership of Salvaged Materials | 6 |

1. EXISTING UNDERGROUND STRUCTURES & UTILITIES

The location of public or private utilities shown on the plans is in accordance with the best information available. No guarantee is given that the locations are absolutely accurate or that utilities other than those shown are not present.

For protection of underground utilities, the CONTRACTOR shall contact “MISS DIG” at 1-800-482-7171 a minimum of three (3)

working days prior to excavating. This does not relieve the CONTRACTOR of the responsibility of notifying utility OWNERS who may not be part of the “MISS DIG” alert system.

2. SOIL CONDITIONS

If soil borings have been taken for this project, then they are included in an appendix.

Where the OWNER has caused soil borings to be made to aid the ENGINEER in design of the work, these boring logs are provided herein for the prospective bidder to examine. This information is given to bidders as an aid in determining the character of the soil and groundwater conditions. The OWNER does not guarantee that the ground encountered during construction will conform to the borings. Bidders should secure such other information as they consider necessary to check and supplement the above data.

The CONTRACTOR shall complete the work in whatever materials, and under whatever conditions he may encounter or create.

3. SOIL EROSION AND SEDIMENTATION CONTROL

The CONTRACTOR shall comply with the requirements of the Soil Erosion and Sedimentation Control Act of the State of Michigan, Part 91 of ACT 451 of PA of 1994 and with all the requirements, rules and standards of the official enforcing agent for the project location.

If a soil erosion control permit is required on this project, the CONTRACTOR shall adhere to the specific conditions of the project permit. Where the permit is issued in the name of the CONTRACTOR and requires that a bond be posted, the

CONTRACTOR shall include in his bid the permit fee and bond expense.

The ENGINEER shall have full authority to require compliance with the soil erosion control requirements and may order suspension of the work if measures are not adequate or a problem develops requiring additional soil erosion control measures. Any ordered suspension of the work shall not be grounds for CONTRACTOR's claims for "down time" or "lost time".

4. PRESERVATION, PROTECTION & USE OF SURVEY CONTROLS, MONUMENT POINTS & GRADE STAKES

During the progress of the work, the CONTRACTOR may encounter section line, fractional section line, and property controlling corner monuments. Insofar as is known, such public land survey corners and property monuments have been indicated on the plans.

The CONTRACTOR shall be responsible for complying with the requirements of Michigan Public Act 34. Specifically, he shall be responsible for notifying the county surveyor before removing a public land survey corner monument for construction activities. In addition, if construction time constraints will result in the public land survey corner monument being removed for more than one year, then the CONTRACTOR shall arrange to have a temporary corner monument set until the permanent one can be re-established. The costs of removing and replacing public land survey corner monuments as well as setting temporary corner monuments shall be the responsibility of the CONTRACTOR unless pay items are provided in the bid form for these tasks. The CONTRACTOR shall not remove any such monument until the ENGINEER has witness points as reference for resetting of such monuments. After referencing has been done and suitable permanent sketches prepared, the ENGINEER will give permission to the

CONTRACTOR for removal of the monument. Monuments and monument boxes shall be reset only after all backfilling has fully settled.

The CONTRACTOR shall protect and preserve all monument points, property corners, grade stakes, line and reference points. Where stakes and markers are disturbed or removed due to operations under this Contract, the CONTRACTOR shall be charged at invoice cost by the ENGINEER for replacing the points. Care shall be exercised by the CONTRACTOR when operating near the markers, as any carelessness in operations will also cause a time delay to the schedule due to additional stakeout time required to replace reference points, lines, etc.

The CONTRACTOR shall accurately locate the work from reference points established by the ENGINEER along the surface of the ground and line of work.

5. PROTECTION OF PUBLIC & PRIVATE UTILITIES

Where any utility, water, sewer, gas, telephone or any other public or private utilities are encountered, the CONTRACTOR must provide adequate protection for them, and he will be held responsible for any damages to such utilities arising from his operations.

When it is apparent that construction operations may endanger the foundation of any utility, conduit, or support of any structure, the CONTRACTOR shall notify the utility OWNER of this possibility, and he shall take such steps as may be required to provide temporary bracing or support of conduits or structures.

In all cases where permits or inspection fees are required by utilities in connection with changes to or temporary support of their conduits, the CONTRACTOR shall secure permits and pay all inspection fees.

When it is necessary in order to carry out the work that a pole, telephone or electric, be moved to a new location or moved and replaced after construction, the CONTRACTOR shall arrange for moving such pole or poles and the lines thereof, and shall pay any charges.

Where it is the policy of any utility owner to make his own repairs to damaged conduit or other structures, the CONTRACTOR shall cooperate to the fullest extent with the utility OWNER and shall see that his operations interfere as little as possible with the utility OWNER's operations.

6. MISCELLANEOUS DAMAGES

The CONTRACTOR shall be responsible for repairing all damages to existing lawns, sidewalk, parking lots, streets or other areas outside the limits of the Contract. Private utilities, private ornamental gas or electric lights, sprinkler systems, fences, shrubs, trees, existing sidewalk, or any other surface or subsurface items of value damaged by the CONTRACTOR shall be repaired, replaced or removed and replaced to at least equal condition at the CONTRACTOR's expense unless otherwise specified on the plans.

7. SUMP PUMP DISCHARGE PIPE & LOCAL SERVICES

Any discharge pipe from sump pumps or yard drains encountered on this project, whether or not shown on the plans, which discharges to existing ditches and/or storm sewers or cross public or private easements, shall be maintained, replaced, or reconnected as necessary. Bulkheads shall be placed only as approved by the Engineer. Sump pump connections shall be made to the storm drain pipe by a coring method as approved by the ENGINEER. The CONTRACTOR shall use adequate measures to prevent soil erosion, sedimentation, and/or ponding when connecting discharge pipes to existing or proposed ditches. This work shall be

considered as incidental to the cost of the project.

8. EXISTING SEWER FACILITIES

Existing sewers or drains may be encountered along the line of work. In all such cases, the CONTRACTOR shall perform his operation in such a manner that sewer service will not be interrupted. He shall, at his own expense, make all temporary provisions to maintain sewer service.

Unless otherwise indicated on the plans, the CONTRACTOR shall replace, at his own expense, any disturbed sewer or drain, or relay same at a new grade to be established by the ENGINEER such that sufficient clearance for the sewer will be provided.

9. EXISTING WATER FACILITIES

Where existing water mains and/or water services are encountered in the work, they shall be maintained in operation. They shall be relayed if necessary using the class of pipe and fittings standard to the OWNER of the main.

10. EXISTING GAS FACILITIES

Where existing gas mains are encountered, the CONTRACTOR shall immediately notify the ENGINEER and the gas company. The CONTRACTOR shall then arrange with the gas company for any necessary relocation. The CONTRACTOR will receive no extra compensation on account of delays incurred in conjunction with such relocations.

11. EXISTING ELECTRIC, CABLE, AND TELECOMMUNICATIONS

Where existing electric, cable, or telecommunications facilities are encountered, the CONTRACTOR shall immediately notify the ENGINEER and the affected utility company(ies). The CONTRACTOR shall then arrange with the

utility company for any necessary relocation. The CONTRACTOR will receive no extra compensation on account of delays incurred in conjunction with such relocations.

12. PRESERVATION OF TREES & SHRUBBERY

No trees or shrubbery of any kind shall be removed or destroyed by the CONTRACTOR without written permission of the ENGINEER. The CONTRACTOR will be held fully responsible for any damages caused by his work to adjoining trees and shrubs. Ample precautions shall be taken by the CONTRACTOR to protect such trees and shrubs that are to remain in place by surrounding them with fences or other protection before construction begins. Shrubby that must be removed shall be preserved and replaced in a manner acceptable to the OWNER.

The CONTRACTOR shall protect and/or replace all shrubbery damaged or destroyed by operations under this Contract. The CONTRACTOR shall receive no extra compensation for preservation of trees and shrubbery.

13. TRIMMING TREES & SHRUBS

Where necessary in the field, the CONTRACTOR shall trim trees and shrubs by a method approved by the ENGINEER. All cut surfaces over one inch in diameter shall be painted with grafting wax. All branches which have been damaged by construction shall be pruned correctly to branch collars, to help promote the health of the tree. Also, any abrasions or gouges afflicted on the tree trunks during construction should be bark traced and lightly coated with tree paint. This work shall be incidental to the project.

14. MAINTENANCE OF SERVICE

Drainage through existing sewers, ditches and drains shall be maintained at all times

during construction, and all nearby gutters shall be kept open for drainage. Where existing sewers are encountered in the line of work that interfere with construction, the flow in the sewers, including both dry weather flow and storm flow, shall be maintained.

During the progress of the work, the CONTRACTOR shall accommodate both vehicular and foot traffic and shall provide free access to fire hydrants, water and gas valves. Except as otherwise specified herein or as noted on the plans, street intersections may be blocked but one-half at a time, and Contractor shall lay and maintain temporary driveways, bridges and crossings such as are necessary, in the opinion of the ENGINEER, to reasonably accommodate the public.

In the event detours, traffic control devices or safety equipment are needed, they shall be placed and maintained in accordance with the Michigan Manual of Uniform Traffic Control Devices (MMUTCD).

Maintenance of service as described above shall be considered as incidental to the project cost unless pay items have been included in the proposal for this work.

15. CLEANLINESS OF THE WORK SITE & STREETS

The CONTRACTOR shall keep the work site and all property occupied by him in a neat and orderly condition at all times. Waste material, rubbish and debris shall not be allowed to accumulate. The CONTRACTOR's equipment, temporary buildings and excess materials shall be promptly removed from the work site when no longer needed. At completion of the work, the premises shall be left clean.

The CONTRACTOR shall keep the streets clean. Trucks hauling excavated material, cement, sand, stone or other loose materials from or to the site shall be tight so that no spillage will occur on adjacent streets. Before trucks start away from the site, their

loads shall be trimmed and covered. If, in the judgment of the OWNER, adequate cleanup efforts are not being expended, including but not limited to, roadway, driveway and drainage maintenance, and removal of surplus materials, further construction shall be halted and work forces directed to the cleanup activity until proper order is restored. Should the CONTRACTOR continue to be negligent of his duties in maintaining proper street cleanliness, the OWNER will take necessary steps to perform such cleaning and shall charge the CONTRACTOR for all the costs.

16. DUST CONTROL

All haul roads, detour roads, temporary access roads, other public or private roads, driveways and parking lots used by the CONTRACTOR must be maintained in a dust free condition for the duration of the Contract. The control of the dust shall be accomplished by application of dust control materials and methods of application as approved and as directed by the ENGINEER. Such dust control materials shall be applied as often as is necessary to control dust. Neglect of dust control will not be tolerated.

Should the CONTRACTOR be negligent of his duties in providing dust control, the OWNER may, with or without notice cause the same to be done and deduct the cost of such work from any monies due or to become due the CONTRACTOR under the Contract. Cost of providing dust control shall be considered incidental to the project.

17. WORKING SPACE & USE OF STREETS OR PRIVATE PROPERTY

The CONTRACTOR's operations in public streets or alleys shall be confined to as small a space as practicable, so as not to cause undue inconvenience to the public or abutting properties, and shall be subject to the approval of the ENGINEER.

Where the CONTRACTOR wishes to work on or stockpile materials on nearby properties, it will be his responsibility to contact the property owner for permission. Upon request, the CONTRACTOR shall provide a copy of written permission from any affected property owner. The OWNER will not become involved with any such agreements and will not be held responsible for any damages that the CONTRACTOR may cause to private property. The CONTRACTOR shall not be compensated for restoration of private properties and stockpile areas unless said areas were within the original project limits.

18. EASEMENTS

Prior to the start of construction, the CONTRACTOR shall verify with the OWNER that any required easements have been obtained.

The CONTRACTOR shall keep his work operations within these easements and shall be responsible for complying with any easement conditions that are shown on the plans or stated in the Contract documents.

19. POWER & LIGHT

The CONTRACTOR shall furnish, at his own expense, all the electric power and lighting necessary during the life of this Contract or until such time as the OWNER takes over the work. The CONTRACTOR shall be responsible for complying with any applicable ordinances or regulations concerning power and light.

20. WATER

Unless otherwise allowed by the OWNER, the CONTRACTOR shall furnish, at his own expense, all the water necessary during the life of this Contract or until such time as the OWNER takes over the work.

The CONTRACTOR shall not make a connection to any public water main or fire

hydrant without first obtaining the necessary permit and/or meter from the OWNER.

Existing public water systems shall be operated and controlled by the OWNER. All valves shall be operated exclusively by the OWNER's personnel.

The CONTRACTOR shall not make any connection to or obtain water from a private water source without obtaining written permission from the owner of the water source. The CONTRACTOR shall provide a copy of the written permission to the OWNER upon request.

21. WEATHER PROTECTION & HEATING

The CONTRACTOR shall provide and maintain weather protection and heating at his own expense to properly protect the work under construction from damage if weather conditions require. This work shall include all windbreaks, insulating cover, and other necessary measures required to provide protection from freezing.

The CONTRACTOR shall continue to provide weather protection and heating as necessary until such time as the OWNER takes over the work.

22. RAILROAD CROSSING

Where the work crosses a railroad right-of way, the CONTRACTOR shall secure Railroad Company approval of his methods and schedule of operation. The CONTRACTOR shall carry out his work in strict accordance with the standards of the Railroad Company. The CONTRACTOR shall pay any inspection, signal or flagman costs.

23. OWNERSHIP OF SALVAGED MATERIALS

All salvageable materials such as castings, hydrants, valves, culverts and similar items removed during construction shall remain

the property of the OWNER. The CONTRACTOR shall deliver these salvaged materials to the OWNER's public works facility. If the OWNER indicates that he does not want the salvaged items, then the CONTRACTOR shall be responsible for disposal of the items.

End of Section

STORM SEWER CONSTRUCTION

Table of Contents

General

| | |
|----------------------------------|---|
| 1. Scope of Work | 1 |
| 2. Shop Drawings | 1 |
| 3. Certification & Checking..... | 1 |
| 4. MDOT Standards..... | 1 |

Materials

| | |
|-----------------------------------|---|
| 5. Sewer Pipe | 1 |
| 6. Cement Mortar Pointing: | 3 |
| 7. Storm Drainage Structures..... | 3 |

Construction

| | |
|--|---|
| 8. General..... | 4 |
| 9. Laying Pipe..... | 4 |
| 10. Storm Drainage Structures..... | 6 |
| 11. Final Grade Adjustments | 7 |
| 12. Stubs, Connections, Bulkheads & Miscellaneous Items of Work | 7 |
| 13. Cleaning..... | 7 |
| 14. Testing | 8 |

GENERAL

1. SCOPE OF WORK

This work shall be subject to the requirements of the General Conditions and General Specifications and shall include the furnishing of all labor, materials, tools, equipment, accessories and services necessary for providing and installing the items as shown on the Contract Documents or as herein required.

In the event these Specifications conflict with those of the OWNER's standards, the permit agency, or agency controlling the right-of-way where the sewer is being installed, the more stringent requirements will govern.

2. SHOP DRAWINGS

When required by the ENGINEER, shop drawings shall be furnished as prescribed under the General Conditions.

Before the CONTRACTOR orders any pipe or other appurtenances that he is proposing to use as substitutes for specified items, he shall submit design details of the substitutes to the ENGINEER for consideration and approval.

3. CERTIFICATION & CHECKING

All pipe and precast structures delivered to the job shall be accompanied by certification papers showing they have been tested in accordance with applicable specifications and that they meet the specifications for the project. All pipes and precast structures will be checked upon delivery to the job site. Any cracked, damaged or broken pieces or sections will be immediately removed from the site at the CONTRACTOR's expense.

4. MDOT STANDARDS

References to the Michigan Department of Transportation (MDOT) Specifications shall pertain to the 2012 Standard Specifications for Construction.

MATERIALS

5. SEWER PIPE

Sewer pipe shall be of the type and class designated for the specific locations or intended use shown or noted on the project plans. Any deviation from the type or class of pipe shown on the plans will not be permitted except upon receipt of written approval of the ENGINEER.

Any of the types of storm sewer pipe or joints listed below may be substituted upon approval of the ENGINEER provided that the flow capability and pipe strength (external load supporting) is equal to or exceeds that of the pipe specified on the plans.

Table ST-1
Storm Sewer Pipe Specifications

The intent of this table is to show the standards required for particular types of pipe and joints. The OWNER may not accept all of these types. The CONTRACTOR must refer to the project plans OWNER's standard details and bid forms to determine the type of pipe required for a particular project.

| | <u>Type of Pipe</u> | <u>Pipe Specification*</u> | <u>Allowable Type of Joint</u> | <u>Joint Specification *</u> |
|----|--|----------------------------|--|------------------------------|
| a. | Extra strength non-reinforced concrete | ASTM C14 | Modified grooved tongue with rubber gasket | ASTM C443 |
| b. | Reinforced round concrete (size 12" & larger) | ASTM C76 | Modified grooved tongue with rubber gasket | ASTM C443 |
| c. | Reinforced elliptical concrete | ASTM C507 | Tongue & grooved bituminous sealed joint with inside cement pointing on 42" equivalent size and larger External Seal (can be added to tongue and grooved bituminous sealed joint) | ASTM C443 ASTM C877 |
| d. | Corrugated and smooth round metal pipe & pipe arch (galvanized steel) | AASHTO M36 ASTM A760 | Metal coupling bands | AASHTO M36 |
| e. | Corrugated and smooth round metal pipe & pipe arch (aluminized steel type 2) | AASHTO M36 ASTM A760 | Metal coupling bands | AASHTO M36 |
| f. | PVC (corrugated pipe with smooth interior; size 36" & smaller) | ASTM F949 | Push on type | ASTM D3212 ASTM F477 |

| | <u>Type of Pipe</u> | <u>Pipe Specification*</u> | <u>Allowable Type of Joint</u> | <u>Joint Specification *</u> |
|----|---|---|--------------------------------|------------------------------|
| g. | HDPE | AASHTO M294 ASTM F2306 | Push on type | ASTM D3212 ASTM F477 |
| h. | PVC underdrain – smooth wall (4” & 6”) | AASHTO M278 | Push on type | * * |
| i. | ABS underdrain – smooth wall (4” & 6”) | ASTM D2751, SDR 35 (AASHTO M270 for perforations) | Push on type | * * |
| j. | Polyethylene underdrain – corrugated (4” & 6”) | AASHTO M252 | Coupling band | AASHTO M252 |
| k. | PVC underdrain – corrugated (4” & 6”) | ASTM F949 (AASHTO M252 for perforations) | Coupling band | ASTM F949 |

* The latest revision of ASTM or AASHTO Specifications shall apply.

* * Joint tightness requirements shall not apply.

ASTM stands for American Society of Testing and Materials

AASHTO stands for American Association of State Highway Transportation Officials

6. CEMENT MORTAR POINTING:

Non-shrink cement mortar shall conform to MDOT Standard Specifications for Construction Type R-2 Mortar.

in-place concrete, or combinations of above. Structures shall be constructed to conform to these specifications and in accordance with the plan details. Where references are made to ASTM or AASHTO Specifications, the latest revision shall apply.

7. STORM DRAINAGE STRUCTURES

Manholes, catch basins, inlets, and special structures shall be constructed at locations shown on the plans and shall be of the size and type called for on the plans. They shall be constructed of precast reinforced concrete, concrete manhole block, poured-

a. Precast reinforced concrete manhole sections shall conform to ASTM C478. The minimum wall thickness for four (4) foot diameter manholes shall be five (5) inches.

- b. Precast manhole tees for 48-inch and larger storm sewer pipes shall be the same class pipe as that specified on the plans, but shall be a minimum ASTM C76 Class IV. The manhole riser shall meet the requirements of ASTM C478.
- c. Joints on precast reinforced concrete risers, cones, and base sections may be either cold applied bituminous mastic or modified grooved tongue with rubber gasket conforming to ASTM C443.
- d. Base slab for structures shall be precast reinforced concrete, ASTM C478. When approved by the ENGINEER, poured in place concrete may be used. Base riser section with integral floor design shall be approved by the ENGINEER prior to manufacture.
- e. Manhole steps shall be reinforced polypropylene plastic No. PS2-PFS as manufactured by M.A. Industries, Inc., cast iron No. 8500 as manufactured by East Jordan Iron Works, approved equal, or as specified on the drawings.
- f. Concrete manhole block shall conform to ASTM C139 and additional requirements of MDOT Specification 913.05.
- g. Brick for use in drainage structures shall conform to MDOT Specifications 913.03 A and C (concrete bricks).
- h. Grade rings shall conform to ASTM C478 and shall have minimum thickness of three (3) inches.
- i. Mortar for use in drainage structures shall conform to MDOT Specification 702, Type R-2.
- j. Concrete for poured-in-place construction shall conform to plan details, approved shop drawings, and to the requirements of grade S3 concrete as shown in the MDOT Specifications Table 701-1A Concrete Structure

Mixtures by Slump and Table 701-1B Concrete Structure Mixtures by Strength of Concrete.

- k. Gray iron castings shall be of the type, size, and weight as specified on the plans. The castings shall conform to MDOT Specification 908.05.
- l. The entire outside surface of all brick or concrete block portions of drainage structures shall be plaster coated with one-half (1/2) inch thick mortar.
- m. All manholes on storm sewers eighteen (18) inches in diameter and smaller shall have two foot deep sumps unless otherwise called for on the plans

CONSTRUCTION

8. GENERAL

Excavation, bedding, and backfill for sewers and related structures shall be accomplished in accordance with requirements in the Earthwork Section.

Excavations shall be of sufficient widths and depths to provide adequate room for the construction and installation of the work to the lines, grades, and dimensions called for on the plans.

If the maximum trench width specified in the Earthwork Section is exceeded (unless otherwise shown on the plans), the CONTRACTOR shall install, at his own expense, such concrete cradling or other bedding as approved by the ENGINEER to support the added load of the backfill.

Install pipe, fittings, and appurtenances in strict accordance with the manufacturer's recommendations and these Specifications.

9. LAYING PIPE

- a. Handling Pipe & Fittings

All pipes and castings shall be unloaded and distributed along the line of work in such manner and with such care as will effectually avoid damage to any pipe or fitting. Dropping pipe or fittings directly from the truck will not be permitted. Care must also be taken to prevent abrasion of the pipe.

b. Placement of Pipe

Each pipe shall be checked for defects prior to being lowered into the trench. The inside of the pipe and the outside of the spigot shall be cleaned of any dirt or foreign matter.

Construction shall begin at the outlet end and proceed upgrade with spigot ends pointing in the direction of flow. Pipes shall be laid on a minimum four (4) inch sand bedding. A six (6) inch sand bedding shall be provided if called for on the plan details. If the subgrade has been disturbed so that refilling is necessary to bring the pipe to grade, such refilling shall be done with sand or gravel thoroughly tamped in place. Bell holes shall be excavated so that the full length of the pipe barrel will bear uniformly on the sand bedding.

Pipes shall be centered in bells or grooves and pushed tight together to form a smooth and continuous invert. After laying pipe, care shall be taken so as not to disturb its line and grade. Any pipe found off grade or out of line shall be re-laid properly by the CONTRACTOR.

c. Line and Grade

All pipe shall be laid to line and grade called for on the plans. Each pipe, as laid, shall be checked by the CONTRACTOR with line and grade pole or other device to insure this result is obtained. The finished work shall be straight and shall be sighted through the pipe between manholes.

d. Excavation to 18 inches Below Bottom of Pipe

As a result of the CONTRACTOR's construction procedure or where excavation has not uncovered a stable foundation subgrade at a depth of six (6) inches below the bottom of pipe, the CONTRACTOR shall continue to excavate downward to a maximum distance of eighteen (18) inches below the bottom of pipe to reach stable foundation soil. The space resulting from such excavation and the pipe bedding shall be filled and constructed in the same manner and using the same materials specified in the Earthwork Specifications Section. All costs for such construction shall be borne by the CONTRACTOR.

e. Excavation Below Limits Specified in above Paragraph "d"

Where excavation has not uncovered a stable, foundation subgrade at depths eighteen (18) inches below the bottom of pipe, then the CONTRACTOR shall stop further excavation and immediately notify the ENGINEER of the condition and of his intent to make a claim for additional cost. The ENGINEER shall investigate the soil conditions and may direct the CONTRACTOR to continue excavating if it appears that a stable subgrade can be obtained. In this case, the additional excavation beyond eighteen (18) below the bottom of pipe would be measured and paid for as trench undercut and refill. Material for refill of the undercut area shall be as described in the Earthwork Section. In the event that soil conditions are extremely severe, then the ENGINEER and soils consultant shall investigate the site conditions and shall prescribe the appropriate pipe support system to be used. Within ten (10) days after the ENGINEER determines the appropriate pipe support system to be used, the CONTRACTOR shall submit a detailed estimate for additional cost, excluding the costs to be borne by the CONTRACTOR in the above paragraph "d". The estimate shall include only those additional costs necessary to construct the pipe support system as directed by the ENGINEER. It shall not include

construction costs prior to the stoppage of work. Upon acceptance of the CONTRACTOR's estimate, the ENGINEER shall issue a change order. Laying and Bedding of PVC and HDPE Pipe

Bedding of PVC and HDPE Pipe shall be in accordance with current ASTM specifications.

Potential damage can occur to exterior walls of PVC and HDPE Pipe, particularly under cold weather conditions if rocks, frozen material, or large objects strike the pipe. The CONTRACTOR shall carefully avoid dumping any materials other than approved bedding sand or stone on the pipe until a 12-inch cover is placed on it. Pipe walls and joints shall also be protected from abrasion and damage during handling and shall be fully checked just prior to placing in the trench.

Care shall be taken during bedding compaction to avoid distorting the shape of the pipe or damaging its exterior wall.

Cutting of pipe, where required, shall be performed by the use of tools or equipment that will provide a neat, perpendicular cut without damage to the pipe material.

Bowing or warping of pipe can occur with temperature fluctuations. The CONTRACTOR shall store and protect the pipe to minimize bowing. Nominal 12'-6" pipe lengths that have deviations from straight greater than one (1) inch shall not be used.

f. Concrete Cradle for Pipe

Where called for on the drawings, or otherwise required, pipe shall be installed with a concrete cradle of MDOT Grade S3 concrete.

Each pipe shall rest on a 6-inch minimum thickness bed of dry mix concrete that is shaped to fit the bottom of the pipe. The dry

mix concrete shall be MDOT Grade S3 or ENGINEER-approved equal.

After setting the pipe, the space between the outside of the pipe and the undisturbed trench bank shall be filled to a level equal to a point 1/3 of the diameter above the pipe invert with MDOT Grade S3. The concrete shall have a five (5) inch slump and be mechanically vibrated to insure complete filling of the annular space between the excavated face of the original ground and the outside face of the pipe.

g. Jointing

Where pipe is laid in wet trenches, trenches with running sand, or in trench conditions where manual means will not allow pushing the pipe home, the CONTRACTOR shall provide and use mechanical means for pulling the pipe home and holding the pipe joints tight until completion of the line. Mechanical means shall consist of a cable placed inside the pipe with a suitable winch, jack, or come-along for pulling the pipe home and holding the pipe in position.

All joints on elliptical concrete pipe (42-inch equivalent diameter and larger) shall be cement mortar pointed on the inside. On bituminous mastic joints the compound shall be removed to a depth of three-quarters (3/4) of an inch from the inside of the joint before pointing.

h. Backfill

Backfill shall be placed in accordance with the Earthwork Specifications.

10. STORM DRAINAGE STRUCTURES

Construction methods for drainage structures shall conform to MDOT Specification 403.03 except as herein provided.

All precast sections shall bear the stamp of an approved laboratory as having been tested and delivered from tested stock of the

manufacturer, at the expense of the CONTRACTOR.

Precast sections shall be constructed so that no more than fifty (50) percent of the circumference, measured on the inside face, is deleted on any horizontal plane for sewer pipe openings. There shall be no less than twelve (12) inches of residual concrete measured on any horizontal plane between pipe openings.

Excavation shall be carried to the depth required to permit the construction of the base in accordance with the requirements of the Standard Details. The excavation shall be sufficiently wide to allow for shoring, bracing, or formwork, should any or all be necessary. Also, the excavation shall allow for accessibility in plastering the exterior of all brick masonry. The bottom of the excavation shall be trimmed to a uniform horizontal bed to receive the concrete base. The excavated section shall be completely dewatered before any concrete is placed therein.

With the exception of drainage structures having sumps, the bottom of the structures shall be channeled to provide for smooth flow through the manhole. Channels shall be formed using MDOT Grade S3 concrete.

Connections to manholes shall be properly supported and braced where not resting on original ground so that any settlement will not disturb the connection.

11. FINAL GRADE ADJUSTMENTS

a. Final Grade – Existing Structures

Adjustment of drainage structures shall apply to all final vertical changes made on existing structures where the elevation of the cover is not changed by more than six inches. Vertical changes in excess of six (6) inches will be treated as structure reconstruction.

b. Final Grade – New Structures

Final grade adjustment of new structures shall be considered as incidental to the structure construction.

Final grade adjustments may be made using either brick and mortar construction or precast concrete adjustment rings at the option of the CONTRACTOR.

The maximum allowable grade adjustment using grade rings shall be fifteen (15) inches. Final grade adjustment for manholes located in pavements and sidewalks shall be made with brick and mortar. A minimum of three (3) or maximum of six (6) courses of brick shall be placed on top of the precast cone section.

12. STUBS, CONNECTIONS, AND BULKHEADS

The CONTRACTOR shall furnish all material and labor and shall install and/or construct stubs, connections, bulkheads, and related items of work as called for in the Contract Documents.

Existing sewers shall be connected where called for on the plans. Bulkheads shall be placed or removed where called for on the plans.

Unless otherwise noted on the plans, stubs twelve (12) inches or larger in diameter shall consist of one full length of concrete storm sewer pipe, minimum length eight (8) feet, with watertight brick and mortar bulkhead. Unless otherwise noted on the plans, stubs four inches (4-inch) to ten inches (10-inch) in diameter shall consist of one full length of plastic storm sewer pipe, minimum length of eight (8) feet, with an expandable plug or removable cap.

13. CLEANING

All sewers shall be thoroughly cleaned before final acceptance.

14. TESTING

a. General

The CONTRACTOR shall provide all necessary equipment and labor for making the tests and cost of same shall be incidental to the unit price bid for sewer.

b. Deflection Test for Plastic Pipe

The allowable maximum deflection shall be five (5) percent of internal pipe diameter. A Deflection Test Gauge (Go, No-Go) as manufactured by Hurco Technologies, Cherne Industries, or approved equal shall be used to verify that the maximum allowable deflection standard is met. The test gauge must have a minimum of 9 points. Proving rings must be provided to verify the gauge diameter. The gauge must be pulled through manually. Force will not be allowed. Pipe with deflections greater than five (5) percent will be considered unacceptable and shall be replaced by the CONTRACTOR at his own cost.

c. Videotaping

As a means of insuring that pipe laying was properly done and that all joints are in a "home" position, the CONTRACTOR shall provide for videotaping of ten (10) percent of the pipe footage laid (pipe 36" diameter and smaller), with no less than one manhole run being televised on each project. The ENGINEER shall indicate which pipe runs are to be videotaped. The videotaping shall be done no sooner than thirty (30) days after sewer installation is complete. The CONTRACTOR shall provide twenty-four (24) hours notice to both the OWNER and ENGINEER prior to videotaping so that a representative may be present. A satisfactory review of the videotape by the ENGINEER shall be a condition for sewer acceptance by the OWNER. Typical items to be reviewed on the videotape will include pipe deflection, pipe settlement, connections, joints and pipe cleanliness. If the videotape review reveals unsatisfactory conditions, the

CONTRACTOR shall correct the conditions at his own cost and shall re-videotape the affected pipe sections for review by the ENGINEER.

End of Section

DIGITAL RECORDED VIDEO SURVEY

Table of Contents

General

- 1. Scope..... 1
- 2. Firm Background 1
- 3. Schedule..... 1

Materials

- 4. Equipment..... 1
- 5. Digital Recording..... 2
- 6. Digital Video Tracks..... 2
- 7. Lighting Requirements..... 3
- 8. Digital Video Coverage 3
- 9. Firm Responsibilities 3
- 10. Video Identification
and Submittal 4

GENERAL

1. SCOPE

Prior to commencing work, the CONTRACTOR shall have a continuous color audio-video digital recording taken along the designated length of the project to serve as a record of existing conditions. All written records and flash drives containing digital records shall become the property of the OWNER.

2. FIRM BACKGROUND

The CONTRACTOR shall engage the services of a professional digital recording firm that is actively engaged in color audio-video recordings for various municipalities. The firm shall have a minimum of two years experience in audio-video digital recording of construction projects.

The OWNER may make such investigation as he deems necessary to determine the ability of the digital recording firm to perform the work. The CONTRACTOR shall furnish the OWNER all such information and data for this purpose as the OWNER may request. The OWNER

reserves the right to reject any digital recording firm if the investigation fails to satisfy the OWNER that such firm is properly qualified to carry out the work specified herein. Upon rejection of a digital recording firm, the CONTRACTOR shall engage the services of another firm that shall undergo the review and approval process as previously discussed.

3. SCHEDULE

All digital recording shall be done during times of good visibility. No recording shall be done during periods of visible precipitation or when more than ten (10) percent of the ground is covered with snow or standing water unless otherwise authorized by the ENGINEER.

Digital recording shall be done prior to placement of materials or equipment in the construction area. Flash drives containing digital records shall be furnished to the OWNER at least one week prior to the preconstruction meeting.

No construction shall begin prior to review and approval of the digital video by the OWNER.

The OWNER shall have authority to reject all or any portion of the digital recording that does not conform to the specifications. Any coverage that is not acceptable to the OWNER shall be rerecorded at no additional charge. The CONTRACTOR shall reschedule unacceptable coverage within five (5) days after being notified.

MATERIALS

4. EQUIPMENT

All equipment, accessories, and materials necessary to perform this service shall be furnished by the CONTRACTOR and the digital recording firm, except for the plans of the proposed area to be digitally recorded

which are to be furnished by the OWNER. The CONTRACTOR shall be responsible for providing any temporary warning signs or barricades if required during the digital recording operations. Digital recordings shall be on high-quality flash drives for lossless picture quality, suitable for uploading and viewing on standard computer systems.

In some instances, digitally recorded coverage may not be suitable for recording necessary details. In such instances, the ENGINEER may specify digital still photographs to provide coverage. Digital photography must be used and the firm shall provide a flash drive containing digital records of all images. A suitable labeling system and description of the location of the photograph shall accompany the photographs in PDF form on the flash drive with the digital photographs.

5. DIGITAL RECORDING

Each digital recording shall begin with the current date, project name, and municipality as well as the general location or station, name of the street, viewing side, and direction of progress. Houses and buildings shall be identified by address.

When conventional wheeled vehicles are used, the distance from camera lens to the ground shall not be less than ten (10) feet to insure proper perspective.

In some instances, digitally recorded coverage will be required in areas that are not accessible by conventional wheeled vehicles. Such coverage shall be obtained by walking or special conveyance approved by the ENGINEER.

The engineering stationing numbers shall be continuous and accurate and shall correspond to the project stationing within the field of view. Standard engineering symbols (for example, 14 + 84) shall appear in the upper left of the viewing screen.

Beneath the engineering stationing, periodic transparent alphanumeric information consisting of the project name, location, direction of travel, viewing side, etc., shall appear.

Global Positioning System Satellites may be used in place of or in addition to engineering stationing numbers where available. The global positioning system shall provide updates at one (1) per second and have an accuracy of five (5) meters or less spherical accuracy. The GPS coordinate display will be at one (1) meter longitude and 1 meter latitude. (example: 3000N423 9456W294)

To preclude the possibility of tampering or editing in any manner, all digital recordings shall, by electronic means, display continuously and simultaneously generated transparent digital information to include the date and time of recording, as well as corresponding GPS coordinates and/or engineering stationing numbers. The date information will contain the month, day and year (for example, 10/5/06) and be placed directly below the time information. The time information shall consist of hours, minutes and seconds separated by colons (for example 10:35:18). This transparent information shall appear on the extreme upper left-hand of the screen.

Each digital recording must be taken at 4K resolution (3840 pixels × 2160 lines), 16:9 aspect ratio, and 60 FPS. File types can include .MP4 and .MOV. Prohibited file types include .MEPG, .FLV, .WMV, and.SWF.

6. DIGITAL VIDEO TRACKS

Digital recordings shall consist of one (1) video and two (2) audio tracks, all of which must be recorded simultaneously. All tracks shall consist of original live recordings and thus shall not be copies of other audio or digital video recordings. Audio track one (1) shall contain the narrative commentary of the camera technician and shall be recorded

simultaneously with his fixed elevation video record of the area of construction. Audio track two (2) shall contain the narrative commentary and evaluations of the ground level remote technician whose function shall be to provide a complete circumspection of any features that are not adequately visible to the camera technician. In order to maintain viewer orientation, transition from a fixed camera overview to a remote camera picture shall be accomplished by means of an electronic dissolve.

7. LIGHTING REQUIREMENTS

In order to produce proper detail and perspective, adequate lighting will be required to fill in the shadow areas caused by trees, utility poles, road signs and other such objects.

For interior and exterior surfaces of existing buildings, a 500 LED light source with 30W of power consumption and a color range between 3200K-5600K is required to enable all objects to be distinctive and clearly video taped with correct detail in order to obtain proper perspective. The CONTRACTOR shall provide all power required for lighting.

8. DIGITAL VIDEO COVERAGE

a. Construction Zone

Digital video coverage shall include all surface features located within the zone of influence of construction and shall be supported by appropriate audio description. Such coverage shall include, but not be limited to, public right-of-way, easement areas, adjacent private property, all existing driveways, sidewalks, curbs, ditches, roadways, landscaping, trees, shrubs, fences, culverts, headwalls, retaining walls, and buildings located within such zone of influence. Of particular concern shall be the existence of any faults, fractures, or defects.

Houses and buildings shall be identified visually by house number when visible.

Manholes or other utility structures shall also be identified.

The rate of travel used during digital recording shall not exceed forty-eight (48) feet per minute. Panning rates and zoom-in/zoom-out rates shall be controlled sufficiently such that stop action during playback will produce clarity of the object viewed.

The ENGINEER shall have the authority to designate areas for which coverage may be added or omitted.

b. Interior and Exterior Surfaces

Building exterior coverage shall include, but not be limited to, all the masonry features of the building such as walls, foundations, chimneys or porches. Building interiors shall include, but not be limited to, all outside basement walls and flooring.

All property being digitally recorded for interior record must have a permanent exterior front view recorded on video displayed in upper right-hand corner of the viewing screen for positive identification of property. This view will be no larger than twenty percent (20%) of the picture area and must begin by showing the address. The camera technician shall pan and zoom in and out as necessary to control the clarity of objects being viewed.

All digital recording shall be done during regular business hours unless otherwise authorized by the OWNER or agreed to by an affected property owner.

9. DIGITAL RECORDING FIRM RESPONSIBILITIES

The digital recording firm may televise and record areas within public rights-of-way, along municipal-owned easements, through municipal-owned parks, and municipal buildings. When digital recording is to be done on private property, the digital recording firm shall give the OWNER

sufficient prior notice so that the property owners may be contacted and their permission obtained for the work.

Three (3) attempts must be logged by the camera technician to complete the video project at each location, and a log sheet describing the day, time, and disposition of the contact must be kept.

At no time will the digital recording firm be allowed to use any electrical circuits located inside or outside buildings on private property. The digital recording firm must enter and leave property in a professional and orderly manner.

10. VIDEO IDENTIFICATION AND SUBMITTAL

All flash drives containing digital records shall be properly identified by number, location, project name, and municipality in a manner that is acceptable to the OWNER.

A record of the contents of each flash drive shall be supplied by a log sheet that identifies each segment in the digital recording by location, roll number, street or road viewing, viewing side, starting point, traveling direction, and ending point.

A minimum of three flash drives containing digital records shall be provided upon final approval and acceptance of the videos by the OWNER and ENGINEER (one set each for the OWNER, ENGINEER, and CONTRACTOR). Additional sets shall be furnished if requested by the OWNER.

End of Section

RESTORATION

Table of Contents

General

| | |
|-------------------------|---|
| 1. Scope of Work | 1 |
| 2. Shop drawings | 1 |
| 3. MDOT Standards | 1 |

Materials

| | |
|---|---|
| 4. Aggregate | 2 |
| 5. Bituminous Surface, Leveling, & Base Courses | 2 |
| 6. Concrete Pavement, Sidewalks, Curb & Gutter | 2 |
| 7. Topsoil | 2 |
| 8. Seed & Fertilizer | 3 |
| 9. Mulch & Mulch Blankets | 3 |
| 10. Sod | 4 |
| 11. Fencing | 4 |
| 12. Trees & Shrubs | 4 |
| 13. Timber Posts | 4 |
| 14. Traffic Signs & Posts | 4 |

Construction

| | |
|--|---|
| 15. Pavement Striping | 4 |
| 16. Pavement Restoration | 4 |
| 17. Turf Establishment | 6 |
| 18. Fencing | 7 |
| 19. Guardrail | 8 |
| 20. Tree & Shrub Planting | 8 |
| 21. Mailboxes | 8 |
| 22. Traffic Signs & Posts | 8 |
| 23. Permanent Pavement Striping | 8 |
| 24. Drainage Structures, Culverts, & Ditches | 8 |
| 25. Progress of Final Restoration | 8 |

GENERAL

1. SCOPE OF WORK

This work shall be subject to conditions of the General Conditions, General Specifications and include the furnishing of labor, materials, tools, accessories, equipment and services necessary for restoration of the surfaces shown on the Contract drawings and/or as herein required.

This work shall include replacement of all permanent type roadway surfaces, concrete sidewalks, curb and gutters, driveways, trees, culverts, fences, ditches, and miscellaneous items damaged or removed due to construction. Disposal of excess or unsuitable materials shall be considered as part of the restoration work. All such work shall be in accordance with the best modern practice, the OWNER's standards, and as specified herein.

Prior to performing work under this section, the CONTRACTOR shall submit to the ENGINEER for approval his construction methods and design mixes, sieve analysis and/or certification of compliance with the 2012 Michigan Department of Transportation (MDOT) Standard Specifications for Construction except where otherwise noted. No permanent surface restoration shall be performed until all underground work has been approved.

In the event that these specifications conflict with those of the OWNER or the controlling agency, the more stringent requirements shall govern.

2. SHOP DRAWINGS

When required by the ENGINEER, shop drawings shall be furnished as prescribed under the General Conditions.

Before the CONTRACTOR orders any restoration materials that he is proposing to use as substitutes for specified items, he shall submit details of the substitutes to the ENGINEER for consideration and approval.

3. MDOT STANDARDS

References to the Michigan Department of Transportation (MDOT) Specifications shall pertain to the 2012 Standard Specifications for Construction.

MATERIALS

4. AGGREGATE

a. Gravel Approaches and Roads

Natural aggregate shall be used for gravel approach (driveways) and road restoration and shall meet the requirements of MDOT 21AA or 22A as shown in Table 902-1 of the MDOT Standard Specifications for Construction.

b. Shoulders

Natural aggregate shall be used for shoulders and shall meet the requirements of MDOT 21AA, 22A, or 23A as shown in Table 902-1 of the MDOT Standard Specifications for Construction.

c. Base Course

Natural aggregate shall be used for base course construction and shall meet the requirements of MDOT 21A, 21AA, or 22A as shown in Tables 902-1 and 902-2 of the MDOT Standard Specifications for Construction.

5. HOT MIX ASPHALT SURFACE, LEVELING, & BASE COURSES

Hot mix asphalt materials used for pavement construction shall meet the requirements of section 501.02 of the MDOT Standard Specifications for Construction or the requirements of the controlling agency as called for on the construction plans.

6. CONCRETE PAVEMENT, SIDEWALKS, CURB & GUTTER

Concrete used for pavement, sidewalk, and curb and gutter construction shall meet the requirements of MDOT grade P1 concrete or the requirements of the controlling agency as called for on the construction plans. MDOT grade P-NC may also be used where circumstances require the use of a

high-early strength concrete. Refer to Table 601-2 of the MDOT Standard Specifications for Construction.

7. TOPSOIL

Topsoil shall be screened and shall consist of loose black-colored soil that is suitable for the growth of grass seed or sod. The topsoil shall be obtained from the upper layer of an existing fertile soil and be free of limbs, twigs, rocks, stones, muck, roots and debris, etc. and containing organic matter rich in nutrients with negligible clay content.

Topsoil shall meet the following requirements:

- a. The pH range shall be from 6.0 to 7.5. Topsoil outside of this range shall be amended by the addition of pH adjusters as approved by the Engineer.
- b. The organic matter content shall range between 2% and 6% (by dry sample weight).
- c. The soil texture shall be a sandy loam, silt loam, or loam where the sand, silt, and clay contents (by dry sample weight) fall within the following ranges:

| | |
|------------|------------|
| Sand..... | 40% to 65% |
| Silt | 25% to 60% |
| Clay | 5% to 15% |

- d. The gradation shall be as follows:

| Sieve Designation | % Passing |
|---------------------------|------------------|
| 1 inch screen | 100 |
| 0.25 inch screen | 97 - 100 |
| No. 10 U.S.S. mesh sieve | 95 - 100 |
| No. 140 U.S.S. mesh sieve | 15 - 35 |

- e. The soil salinity as measured by the electrical conductivity of a saturated soil

sample shall not exceed 2dS/m (decisiemens/meter).

- f. Topsoil samples may be taken from stockpiles by the ENGINEER for submission to a testing laboratory. Topsoil that does not meet the required specifications shall be removed from the project site by the CONTRACTOR and shall be replaced with suitable topsoil that meets the testing requirements.

8. SEED & FERTILIZER

Seed and fertilizer shall meet the following requirements:

Table R-1

| Location | Seeding* Requirement | Fertilizer Requirement |
|------------------------------------|---|-----------------------------|
| Maintained Lawn Areas | MDOT Type THM Mix (20% Perennial Rye, 30% Kentucky Blue, 50% Red Fescue) applied at 220 lbs./acre | MDOT Class A, 228 lbs./acre |
| Fields, Slopes & Ditch Banks, Etc. | MDOT Type THV Mix (30% Perennial Rye, 15% Kentucky Blue, 45% Red Fescue, 10% Fults Salt) applied at 220 lbs./acre | MDOT Class B, 120 lbs./acre |

* percent mixture proportions by weight

All grass seeding shall meet the requirements for purity and germination as called for in the MDOT Standard Specifications for Construction Table 917-1 for Seed Mixtures. Seed shall be delivered in durable containers which show the

manufacturer's name, lot number, weight, contents, purity, and germination. Although Table R-1 lists only two typical seeding mixtures, other seeding mixtures shown in MDOT Tables 816-1 and 917-1 may be used where approved by the Engineer.

9. MULCH & MULCH BLANKETS

Mulch and mulch blankets shall meet the following requirements:

- a. Loose Mulch. Mulching material shall consist of any straw or marsh hay in an air-dry condition. Hay in an air-dried condition will be permitted only when straw mulch or marsh hay is unavailable. Mulch materials shall be undamaged, rot free, clean, substantially free of weed seed and other objectionable foreign matter.

- b. Mulch Blankets (for moderate runoff condition). Mulch Blankets shall be one of the following or an approved equal:

S1 Erosion Control Blanket – BonTerra America

Contech ERO-MAT - Contech Construction Products

Erosion Control Blanket DS-75 – North American Green

- c. High Velocity Mulch Blankets (for medium to heavy runoff condition). High velocity mulch blankets shall be one of the following or an approved equal:

S2 Erosion Control Blanket – BonTerra America

Contech High Velocity ERO-MAT – Contech Construction Products

ECS High Impact Excelsior Blanket – Erosion Control Systems, Inc.

ECS High Velocity Straw Mat –
Erosion Control Systems, Inc.

Erosion Control Blanket DS-150 –
North American Green

10. SOD

Sod shall meet the requirements of Section 917.13 of MDOT Standard Specifications for Construction. The Contractor shall keep the sod watered until a vigorous growth is established.

Sod must be an upland mineral soil sod. Sod must be grown on loam soils. Sod grown on peat is not acceptable for use.

11. FENCING

Chain link and woven wire fence materials shall meet the requirements of Section 907 of MDOT Standard Specifications for Construction. Chain link fabric shall be as called for on the construction drawings (aluminum-coated, zinc-coated, or vinyl-coated). Fences made of other materials (wood board, split rail, iron, etc.) shall be replaced in kind or as called for on the construction drawings. In this case, fence materials and construction methods shall meet the applicable standards of ASTM.

12. TREES & SHRUBS

Trees and shrubs shall be quality, nursery-grown stock with adequate root growth (balled and burlapped). Nursery stock shall meet the standards of the current edition of the American Standard for Nursery Stock as published by the American Association of Nurserymen, as well as the standards of Section 917 of the MDOT Standard Specifications for Construction.

13. TIMBER POSTS

Timber used for fence, guide, guard and mailbox posts shall meet the requirements of Section 912.08 of the MDOT Standard Specifications for Construction.

14. TRAFFIC SIGNS & POSTS

Traffic and street signs that are removed or damaged shall be replaced in kind. The materials used for such sign and post replacements shall meet the applicable standards of Section 919 of the MDOT Standard Specifications for Construction.

15. PAVEMENT STRIPING

Pavement striping materials shall meet the requirements shown in Section 920 of the MDOT Standard Specifications for Construction.

CONSTRUCTION

16. PAVEMENT RESTORATION

The aggregate and pavement thicknesses shown in the following sections are intended to be a guideline for minimum thicknesses. Thicker sections may be required depending upon the requirements of the OWNER or the controlling agency. All pavements shall be restored to the elevation and section that existed prior to construction.

a. Gravel Shoulders and Approaches

Gravel shoulders and approaches shall be constructed as described in Section 307.03 of the MDOT Standard Specifications for Construction.

Gravel shoulder restoration shall consist of placement and compaction of MDOT 21AA limestone or MDOT 22A gravel on a suitable subgrade to form a minimum six (6) inch thick section. The 21AA limestone or 22A gravel shall be compacted to a minimum density of ninety-eight (98) percent of the maximum unit weight. The restored shoulder width shall match the existing width.

Restoration of gravel approaches shall consist of placement and compaction of MDOT 21AA limestone or MDOT 22A gravel on a suitable subgrade as called for

on the plans to form a minimum six (6) inch thick section. The 21AA limestone or 22A gravel shall be compacted to a minimum density of ninety-eight (98) percent unit of the maximum unit weight. The restored approach width shall match the existing width.

b. Gravel Roads

Restoration of gravel roads shall consist of placement and compaction of MDOT 21AA limestone, MDOT 22A gravel, or MDOT 23A gravel as called for in the plan details to form a minimum eight (8) inch thick section. The restored road width shall match the existing road width. Gravel roads shall be constructed as described in Section 306.03 of the MDOT Standard Specifications for Construction.

c. Aggregate Base Courses

Aggregate base courses shall be placed and compacted to the thickness and width as called for on the plan details and as described in Section 302.03 of the MDOT Standard Specifications for Construction. Unless otherwise indicated in the Supplemental Specifications, aggregate base courses shall be compacted to a minimum density of ninety-eight (98) percent of the maximum unit weight.

d. Sawcutting

All pavement, curb and gutter, and sidewalk removals shall be accomplished by sawcutting with a power-driven concrete saw. Sawcutting shall be full depth for all pavements (concrete, bituminous, concrete with bituminous overlay).

In bituminous pavement, sawcut lines shall be parallel with or perpendicular to the direction of vehicle travel.

In concrete pavement, sawcut lines shall be cut parallel with pavement joints. Sawcuts shall not be nearer than five (5) feet to a transverse joint, to the center of pavement,

or to the edge of pavement such that no existing or replacement pavement section shall be less than five (5) feet in width. If the proposed sawcut is nearer than five (5) feet to a joint or centerline of a pavement, then removal and replacement shall be extended to said joint or centerline.

If an integral concrete curb is to be removed, then the minimum removal width shall be eighteen (18) inches.

e. Hot Mix Asphalt (HMA) Pavement

Hot mix asphalt pavements shall be constructed in accordance with the plan details and Section 501 of the MDOT Standard Specifications for Construction. Where new asphalt pavement is to adjoin existing asphalt pavement, a two (2) foot wide butt joint shall be constructed. A bond coat shall be applied to the existing pavement surface. Unless otherwise called for in the plan details, the following sections shall apply as a minimum:

| | |
|------------------------|--|
| Bike paths: | 3" HMA over 4" 21AA aggregate base (with soil sterilant application) |
| Residential driveways: | 3" HMA over 6" 21AA aggregate base |
| Commercial driveways: | 4" HMA over 8" 21AA aggregate base; or 8" asphalt |
| Residential streets: | 4" HMA over 8" 21AA aggregate base; or 8" asphalt |
| Collector road: | 9" HMA over 6" 21AA aggregate base |

The laboratory density of HMA pavement shall be determined by the Marshall Procedure ASTM D-1559 using 50 blows on each of the specimens as the compactive effort. One set of three (3) specimens shall be made on the first day of placement and on subsequent days as determined by the Engineer.

The measurement of field-compacted density shall be done with a nuclear gage. The percent of compaction obtained shall be determined by dividing the field-compacted density by the laboratory density and multiplying the result by 100. Unless otherwise indicated in the plan details or Supplemental Specifications, all HMA pavements shall be compacted to a minimum calculated density of 97%.

Density tests shall be taken on the completed pavement at a frequency of one test every 500 linear feet of paving lane, except for the last unit which will be 500 linear feet, plus any fractional unit less than 250 feet in length, or will be a fractional unit of 250 feet or more in length. Miscellaneous areas such as intersections, crossovers and widening lanes less than 250 feet long will be tested as directed by the Engineer.

f. Concrete Pavement

Concrete pavements shall be constructed in accordance with the plan details as well as Sections 602 and 801 of the MDOT Standard Specifications for Construction. Where new concrete pavement is to be anchored to old pavement, dowel bars and lane ties shall be installed in accordance with MDOT Standard Plans. Joints shall be installed in the new concrete pavement to match existing joint types and locations. Reinforcing steel shall be similar to that in the existing pavement and shall provide the same cross sectional area of reinforcement per foot as the existing pavement. Unless otherwise called for in the plan details, the following sections shall apply as a minimum:

| | |
|------------------------|--|
| Residential driveways: | 6" non-reinforced concrete over 4" sand base |
| Commercial driveways: | 8" non-reinforced concrete over 4" sand base |
| Residential | 8" non-reinforced concrete |

| | |
|-----------------|--|
| streets: | over 6" sand base |
| Collector road: | 9" non-reinforced concrete over 6" sand base |

g. Concrete Sidewalk and Ramps

Concrete sidewalks and ramps shall be constructed in accordance with the plan details and Section 803 of the MDOT Standard Specifications for Construction. Unless otherwise called for in the plan details, the following sections shall apply as a minimum:

| | |
|--|-------------------------------|
| Sidewalks: | 4" concrete over 4" sand base |
| Sidewalks (at residential drive crossing): | 6" concrete over 4" sand base |
| Sidewalks (at commercial drive crossing): | 8" concrete over 4" sand base |
| Sidewalk ramps: | 4" concrete over 4" sand base |

h. Concrete Curb and Gutter

Concrete curb and gutter shall be constructed in accordance with plan details and Section 802 of the MDOT Standard Specifications for Construction.

17. TURF ESTABLISHMENT

The CONTRACTOR shall furnish and place topsoil, seed, or sod, and fertilizer for all areas that were disturbed during construction. Seed and sod shall be installed in accordance with the seasonal limitations that are described in section 816.03 of the MDOT Standard Specifications for Construction unless directed otherwise by the Engineer.

a. Topsoil

Unless otherwise called for on the plans, a minimum of three (3) inches of topsoil shall be placed for areas that are to be restored with seeding or sodding. Topsoil shall be placed on a prepared earth bed in accordance with Section 816.03A of the MDOT Standard Specifications for Construction.

The existing earth bed shall be graded such that the placement of topsoil and sod will meet the final plan grades.

b. Seed

Seeding shall be sown in accordance with Section 816.03C of the MDOT Standard Specifications for Construction. The application rate for the seeding shall be as shown in the table in part 8 of the Materials Section.

c. Mulch and Mulch Blankets

Mulch and mulch blankets shall be placed over seeded areas as called for in Section 816.03E through H of the MDOT Standard Specifications for Construction. If mulch blankets must be secured to a slope, then biodegradable netting and biodegradable earth staples shall be used.

Mulch anchoring shall be considered as incidental to mulch placement unless a pay item for mulch anchoring has been included in the Bid Form.

d. Sod

Sod shall be placed in accordance with Section 816.03D of the MDOT Standard Specifications for Construction.

A sod cutter shall be used to establish a smooth vertical edge when new sod is to abut existing sod.

e. Fertilizer

Fertilizer shall be placed in accordance with Section 816.03B of the MDOT Standard Specifications for Construction. The

application rate for the fertilizer shall be as shown in table in Part 8 of the Materials Section.

f. Watering and Maintenance

It is the responsibility of the CONTRACTOR to regularly water new seed and sod in order to establish a dense lawn of permanent grasses that is free from mounds and depressions. Any portion of a sodded area that "browns-out" or does not firmly knit to the soil base, or any portion of a seeded area that fails to show a uniform germination, shall be resodded or reseeded. Such resodding or reseeding shall be at the CONTRACTOR's expense and shall continue until a dense lawn is established.

Watering seed and sod shall be considered as incidental to the turf establishment work unless a pay item for water has been included in the Bid Form.

18. FENCING

Prior to the start of any fence restoration work, the CONTRACTOR shall verify that the line and grade are correct.

a. Removing and Replacing Existing Fences

Fences shall be removed and replaced or shall be removed as indicated on the Plans or as directed by the ENGINEER. If any of the existing material is damaged or destroyed, the CONTRACTOR shall replace the material at his expense. Replacement fence material shall be of a condition comparable to that which existed prior to construction.

After the fence removal or relocation operations are complete, all surplus material shall be removed and disposed of by the CONTRACTOR at his expense unless otherwise called for on the Contract Documents.

Any holes or voids resulting from the fence post removal operation shall be backfilled

with a suitable material, as approved by the ENGINEER.

b. Placing New Fence

Woven wire and chain link fencing shall be installed in accordance with Sections 808.03A and D of the MDOT Standard Specifications for Construction. If called for on the plans, a top rail shall be used in place of tension wire for the chain link fence construction. Other fence types (timber, boulders, decorative rock, etc.) shall be constructed in accordance with plan details.

19. GUARDRAIL

Guardrail shall be placed in accordance with Section 807 of the MDOT Standard Specifications for Construction. Guardrail design shall be approved by the ENGINEER and shall conform to the current applicable standards of the agency that has jurisdiction of the right-of-way.

Any holes or voids resulting from the guardrail post removal operation shall be backfilled with a suitable material, approved by the ENGINEER.

20. TREE & SHRUB PLANTING

Trees and shrubs shall be planted in accordance with Section 815 of the MDOT Standard Specifications for Construction. Nursery stock shall conform to the standards shown in the American Standard for Nursery Stock (ANSI Z60.1-1996).

Watering and cultivating trees and shrubs during the establishment period shall be considered as incidental to the tree and shrub planting work unless a pay item for watering and cultivating has been included in the Bid Form.

21. MAILBOXES

Where mailbox post replacement is called for on the plans, new mailbox posts shall be

furnished and installed in accordance with Section 807 of the MDOT Standard Specifications for Construction and the plan details.

22. TRAFFIC SIGNS & POSTS

Placement of traffic signs and posts shall be done in accordance with the applicable Sections in 810 of the MDOT Standard Specification for Construction, the current edition of the Michigan Manual of Uniform Traffic Control Devices, and the plan details.

23. PERMANENT PAVEMENT STRIPING

Permanent pavement striping shall be placed in accordance with the plan details and Section 811 of the MDOT Standard Specifications for Construction.

24. DRAINAGE STRUCTURES, CULVERTS, & DITCHES

As part of restoration, the CONTRACTOR shall be responsible for cleaning out all drainage structures, culverts, and ditches that are located within the area of construction. All ditches shall be restored such that drainage will flow freely. The cost of this work shall be considered as incidental to the project.

25. PROGRESS OF FINAL RESTORATION

If in the judgement of the OWNER, adequate site restoration efforts are not being expended, including but not limited to, roadway, driveway and drainage maintenance, removal of surplus materials, restoration of all signs, mail boxes and like items, then the OWNER will take the necessary steps to perform such restoration and shall charge the CONTRACTOR for all of the costs until proper order is restored.

End of Section

METHOD OF PAYMENT

| | |
|--|----------|
| GENERAL..... | 2 |
| Traffic Maintenance and Control..... | 3 |
| Audio Video Route Survey..... | 3 |
| Mobilization..... | 3 |
| Remove Concrete Curb and Gutter..... | 4 |
| Remove Pavement..... | 4 |
| Remove Fence..... | 5 |
| Subgrade Undercut, Type II..... | 5 |
| Station Grading..... | 5 |
| Catch Basin/Inlet Filter..... | 6 |
| Silt Fence..... | 6 |
| Aggregate Base Course..... | 7 |
| Maintenance Aggregate..... | 7 |
| Drainage Structure Tap..... | 7 |
| Storm Sewer..... | 8 |
| Storm Structures (Catch Basin)..... | 8 |
| Hot Mix Asphalt (HMA) Pavement..... | 9 |
| Concrete Pavement..... | 9 |
| Concrete Curb & Gutter..... | 10 |
| Detectable Warning Surface..... | 10 |
| Concrete Sidewalk Ramp..... | 10 |
| Concrete Sidewalk..... | 11 |
| Precast Block Retaining Wall..... | 11 |
| Pavement Markings..... | 11 |
| Rip Rap..... | 12 |
| Rain Garden Plantings..... | 12 |
| Remove and Reset Salvaged Sign..... | 12 |
| Remove and Reset Salvaged Sprinkler Head..... | 13 |
| Adjust Monument Box..... | 13 |
| Adjust Structure..... | 13 |
| Turf Establishment..... | 14 |
| Permits and Inspection Fees..... | 14 |
| Miscellaneous Restoration Items..... | 15 |
| Final Clean Up..... | 15 |
| Easement Conditions..... | 15 |
| Relocate or Brace Utility Poles and Guy Wires..... | 15 |
| Water Valve Box Adjustment..... | 15 |
| Private Utility Adjustment..... | 16 |

METHOD OF PAYMENT

GENERAL

A. PRICES AND MEASUREMENT:

Payment for work under this contract will be based on a unit price or lump sum for work actually completed. Final measurements of the work will be taken by the Engineer to determine the amount of work done and thereby determine the total cost. The method of applying the unit prices to measured quantities will be as herein specified. Payment will include the cost of all labor, tools, materials, and equipment necessary to do the work.

Several items may have been included in the bid form but may not be called for on the plans. These items have been included in order to establish a unit price in the event that the item of work is necessary. The Contractor should be aware that these items may increase, decrease, or be zero based on field conditions, or Owner direction.

B. INCIDENTAL ITEMS:

Any items of work indicated as incidental or included shall be considered as part of the project work and shall be completed at no additional expense to the Owner. Incidental or included items shall include labor, materials, and equipment that may not be specifically listed in the Bid Form or in the drawings or specifications, but which are necessary to complete the work.

C. PERMITS:

A number of permits have been applied for by the Owner of this project. The permits must be acquired from the appropriate agency by the Contractor when they are approved. Any permit fees, bonds, and/or permit agency inspection costs will be the responsibility of the Contractor and shall not result in additional cost to the Owner. A list of permits required for this project is shown in the Supplemental Instructions to Bidders section.

TRAFFIC MAINTENANCE AND CONTROL

The completed work as measured for TRAFFIC MAINTENANCE AND CONTROL will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|---------------------------------|-----------------|
| Traffic Maintenance and Control | lump sum |
| Minor Traf Devices | lump sum |

The contract lump sum price shall be payment in full for all labor, materials, and equipment necessary to furnish, install, and maintain all signs, cones, barricades, flagging, etc. as required by the 2012 Michigan Manual of Uniform Traffic Control Devices and the Supplemental Specifications. Removal of any temporary signs or other traffic control equipment upon completion of the project shall be considered as incidental to the traffic maintenance and control work.

AUDIO VIDEO ROUTE SURVEY

The completed work as measured for AUDIO VIDEO ROUTE SURVEY will be paid for at the contract lump sum price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|--------------------------|-----------------|
| Audio Video Route Survey | lump sum |

The lump sum price shall be payment in full for all labor, materials, and equipment necessary to prepare the audio video route survey in accordance with the specifications. Video recording limits are discussed in the Supplemental Specifications section.

Payment shall include the provision of two sets of flash drives containing the complete recordings to the Engineer.

MOBILIZATION

The completed work as measured for MOBILIZATION will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|----------------------|-----------------|
| Mobilization, Max 5% | lump sum |

The lump sum price shall be payment in full for all preparatory work and operations which may include, but is not limited to, the following items:

1. The movement of personnel, equipment, supplies, and incidentals to the project site.
2. The establishment of the Contractor's offices, buildings, and other facilities to work on the project.
3. Other work and operations that must be performed.
4. Expenses incurred, prior to beginning work on the various contract items on the project site.
5. Pre-construction costs, exclusive of bidding costs, which are necessary direct costs to the project rather than directly attributable to other pay items under the contract.

6. Permits, bonds, etc.

The pay item will state the maximum amount that can be bid. When the percentage of the original contract amount earned is less than 5 percent, the costs of project specific bonding, insurances, and permits will be reimbursed when a paid invoice is received by the Engineer. The costs of these will then be made in accordance with the Partial Payment Schedule shown below. The original contract amount is the total value of all contract items including the mobilization item. The percentage earned is exclusive of the mobilization item. The total sum of all payments for this item shall not exceed the original contract amount bid for mobilization, regardless of the fact that the Contractor may have, for any reason, shut down his work on the project, moved equipment away from the project and then back again, or for additional quantities or items of work added to the contract.

Partial Payment Schedule

| Percentage of Original Contract Amount Earned | Percentage of Bid Price for Mobilization Allowed |
|--|---|
| 5 | 50 |
| 10 | 75 |
| 25 | 100 |

When a pay item for mobilization is not included in the proposal, payment for any such work is considered to have been included in payments made for other items of work.

REMOVE CONCRETE CURB AND GUTTER

The completed work as measured for REMOVE CONCRETE CURB AND GUTTER will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|----------------------|-----------------|
| Curb and Gutter, Rem | feet |

Concrete curb and gutter removal shall be measured along the gutter line in linear feet.

The contract unit price shall be payment in full for all labor, materials and equipment required to sawcut, remove, and properly dispose of the concrete curb and gutter offsite.

REMOVE PAVEMENT

The completed work as measured for REMOVE PAVEMENT will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------|-----------------|
| Pavt, Rem | square yard |
| Sidewalk, Rem | square yard |

Pavement removal shall be measured in place by area in square yards. The removal area shall be based upon the average length and width measurements as determined in the field by the Engineer.

The contract unit price shall be payment in full for all labor, material and equipment required to sawcut, remove, and properly dispose of the pavement off site. The contract unit price shall apply to pavement of any thickness (both bituminous and concrete).

REMOVE FENCE

The completed work as measured for REMOVE FENCE will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-------------------|-----------------|
| Remove Fence | feet |
| Remove Fence Post | ea |

Fence removal shall be measured in place by linear feet. The length shall be measured along the base of fence from end to end of the section that is removed. Fence post removals shall be paid per each post, and shall be inclusive of foundation removal.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary for removal and proper offsite disposal of the fence including posts, concrete foundations, rails, gate hardware, and fence fabric. Furnishing, placing, and compacting suitable backfill for the old postholes shall be considered as included in the fence removal work. The payment for fence removal shall be the same regardless of the fence type (chain link, woven wire, board, wood rail, etc.) unless separate fence removal pay items are shown in the bid form.

SUBGRADE UNDERCUT, TYPE II

The completed work as measured for SUBGRADE UNDERCUT, TYPE II will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|--------------------------------|-----------------|
| Subgrade Undercutting, Type II | cubic yard |

Subgrade undercut and refill shall be measured in place and shall be based upon the average length, width, and depth measurements of the undercut area as determined by the Engineer. Undercut areas that are not authorized or measured by the Engineer will not be considered for payment.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to undercut and dispose of the unsuitable material and then backfill the undercut area with compacted MDOT 21AA limestone, unless otherwise called for on the plan details.

STATION GRADING

The completed work as measured for STATION GRADING will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------|-----------------|
|-----------------|-----------------|

Station Grading

station

Station grading shall be measured along the construction centerline of pathway from point of beginning to point of ending. Measurements shall extend through intersections but will not be taken along intersecting driveways or side streets. One station equals one hundred feet.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to perform removing topsoil and vegetation, excavating, grading, and compacting earth along the pathway route, stockpiling, sterilizing the subgrade, and finish grading. Furnishing, grading, and compacting suitable embankment material as well as removing excess or unsuitable material shall also be considered as part of the Station Grading work. In addition, root trimming, clearing, brushing, and removal of trees under 6 inches in diameter shall be considered as part of the work unless separate pay items have been included in the bid form.

CATCH BASIN/INLET FILTER

The completed work as measured for CATCH BASIN/INLET FILTER will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|--|-----------------|
| Erosion Control, Inlet Protection, Fabric Drop | each |

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to furnish, install, and maintain catch basin or inlet filters in accordance with the plan notes and details. Maintenance work will include removal and replacement of filters as directed by the Engineer. Removal and disposal of the filters and accumulated sediment upon final completion of the project shall be considered as included in the work. The work shall also include removal of accumulated sediment from the ground surface and from the drainage structure sumps.

SILT FENCE

The completed work as measured for SILT FENCE will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------------------|-----------------|
| Erosion Control, Silt Fence | feet |

Silt fence shall be measured in place horizontally by linear feet. The length shall be measured along the top of fence from end of fence to end of fence.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to furnish, install, and maintain the silt fence in accordance with the plan notes and details. Removal and disposal of the silt fence and accumulated sediment upon final completion of the project shall be considered as included in the work. Maintenance work will include removal and replacement of silt fence and outlet filters as directed by the Engineer. Restoration of disrupted areas shall be paid for separately as Turf Establishment.

AGGREGATE BASE COURSE

The completed work as measured for AGGREGATE BASE COURSE will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|------------------------|-----------------|
| Aggregate Base, 6 inch | syd |

Aggregate base course shall be measured in place by square yards. The area shall be based upon the average length and width measurements of the aggregate placement area as determined by the Construction Observer. Depth measurements will be taken as necessary in order to verify the aggregate base course thickness. Material shall be 21AA limestone.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to place, grade, and compact the aggregate base course material. Any earth excavation, subgrade preparation, or material disposal that is required for the 21AA limestone base course placement shall be considered as incidental to the work unless separate pay items have been included in the bid form for earthwork.

MAINTENANCE AGGREGATE

The completed work as measured for MAINTENANCE AGGREGATE, 21AA will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------------|-----------------|
| Maintenance Aggregate | ton |

Maintenance aggregate shall be measured in tons based upon certified weight delivery tickets. Material shall be 21AA limestone. The aggregate shall be used at various locations for temporary maintenance of local traffic and shall be considered for payment only where authorized by the Engineer.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to place, grade, and compact 21AA limestone where authorized by the Engineer. Removal of the maintenance aggregate shall be considered as incidental to the placement work.

DRAINAGE STRUCTURE TAP

The completed work as measured for DRAINAGE STRUCTURE TAP will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|--------------------------------|-----------------|
| Drainage Structure Tap, 6 inch | each |

Drainage structure taps shall be paid for by size on a per each basis. Where a new sewer line is to tap an existing drainage structure, the tap size shall be the nominal inside diameter of the new sewer pipe.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to make the tap in accordance with the plan details. Any fittings, joint materials, adaptors, and masonry that are needed shall be considered as incidental to the tap work.

STORM SEWER

The completed work as measured for STORM SEWER will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|--------------------------------|-----------------|
| Sewer CI A, Edge Drain, 6 inch | feet |

Storm sewer shall be measured in place horizontally by linear feet. The length shall be measured along the centerline of the pipe from end of pipe to end of pipe. The measurement shall not include the length of end sections, which shall be paid for separately.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to construct the storm sewer. The payment for storm sewer shall include the following (except such items for which separate prices are received on the Bid Form): clearing; excavating; trenching; disposal of items from clearing; disposal of unsuitable or excess excavated materials; temporary sheeting, bracing and shoring of excavations; support, relocation, replacement, furnishing and placing of pipe, jointing materials, fittings, bulkheads, plugs, adaptors; furnishing and placing of required bedding, backfill, and fill materials; complete cleanup and surface restoration.

Payment for storm sewer shall also include up to 18 inches of trench undercut and refill with compacted MDOT 6A crushed gravel or 6A crushed concrete unless otherwise shown in the plan details. If additional undercut is required beyond 18 inches, then it shall be paid for separately as Trench Undercut and Refill.

STORM STRUCTURES (CATCH BASIN)

The completed work as measured for CATCH BASIN will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|---------------------------|-----------------|
| Dr Structure, 24 inch dia | each |

The contract unit price shall be payment in full for all labor, materials and equipment necessary to construct the storm structure. Each storm structure shall be complete with base, steps, frames and covers, stubs, pipe opening, channels, and sumps (where appropriate) as called for in the plan details. Payment for storm structures shall include the following (except such items for which separate prices are received on the bid form): excavating; disposal of unsuitable or excess excavated materials; furnishing and placing of structure, jointing materials, fittings, cleaning; furnishing and placing of required bedding, backfill and fill materials; final adjustment or reconstruction of casting to finished grade; complete cleanup and surface restoration. Payment will be the same for standard and low head structures of the same diameter. Payment will also be the same for storm manholes of the same diameter both with and without sumps. Removal of an existing storm structure shall be considered as included in the price for the new storm

structure construction if the new storm structure is being constructed in the same location as the existing structure.

HOT MIX ASPHALT (HMA) PAVEMENT

The completed work as measured for HOT MIX ASPHALT (HMA) PAVEMENT will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------|-----------------|
| Hand Patching | tons |
| HMA, 13A | square yard |

HMA Hand Patching pavement shall be measured in tons based upon certified weight delivery tickets.

HMA, 13A pathway pavement shall be measured in place by area in square yards at a minimum 3-inch depth in accordance with the plan details. The paved area shall be based upon the average length and width measurements as determined in the field by the Engineer.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to construct the HMA pavement in accordance with the plan details. Furnishing and applying bond coats, pavement compaction, and protection of the work shall all be considered as incidental to HMA pavement construction. For pathway paving, the contract unit price shall also include the application of a suitable soil sterilant (Pramitol 25E or approved equal) on the Subgrade prior to paving. The application method and coverage rate shall be in accordance with the manufacturer's recommendations.

CONCRETE PAVEMENT

The completed work as measured for CONCRETE PAVEMENT will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------------------|-----------------|
| Conc Pavt, Nonreinf, 8 inch | square yard |

Concrete pavement shall be measured in place by square yards and the area shall be based upon the pavement length and width measurements as determined by the Engineer. Longitudinal measurements shall be made along the centerline of pavement from end to end. Transverse measurements shall extend from edge of pavement to edge of pavement. If the concrete pavement has an integral curb, then the transverse measurement shall extend to the back of curb so that the integral curb is included in the pavement area calculation.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to form, place, cure, and protect the concrete pavement in accordance with the plan specifications. Concrete pavement joints and joint sealing shall be considered as included in the pavement construction work. Backfilling behind curbs or along pavement edges shall also be considered as incidental to the concrete pavement construction.

CONCRETE CURB & GUTTER

The completed work as measured for CONCRETE CURB & GUTTER will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-------------------------------|-----------------|
| Curb, Conc, Det E4 | feet |
| Curb and Gutter, Conc, Det F4 | feet |

Concrete curb & gutter shall be measured in place by linear feet. The length shall be measured along the gutter line from end of curb to end of curb. Curb endings and curb drops shall all be measured and paid for as Curb and Gutter, Conc, Det F4 or as Curb, Conc, Det E4.

The contract price shall be payment in full for all labor, materials, and equipment necessary to construct the concrete curb and gutter in accordance with the plan details. Any excavation, subgrade compaction, backfilling behind the curb, disposal of excess materials, joints, curing compound, and placement of curb drops shall be considered as incidental to the curb and gutter construction.

DETECTABLE WARNING SURFACE

The completed work as measured for DETECTABLE WARNING SURFACE will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|----------------------------|-----------------|
| Detectable Warning Surface | feet |

The work of placing detectable warning surfaces shall be measured in linear feet as determined by the Engineer.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to construct the 24-inch, Safety Red (SR), detectable warning strips per Federal Standard 595B, Table IV, Color No. 31350 produced by ADA Solutions Inc., or approved equal, as shown on the construction sheet.

CONCRETE SIDEWALK RAMP

The completed work as measured for CONCRETE SIDEWALK RAMP will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------------------|-----------------|
| Sidewalk Ramp, Conc, 6 inch | square feet |

Concrete sidewalk ramps shall be measured in place and shall be paid for based upon the length and width measurements of the sidewalk ramp area as determined by the Engineer.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to construct sidewalk of the required thickness in accordance with the plan details. Furnishing, placing, and compacting a 4-inch thick Class II sand base shall be considered as incidental to the sidewalk placement.

Any necessary excavation, backfill, and disposal of excess materials shall also be considered as incidental to the sidewalk ramp construction.

CONCRETE SIDEWALK

The completed work as measured for CONCRETE SIDEWALK will be paid for at the contract unit prices for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|------------------------|-----------------|
| Sidewalk, Conc, 6 inch | square feet |

Concrete sidewalk shall be measured in place and shall be paid for based upon the length and width measurements of the sidewalk area as determined by the Engineer.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to construct sidewalk of the required thickness in accordance with the plan details. Furnishing, placing, and compacting a 4-inch thick Class II sand base shall be considered as incidental to the sidewalk placement. Any necessary excavation, backfill, and disposal of excess materials shall also be considered as incidental to the sidewalk construction.

PRECAST BLOCK RETAINING WALL

The completed work as measured for PRECAST BLOCK RETAINING WALL will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|---|-----------------|
| Block Retaining Wall, Mortarless, Reinf | feet |

Block Retaining Wall, Mortarless, Reinf shall be measured in place by horizontal linear feet as designated in the plans detail. Each measured linear foot of retaining wall includes three (3) precast blocks stacked with dimensions of 8" HEIGHT, 18" WIDTH, 11" DEPTH and includes a TOP CAP.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to install the wall according to the plan details and the manufacturer's recommendations. Any necessary excavation and backfill, concrete footings, underdrain, geogrid, geotextile fabric, and disposal of unusable materials shall be considered as incidental to the wall construction work.

PAVEMENT MARKINGS

The completed work as measured for PAVEMENT MARKINGS will be paid for at the contract unit prices for the following contract items:

| <u>Pay Item</u> | <u>Pay Unit</u> |
|--|-----------------|
| Pavt Mrkg, Polyurea, 12 inch, White | feet |
| Pavt Mrkg, Polyurea, 24 inch, Stop Bar | feet |

Pavement striping shall be measured in place horizontally by linear feet. The length shall be measured along the painted segment from end to end of paint marks. Pavement marking symbols and legends shall be counted and paid for by each.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to furnish and install the pavement markings in accordance with the plan details and the manufacturer's instructions. All sweeping and preparatory work as well as traffic control and temporary protection of newly placed markings shall be considered as incidental to the pavement marking work. Removal of any temporary pavement markings shall also be considered as incidental unless the Bid Form already includes pay items for removing temporary markings.

RIP RAP

The completed work as measured for RIP RAP will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------|-----------------|
| Riprap, Plain | square yard |

Rip Rap shall be measured in place and payment shall be based upon the average length and width measurements of the riprap areas.

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to furnish and install the riprap in accordance with the plan details. If the rip rap placement details call for geotextile fabric and stone bedding, then these items shall be considered as incidental to the rip rap.

RAIN GARDEN PLANTINGS

The completed work as measured for RAIN GARDEN PLANTINGS will be paid for at the contract price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------------|-----------------|
| Rain Garden Plantings | lump sum |

The contract lump sum price shall be payment in full for all labor, materials, and equipment necessary to furnish and place the appropriate quantities and species of plantings as listed in the planting schedule as shown on the plans approximate to the northeast corner of the intersection at Huron St and James L Hart Parkway. Spacing and number of plants dictated in plant schedule found in plans. The herbaceous plants include submergent and emergent plants. The shrubs include scrub shrub plants.

REMOVE AND RESET SALVAGED SIGN

The completed work as measured for REMOVE AND RESET SALVAGED SIGN will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-------------------------|-----------------|
| Sign, Salvage and Reset | each |

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to remove and salvage the existing sign and post and then reset the existing sign and post in accordance with plan details. Any signs or posts that are damaged by the Contractor during the removal work shall be replaced in kind by the Contractor at no additional cost to the Owner. Furnishing, replacing concrete encasement, placing and compacting suitable backfill in the old postholes shall be considered as included in the sign removing and resetting work.

REMOVE AND RESET SALVAGED SPRINKLER HEAD

The completed work as measured for REMOVE AND RESET SALVAGED SPRINKLER HEAD will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------------------------|-----------------|
| Sprinkler Head, Salvage and Reset | each |

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to remove and salvage existing sprinkler heads and to reset them in the same location or a new location as called for on the plans. Removing, salvaging, and relaying existing sprinkler lines shall be considered as included in the sprinkler head work unless a separate pay item is included in the Bid Form for new sprinkler lines. Any sprinkler heads or lines that are damaged by the contractor shall be replaced in kind with new materials at no additional cost to the Owner.

ADJUST MONUMENT BOX

The completed work as measured for ADJUST MONUMENT BOX will be paid for at the contract unit price for the following contract item (pay item):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|---------------------|-----------------|
| Monument Box Adjust | each |

The contract unit price shall be payment in full for all labor, materials, and equipment necessary to adjust the existing monument box to the required finished elevation.

ADJUST STRUCTURE

The completed work as measured for ADJUST STRUCTURE will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|-----------------------------------|-----------------|
| Adjust Drainage/Utility Structure | each |
| Adjust Sanitary Structure | each |

The work of adjusting structures shall be paid for on a per structure basis and shall apply when the total amount of vertical change of the casting (up or down) is twelve inches or less. The pay item for adjusting drainage/utility structures shall apply to existing storm manholes, catch basins, inlets, and gate wells. The pay item for adjusting sanitary structures shall apply only to existing sanitary manholes. The adjust

structure pay item shall not apply to new structures since final adjustment in this case is included in the contract unit price of the new structure.

The contract unit price shall be payment in full for all labor, material, and equipment necessary to adjust structures in accordance with the plan details so that the castings will match the new finished pavement or landscape surface grades. Excavation, backfill, cleaning the existing casting and disposal of excess or unsuitable materials shall all be considered as included as part of the adjustment work.

TURF ESTABLISHMENT

The completed work as measured for TURF ESTABLISHMENT will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|--------------------|-----------------|
| Turf Establishment | station |

Turf Establishment with seed shall be measured in place using the pathway alignment stationing. All materials, labor and equipment required or selected by the Contractor to install, maintain, inspect, repair and meet the acceptance parameters for turf establishment, including preparation, updating and submittal of the Contractor's Daily Reports, are included in the contract unit price bid for "Turf Establishment". Turf establishment pay item shall include 3 inches of topsoil, seed, and mulch. Material and seed mix requirements shall be as noted in Section R of the contract documents.

Repairs made to damaged turf establishment areas as a result of a documented storm by local meteorological data resulting in rainfall amounts of more than 3 inches in a 24-hour period will be paid for as an increase to original quantities in accordance with subsection 109.05 of the Standard specifications for Construction. The following schedule of payment applies to work performed according to this special provision. Upon completion of topsoil surfacing stage, 50 percent of the authorized amount for Turf Establishment will be paid to the Contractor. The remaining 50 percent of the authorized amount will be paid upon completion of all other work necessary to comply with this special provision and to meet all final acceptance parameters for Turf Establishment or at such time as the supplemental performance bond is accepted by the Department.

The supplemental performance bond and all costs associated with turf establishment work performed during the duration of the performance bond, will not be paid for separately. These costs which may include, but are not limited to, mobilization, traffic control devices, and the required permit insurance are included in the unit price bid for "Turf Establishment".

Application of mulch anchoring shall be considered included in the placement of the mulch unless a separate pay item for the mulch anchoring has been included in the Bid Form.

PERMITS AND INSPECTION FEES

The completed work as measured for PERMIT/INSPECTION ALLOWANCE will be paid for at the contract unit price for the following contract items (pay items):

| <u>Pay Item</u> | <u>Pay Unit</u> |
|----------------------------------|-----------------|
| SESC Permit/Inspection Allowance | dollar |

WCRC Permit/Inspection Allowance dollar

The completed work as measured for the Permit/Inspection allowance shall include actual permit and/or inspection fees only as assessed by permit issuer. The CONTRACTOR is required to submit receipts to the ENGINEER for reimbursement.

Final reimbursement will be paid upon proper close out of the Township SESC permit and WCRC permit.

Bond(s) and insurance requirements to fulfill permit conditions to the governmental agencies and/or permit issuer will not be paid for separately but considered in other contract pay items.

MISCELLANEOUS RESTORATION ITEMS

Restoration of miscellaneous items such as, but not limited to, street signs, traffic signs, shrubbery and other ornamental landscape items which are damaged, removed, or destroyed by the Contractor in the course of the work shall be repaired or replaced by the Contractor with new materials of equal quality as existed prior to the start of work. All such items for which specific bid items are not listed in the proposal shall be considered as incidental work and shall be replaced or repaired at the expense of the Contractor.

FINAL CLEAN UP

Final clean up of the job shall be considered as incidental. Items in this category include removal of debris and litter from the site, removal of surplus materials, sweeping, repair of any damages, and clean out of drainage structures located within the work area.

Surface Restoration shall commence immediately upon completion of final grading or as MDOT seasonal limitations dictate.

EASEMENT CONDITIONS

The Contractor shall be required to review and comply with easement conditions that are shown on the plans or contract documents. Compliance with easement conditions shall be considered as incidental to the overall project cost.

RELOCATE OR BRACE UTILITY POLES AND GUY WIRES

The cost of relocating or bracing utility poles and guy wires, including all labor, materials, machinery and equipment, shall be considered incidental to the project and no extra payment shall be made for such work.

WATER VALVE BOX ADJUSTMENT

Adjustment of water valve boxes, if required, shall be considered as incidental to the project cost. The Contractor shall furnish all labor, materials, tools and equipment required to adjust boxes from the existing elevation to the finished elevations.

PRIVATE UTILITY ADJUSTMENT

Adjustment and/or relocation of private utility structures such as gas valves, structure covers, riser boxes, etc. shall be considered as incidental to the project. The Contractor shall furnish all labor, materials, tools, and equipment required to adjust private utility structures to the finished elevations. If private utility structures are to be adjusted and/or relocated by their respective owners, then the Contractor shall be responsible for coordinating this work with the private utility owner as incidental to the project.

SUPPLEMENTAL SPECIFICATIONS

| | |
|---|----|
| 1. General..... | 2 |
| 2. Location of Project..... | 2 |
| 3. Scope of Project..... | 2 |
| 4. Construction Standards..... | 2 |
| 5. Progress Meetings..... | 2 |
| 6. Staging..... | 2 |
| 7. Incidental Contract Items..... | 2 |
| 8. Project Coordination With Owner & Other Contractors..... | 3 |
| 9. Minimum Wage Requirements..... | 3 |
| 10. Federal Requirements..... | 3 |
| 11. Fair Employment Practices Act..... | 3 |
| 12. Observation of Construction..... | 4 |
| 13. Hours of Work..... | 4 |
| 14. Testing & Sampling..... | 4 |
| 15. Staking..... | 4 |
| 16. Station Grading..... | 5 |
| 17. Traffic Maintenance & Control..... | 6 |
| 18. Load Restrictions on Local Streets..... | 7 |
| 19. Utilities..... | 8 |
| 20. Emergency Repair..... | 9 |
| 21. Use of Water..... | 10 |
| 22. Asphalt and Pavement Construction..... | 10 |
| 23. Audio-Video Recordings..... | 10 |
| 24. Additional Location for Project Rehabilitation..... | 10 |

1. GENERAL

These Supplemental Specifications are supplements to the General Conditions and General Specifications. Where conflicts exist between the aforementioned Contract Documents, the conditions in the Supplemental Specifications shall govern.

2. LOCATION OF PROJECT

The project site is located in the Charter Township of Ypsilanti along the west side of Huron St from Morgan Road to Joe Hall Drive with a 10-ft HMA Pathway, then continue the work in a form of a 8- ft HMA path from the east side of Huron Street from James L Hart Parkway to the North Bay Park parking lot, with stormwater improvements. Additional project work located at Ford Heritage Park internal trail and minor pathway work near entrance at Textile Road.

3. SCOPE OF PROJECT

The work to be done under this Contract includes the furnishing of all materials, equipment, and labor necessary to construct the proposed pathway as well as all necessary earthwork, cleaning and restoration in accordance with the plans and specifications.

4. CONSTRUCTION STANDARDS

It is the intention of these specifications to construct all work in accordance with applicable requirements of the Charter Township of Ypsilanti, the WCRC, and the Michigan Department of Transportation, these specifications, and the plans referenced herein. Where there is a conflict between any of the aforementioned specifications and the permit requirements of the agency controlling the respective utility or rights-of-way, the more restrictive shall govern.

5. PROGRESS MEETINGS

During the life of the project bi-weekly progress meetings may be held to discuss the project status, potential construction problems, the schedule, and other items that may impact the progress of the work. This meeting shall be attended by the CONTRACTOR, any subcontractors whose work is in progress or will be started in the two weeks following the progress meeting, the ENGINEER and the OWNER. The date, place, and time of the first progress meeting will be set at the preconstruction meeting and subsequent meetings will follow every two (2) weeks.

6. STAGING

The Township has land north of the Post Office, Seaver Farms. This area can be used for construction staging purposes; however, it must be fully restored at the Contractor's expense.

7. INCIDENTAL CONTRACT ITEMS

All items of work noted on the plans or in the specifications that are not specifically noted in the Bid Form as a pay item shall be considered included in the pay items provided for the construction of the project and shall be constructed at no extra cost to the OWNER.

8. PROJECT COORDINATION WITH OWNER & OTHER CONTRACTORS

The OWNER, utility companies, and commercial or private owners (specifically DTE) may have construction projects occurring within or adjacent to the project limits during the life of this Contract.

The CONTRACTOR shall coordinate his construction with all such projects that may be ongoing in the vicinity.

Also, where the CONTRACTOR's work affects the operation of YCUA's utilities, the CONTRACTOR shall be responsible for coordinating his work through OHM. Contact the OHM staff assigned to the project and/or Scott Westover at (734) 484-4600. The CONTRACTOR shall give at least 72 hours notice to YCUA in order to schedule activities such as valve operation, hydrant operation, sewer and structure cleanout, etc. No claim for extra compensation or adjustments in Contract Unit Prices will be allowed on account of delay or failure of others to complete work scheduled.

9. MINIMUM WAGE REQUIREMENTS

The OWNER has specific minimum wage requirements that are shown as follows: see Appendix A for detailed information.

10. FEDERAL REQUIREMENTS

This project is being funded in part by the Federal Government. Therefore, it is mandatory that the CONTRACTOR be in compliance with the following Federal Requirements:

- A. Davis-Bacon Act, July 2, 1964 (Title 40, USC, 276A)
- B. Anti-Kickback Act (Title 18, USC 874)
- C. U.S. Department of Labor Regulations and Standards (Title 29, 1, 3 and 5)
- D. Equal Employment Opportunity Act, September 18, 1965 (Executive Order No. 11246)
- E. Federal Occupational Safety and Health Act of 1970
- F. Housing and Urban Development Act of 1968, Section 3, as amended, 12 USC, 1701u.

11. FAIR EMPLOYMENT PRACTICES ACT

The CONTRACTOR agrees that neither he nor his subcontractors will discriminate against any employee or applicant for employment. The CONTRACTOR shall not discriminate with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of race, color, religion, national origin or ancestry, nor shall age or sex be a condition of employment except where based upon an occupational qualification. Breach of these covenants may be regarded as a material breach of this Contract.

12. OBSERVATION OF CONSTRUCTION

All construction operations will require full time observation by the OWNER's representative. The CONTRACTOR must notify the ENGINEER at least three (3) working days (72 hours) prior to construction and no work shall be performed without the ENGINEER's presence or awareness. Contact the Construction Staffing Coordinator, Phil Maly, at (734) 466-4515 to schedule observation.

13. HOURS OF WORK

Work may be performed during the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday only. Work at other times may be performed only by written permission of the OWNER.

14. TESTING & SAMPLING

The CONTRACTOR shall furnish all samples of materials necessary for tests as determined by the ENGINEER or the Construction Observer. All samples taken for analysis and tests shall be taken in such a manner as to be truly representative of the entire lot under test. The CONTRACTOR shall furnish such assistance and facilities as the ENGINEER may require for collecting, storing or curing samples. Where materials tests are to be performed by the manufacturer, the certificates of approval shall be submitted to the ENGINEER. The cost of all such testing by manufacturers shall be incidental to the project. Additional required tests on materials in place shall be made at the expense of the OWNER, unless otherwise stipulated.

The OWNER's Agent, G2 Consulting Group, shall arrange for and furnish testing services as provided by an acceptable independent laboratory as part of this Contract. These services shall be as follows, in addition to the testing requirements noted in the General Conditions:

All concrete shall be slump and air tested, with cylinders taken (as noted above) in compliance with the current MDOT Standard Specifications for Construction.

There may be areas with uncompacted fill material or organic materials; as a result, all areas within the influence of proposed pavement shall be proof rolled as a minimum, to the satisfaction of the ENGINEER. Some testing may be required.

All aggregate base and pavement shall be tested for compaction. A reputable firm, approved by the ENGINEER shall extensively test all such areas with a nuclear densimeter. In addition, all utility crossings and the areas immediately adjacent to any structures in the pavement shall be specifically tested. Areas which fail shall be compacted further and retested. Failure to pass a second test shall be reason to undercut and refill the area, as directed by the ENGINEER, with careful attention to compaction.

15. STAKING

The ENGINEER will provide construction staking. The staking shall consist of horizontal and/or vertical control staking for pathway construction at 50-foot intervals. The CONTRACTOR is responsible for providing a written request for staking to the ENGINEER at least seventy-two (72) hours in advance of starting work. Staking requests should be emailed to the attention of the OHM Survey Department at stakingrequests@ohm-advisors.com. The CONTRACTOR shall carefully preserve all stakes set by the ENGINEER. In the case of willful or careless destruction, the ENGINEER shall provide the restaking and the CONTRACTOR shall be charged with the resulting expense and shall be responsible for delays and errors caused by unnecessary loss or disturbance of the stakes. The expense for restaking will be entered as a deduct on pay estimates and the resulting amount retained by the OWNER for payment of restaking.

16. STATION GRADING

A pay item for Station Grading is included on the Bid Form for this project.

This work shall be done in accordance with methods of roadway earthwork as described in Section 205 of the 2012 Michigan Department of Transportation Standard Specifications for Construction except as herein provided.

The work of Station Grading shall consist of all earthwork required to construct the pathway pavement, driveway pavement, and curb shown on the plans and typical cross sections. The work shall include the salvaging and stockpiling of selected materials, disposing of surplus or unsuitable material, furnishing, placing and compacting embankment materials, trimming the earth grade, compacting the subgrade, and maintaining the work in a finished condition until acceptance by the ENGINEER.

All suitable excavated material from the project, including undercut, shall be used as directed by the ENGINEER to construct embankments, backfill muck holes, or flatten slopes as incidental.

All surplus excavated and unsuitable or waste material not incorporated into the project shall become the property of and shall be disposed of by the CONTRACTOR as incidental. The CONTRACTOR shall follow federal, state and local regulations in the disposal of surplus materials.

After the earth grade has been constructed to the required grade, all stones and rocks more than three (3) inches in diameter, appearing on the surface, shall be removed.

The grading shall be so conducted as to avoid removing or loosening any material outside of the required slopes, and any such material which may be removed or loosened shall be replaced and thoroughly compacted to the required cross section.

In addition to the items as specified in the 2012 MDOT Standard Specifications for Construction, the following items are included:

- A. Strip topsoil within the grading limits (six (6) inch maximum depth).
- B. Clearing of brush and shrubs and the removal of trees less than six (6) inches in diameter.
- C. Backfilling behind the curb, and adjacent to drive approaches and drives.

- D. Removal or relocation of all signs within the grading limits for which no other Contract item applies.
- E. Removal of all other items which are identified as incidental and/or for which no other Contract item applies.
- F. Constructing new swales and ditches as directed in the field.
- G. Reconstruction/regrading/cleanout of existing drainage courses and ditches.

The CONTRACTOR is advised that he should perform his own earthwork calculations for the road construction work when preparing his bid price.

17. TRAFFIC MAINTENANCE & CONTROL

A. General

During the course of construction, provisions must be made to maintain access for emergency vehicles at all times. Where possible and when directed by the ENGINEER, all streets must be left open to traffic at the end of each working day. Traffic maintenance and control as defined in this section shall be considered as included in the unit bid prices or lump sum bid prices that are given in the Bid Form.

All work for maintaining traffic and control shall be in accordance with Section 812 of the 2012 MDOT Standard Specifications for Construction and the current edition of the Michigan Manual of Uniform Traffic Control Devices, (MMUTCD). The Contractor shall also comply with work zone sign requirements as described in Public Act 315 of 2003.

The CONTRACTOR shall conduct his operations and use of equipment in such a manner that traffic will be maintained throughout the entire length of the project. When conditions are such as to warrant variations from this requirement, the procedure to be followed shall be approved by the ENGINEER prior to such procedure being put into effect.

The CONTRACTOR shall furnish, erect and maintain all barricades, signs and lights as required according to the current edition of the MMUTCD. Flagmen shall also be provided by the CONTRACTOR as necessary to protect the vehicular and pedestrian traffic and the work within the work zone areas. CONTRACTOR shall be responsible for notifying concerned parties such as Police, Fire, and school officials if a road closure and/or detour will be in effect. The CONTRACTOR shall notify the same parties when the road has been reopened.

Once work on a particular utility is begun, the CONTRACTOR must continue his work to completion. The OWNER will not permit random movements of work operations among the project area that tend to confuse traffic patterns.

B. Provision for Local Traffic

During the progress of the work, the CONTRACTOR shall accommodate both local vehicular and pedestrian traffic along the roads.

Access to all residences and businesses shall be maintained except as noted on the plans or as directed by the ENGINEER.

The CONTRACTOR's truck and equipment operations on public streets shall be governed by all local traffic ordinances and regulations of the Fire and Police Departments, the OWNER, and Michigan Department of Transportation.

C. Existing Warning and Regulatory Signs

Wherever possible, all existing signs on this project are to be preserved and maintained as incidental to the project.

Where it is not possible to preserve existing traffic control signs and street name signs, they shall be removed, temporarily reset and maintained by the CONTRACTOR. Upon completion of the project, the CONTRACTOR will reset traffic control signs and street name signs in the proper position.

In cases where new signs are called for, they shall be placed in accordance with the requirements outlined elsewhere in the Contract Documents.

Any new or existing signs damaged by the CONTRACTOR shall be replaced in kind by him at no additional cost to the OWNER.

D. Lane Closures and Detours

Any lane closures or detours shall be approved by the OWNER and the appropriate governing agency, and shall meet their specifications and standards as well as those of the MMUTCD. Where there are conflicts, the more restrictive requirement shall apply. If any type of closure is to occur during twilight or darkness, proper lighting will be required.

E. Construction Signs and Barricades

Warning signs and barricade configurations shall meet the requirements of the MMUTCD, the OWNER, WCRC, and the Michigan Department of Transportation. The applicable Michigan Department of Transportation standard typical can be found in Appendix C.

The CONTRACTOR shall not begin any operation on the project until all required signs and barricades have been set.

All signs to be used during twilight or darkness shall be reflectorized, in good condition, with two continuous flashing lights.

The construction site shall at all times be maintained and left in a clean, neat, and safe condition, including any construction signing.

After working hours, signs that are not appropriate shall be covered and/or removed so that motorists will not be confused. The CONTRACTOR shall also remove and replace or cover (where practical) existing traffic signs that may conflict with the proposed construction.

18. LOAD RESTRICTIONS ON LOCAL STREETS

The CONTRACTOR shall not operate heavy trucks or equipment on any side street within the project area without permission from ENGINEER, the OWNER or appropriate governing agency.

19. UTILITIES

The location of public or private utilities shown on the plans is in accordance with mapping provided by the utility owners. No guarantee is given that the locations are absolutely accurate or that utilities other than those shown are not present.

For protection of underground utilities, the CONTRACTOR shall contact “Miss Dig” at 1-800-482-7171 a minimum of three (3) working days prior to excavating. This does not relieve the CONTRACTOR of the responsibility of notifying utility owners who may not be part of the “Miss Dig” alert system.

During the course of the construction, the CONTRACTOR will encounter both overhead and underground utilities. The names and phone numbers of the utility company representatives are shown as follows:

| UTILITY | OWNER | NAME & PHONE NUMBER |
|------------------------------|----------------|---------------------------------|
| Electric | Detroit Edison | Clay Combee (734) 397-4338 |
| Telephone | Ameritech | Andy Johnson (734) 996-5350 |
| Gas | Mich Con | Laurie Forrester (313) 389-7261 |
| Cable Television | Comcast | Raymond LaBeau (734) 216-8091 |
| Water & Sanitary Sewer | YCUA | Scott Westover (734) 484-4600 |

Utility relocation work is not expected to be necessary for this project.

The electric, gas and telephone public utilities have been notified of existing underground utilities and utility poles that are within the construction limits. Those utilities in conflict with the proposed construction will be relocated by the utility OWNER. The CONTRACTOR shall cooperate with utility company forces to minimize project delays.

In the event that utilities are encountered which require relocation, it shall be the CONTRACTOR’s responsibility to arrange for and schedule the relocation of the affected utilities with the owners.

No additional compensation will be paid for delays due to the encountering of existing utilities that are or are not shown on the plans.

Work stoppages by employees of utility companies or any occurrence which results in a delay in utility relocations on this project may be considered as a basis for a claim for an extension of the time of completion but will not be considered as a basis for a claim for extra

compensation or an adjustment in Contract Unit Prices. The amount of any such time extension will be based upon the amount of delay actually experienced as a result of the utility relocation delay.

20. EMERGENCY REPAIR

When the CONTRACTOR is not actively performing work on a particular construction site, situations of an emergency nature may arise as a result of uncompleted work. Such situations may affect, directly or indirectly, public and/or private property, and may ultimately affect the health, safety, and welfare of individuals or the general public. The intent of this article is to provide a procedure to eliminate these problems as they occur. While these problem situations can and do readily develop as emergencies, the ENGINEER shall direct field-related operations and require immediate efforts by the CONTRACTOR to remedy the deficiency in a method of his choosing because of his expertise in the field, time being of the essence. The correction of the "emergency" which may arise when no activity exists on the construction site shall be handled in the following manner:

- A. The ENGINEER shall observe the site, take any necessary photographs and/or prepare any necessary sketches of conditions at the site to determine that the situation constitutes an emergency.
- B. The ENGINEER then has three alternative sources of manpower and equipment to be selected to remedy the emergency situation in the following order:
 1. The CONTRACTOR under Contract with the OWNER to perform all work on the site location in question,
 2. The OWNER's Representative,
 3. An independent CONTRACTOR designated by the OWNER.

Since the nature and extent of most unfinished work on a particular construction site is well known by both the ENGINEER's authorized agent and the CONTRACTOR at the time of declaring such an "emergency situation" as set forth herein before; the CONTRACTOR under Contract to the OWNER for the particular project would be the first party notified and would be expected to respond immediately with necessary manpower and equipment to remedy the problem.

If a reasonable time to respond to the emergency notification is not evident, in the best judgment of the ENGINEER, then the CONTRACTOR shall be judged to have waived his rights to physically correct the problem, but not his obligations to pay for such a physical correction or damages resulting there from. The ENGINEER shall then contact the OWNER's Representative for their assistance in correcting the "emergency situation". Where existing commitments by the Representative prohibit their immediate response to the request by the ENGINEER, the ENGINEER shall finally direct that corrective measures be performed by the independent contractor previously contacted by the OWNER to perform such emergency work when so directed.

Since the cost for all remedial work undertaken by the CONTRACTOR on this project shall be borne by the CONTRACTOR and it is necessary to engage the services of the Representative or an independent contractor, then all costs incurred would be deducted from

monies due and payable to the CONTRACTOR on the particular project as set forth on any ensuing regular job estimates.

Typical costs which will be deducted from Contract monies due would be:

- A. Payroll wages
- B. Material bills
- C. Equipment rental (Detroit area rates) and moving costs
- D. 15% profit and overhead for independent contractor
- E. 10% administrative costs
- F. Observation costs

21. USE OF WATER

CONTRACTOR shall not make a connection to any fire hydrant without first obtaining the necessary permit (meter). The CONTRACTOR shall be charged for all water used.

22. ASPHALT AND PAVEMENT CONSTRUCTION

Asphalt and concrete pavements shall be constructed in accordance with the 2012 MDOT Standard Specifications for Construction unless otherwise indicated in the Supplemental Specifications, Appendix, plan notes, or plan details.

23. AUDIO-VIDEO RECORDINGS

The CONTRACTOR shall conduct an Audio Video route survey in accordance with the specifications. The extents of this survey shall include the full right of way for the entire project area. The audio video survey shall include detailed descriptions of conditions and locations of all existing pavements, drives, cracks in driveway, mailboxes, locations with poor drainage (e.g. standing water), trees, appurtenances, and other structures within 30 ft of the property line.

24. ADDITIONAL LOCATION FOR PROJECT REHABILITATION

In addition to the main pathway work along Huron Street, an additional location near the project will need pavement removal and HMA pathway placed. The Ford Heritage Park internal trail and Textile pathway up to 8415 Textile Road contains approximately 290 Syd of Pavement Removal and 290 Syd of HMA, 13A (3-inch) work needed. This work will be marked and directed by the Field Engineer for the Contractor to proceed. One (1) lump sum pay item for Mobilization will be paid for the contract with additional location work being inclusive to the one (1) lump sum price.

WATER & SEWER UTILITY SYMBOLS

EXISTING

- STORM MANHOLE
- SQUARE CATCH BASIN
- ROUND CATCH BASIN
- CULVERT
- CULVERT W/O END SECTION
- CULVERT W/END SECTION
- SANITARY MANHOLE
- CLEAN OUT
- GATE VALVE & WELL
- GATE VALVE & BOX
- WATER STOP BOX
- FIRE HYDRANT
- METER PIT
- WATER METER
- SPRINKLER HEAD
- IRRIGATION VALVE

PROPOSED

- STORM MANHOLE
- INLET/CATCH BASIN
- CULVERT END SECTION
- SANITARY MANHOLE
- GATE VALVE & WELL
- GATE VALVE & BOX
- TAPPING SLEEVE VALVE & WELL
- TAPPING SLEEVE VALVE & BOX
- FIRE HYDRANT

REAL ESTATE SYMBOLS

- CONTIGUOUS PROPERTY SYMBOL
- PARCEL NUMBER BOX
- NO ROW IMPACTS

MISCELLANEOUS UTILITY SYMBOLS

EXISTING

- GUY WIRE
- GUY POLE
- UTILITY POLE
- UTILITY POLE W/LIGHT
- LIGHT/DECOR LAMP POLE
- FLOOD LIGHT
- GAS VALVE
- GAS VENT
- GAS METER
- GAS RISER
- TRAFFIC SIGNAL
- PEDESTRIAN RISER
- TRANSFORMER PAD
- PRIVATE UTILITY MANHOLE
- RAILROAD CROSSING
- ELECTRIC METER
- PHONE BOOTH
- TRAFFIC SIGNAL CONTROLLER
- HAND HOLE
- ELECTRIC RISER
- TELEPHONE RISER
- CABLE TV RISER
- MONITORING WELL
- UNDERGROUND MARKER

MISCELLANEOUS SYMBOLS

EXISTING

- RIPRAP
- SIGN
- FLOW DIRECTION
- STUMP
- WETLAND
- CONIFEROUS TREE
CL 1 1" TO 5"
CL 2 6" TO 17"
CL 3 18" TO 35"
CL 4 36" AND UP
- DECIDUOUS TREE
- CONIFEROUS SHRUB
- DECIDUOUS SHRUB
- SOIL BORING
- SECTION CORNER
- MONUMENT
- IRON ROD/PIPE
- PK NAIL
- BENCHMARK
- TRAVERSE POINT
- MAIL/NEWSPAPER BOX
- FLAG POLE
- POST

HAZARDOUS OR FLAMMABLE MATERIAL USED WITH UNDERGROUND GAS & ELECTRICAL LINES

CAUTION - CRITICAL UNDERGROUND UTILITY USED WITH TELEPHONE & FIBER OPTIC LINES

PROPOSED

- RIPRAP
- SIGN
- FLOW DIRECTION
- STRUCTURE NUMBER
WM SAN STM
- ADA SIDEWALK RAMP

UTILITY PATTERN

EXISTING

- ELECTRICAL *
- GAS/OIL
- CABLE/TELEPHONE *
- FIBER OPTIC *
- WATER
- SANITARY
- STORM

PROPOSED

- STORM/SANITARY/WATER
 - PRIMARY UTILITY WILL HAVE A CONTINUOUS LINESTYLE, WITH THE SECONDARY UTILITY MATCHING ITS RESPECTIVE EXISTING UTILITY LINESTYLE
- *OH = OVERHEAD , UG = UNDERGROUND

ROW PATTERN

EXISTING

- ROW
- SECTION
- PROPERTY/PARCEL

PROPOSED

- ROW

TOPO PATTERN

EXISTING

- HEDGE/TREE
- FENCE
- GUARDRAIL
- CENTERLINE OF DITCH
- RAILROAD
- WETLAND/EDGE OF WATER

PROPOSED

- GRADING LIMIT (SLOPE STAKE)
- CENTERLINE OF DITCH
- GUARDRAIL
- FENCE

EM VAL LE EN

- E WALK
- HMA
- AVEMENT
- MILLIN HMA
- HMA A E HIN AN HA IN
- EX AVATI N EA TH M IFIE
- AN TTE EM
- TEE EM
- ALVA E
- LKHEA
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- E N T T
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- EL ATE Y THE
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- INLET FILTE
- E TEXTILE ILT FENE

ARCH EC S ENGINEERS P ANNERS

34000 Plymouth Road
Ivonia, MI 48150
P (734) 522 6711 F (734) 522 6427

OHM ADV SORS COM

REV'S IONS:

CHAR ER OWN SH P OF YPS AN
HURON S REE PA HWAY

EGEND

DRAWING PATH: P:\0000\01000988\00040_Huron_Street_Pathway\Drawings\Civil\Misc\190040\LEG_NOT.dwg Oct 27, 2021 - 11:44am

GENERAL NOTES

THIS PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2012 MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION EXCEPT AS NOTED HEREIN AND IN THE CONTRACT DOCUMENTS.

IN CONFORMANCE WITH PUBLIC ACT 53, THE CONTRACTOR AND/OR SUBCONTRACTORS SHALL NOTIFY MISS DIG (800-482-7171 or 811), THE YPSILANTI COMMUNITY UTILITY AUTHORITY (734-484-4600), AND THE FIRE DEPARTMENT (734-544-4107) A MINIMUM OF 3 WORKING DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION.

YPSILANTI TOWNSHIP PERMITS CONSTRUCTION BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM, MONDAY THROUGH SATURDAY, UNLESS OTHERWISE AUTHORIZED BY THE TOWNSHIP. SHOULD AN EMERGENCY ARISE WHICH WOULD REQUIRE WORKING BEYOND THE HOURS MENTIONED, THE CONTRACTOR SHALL CONTACT THE RESIDENTIAL SERVICES DIRECTOR, MICHAEL HOFFMEISTER (PH: 734-544-3515) FOR APPROVAL FOR WORK BEYOND THE PERMITTED HOURS.

LIMITATIONS ON PRIVATE WORK: DURING CONSTRUCTION OPERATIONS, THE CONTRACTOR SHALL NOT PERFORM WORK BY PRIVATE AGREEMENT WITH PROPERTY OWNERS ADJACENT TO THE PROJECT, UNLESS GIVEN WRITTEN CONSENT OF THE ENGINEER.

THE CONTRACTOR SHALL CONDUCT OPERATIONS IN SUCH A MANNER TO COMPLY WITH ALL FEDERAL, STATE, AND CITY CODES FOR NOISE LEVELS, VIBRATIONS, OR ANY OTHER RESTRICTIONS WHILE REMOVING PAVEMENT OR FOR ANY OTHER CONSTRUCTION OPERATIONS WITHIN THIS CONTRACT TO BE INCLUDED IN THE RESPECTIVE ITEM OF WORK.

WHEN THE CONTRACTOR FAILS TO PERFORM THE DUTIES AS CALLED FOR ON THESE PLANS AND IN THE CONTRACT, THE ENGINEER MAY REQUIRE TOWNSHIP FORCES TO PERFORM WORK, WITH OR WITHOUT NOTIFICATION TO THE CONTRACTOR OR THE SURETY. THE CONTRACTOR WILL BE CHARGED EQUIPMENT RENTAL RATES AS ESTABLISHED BY THE TOWNSHIP. TIME CHARGED TO THE CONTRACTOR SHALL BE FROM THE TIME THAT THE WORKFORCE AND EQUIPMENT LEAVE THE TOWNSHIP YARD TO THE TIME THAT THEY RETURN TO THE TOWNSHIP YARD.

ALL AREAS DISTURBED OUTSIDE OF THE GRADING LIMITS BY THE CONTRACTOR AND/OR HIS SUBCONTRACTOR SHALL BE RESTORED AS SPECIFIED OR DIRECTED BY THE ENGINEER. NO ADDITIONAL PAYMENT OR COMPENSATION WILL BE ALLOWED FOR THIS ACTIVITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE PROPERTY BEYOND THE AREAS OF WORK, INCLUDING EXISTING FENCING, LAWN, TREES, SPRINKLER SYSTEMS, AND SHRUBBERY.

THE CONTRACTOR SHALL RELOCATE DISTURBED ORNAMENTAL OBJECTS AS DIRECTED BY THE ENGINEER. NO ADDITIONAL PAYMENT OR COMPENSATION WILL BE ALLOWED FOR THIS ACTIVITY.

DISTURBED AREAS SHALL BE RESTORED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS AND AS DIRECTED BY THE ENGINEER.

ANY PERMANENT SIGNS, NOT PROPOSED TO BE REMOVED AND REPLACED, REQUIRING RELOCATION DUE TO THE CONTRACTOR'S OPERATIONS SHALL BE SALVAGED AND RESET BY THE CONTRACTOR AT LOCATIONS DESIGNATED BY THE ENGINEER. SIGNS AND POST DAMAGED DURING THE REMOVAL AND STORAGE OPERATION SHALL BE REPLACED WITH NEW SIGNS AND POST BY THE CONTRACTOR AT THEIR SOLE EXPENSE.

THE CONTRACTOR SHALL NOT PARK ANY VEHICLES OR STORE ANY EQUIPMENT AND MATERIALS ON PRIVATE PROPERTY UNLESS AGREED TO UPON BETWEEN THE PROPERTY OWNER, CONTRACTOR, AND TOWNSHIP. ALL WORK SHALL BE CONFINED TO THE CONSTRUCTION LIMITS SHOWN ON THE PLANS UNLESS AUTHORIZED IN ADVANCE BY THE ENGINEER.

CONSTRUCTION STAGING

ALL TRAFFIC CONTROL DEVICES SHOULD BE IN ACCORDANCE WITH THE 2011 MMUTCD, AS AMENDED AND AS PERMITTED BY THE WASHTENAW COUNTY ROAD COMMISSION.

THE CONTRACTOR SHALL BE RESPONSIBLE TO MAINTAIN ALL TRAFFIC CONTROL DEVICES WITHIN THE PROJECT LIMITS. ANY TRAFFIC CONTROL DEVICES DAMAGED DUE TO THE CONTRACTOR'S OPERATION SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT HIS SOLE EXPENSE. THE CONTRACTOR WILL BE CHARGED FOR ANY DAMAGED TRAFFIC CONTROL DEVICES DUE TO THE CONTRACTOR'S OPERATION, IF THEY ARE REPAIRED OR REPLACED BY THE CITY.

AS DIRECTED BY THE ENGINEER, THE CONTRACTOR SHALL PROVIDE AND MAINTAIN ANY ADDITIONAL SIGNS, BARRICADES AND LIGHTS WITHIN THE PROJECT TO PROTECT THE TRAFFIC AND WORK AREA.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR COVERING AND UNCOVERING ALL CONSTRUCTION SIGNS AS NEEDED FOR THE PROPER MAINTENANCE OF TRAFFIC IN THE CONSTRUCTION AREA.

TRAFFIC CHANNELING DEVICES (PLASTIC BARRELS) FURNISHED BY THE CONTRACTOR FOR WORK PROTECTION SHALL BE COATED WITH REFLECTORIZED MATERIAL AND EQUIPPED WITH STEADY BURNING LIGHTS (TYPE "C") AT SPACING BASED ON POSTED SPEED LIMIT AND PER THE 2011 MMUTCD AS AMENDED.

SIGNAGE SHALL BE ON SITE NO SOONER THAN 1 WEEK PRIOR TO START OF SAW CUTTING OPERATION AND REMOVED WITHIN 48 HOURS OF HMA SURFACE CONSTRUCTION.

DUST CONTROL

THE CONTRACTOR SHALL BE RESPONSIBLE FOR DUST CONTROL ON THIS PROJECT. IT SHALL BE UNDERSTOOD THAT THIS IS NEAR A MAJOR CORRIDOR AND POST OFFICE. KEEPING DUST TO A MINIMUM IS HIGH PRIORITY AND WILL BE EXPECTED TO BE MAINTAINED ON A REGULAR BASIS. DUST CONTROL WILL BE CONSIDERED AS INCLUDED AS PART OF THE CONTRACT UNIT PRICE FOR THE SOIL EROSION CONTROL MEASURES.

SAWCUTTING

THE CONTRACTOR SHALL SAWCUT THE EXISTING CONCRETE AND/OR HMA PAVEMENT AND DRIVEWAYS TO THE LIMITS OF PROPOSED CONSTRUCTION, TO MAKE A NEAT AND SMOOTH CONNECTION TO THE EXISTING PAVEMENT OR DRIVEWAY AS REQUIRED AND DIRECTED. THIS WORK WILL NOT BE PAID FOR SEPARATELY, BUT WILL BE CONSIDERED INCLUDED IN THE CONTRACT UNIT PRICE BID FOR OTHER REMOVAL ITEMS.

FLAGGING OPERATIONS

THE CONTRACTOR AND ANY SUBCONTRACTORS WHO WILL BE USING A FLAGGING OPERATION FOR THIS PROJECT SHALL BE REQUIRED TO PROVIDE SATISFACTORY DOCUMENTATION PROVING THAT THEY HAVE MET THE MINIMUM REQUIREMENTS SET FORTH IN SECTION 812 OF THE 2012 MDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION. FAILURE TO PROVIDE DOCUMENTATION WILL RESULT IN THE ROAD AUTHORITY WITHHOLDING PAYMENT FOR FLAGGING OPERATIONS. FLAGGING OPERATIONS WILL BE CONSIDERED INCIDENTAL TO TRAFFIC MAINTENANCE AND CONTROL.

LAWN SPRINKLER SYSTEMS AND LANDSCAPING

OWNERS OF EXISTING LAWN SPRINKLER SYSTEMS AND/OR LANDSCAPING SHALL BE NOTIFIED (IN WRITING WITH A COPY SENT TO THE ENGINEER) BY THE CONTRACTOR TWO WEEKS IN ADVANCE OF ANY WORK TO BE DONE THAT WILL AFFECT THOSE SYSTEMS AND/OR LANDSCAPING. IF THE PROPERTY OWNER FAILS TO MARK AND/OR RELOCATE THE LAWN SPRINKLER SYSTEM PRIOR TO THE CONTRACTOR BEGINNING WORK, AND IF THE CONTRACTOR CUTS THE SYSTEM DURING CONSTRUCTION, THE CONTRACTOR SHALL CAP THE SYSTEM PIPE AND WITNESS THE LOCATION OF THE CAP WITH A WOODEN STAKE FOR THE RESIDENTS' USE. THE CONTRACTOR SHALL PLACE THE SALVAGED SPRINKLER HEADS ON THE PROPERTY OWNERS PROPERTY. IF THE PROPERTY OWNER FAILS TO RELOCATE THE LANDSCAPING PRIOR TO THE CONTRACTOR BEGINNING WORK, THE CONTRACTOR SHALL CAREFULLY SALVAGE THE LANDSCAPING ITEMS AND STOCKPILE THEM ON THE PROPERTY OWNERS PROPERTY FOR THE PROPERTY OWNER. ANY OTHER MODIFICATION TO THE LAWN SPRINKLER SYSTEMS AND/OR LANDSCAPING, IS THE RESPONSIBILITY OF THE OWNER AND IS NOT PART OF THIS CONTRACT. THIS WORK AND ALL REQUIRED COMMUNICATION AND COORDINATION WITH THE RESIDENT IS INCLUDED IN THE SHARED USE PATH, GRADING, PAY ITEM AND WILL NOT BE PAID FOR SEPARATELY.

PAVING AND CONCRETE WORK

THE CONSTRUCTION OF ALL LONGITUDINAL JOINTS IN THE HMA LEVELING AND WEARING COURSES SHALL BE CONSTRUCTED WITH THE USE OF A JOINT MATCHING SHOE.

CONSTRUCTION JOINTS AT EXISTING SURFACES SHALL BE BUTT JOINTS. FEATHERED JOINTS WILL NOT BE ALLOWED.

THE CONCRETE MIX SHALL BE GRADE P1 IN ACCORDANCE WITH SECTION 601 OF THE 2012 MDOT STANDARD SPECS FOR CONSTRUCTION.

HAND FINISHING OF CONCRETE POURS TO BE STRUCK OFF AND CONSOLIDATED BY HAND METHODS WILL BE PERMITTED ON VARIABLE WIDTH LANES AND LANES FORMED BY FLEXIBLE FORMS FOR SHORT RADIUS CURVES AS DIRECTED BY THE ENGINEER.

ALL DRIVEWAY OPENINGS SHALL CONFORM TO MDOT STANDARD PLAN R-29-1, DETAIL L OR DETAIL M, EXCEPT THE LAYOUT SHALL BE AS SHOWN ON THE PLANS OR AS DIRECTED BY THE ENGINEER.

AT LOCATIONS WHERE BARRIER CURBS TERMINATE, THE HEIGHT OF THE BACK OF CURB SHALL TRANSITION FROM FULL HEIGHT TO A HEIGHT OF ONE (1) INCH OVER 10 (10) FEET OR AS DIRECTED BY THE ENGINEER.

ANY RANDOM, IRREGULARLY CRACKED NEW CONCRETE CURB & GUTTER THAT OCCURS BEFORE THE PAVEMENT IS OPENED TO TRAFFIC SHALL BE REMOVED AND REPLACED AT THE SOLE EXPENSE OF THE CONTRACTOR PRIOR TO OPENING THE PAVEMENT TO TRAFFIC.

SIDEWALK

THE CONTRACTOR SHALL ADHERE TO ALL ADA STANDARDS. THE CROSS-SLOPE OF ALL SIDEWALK, RAMPS, AND LEVEL LANDINGS SHALL NOT EXCEED 2%, PER ADA STANDARDS.

REMOVALS

SAW CUTTING FOR PAVEMENT REMOVAL AS SHOWN ON THE PLANS OR AS DIRECTED BY THE ENGINEER SHALL BE TO THE DEPTH REQUIRED FOR PROPER REMOVAL OF PAVEMENTS OR CURB.

SAWING DEPTH SHALL BE ADEQUATE TO PREVENT SPALLING, CHIPPING, OR DAMAGE TO EXISTING PAVEMENT EDGES LEFT IN PLACE AS DIRECTED BY THE ENGINEER.

REMOVALS SHALL BE DONE AS SHOWN ON THE PLANS OR AS DIRECTED BY THE ENGINEER IN FIELD.

SIDEWALK REMOVAL LIMITS SHALL BE TO THE NEAREST PANEL. PARTIAL PANEL REMOVALS ARE NOT ACCEPTABLE, UNLESS APPROVED BY THE ENGINEER.

CURB SECTION REMOVALS SHALL BE TO THE NEAREST JOINT. PARTIAL CURB SECTION REMOVALS ARE NOT ACCEPTABLE.

THE CONTRACTOR SHALL REMOVE THE EXISTING PAVEMENT SURFACE, AS DIRECTED BY THE ENGINEER, TO A SUFFICIENT DEPTH IN ORDER TO CONSTRUCT THE PROPOSED PAVEMENT CROSS-SECTION.

PAVEMENT REMOVAL AS SHOWN ON THE PLANS SHALL BE AT THE DISCRETION OF THE ENGINEER. IF IN HIS/HER JUDGEMENT, AREAS OF PAVEMENT MAY BE LEFT IN PLACE, OR ADDITIONAL AREAS ADDED, TO PROVIDE THE PROPER CROSS-SECTION AND BASE, ADJUSTMENTS CAN BE MADE IN THE QUANTITIES.

ALL SIGN SALVAGES SHALL BE PROTECTED AND RESET IMMEDIATELY.

MISS DIG RULES APPLY PRIOR TO SAW CUTTING AND REMOVAL IF SHALLOW LEADS ARE EXPECTED OR ENCOUNTERED, HAND DIGGING OR POT HOLING OUTSIDE OF THE PAVEMENT, BEHIND THE SECTION OF CURB REMOVAL SHALL BE CONDUCTED AT NO ADDITION EXPENSE TO THE OWNER.

SAW CUTS ARE NOT PAID FOR SEPARATELY BUS SHALL BE INCLUDED IN THE REMOVAL ITEMS. SAWING FOR PAVEMENT REMOVAL SHALL BE INCLUDED IN THE ITEM OF PAVT, REM AND SIDEWALK, REM.

EARTHWORK & GRADING

THE CONTRACTOR SHALL DISPOSE OF ALL UNSUITABLE MATERIAL AT A SITE OUTSIDE OF THE PROJECT LIMITS, OR AS APPROVED BY THE ENGINEER. NO SEPARATE PAYMENT WILL BE MADE FOR LOADING, HAULING, OR DISPOSING OF THE EXCAVATED UNSUITABLE MATERIALS, BUT SHALL BE INCLUDED IN THE COST OF SHARED USE PATH, GRADING.

ALL NATURAL SOIL LEFT IN PLACE, IN CUT SECTIONS, SHALL BE COMPACTED TO NOT LESS THAN 95 PERCENT OF MAXIMUM UNIT WEIGHT TO A MINIMUM DEPTH OF 12 INCHES.

THROUGHOUT THE PROJECT, NO UNDERCUTS OR TRENCHES WILL BE LEFT OPEN AND UNBACKFILLED DURING EACH NIGHT OR NON-WORKING HOURS.

ALL SLOPES SHALL BE FINISHED AS CLASS A SLOPES. BACKFILL BEHIND ALL PROPOSED CURB WITH SOUND EARTH FILL AS SPECIFIED ON THE PLANS OR AS DIRECTED BY THE ENGINEER IS INCLUDED IN THE PLAN QUANTITY FOR SHARED USE PATH, GRADING.

GRADING LIMITS FOR THIS PROJECT ARE SHOWN ON THE PLANS. RESTORATION MEASURES HAVE BEEN INCLUDED IN THE PLANS FOR THE APPROVED GRADING LIMITS. THE CONTRACTOR SHALL SUBMIT AN EARTH CHANGE PLAN FOR ANY WORK BEYOND THE APPROVED LIMITS TO THE ENGINEER TO REVIEW FOR APPROVAL PRIOR TO THE DISTURBANCE. ALL COSTS FOR OBTAINING AND EXECUTING AN APPROVED EARTH CHANGE PLAN, INCLUDING RESTORATION, SHALL BE AT THE CONTRACTOR'S SOLE EXPENSE.

| PERMITS FOR PROJECT | | |
|---------------------|------|----------------------------------|
| TOTAL | UNIT | DESCRIPTION |
| 1000 | Dir | SESC Permit/Inspection Allowance |
| 5000 | Dir | WCRC Permit/Inspection Allowance |

UTILITY NOTES

FOR PROTECTION OF UNDERGROUND UTILITIES AND CONFORMANCE WITH ACT 174 OF THE P.A. OF 2013, THE CONTRACTOR SHALL DIAL 1-800-482-7171 OR 811 A MINIMUM OF THREE FULL WORKING DAYS, EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS, PRIOR TO BEGINNING EACH EXCAVATION IN AREAS WHERE PUBLIC UTILITIES HAVE NOT BEEN PREVIOUSLY LOCATED. MEMBERS OF THE "MISS DIG" ALERT SYSTEM WILL BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO MAY NOT BE PART OF THE "MISS DIG" ALERT SYSTEM.

THE CONTRACTOR WILL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING PUBLIC OR PRIVATE UTILITIES DURING THE CONSTRUCTION OF THIS PROJECT. ADEQUATE CARE SHALL BE TAKEN AT ALL TIMES.

THE LOCATIONS SHOWN FOR ALL PUBLIC UTILITIES, INCLUDING WATER SERVICE AND SANITARY SEWER LEADS ARE BASED ON BEST AVAILABLE INFORMATION. NO GUARANTEE IS MADE REGARDING THE ACCURACY OF THIS INFORMATION. THE CONTRACTOR SHALL PERFORM HIS OWN INVESTIGATION(S) IF HE DESIRES TO IN PERFORMING THE WORK OF THIS PROJECT. PAYMENT FOR 'EXPLORATORY EXCAVATION, 'TRENCH' WILL NOT BE PAID FOR UNLESS APPROVED IN ADVANCE BY THE ENGINEER.

ALL UTILITY WORK, INCLUDING STORM SEWER, SANITARY SEWER AND WATER MAIN, SHALL BE PERFORMED IN ACCORDANCE WITH THE TOWNSHIP OR YCUA STANDARD DETAILS.

THE RECONSTRUCTION OF STRUCTURES, BEYOND "ADJUST DRAINAGE/UTILITY STRUCTURE", SHALL BE AS DIRECTED BY THE ENGINEER.

CURB STOP BOXES LOCATED IN SIDEWALKS OR DRIVEWAYS THAT ARE TO BE REMOVED AND REPLACED SHALL BE ADJUSTED TO MEET PROPOSED ELEVATIONS AND SHALL BE PAID FOR AS ADJUST DRAINAGE/UTILITY STRUCTURE. MAIN LINE VALVES SHALL NOT BE MOVED. CONTRACTOR SHALL POUR AROUND OR AVOID ALL MAIN LINE VALVES.

MISCELLANEOUS

RUBBISH COLLECTION SHALL NOT BE INTERFERED WITH BY CONTRACTOR'S OPERATIONS. IF ACCESS TO CERTAIN AREAS IS BLOCKED BY CONTRACTOR OPERATIONS, HE/SHE SHALL TRANSPORT THE RUBBISH THEMSELVES TO A LOCATION ACCESSIBLE TO COLLECTION CREWS.

CURB STOP BOXES LOCATED IN SIDEWALKS OR DRIVEWAYS THAT ARE TO BE REMOVED AND REPLACED SHALL BE ADJUSTED TO MEET PROPOSED ELEVATIONS AND SHALL BE PAID FOR AS ADJUST DRAINAGE/UTILITY STRUCTURE. MAIN LINE VALVES SHALL NOT BE MOVED. CONTRACTOR SHALL POUR AROUND OR AVOID ALL MAIN LINE VALVES.

TELEPHONE

AT&T
ATTN: ANDY JOHNSON
550 S. MAPLE, 2ND FLOOR
ANN ARBOR, MI 48103
PHONE: (734) 996-5350
EMAIL: aj1728@att.net

ELECTRIC TRANSMISSION

DTE, ELECTRIC
ATTN: CLAY COMBEE
DIST. OPS. REGIONAL PLANNING, SW 4
8001 HAGGERTY RD.
BELLEVILLE, MICHIGAN 48111
PHONE: (734) 397-4338
EMAIL: combec@dteenergy.com

NATURAL GAS DISTRIBUTION H.P. GAS TRANSMISSION PIPELINE

DTE GAS COMPANY aka MICHCON
MICHCON 20" SUMPTER PIPELINE
ATTN: LAURIE FORRESTER
17150 ALLEN RD.
MELVINDALE, MICHIGAN 48122
PHONE: (313) 389-7261
EMAIL: forresterl@dteenergy.com

OR JAY WILLIAM
PHONE: (313) 643-2132
EMAIL: williamj@dteenergy.com

USPS POST OFFICE
ANTHONY WILLIAMS
PHONE: (734) 482-3046

CABLE

COMCAST
ATTN: RAYMOND LABEAU
25626 TELEGRAPH RD
SOUTHFIELD, MI 48034
PHONE: (734) 216-8091
EMAIL: Raymond_LaBeau@cable.comcast.com

H.P. GAS PIPELINE

TRANSCANADA PIPELINE/ ANR PIPELINE
ATTN: KYLE MARK REYNOLDS
6357 SR 66 NORTH
DEFANCE, OHIO 43512
PHONE: (419) 783-3136
EMAIL: Kyle_Reynolds@transcanada.com

WATER AND SEWER

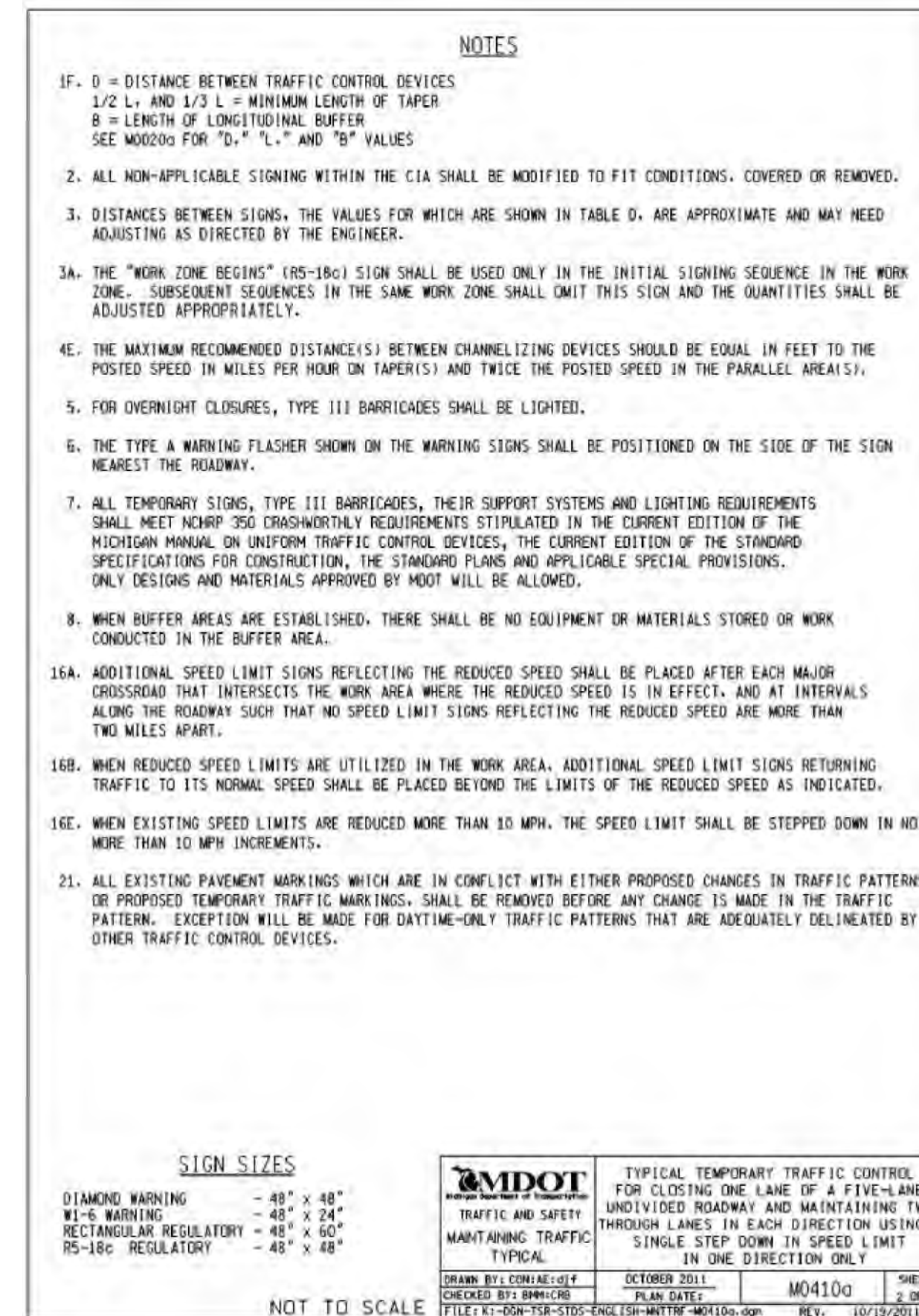
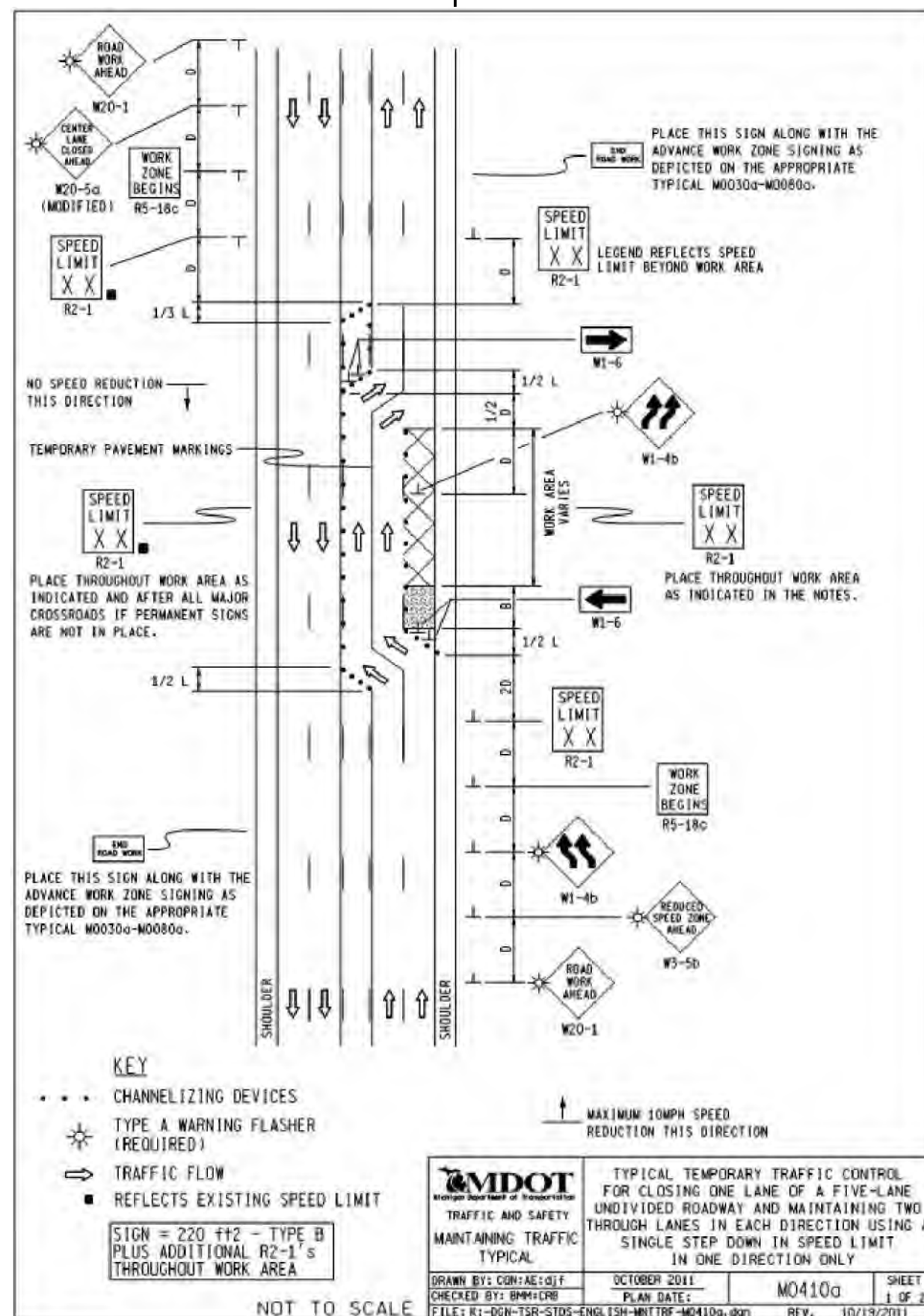
YPSILANTI COMMUNITY UTILITIES AUTHORITY
ATTN: SCOTT WESTOVER
2777 STATE ROAD,
YPSILANTI MICHIGAN 48198
PHONE: (734) 484-4600
EMAIL: swestover@ycua.org

TOWNSHIP PARKS & RESIDENTIAL SERVICES

YPSILANTI TOWNSHIP
ATTN: MICHAEL HOFFMEISTER
PHONE: (734) 544-3515
EMAIL: mhoffmeister@town.gov

QUANTITIES THIS PROJECT NOT IN CON/REM SHEETS

| TOTAL | UNIT | DESCRIPTION |
|-------|------|-----------------------------------|
| 1 | LSUM | Traffic Maintenance and Control |
| 1 | LSUM | Audio Video Route Survey |
| 1 | LSUM | Mobilization, Max |
| 15 | Ft | Curb and Gutter, Rem |
| 124 | Syd | Pavt, Rem |
| 6 | Cyd | Embankment, CIP |
| 114 | Cyd | Subgrade Undercutting, Type II |
| 33 | Sta | Station Grading |
| 198 | Syd | Aggregate Base, 6 inch |
| 50 | Ton | Maintenance Aggregate |
| 27 | Ton | Hand Patching |
| 14 | Syd | Conc Pavt, Nonreinf, 8 inch |
| 18 | Ft | Curb and Gutter, Conc, Det F4 |
| 89 | Sft | Sidewalk Ramp, Conc, 6 inch |
| 22 | Sft | Sidewalk, Conc, 6 inch |
| 1 | LSUM | Minor Traf Devices |
| 6 | Ton | Riprap, Plain |
| 3 | Ea | Sign, Salvage and Reset |
| 10 | Ea | Sprinkler Head, Salvage and Reset |
| 3 | Ea | Monument Box Adjust |
| 2 | Ea | Adjust Drainage/Utility Structure |
| 1 | Ea | Adjust Sanitary Structure |
| 33 | Sta | Turf Establishment |



ARCH EC S ENGINEERS P ANERS

3400 P ymouth Road
ivonia, M 48150
P (734) 522 6711 F (734) 522 6427

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REV'S IONS:

HORZ DA UM VER DA UM
WASH 88

SCA E V N S

H N S

C TY AGE OWNERSHIP
YPS AN

PRO INGR ENG
WASH 88

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008 18 0040

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COPYRIGHT 2017 OHM A. DRAWINGS AND VLR ENVIA ERA S APPEARING HERE IN COONS U E THE ORG NA AND UNPUB SHED WORK OF OHM AND HE SAME MAY NO BE DUPL CA ED DS REBU ED OR DISC OSED W HOU PR OR VWR EN CONSEN OF OHM

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JOB BENCHMARK #200
 CHISELED "4" ON W/TOP OF CONC
 PAD FOR MASTARM POLE IN NE/QUAD
 OF HURON RD & HURON RIVER DR
 ELEV 761.78

JOB BENCHMARK #201
 CHISELED "4" ON E/TOP OF CONC
 BASE FOR VTOWN SIGN ON W/SIDE
 OF HURON RD IN FRONT OF USPS
 YPSILANTI 48197
 ELEV 764.58

TRAVERSE POINT #100
 N 261495.74
 E 13323875.80 ELEV 762.00

TRAVERSE POINT #101
 N 262065.48
 E 13325907.15 ELEV 763.60

SOUTH HURON STREET (120' R.O.W.)

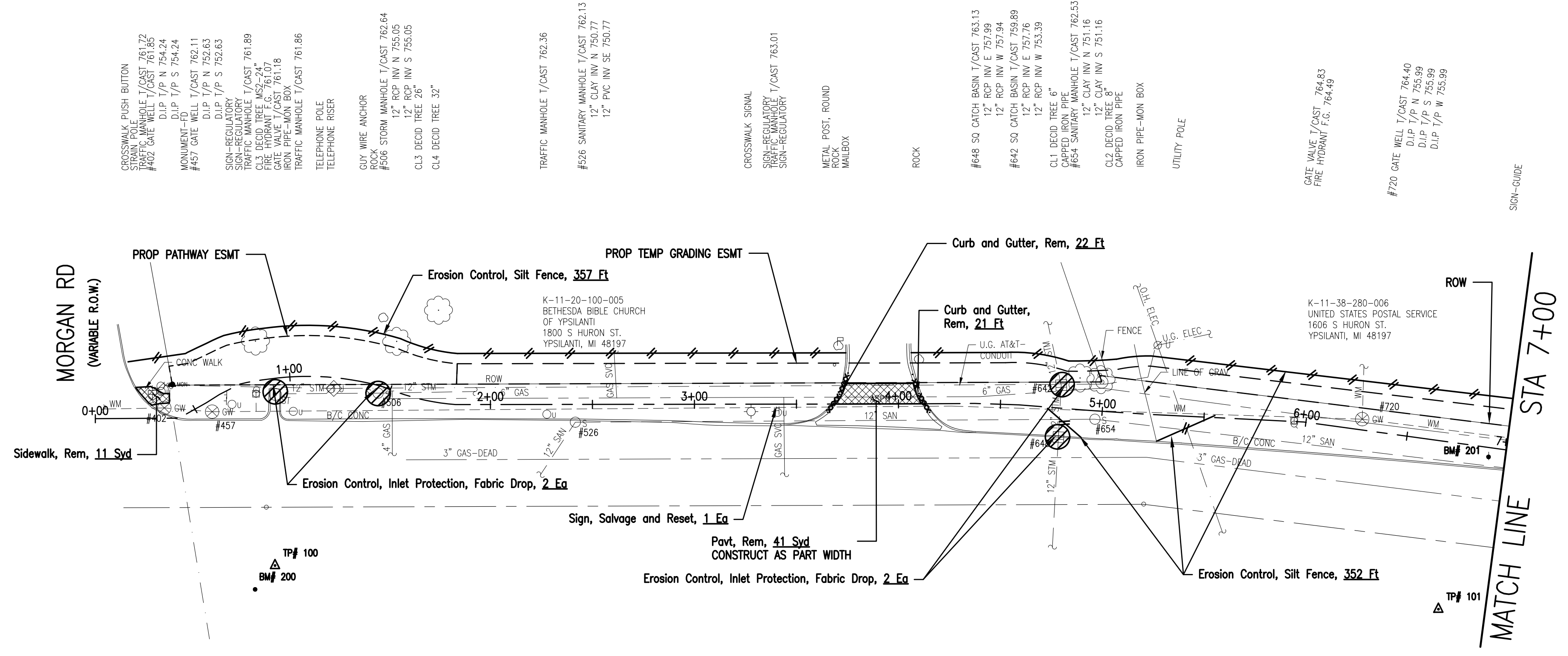
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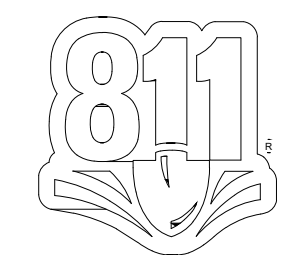
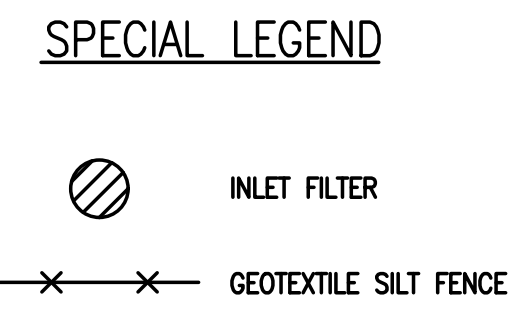
34000 Plymouth Road
 Ivonia, MI 48150
 P (734) 522 6711 F (734) 522 6427

OHM ADV SORS COM

| TOTAL | UNIT | DESCRIPTION |
|-------|------|--|
| 43 | Ft | Curb and Gutter, Rem |
| 41 | Syd | Pavt, Rem |
| 11 | Syd | Sidewalk, Rem |
| 4 | Ea | Erosion Control, Inlet Protection, Fabric Drop |
| 709 | Ft | Erosion Control, Silt Fence |



- CROSSWALK PUSH BUTTON
- STRAIN POLE
- #426 GATE VALVE T/CAST 761.82
- D.I.P. 1/P N 754.24
- D.I.P. 1/P S 754.24
- MONUMENT-FD
- #457 GATE VALVE T/CAST 762.11
- D.I.P. 1/P N 752.63
- D.I.P. 1/P S 752.63
- SIGN-REGULATORY
- TRAFFIC MANHOLE T/CAST 761.89
- CL3 DEOD. TREE 36\"/>



Know what's below
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REV'S ON:

| DATE | PROJ NUMBER | ENG | PROJ MGR | CADD | COORD Y | COORD X | SCALE | VER | DATE | BY |
|------------|-------------|-----|----------|------|----------|---------|-------|-----|------|----|
| 08/18/2020 | 0811 | ES | MP | SM | WASH/EMW | YPS AN | 1\"/> | | | |

CHARLES OWNSHIP OF YPSILANTI
HURON STREET PA HWAY
REMOVAL AND RECONSTRUCTION
 P.O.B. 05A7-00

JOB BENCHMARK #200
 CHISELED "4" ON W/TOP OF CONC
 PAD FOR MASTARM POLE IN NE/QUAD
 OF HURON RD & HURON RIVER DR
 ELEV 761.78

JOB BENCHMARK #201
 CHISELED "4" ON E/TOP OF CONC
 BASE FOR VTI/IN SIGN ON W/SIDE
 OF HURON RD IN FRONT OF USPS
 YPSILANTI 48197
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TRAVERSE POINT #100
 N 261495.74
 E 13323875.80 ELEV 762.00

TRAVERSE POINT #101
 N 262065.48
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SOUTH HURON STREET (120' R.O.W.)

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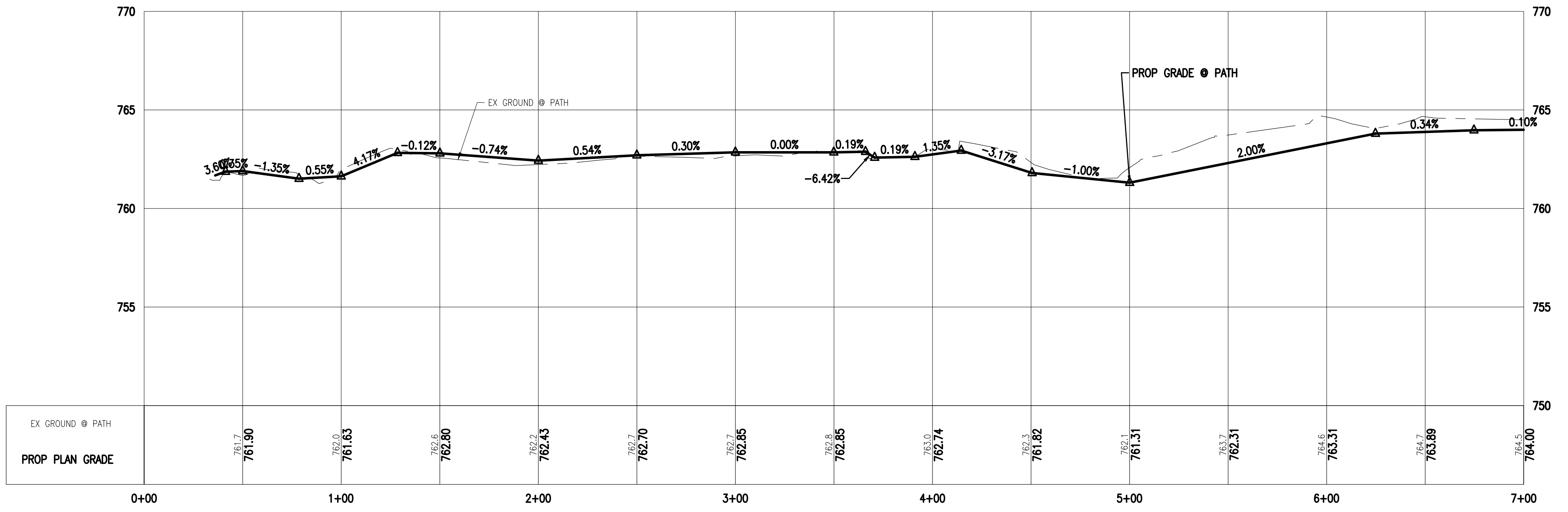
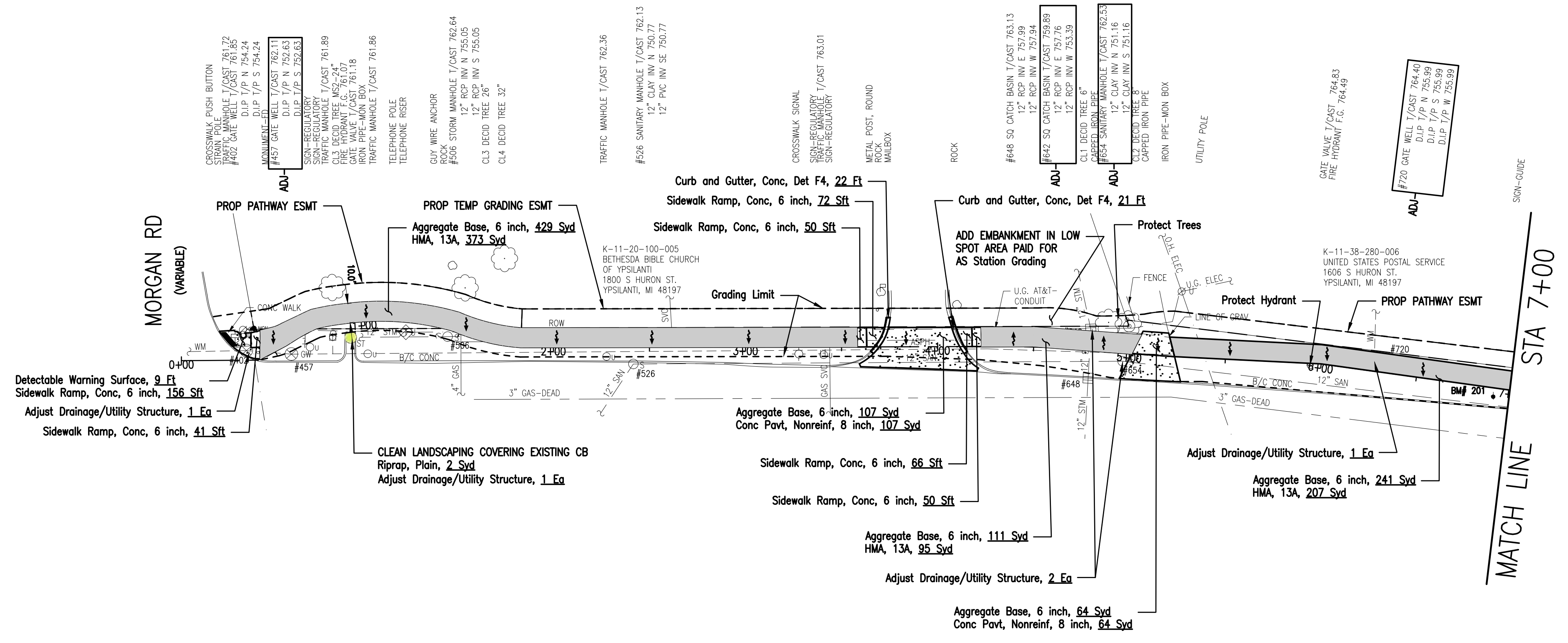
ARCH EC S ENGINEERS P ANNERS

34000 Plymouth Road
 Ivonia, MI 48150
 P (734) 522 6711 F (734) 522 6427

OHM ADV SORS COM

QUANTITIES THIS SHEET

| TOTAL | UNIT | DESCRIPTION |
|-------|------|-----------------------------------|
| 886 | Syd | Aggregate Base, 6 inch |
| 112 | Ton | HMA, 13A |
| 105 | Syd | Conc Pavt, Nonreinf, 8 inch |
| 43 | Ft | Curb and Gutter, Conc, Det F4 |
| 9 | Ft | Detectable Warning Surface |
| 294 | Sft | Sidewalk Ramp, Conc, 6 inch |
| 142 | Sft | Sidewalk, Conc, 6 inch |
| 2 | Ton | Riprap, Plain |
| 4 | Ea | Adjust Drainage/Utility Structure |



DRAWING PATH: P:\0000_01000088190040_Huron_Street_Pathway\Drawings\Civil\Plans_Constr\190040CON.dwg Oct 27, 2021, 11:45am

REV'S ON:

DA E PRO NUMBER ENG PROJ MGR CAUD COOR Y C TV AGE OWNERSHIP SCA E HOR ZDA UM VER DA UM
 008 19 0040 ES MP SM WASH ENAW YPS AN H: 1"=40 V: 1"=4 NAVD 88

CHAR ER OWNERSHIP OF YPS AN
 HURON S REE PA HWAY
 CONS RUC ON P AN AND PROF E
 P.O.B O S A 7-00



Know what's **be** ow
Ca before you dig

JOB BENCHMARK #202
 ARROW ON T/HYD W/S/E OF HURON
 RD 1ST HYD N OF USPS YPSILANTI
 48197 BUILDING ELEV 765.31

TRAVERSE POINT #102
 N 262570.05
 E 13325978.18 ELEV 762.72

SOUTH HURON STREET (120' R.O.W.)

Z

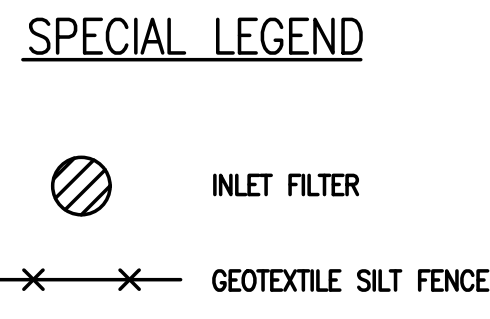
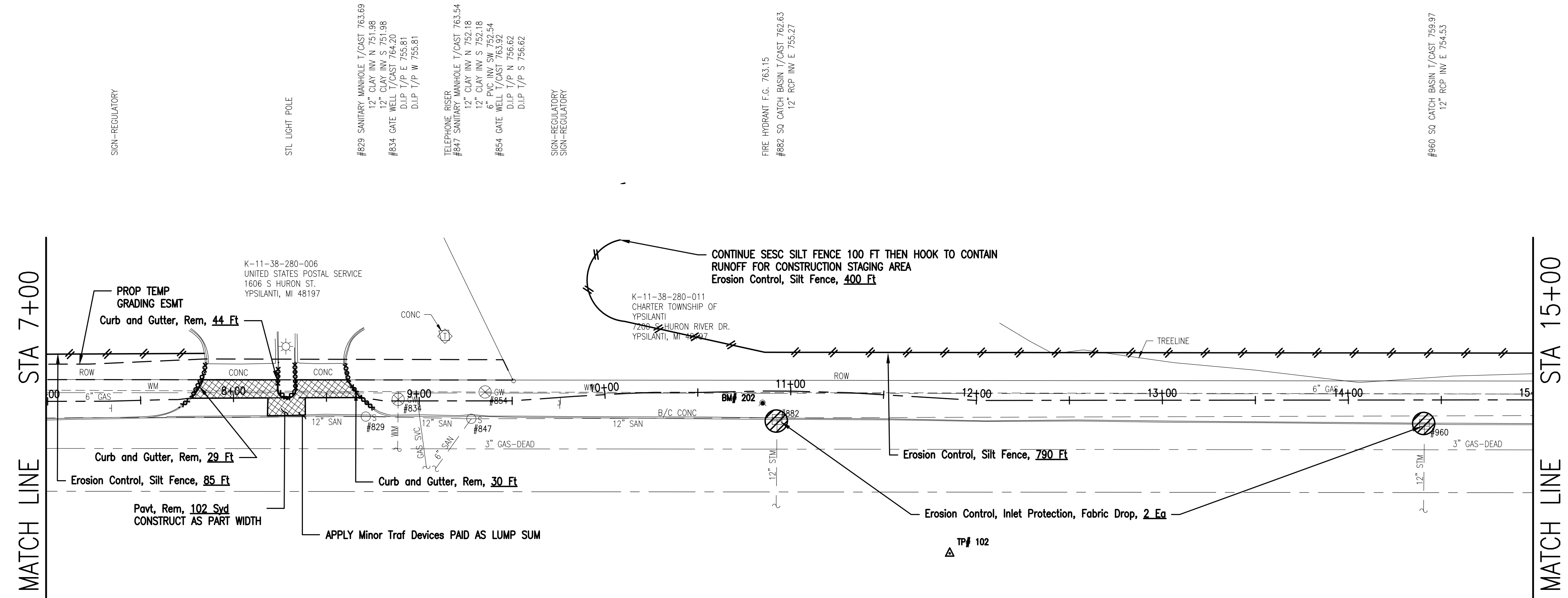
ARCH EC S ENGINEERS P ANNERS

34000 Plymouth Road
 Ivonia, MI 48150
 P (734) 522 6711 F (734) 522 6427

OHM ADV SORS COM

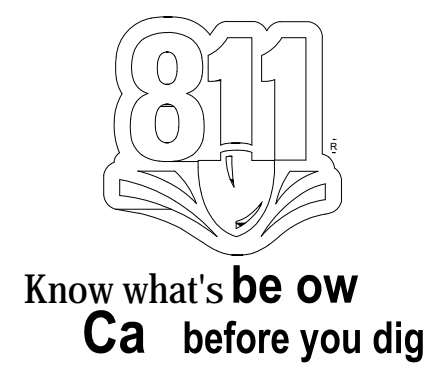
QUANTITIES THIS SHEET

| TOTAL | UNIT | DESCRIPTION |
|-------|------|--|
| 103 | Ft | Curb and Gutter, Rem |
| 102 | Syd | Pavt, Rem |
| 2 | Ea | Erosion Control, Inlet Protection, Fabric Drop |
| 1039 | Ft | Erosion Control, Silt Fence |



DRAWING PATH: P:\0000\01000088190040_Huron_Street_Pathway\Drawings\Civil\Removal\190040REM.dwg Oct 27, 2021 11:46am

| | | | | | | | | | | | | |
|---|------------|-----|---------|------|---------|------|-----|-----------|-------|-----|------|-------|
| DA E | PRO NUMBER | ENG | PRO MGR | CADD | COORD Y | CITY | AGE | OWNERSHIP | SCALE | VER | DATE | VALUE |
| ### | 008181040 | ES | MP | SM | | | | | N/A | | | |
| CHAR ER OWNERSHIP OF YPS AN HURON S REE PA HWAY REMOVA AND SESC P AN S A 7+00 O S A 15+00 | | | | | | | | | | | | |



JOB BENCHMARK #202
 ARROW ON T/HYD W/S/E OF HURON
 RD 1ST HYD N OF USPS YPSILANTI
 48197 BUILDING ELEV 765.31

TRAVERSE POINT #102
 N 262570.05
 E 13325978.18 ELEV 762.72

SOUTH HURON STREET (120' R.O.W.)

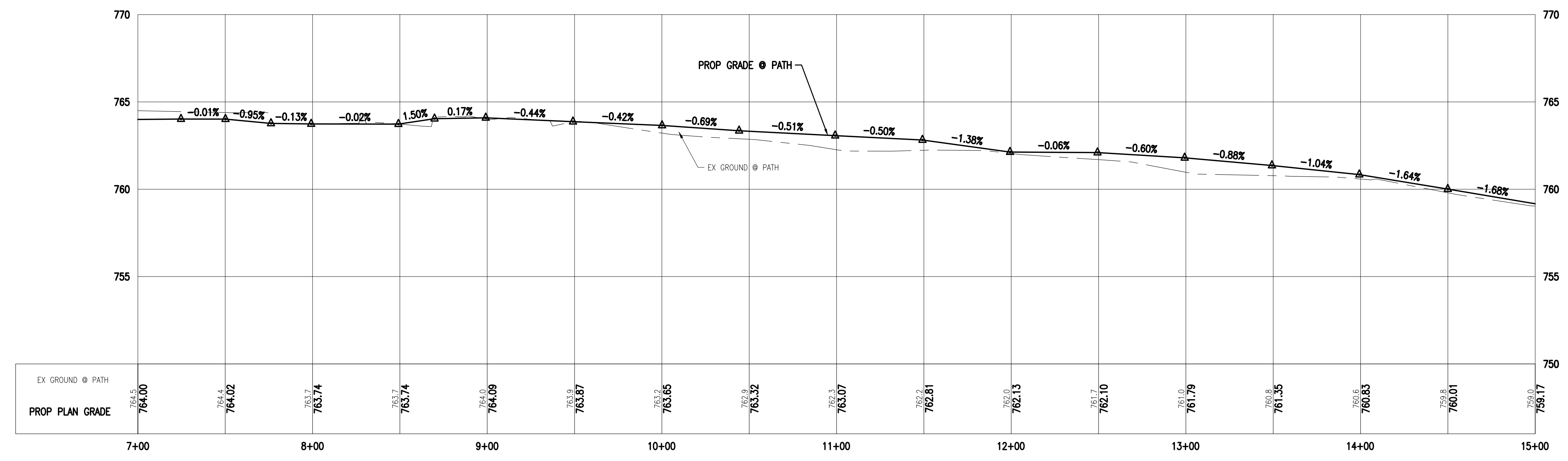
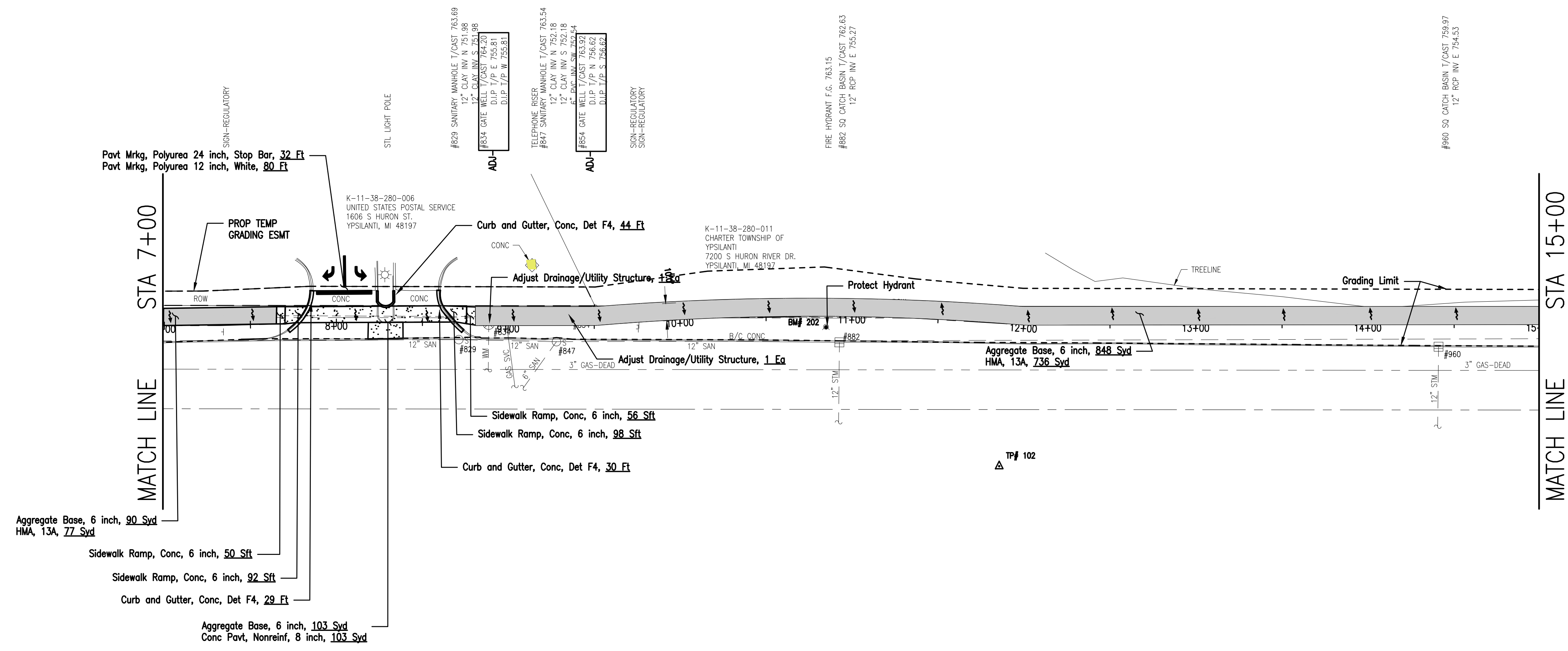
Z

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 Ivonia, MI 48150
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OHM ADV SORS COM

| QUANTITIES THIS SHEET | | |
|-----------------------|------|--|
| TOTAL | UNIT | DESCRIPTION |
| 11 | Cyd | Embankment, CIP |
| 1041 | Syd | Aggregate Base, 6 inch |
| 136 | Ton | HMA, 13A |
| 103 | Syd | Conc Pavt, Nonreinf, 8 inch |
| 103 | Ft | Curb and Gutter, Conc, Det F4 |
| 190 | Sft | Sidewalk Ramp, Conc, 6 inch |
| 106 | Sft | Sidewalk, Conc, 6 inch |
| 32 | Ft | Pavt Mrkg, Polyurea, 24 inch, Stop Bar |
| 2 | Ea | Adjust Drainage/Utility Structure |

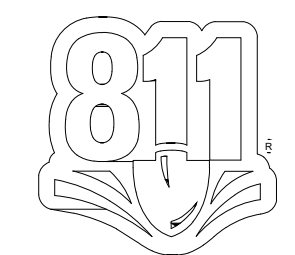


DRAWING PATH: P:\0000\01000088190040_Huron_Street_Pathway\Drawings\Civil\Plans_Constr\190040CON.dwg Oct 27, 2021 11:46am

REV'S ON:

DA E PROJ NUMBER 008191040
 ES MP
 PROJ MGR CADD SM
 COOR Y WASH ERAW
 C TV AGE OWNERSHIP
 SCA E V: 1"=4'
 H: 1"=40'
 VER DA UM
 HORZ DA UM
 NAVD 88

CHAR ER OWNERSHIP OF YPS AN
 HURON S REE PA HWAY
 CONS RUC ON P AN AND PROF E
 S A 7+00 O S A 15+00



Know what's below
 Ca before you dig

JOB BENCHMARK #203
ARROW ON T/HYD AT NW/QUAD OF
HURON RD AND BRINKER DR
ELEV 763.26

JOB BENCHMARK #204
SET COTTON SPINDLE IN T/CURB
W/SIDE OF HURON RD AT POB
TAPER TO BRINKER DR
ELEV 762.36

TRAVERSE POINT #103
N 263152.84
E 13326063.25 ELEV 760.57

TRAVERSE POINT #104
N 263554.84
E 13326114.76 ELEV 762.23

SOUTH HURON STREET (120' R.O.W.)

Z

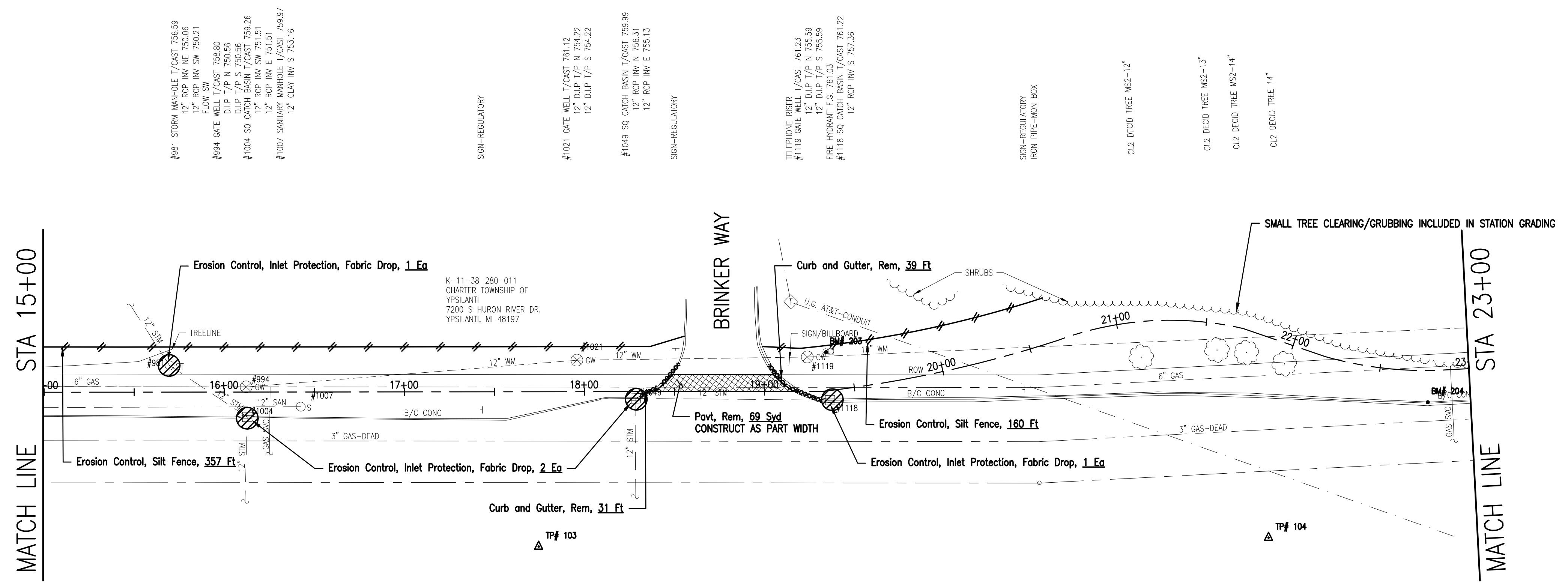
ARCH EC S ENGINEERS P ANNERS

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Livonia, MI 48150
P (734) 522 6711 F (734) 522 6427

OHM ADV SORS COM

QUANTITIES THIS SHEET

| TOTAL | UNIT | DESCRIPTION |
|-------|------|--|
| 70 | Ft | Curb and Gutter, Rem |
| 69 | Syd | Pavt, Rem |
| 4 | Ea | Erosion Control, Inlet Protection, Fabric Drop |
| 517 | Ft | Erosion Control, Silt Fence |



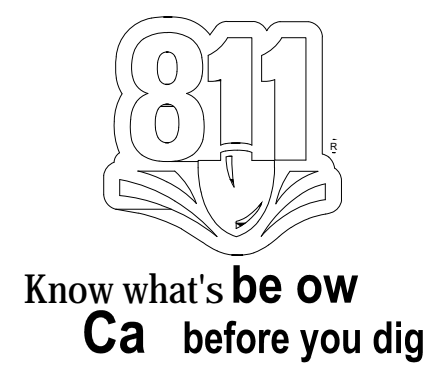
DRAWING PATH: P:\0000_01000088190040_Huron_Street_Pathway\Drawings\Civil\Removal\190040REM.dwg Oct 27, 2021 11:46am

REV'S ON:

| DA E | PRO NUMBER | ENG | PRO MGR | CADD | COORD Y | COORD X | SCALE | SCA E | H | 1"=40' | V | N A | HOR Z DA | UM | VER DA | UM | Value |
|------|-------------|-----|---------|------|-----------|---------|-------|-------|---|--------|---|-----|----------|----|--------|----|-------|
| | 008 19 0040 | ES | MP | SM | WASH ERAW | YPS AN | | | | | | | | | | | |

**CHAR ER OWN SH P OF YPS AN
HURON S REE PA HWAY
REMOVA AND SECC P AN**

S A 15+00 O S A 23+00



JOB BENCHMARK #203
ARROW ON T/HYD AT NW/QUAD OF
HURON RD AND BRINKER DR
ELEV 763.26

JOB BENCHMARK #204
SET COTTON SPINDLE IN T/CURB
W/SIDE OF HURON RD AT POB
TAPER TO BRINKER DR
ELEV 762.36

TRAVERSE POINT #103
N 263152.84
E 13326063.25 ELEV 760.57

TRAVERSE POINT #104
N 263554.84
E 13326114.76 ELEV 762.23

SOUTH HURON STREET (120' R.O.W.)

Z

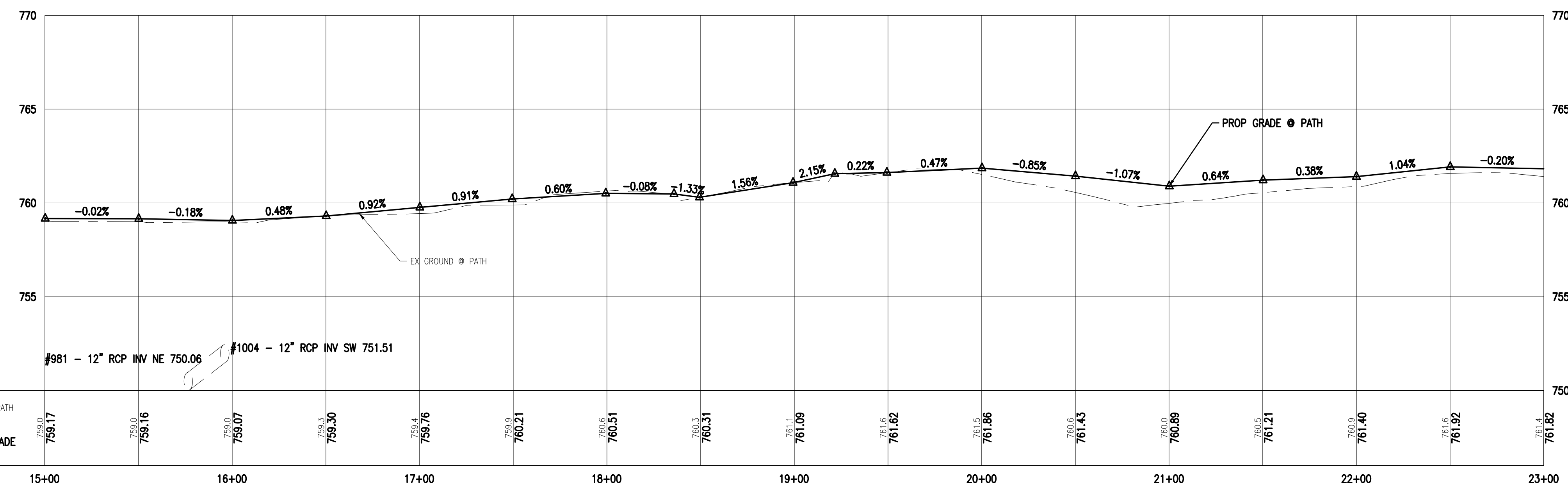
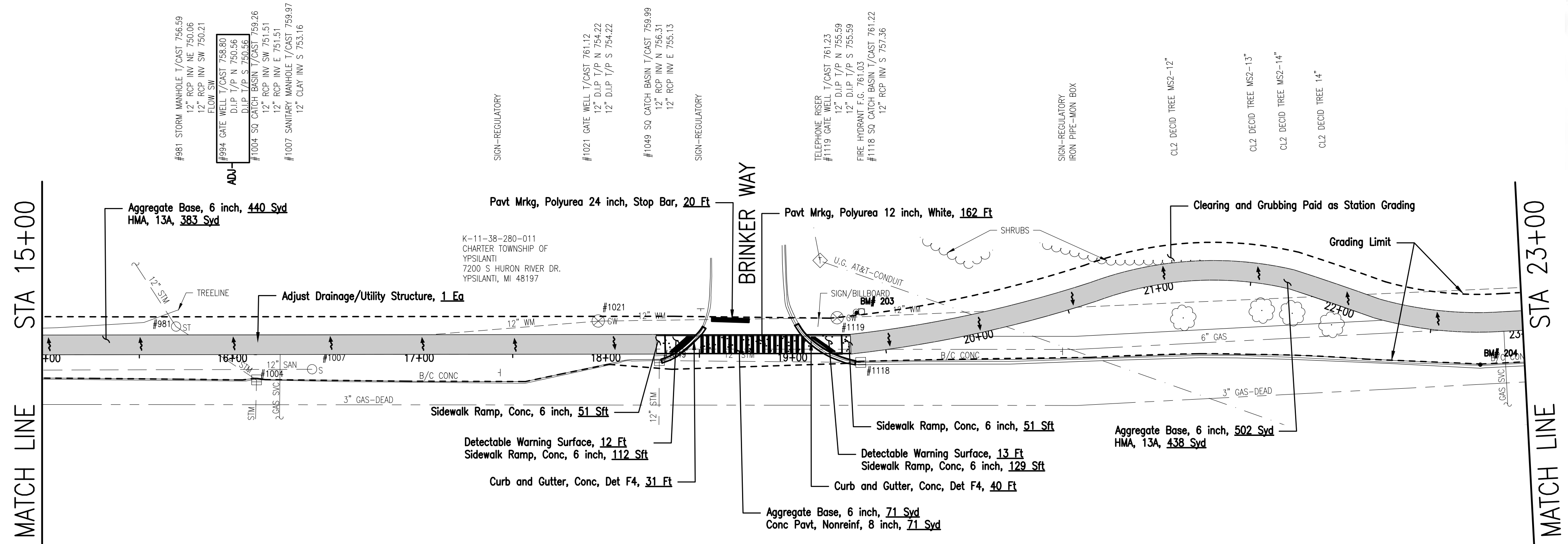
ARCH EC S ENGINEERS P ANNERS

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Ivonia, MI 48150
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OHM ADV SORS COM

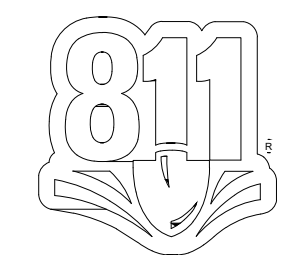
QUANTITIES THIS SHEET

| TOTAL | UNIT | DESCRIPTION |
|-------|------|--|
| 17 | Cyd | Embankment, CIP |
| 1014 | Syd | Aggregate Base, 6 inch |
| 136 | Ton | HMA, 13A |
| 71 | Syd | Conc Pavt, Nonreinf, 8 inch |
| 71 | Ft | Curb and Gutter, Conc, Det F4 |
| 25 | Ft | Detectable Warning Surface |
| 241 | Sft | Sidewalk Ramp, Conc, 6 inch |
| 102 | Sft | Sidewalk, Conc, 6 inch |
| 162 | Ft | Pavt Mrkg, Polyurea, 12 inch, White |
| 20 | Ft | Pavt Mrkg, Polyurea, 24 inch, Stop Bar |
| 1 | Ea | Adjust Drainage/Utility Structure |



CHAR ER OWN SH P OF YPS AN
HURON S REE PA HWAY
CONS RUC ON P AN AND PROF E

S A 15+00 O S A 23+00



Know what's **be ow**
Ca before you dig

DRAWING PATH: P:\0000_01000088\190040_Huron_Street_Pathway\Drawings\Civil\Plans_Constr\190040CON.dwg Oct 27, 2021 - 11:46am

JOB BENCHMARK #205
 CHISELED "4" ON SE/BOLT LIGHT POLE
 NW/QUAD JOE HALL DR & HURON RD
 ELEV 759.39

TRAVERSE POINT #105
 N 264092.30
 E 13326161.62 ELEV 758.91

SOUTH HURON STREET (120' R.O.W.)

ZZ

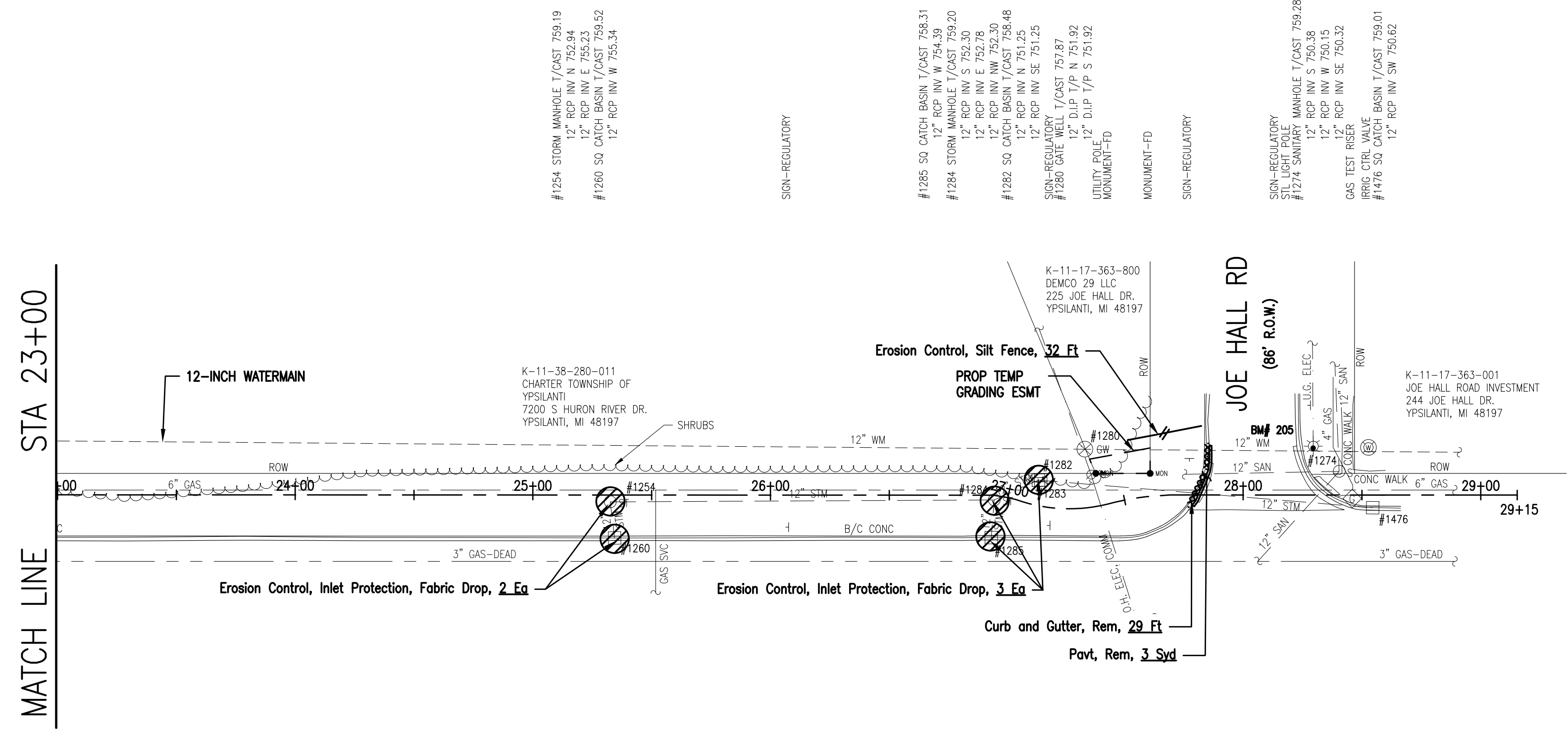
ARCH EC S ENGINEERS P ANNERS

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 Ivonia, MI 48150
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OHM ADV SORS COM

QUANTITIES THIS SHEET

| TOTAL | UNIT | DESCRIPTION |
|-------|------|--|
| 29 | Ft | Curb and Gutter, Rem |
| 3 | Syd | Pavt, Rem |
| 5 | Ea | Erosion Control, Inlet Protection, Fabric Drop |
| 32 | Ft | Erosion Control, Silt Fence |



SPECIAL LEGEND

- INLET FILTER
- GEOTEXTILE SILT FENCE

DRAWING PATH: P:\0000\01000098\190049_Huron_Street_Pathway\Drawings\Civil\Renewal\190049REM.dwg Oct 27, 2021 11:46am



Know what's below
 Call before you dig

DA E PRO NUMBER 008191040 ENG ES PROJ MGR MP CADD SM C YV AGE OWN SH P YPS AN WASH ENAW H: 1"=40' V: N/A SCA E

CHARLES OWNSHIP OF YPSILANTI
 HURON STREET PA HWAY
 REMOVAL AND SECT P AN

S A 23+00 O P O E

REV'S ON:

JOB BENCHMARK #205
 CHISELED "4" ON SE/BOLT LIGHT POLE
 NW/QUAD JOE HALL DR & HURON RD
 ELEV 759.39

TRAVERSE POINT #105
 N 264092.30
 E 13326161.62 ELEV 758.91

SOUTH HURON STREET (120' R.O.W.)



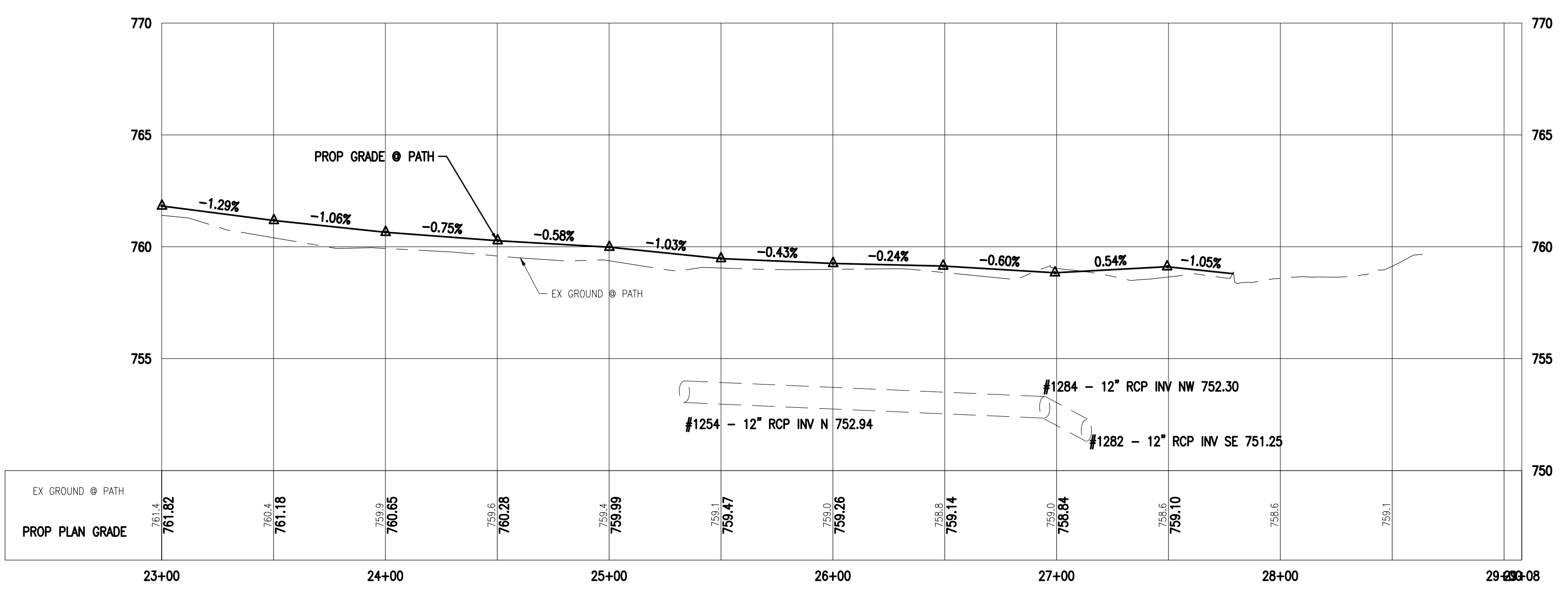
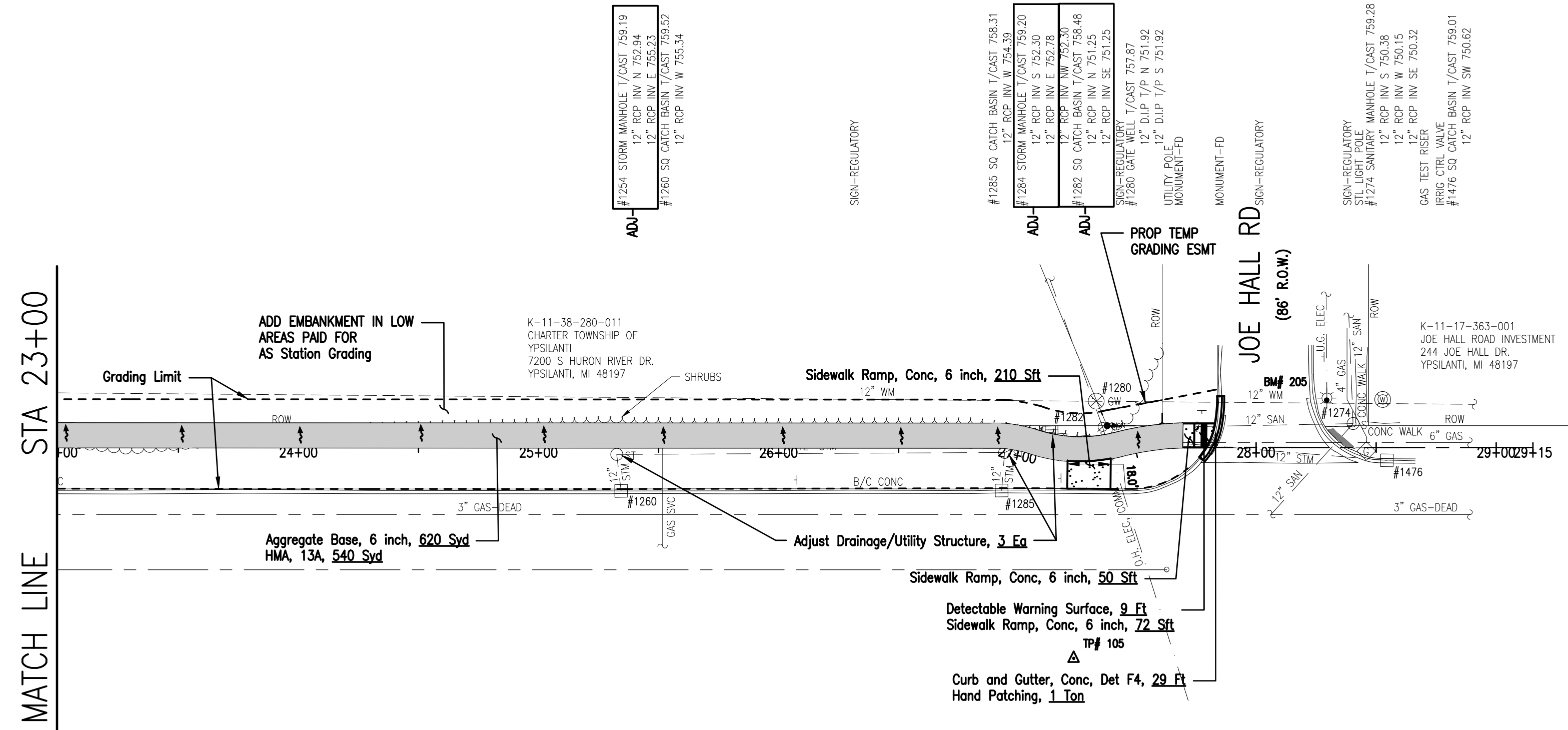
ARCH EC S ENGINEERS P ANNERS

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 Ivonia, MI 48150
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OHM ADV SORS COM

QUANTITIES THIS SHEET

| TOTAL | UNIT | DESCRIPTION |
|-------|------|-----------------------------------|
| 20 | Cyd | Embankment, CIP |
| 620 | Syd | Aggregate Base, 6 inch |
| 1 | Ton | Hand Patching |
| 89 | Ton | HMA, 13A |
| 29 | Ft | Curb and Gutter, Conc, Det F4 |
| 9 | Ft | Detectable Warning Surface |
| 72 | Sft | Sidewalk Ramp, Conc, 6 inch |
| 50 | Sft | Sidewalk, Conc, 6 inch |
| 3 | Ea | Adjust Drainage/Utility Structure |

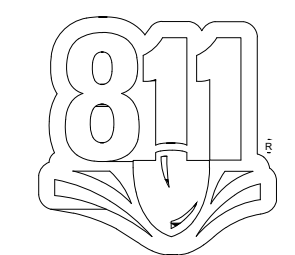


REV'S ON:

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |

CHAR ER OWN SH P OF YPS AN
 HURON S REE PA HWAY
 CONS RUC ON P AN AND PROF E

S A 23+00 O P O E



Know what's below
 before you dig

DRAWING PATH: P:\0000\01000088\900409_Huron_Street_Pathway\Drawings\Civil\Plans_Constr\1809040CON.dwg Oct 27, 2021, 11:47am

JOB BENCHMARK #205
 CHISELED "4" ON SE/BOLT LIGHT POLE
 NW/QUAD JOE HALL DR & HURON RD
 ELEV 759.39

TRAVERSE POINT #105
 N 264092.30
 E 13326161.62 ELEV 758.91

SOUTH HURON STREET (120' R.O.W.)

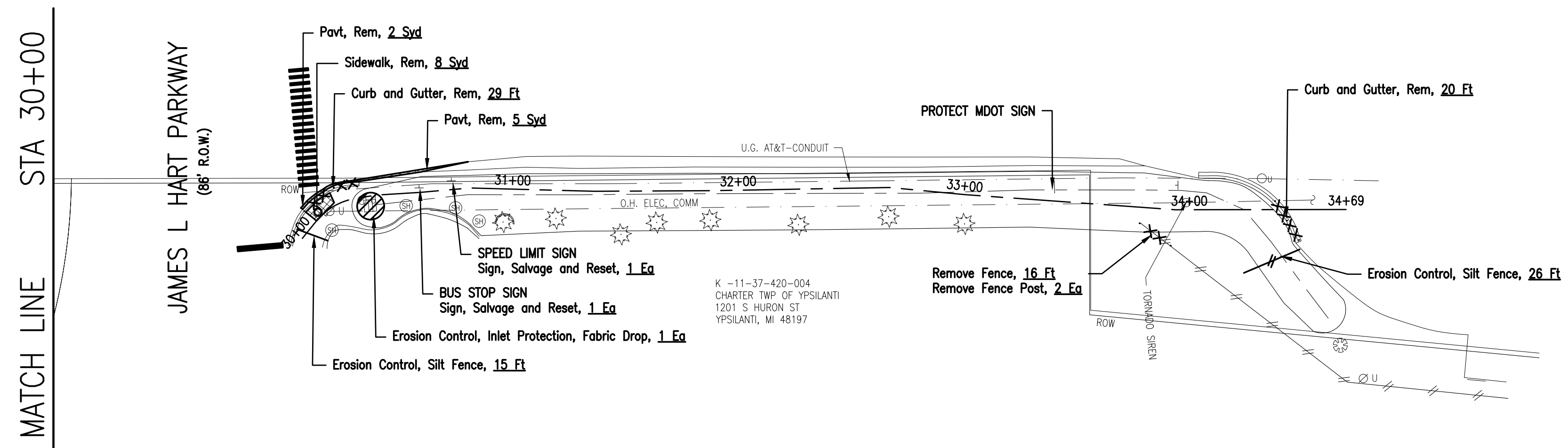
ZZ

ARCH EC S ENGINEERS P ANNERS

34000 Plymouth Road
 Ivonia, MI 48150
 P (734) 522 6711 F (734) 522 6427

OHM ADV SORS COM

| TOTAL | UNIT | DESCRIPTION |
|-------|------|--|
| 49 | Ft | Curb and Gutter, Rem |
| 7 | Syd | Pavt, Rem |
| 8 | Syd | Sidewalk, Rem |
| 1 | Ea | Erosion Control, Inlet Protection, Fabric Drop |
| 41 | Ft | Erosion Control, Silt Fence |
| 2 | Ea | Sign, Salvage and Reset |



#1254 STORM MANHOLE T/CAST 759.19
 12" RCP INV N 752.94
 #1280 SO CATCH BASIN T/CAST 759.62
 12" RCP INV W 755.34

SIGN-REGULATORY

#1285 SO CATCH BASIN T/CAST 756.31
 12" RCP INV W 754.39
 #1284 STORM MANHOLE T/CAST 759.20
 12" RCP INV E 752.78
 12" RCP INV NW 752.30
 #1282 SO CATCH BASIN T/CAST 758.48
 12" RCP INV N 751.25
 12" RCP INV SE 751.25

SIGN-REGULATORY

MONUMENT-FD

SIGN-REGULATORY

SIGN-REGULATORY
 #1274 SANITARY MANHOLE T/CAST 759.28
 12" RCP INV S 750.38
 12" RCP INV W 750.15
 12" RCP INV SE 750.32

GAS TEST RISER
 #1476 SO CATCH BASIN T/CAST 759.01
 12" RCP INV SW 750.62

K-11-37-420-004
 CHARTER TWP OF YPSILANTI
 1201 S HURON ST
 YPSILANTI, MI 48197

SPECIAL LEGEND

INLET FILTER

GEOTEXTILE SILT FENCE

DRAWING PATH: P:\0000\01000098\190049_Huron_Street_Pathway\Drawings\Civil\Renewal\190049REM.dwg, Ctd: 27, 2021-11-17 2:01:11 AM



Know what's below
 Call before you dig

| DATE | PROJ NUMBER | ENG | PROJ MGR | CADD | COORD Y | COORD X | SCALE | HORIZ. DATE | VERT. DATE | VALUE |
|------|-------------|-----|----------|------|-----------|---------|--------|-------------|------------|-------|
| ### | 008191040 | ES | MP | SM | WASH/EMAW | YPS AN | 1"=40' | N/A | N/A | |

CHARACTER OWNERSHIP OF YPSILANTI
 HURON STREET PARKWAY
 REMOVAL AND RECONSTRUCTION
 S.A. 30+00 O.P.O.E.

| | |
|------------|--|
| REV'S/DNS: | |
|------------|--|

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JOB BENCHMARK #205
 CHISELED "4" ON SE/BOLT LIGHT POLE
 NW/QUAD JOE HALL DR & HURON RD
 ELEV 759.39

TRAVERSE POINT #105
 N 264092.30
 E 13326161.62 ELEV 758.91

SOUTH HURON STREET (120' R.O.W.) STA 30+00 TO STA 34+50

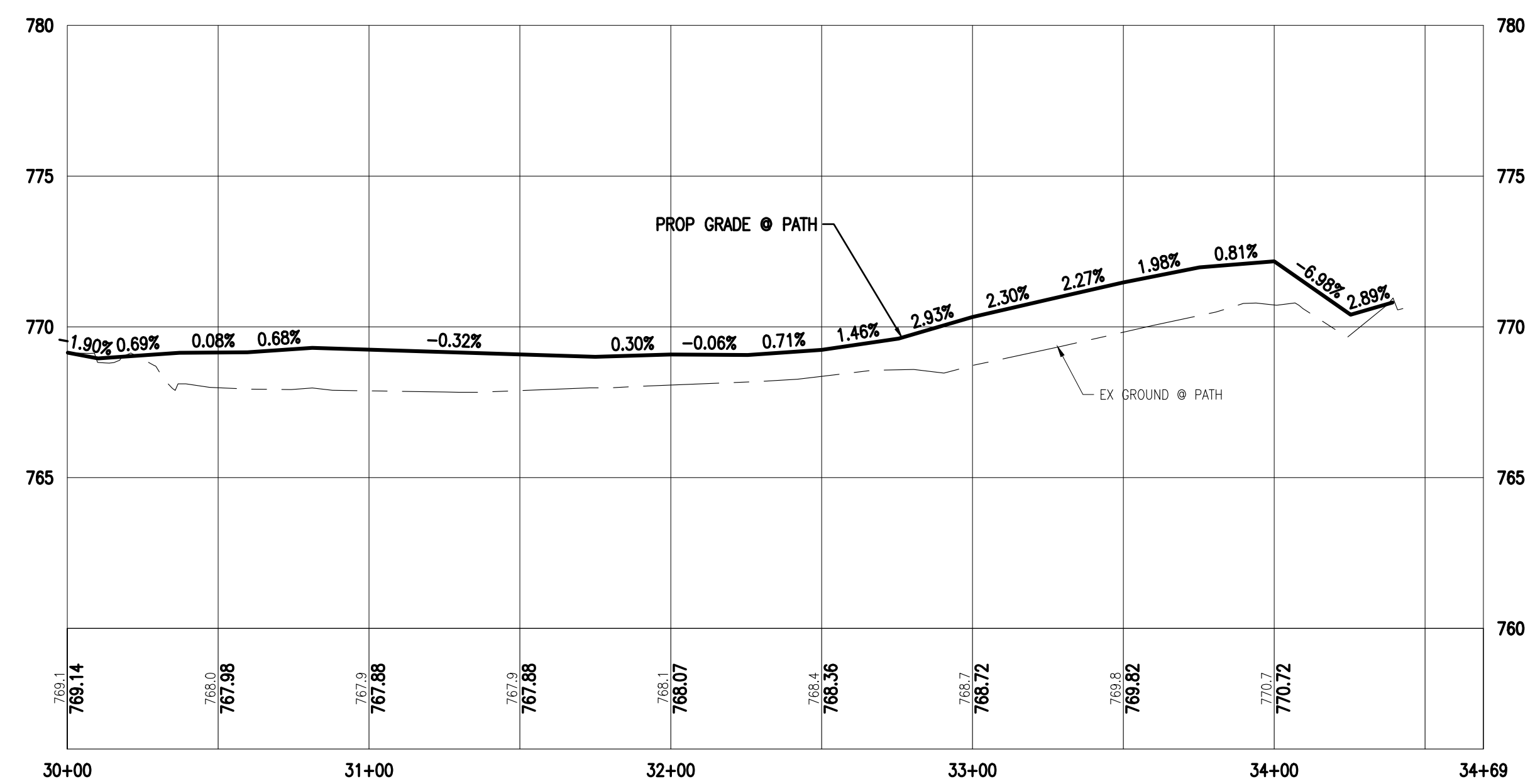
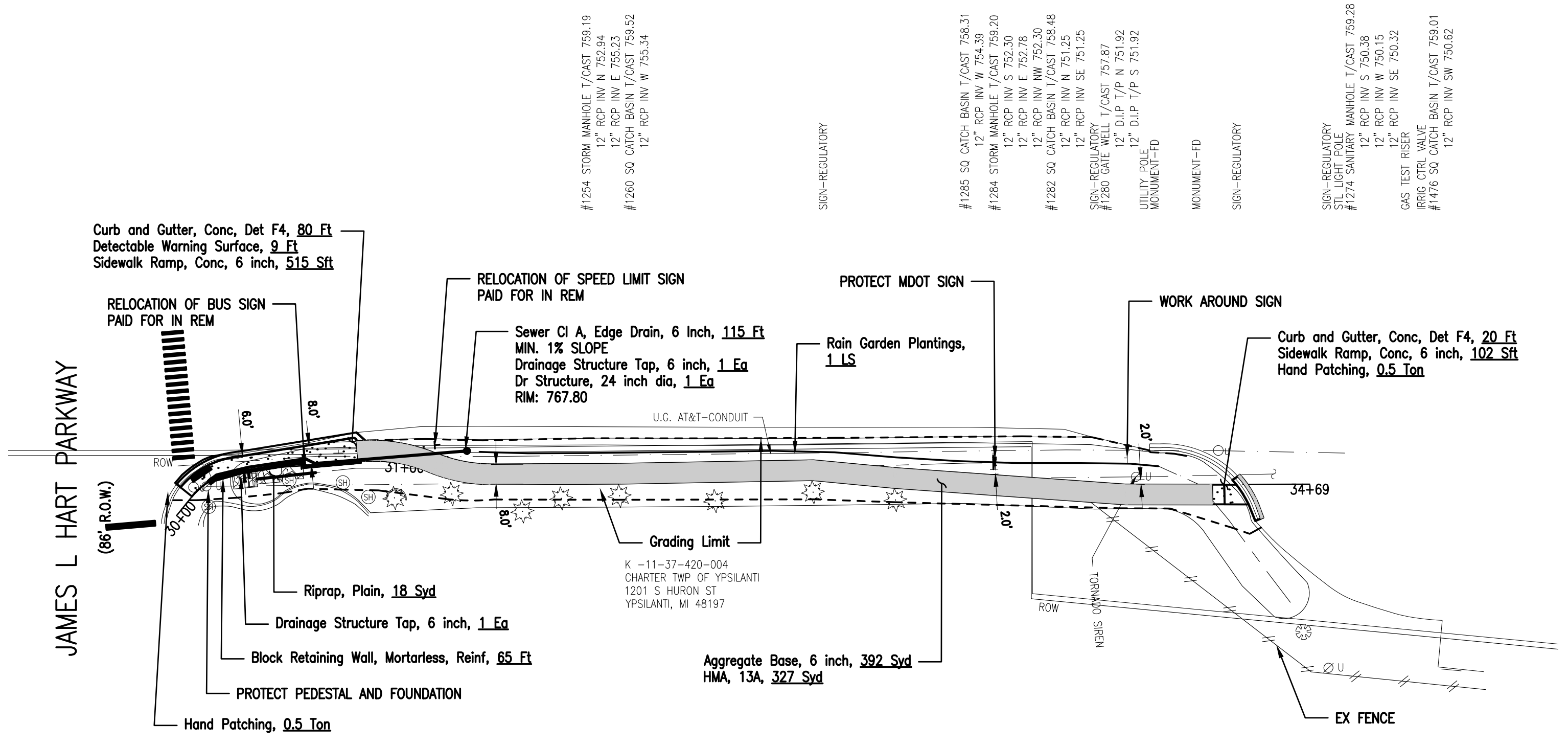
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 Ionia, MI 48150
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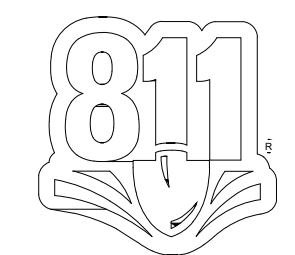
OHM ADV SORS COM

| TOTAL | UNIT | DESCRIPTION |
|-------|------|------------------------------------|
| 62 | Cyd | Embankment, CIP |
| 681 | Syd | Aggregate Base, 6 inch |
| 31 | Ft | Culvert, CI A, Corrugated, 12 inch |
| 2 | Ea | Culvert End Section |
| 1 | Ton | Hand Patching |
| 54 | Ton | HMA, 13A |
| 65 | Ft | Curb, Conc, Det E4 |
| 100 | Ft | Curb and Gutter, Conc, Det F4 |
| 9 | Ft | Detectable Warning Surface |
| 577 | Sft | Sidewalk Ramp, Conc, 6 inch |
| 40 | Sft | Sidewalk, Conc, 6 inch |
| 65 | Ton | Riprap, Plain |



DRAWING PATH: P:\0000\01000088190040_Huron_Street_Pathway\Drawings\Civil\Plans_Constr\190040CON.dwg Oct 27, 2021, 11:47am

CHARLES OWNSHIP OF YPSILANTI
 HURON STREET PARKWAY
 S A ##### O P O E



Know what's below
 Call before you dig

OTHER BUSINESS

BOARD MEMBER UPDATES
